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**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**DATE:** February 19, 2015

**TO:** Planning Commission

**APPLICANT:** Michael Allan  
6055 Hackers Lane  
Agoura Hills, CA 91301

**CASE NOS.:** SPR-01005-2014, VAR-01006-2014, AND OAK-01007-2014

**LOCATION:** 6055 Hackers Lane

**REQUESTS:** Request for approval of a Site Plan/Architectural Review to construct a 724 square foot first-floor addition, a 240 square foot second-floor addition, a 66 square foot garage expansion, 145 square feet of accessory storage rooms, and a 565 square foot rooftop deck with fireplace to an existing 2,422 square foot, two-story residence; a request for an Oak Tree Permit to construct a retaining wall within the protected zone of two oak trees; and a request for a Variance from Municipal Code Section 9253.3.E to allow a zero-foot (west) rear yard, instead of at least 15 feet; and making a finding of exemption under the California Environmental Quality Act.

**ENVIRONMENTAL DETERMINATION:** Exempt from the California Environmental Quality Act (CEQA) per Section 15301(e) of the CEQA Guidelines.

**RECOMMENDATION:** Staff recommends the Planning Commission adopt a motion to approve Site Plan/Architectural Review Permit Case No. SPR-01005-2014, Variance VAR-01006-2014, and Oak Tree Permit OAK-01007-2014, subject to conditions, based on the findings of the attached draft Resolutions.

**ZONING DESIGNATIONS:** RM-6 (Medium Density Residential – Six Dwelling Units Per Acre) and CR-D (Commercial Recreation-Drainage Way, Floodplain, Watercourse)

GENERAL PLAN  
DESIGNATIONS:

RM (Medium Density Residential) and CR (Commercial Recreation)

**I. BACKGROUND AND PROJECT DESCRIPTION**

The applicant/property owner, Michael Allan, is proposing to add 964 square feet of living space to the first floor and second floor, expand the existing garage 66 square feet, add 145 square feet of storage rooms and a 565 square foot rooftop deck with fireplace to an existing 2,013 square foot, two-story residence with an attached 409 square foot garage. The residence was built in 1974, before City incorporation.

The property is a relatively flat, 11,609 square foot, irregular triangular shaped lot, in a neighborhood dominated by rectangular shape lots, located at the end of a cul-de-sac, at 6055 Hackers Lane. The applicant's lot is larger, wider and shallower than the lots in the neighborhood. At the rear, west side, of the property is a minor descending slope of approximately 5 to 10 feet in height, running northwest to southwest in direction and is approximately 5 to 10 feet in width. The parcel is split-zoned with the 7,293 square foot east portion (front) of the property zoned RM-6 (Medium Density Residential – Six Dwelling Units per Acre) and the 4,316 square foot west portion (rear) of the property zoned CR-D (Commercial Recreation-Drainage Way, Floodplain, Watercourse). There are existing single-family residences to the south and north, Hackers Lane and a single-family residence to the east, and unimproved land and Lake Lindero Road to the west (in Westlake Village).

The applicant is also requesting approval of a Variance to allow a zero-foot (west) rear yard within the RM zoned portion of the property, instead of at least 15 feet. In addition, the request includes an Oak Tree Permit to construct a retaining wall within the protected zone of two oak trees on the northwest side of the property.

The Zoning Ordinance allows the Director of Planning and Community Development to review and approve additions to existing residence in the RM zone. However, since this project includes a Variance Request for the rear yard setback within the RM zoned portion of the property, the Planning Commission's review of this project is required.

The existing residence and the proposed additions are permitted uses in the Medium Density Residential (RM) zone and will meet the required development standards, relative to lot coverage, front and side yard setbacks, and height. Listed below are the proposed development data pertaining to the project.

Development Standards	Existing	Proposed	Allowed/ Required in RM Zone
1. Lot Size (RM+CR):	11,609 sq. ft.	11,609 sq. ft.	6,000 sq. ft. min.

Development Standards	Existing	Proposed	Allowed/ Required in RM Zone
<b>2. Building Size</b>			
First Floor:	1,260 sq. ft.	1,984 sq. ft.	N/A
Second Floor:	<u>753 sq. ft.</u>	<u>993 sq. ft.</u>	N/A
Sub-Total:	2,013 sq. ft.	2,977 sq. ft.	
Garage:	<u>409 sq. ft.</u>	<u>475 sq. ft.</u>	N/A
Total:	2,422 sq. ft.	3,452 sq. ft.	
3. New Storage Rooms:	N/A	145 sq. ft.	N/A
4. New Rooftop Deck	N/A	565 sq. ft.	N/A
5. Building Height	23 ft.	23 ft.	35 ft. max.
6. Bldg. Lot Coverage	14%	35%	60% max.
<b>7. Building Setbacks</b>			
a. Front (east):	18 ft.	16 ft.	15 ft. min.
b. Rear (west):	8 ft. (to RM P/L)	0 ft. (to RM P/L)	15 ft. min.
c. Side (north):	77 ft.	68 ft.	7 ft. min.
d. Side (south):	10 ft.	10 ft.	7 ft. min.
8. Number of Oak Trees	2	0	N/A

## II. STAFF ANALYSIS

### Site Plan

The CR-D zoned portion of land, on the west side of the property, which was recently acquired by the applicant in a Lot Line Adjustment, varies in width from 18 feet to approximately 33 feet, and is adjacent to the Westlake Village City limits. However, for development purposes, the applicant's residence is limited to the boundaries of the RM zoned portion of the land.

The proposed expansion of the residence will include constructing of a one and two-story addition to the rear (west) and north side of the structure. The proposed additions will allow more living space that includes a family room, expansion of the of the kitchen and dining area on the first floor and the master bedroom and bathroom on the second floor, and an expansion to the garage. Also proposed is a rooftop deck above the proposed family room (behind the existing garage) and

storage rooms at the north elevation. Access to the proposed deck will be taken from a new stairwell on the north side of the house and from the master bedroom at the rear of the house.

The proposed building coverage in the RM zoned portion of the site, including the existing residence and the proposed addition, is 2,604 square feet, or 35%. The maximum allowable building coverage to the RM zone is 60%. All the proposed improvements would be on the RