



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: October 4, 2012

TO: Planning Commission

APPLICANT: Kurt Menslage
6005 Rainbow Hill Road
Agoura Hills, CA 91301

CASE NO.: 12-SPR-007

LOCATION: 6005 Rainbow Hill Road (A.P.N. 2056-055-004)

REQUEST: Request for approval of a Site Plan/Architectural Review to add 327 square feet to an existing residence.

ENVIRONMENTAL ANALYSIS: Categorically Exempt per Section 15301 of the CEQA Guidelines.

RECOMMENDATION: Staff recommends the Planning Commission approve Site Plan Architectural Review Case No. 12-SPR-007, subject to conditions, based on the findings of the draft Resolution.

ZONING DESIGNATION: RS-(3)-10,000 (Single-Family Residential – maximum three dwellings per acre – 10,000 square feet minimum lot size)

GENERAL PLAN DESIGNATION: RS (Residential Single Family)

I. BACKGROUND AND PROJECT DESCRIPTION

The applicant, Kurt Menslage, is requesting to add 327 square feet to the second floor of his residence located at 6005 Rainbow Hill Road in the Peacock Ridge residential tract. The 0.24-acre parcel is in the Single Family Residential (RS-(3)-10,000) zone. The parcel is adjacent to single-family residences on the north, south and west sides of the property. Private open space is located across the street to the east. The Residential Neighborhood Compatibility Ordinance that was adopted in 2009 requires the Planning Commission to review second-story additions that exceed 75% of the first floor square footage. In this case, the total floor area of the house includes a 2,722 square-foot first floor (including the garage) and 1,817 square-foot second floor. The proposed 327 square-foot addition will result in the second floor being 79% of the first floor area.

The proposed additional square footage would be completely inside the existing building envelope and above the living room in the existing volume ceiling at the southeast corner of the residence. The room is intended to be used as a game room. The mass of the house would not change. Two existing aluminum framed windows would be upgraded to vinyl framed windows. The applicant is also adding a patio cover and balcony in the rear of the house, and replacing a window with vinyl sliders which are not part of this application.

II. STAFF ANALYSIS

The existing residence and the proposed addition are permitted uses in the RS zone. The construction of the house in 1988 pre-dates the City's Zoning Ordinance but the existing structure complies with the required development standards, relative to lot coverage and height. Currently, the building coverage is slightly over 25%, whereas the maximum allowable coverage for the RS-(3)-10,000 zone is 35%. The building is 29 feet high whereas the maximum allowable height is 35 feet. The existing side yards are irregular with 5 and 47 feet on the north and south sides respectively and 25 and 17 feet in the rear and front of the parcel whereas the required setbacks are 25 in the front and the rear and 10 and 12 feet on the sides of the structure. The addition will not impact the side or the front yard setback.

Access to the proposed game room will be taken from an existing staircase leading to the master bedroom. Fixed windows already exist above the living room on the east and south elevations. The applicant wants to preserve the leaded light design of the glass panes of the front bay window. The windows on the south elevation are to be replaced with a tempered glass window and be openable for required ventilation and emergency exiting. The applicant has selected white vinyl sliders as replacement windows. All the changes proposed by the applicant have been approved by the Peacock Ridge Homeowners Association.

The purpose of the guidelines of the Residential Neighborhood Compatibility Ordinance is to ensure that additions to existing homes are harmonious with, and enhance the surrounding neighborhood character. To meet this intent, new or modified structures should be designed so that it similar to the neighboring structures in architectural style, mass, bulk, height and number of stories, roof design, scale orientation, setback, open space and building material texture and color. The proposed added square footage meets the design standards by not increasing the building mass, height, and bulk, and remaining within the existing building envelope. It does not increase the number of floors and the exterior materials remain the same at the exception of two upgraded windows per the Building and Safety Department's requirements. These new windows are located over 40 feet to the south property line and thus privacy issues are not anticipated.

In conclusion, the proposed project is consistent with the development standards of the RS zone. The addition expands the second floor of the residence over 75% of the first floor but remains within the building envelope thereby limiting disruption to the neighbors and loss of privacy. The architectural style of the residence will be preserved and the landscaping will be maintained. The new floor will be built to the most updated building code requirements.

Notices of the Planning Commission meeting regarding this project were sent to neighbors within 750 feet of the project site. One adjacent neighbor submitted a letter, which is attached for reference. An approval letter from the Peacock Ridge Homeowners Association is also attached.

Based on the foregoing review and analysis, staff recommends that the Planning Commission approve Site Plan/Architectural Review Case No. 12-SPR-007, subject to conditions.

III. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Vicinity/Zoning Map
- Exhibit B: Letter from the Peacock Ridge Homeowners Association
- Exhibit C: Letter from the Adjacent Neighbor
- Exhibit D: Reduced Copies of the Plans
- Exhibit E: Environmental Determination
- Exhibit F: Photographs of the Residence

Case Planner: Valerie Darbouze, Associate Planner

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
AGOURA HILLS APPROVING SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 12-SPR-007

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS,
RESOLVES, AND ORDERS AS FOLLOWS:

Section I. An application was duly filed by Kurt Menslage with respect to the property located at 6005 Rainbow Hill Road (Assessor's Parcel Number 2056-055-004), requesting approval of Site Plan/Architectural Review Case No. 12-SPR-007, to allow the construction of a 327 square-foot, second-story addition to an existing 3,819 square-foot, single-family residence with a 720 square-foot attached garage. A public meeting was duly held on October 4, 2012, at 6:30 p.m. in the Council Chambers at City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given.

Section II. Evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the Planning Commission at the aforesaid public meeting.

Section III. Based on the evidence presented at the public meeting, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to the Agoura Hills Municipal Code Sections 9677.5 that:

1. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. The Single-Family Residential (RS) zone allows for single-family residential uses and expansion to single-family units. The addition expands the existing second floor of the residence and will remain within the building envelope, with no exterior expansion.
2. The proposed room addition will not be detrimental to the public health, safety, or general welfare. The property will be improved and maintained according to City Building Code standards and will comply with the required development standards of the RS zone in that the second floor game room will continue to allow for privacy, light and air between adjacent parcels.
3. The room addition will not conflict with the character and design of the buildings and open space in the surrounding area in that the proposed front bay window will remain and the new windows on the south elevation will match the white trims of the house. No additional square footage on the exterior of the building is proposed.
4. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The subject parcel has a fairly large, undeveloped front yard with tall mature landscaping. There will be no decrease in yard areas, or lot coverage, nor an increase in building height, as a result of the proposed addition.

5. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan in that it will maintain the style of architecture found throughout in the Peacock Ridge residential neighborhood.
6. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The applicant is maintaining the design of the house as originally constructed and upgrading windows quality and style with no additional exterior square footage proposed.

Section IV. Based on the evidence presented at the public meeting, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to the Agoura Hills Municipal Code Sections 9677.7 that:

1. The proposed development is consistent with the general plan, any specific plans, and any design standards adopted by the city council. Other than upgrading two windows on the south elevation of the residence, the proposed development will not change the architectural style of the residence and as a result, cohesiveness throughout the neighborhood will be maintained.
2. The design and location of the proposed development and its relationship to the existing or proposed developments and traffic in the vicinity thereof is such that it will not impair the desirability of investment or occupation in the neighborhood, and it will not unreasonably interfere with the use and enjoyment of existing or proposed developments in the vicinity thereof, and that it will not create traffic hazards or congestion. The proposed project will not increase the density of the use on the parcel and therefore, will not create additional traffic in the neighborhood. The structure will remain a single-family residence like the adjacent properties.
3. The design of the proposed development is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by this ordinance and the general plan of the city. The addition is entirely within the building envelope therefore, the character of the structure will not change and the landscaped side yard will be maintained with a manicured lawn and mature trees.
4. The design of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and it is aesthetically of good composition, materials, textures, and colors. Only minor exterior changes are proposed to the facades which include upgrading two windows on the south (side) elevation. The south elevation is setback over 40 feet away from the side property line thereby limiting impacts on the neighbor's privacy. The existing window on the east (front) elevation will remain to preserve the character of the residence.
5. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements. The Single-Family Residential (RS) zone allows for single-family residential uses and expansion to single-family units. The

addition expands the existing second floor of the residence but will remain within the building envelope, with no exterior expansion.

6. The overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare. The property will be improved and maintained according to City Building Code standards and will comply with the required development standards of the RS zone in that the second floor game room will continue to allow for privacy, light and air between adjacent parcels.

Section V. The proposed project is a request for a 327 square-foot addition to an existing, single-family residence and is exempt from the California Environmental Quality Act, as defined in CEQA Guidelines Section 15301 and does not require the adoption of an environmental impact report or negative declaration.

Section VI. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 12-SPR-007, subject to the attached Conditions of Approval, which are attached hereto as Exhibit A and incorporated herein by this reference.

Section VII. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 4th day of October, 2012, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

John O'Meara, Chairperson

ATTEST:

Mike Kamino, Secretary

Exhibit A
Conditions of Approval (Case No. 12-SPR-007)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits: Site Plan; Elevation Plans; and Floor Plans.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
7. No occupancy shall be granted for the addition until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
8. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.
9. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
10. Unless this permit is used within two (2) years from the date of City approval, Case No. 12-SPR-007 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
11. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be allowed.

BUILDING AND SAFETY CONDITIONS

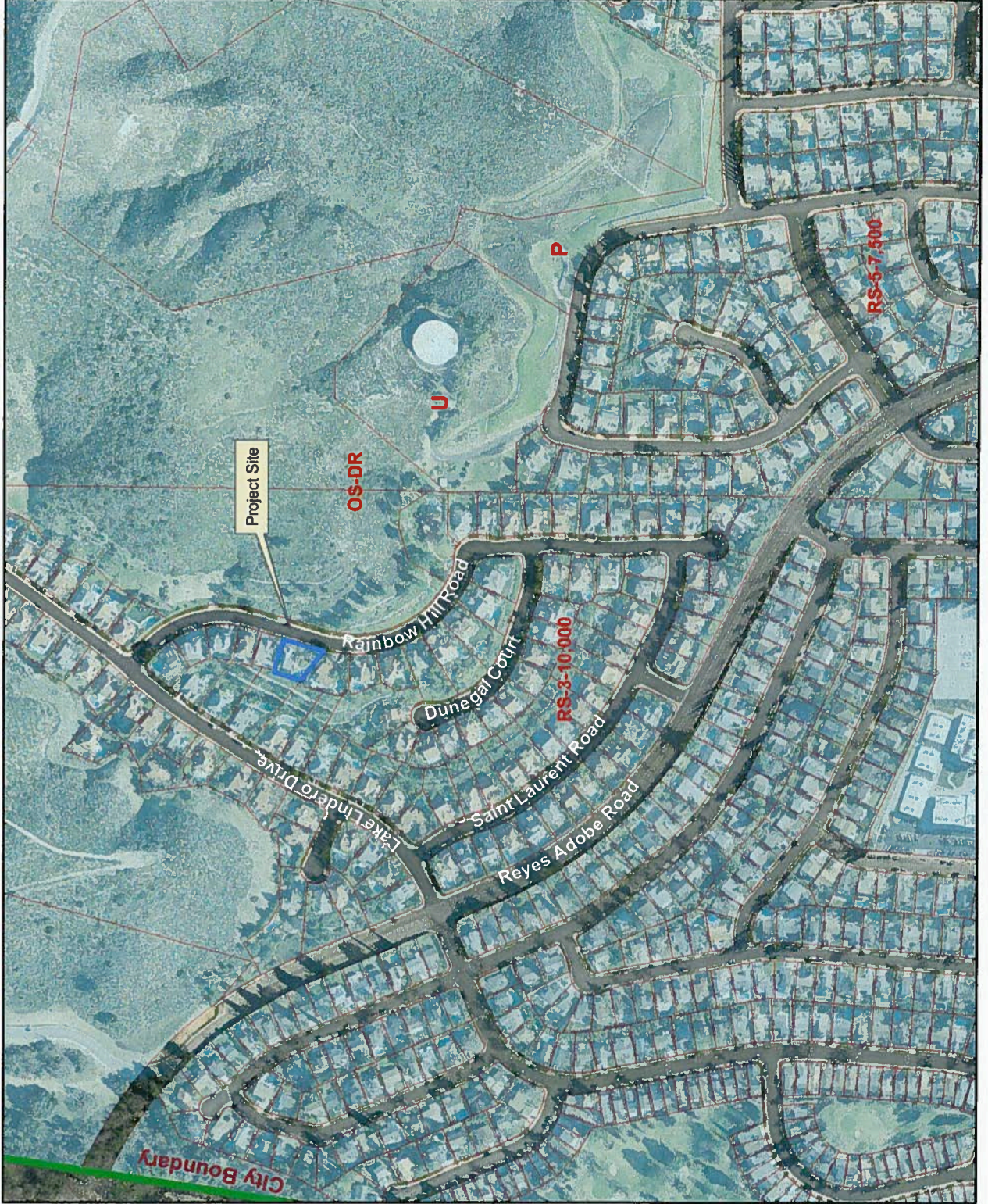
12. The applicant shall utilize current building codes including the 2010 additions to California Building Codes and shall comply with all requirements of the City of Agoura Hills Division of Building and Safety.

END

City of Agoura Hills

Site Plan/Architectural Review - Case No. 12-SPR-

Vicinity/Zoning
Map



Peacock Ridge Community Association

September 17, 2012

Mr. Kurt Menslage
6005 Rainbow Hill Road
Agoura Hills, CA 91301

Lot #040

Dear Mr. Menslage:

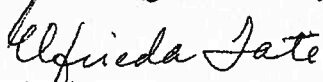
Your application has been reviewed by the Architectural Committee and approvals are granted as follows:

1. Extending the upper floor of your home, completely internal.
2. Replacing two side windows with two white vinyl windows.
3. Construction of balcony at rear of house, previously approved by the HOA.
4. Replacing two windows with two white vinyl sliding doors to provide access to the balcony.

The Architectural Committee's review does not provide you any representations, guarantees or warranties, including structural design, functional concerns and building code requirements. It is the responsibility of the property owner to ensure the quality of craftsmanship and material, and to gain proper approvals from local government officials.

Thank you for cooperating with the architectural review process. Please contact me if you have any questions.

Sincerely,
For the Architectural Committee
Peacock Ridge Community Association


Elfrida Tate
Association Manager

The Emmons Company
One Boardwalk - Suite 102 - Thousand Oaks, CA 91360
805-413-1170 - Fax 805-413-1190
etate@emmonsco.net

September 5, 2013

City of Agoura Hills Planning Commission

30001 Ladyface Court

Agoura Hills, CA 91301

Dear Agoura Hills Planning Commission,

My name is Sam Jagtiani and I live at 5971 Rainbow Hill Road, Agoura Hills, CA 91301 (LOT 39). I am the neighbor of Kurt Menslage who lives just north of me at 6005 Rainbow Hill Road, Agoura Hills, CA 91301 (LOT 40). I am writing this letter to you, to inform you that I have no challenges or issues with the proposed build out of a game room within his home. I live below him on a sloped hill, south of his house and this build out "game room" will in no way create any reason for me to be concerned or raise any issues in protest.

Sincerely,

A handwritten signature in black ink that reads "Sam Jagtiani". The signature is stylized and cursive, with a long horizontal stroke at the end.

Sam Jagtiani

5971 Rainbow Hill Road

Agoura Hills, CA 91301

Notice of Exemption

To: Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, Ca 95814

From: City of Agoura Hills
 30001 Ladyface Court
 Agoura Hills, California 91301

 County Clerk
 County of Los Angeles
 Los Angeles County Clerk
 12400 E. Imperial Hwy.
 Norwalk, CA 905690

Project Title: Menslage room addition to an existing single family residence

Project Location-Specific: 6005 Rainbow Hill Road
 Agoura Hills, California
 APN: 2056-055-004

Project Location-City: City of Agoura Hills

Project Location-County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project: The request is for a Site Plan/Architectural Review to add 327 square feet to an existing 3,819 square foot, two-story single-family residence on a 10,658 square-foot lot. The addition will expand the second floor. The addition will remain within the building envelope. Two windows will be upgraded. There are no oak trees on the site. The property is adjacent to other developed residential properties.

The existing structure complies with the front, rear yard and side setback, height, and other relevant standards prescribed by the Residential Single-Family zoning designation. The aesthetic value of the project will be consistent with the area and will not impact distant vistas and off-site structures given that the mass of the building does not change.

Name of Public Agency Approving Project: City of Agoura Hills

Name of Person or Agency Carrying Out Project: City of Agoura Hills
 30001 Ladyface Court
 Agoura Hills, California 91301

Exempt Status: (Check One)

- Statutory Exemption (14 Cal. Code of Regs. Sections 15260 et seq.);
- No Possibility of physical impact. (14 Cal Code of Regs. Section 15061 (b)(3));
- Ministerial (14 Cal Code of Regs. Sec. 15268);
- Declared Emergency (14 Cal Code of Regs. Sec. 15269(a);
- Emergency Project (14 Cal Code of Regs Sec. 15269(b),(c), (d) and (e));
- Categorical Exemption (14 Cal Code of Regs. Sections 15300 et seq.) State of California CEQA Guidelines Section 15301

Reasons why project is exempt: This exemption is based on the finding that the project will result in an addition to an existing structure and the proposed residential use of the addition is within the exemptions contained in Section 15300 of the list of permitted exemptions in CEQA Guidelines, Class 1. This exemption consists of "the operation, repair, maintenance, permitting,

leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

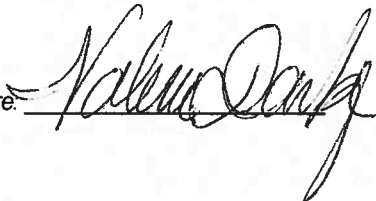
(e). Additions to existing structures provided that the addition will not result in an increase of more than:

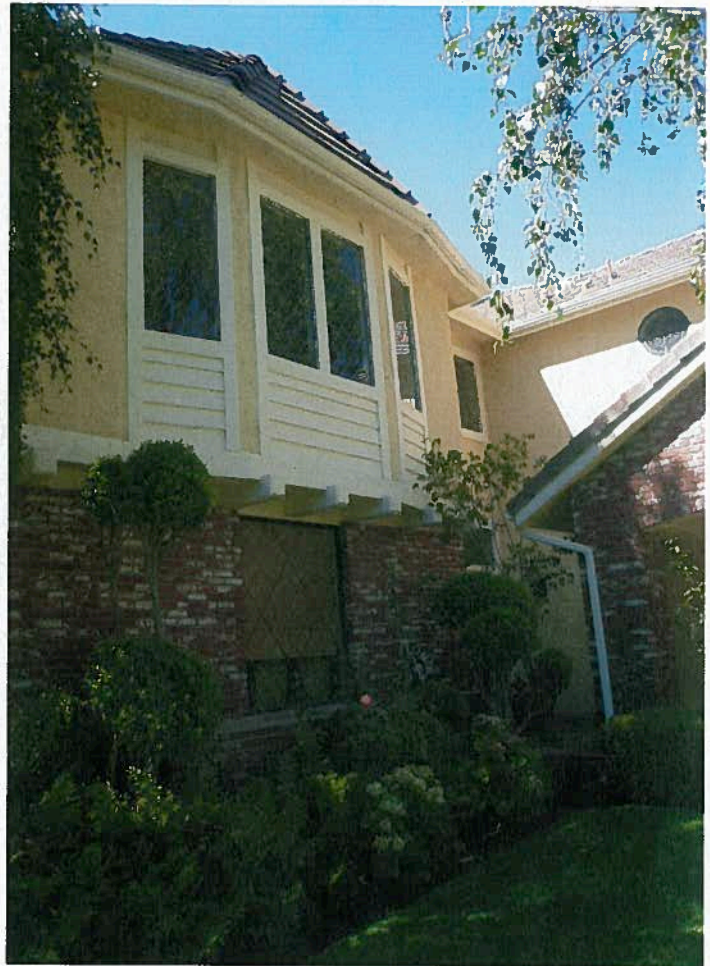
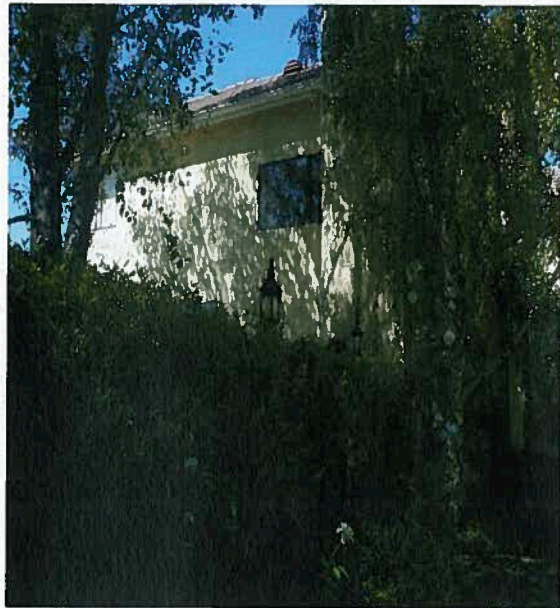
- (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet whichever is less; or
- (2) 10,000 square feet if:
 - (A). the project is in an area where all public services and facilities are available to allow for a maximum development permissible in the General Plan, and
 - (B). the area in which the project is located is not environmentally sensitive.

This project is, in fact, served by all necessary public services and facilities and is not located in an environmentally sensitive area. Review of the evidence in the record as a whole, including an architectural plans, grading and street improvement plans and review of City and State CEQA thresholds applicable to the project, shows that the request demonstrates that the project meets these criteria. Therefore, this project will not have a significant impact on the environment and consequently, the project is exempt from further CEQA review.

Lead Agency Contact Person: Valerie Darbouze, Associate Planner

Area Code/Telephone/Extension: (818) 597-7328

Signature:  Date: 9/27/2012 Title: Associate Planner



**Site Plan/Architectural Review
Case No. 12-SPR-007**

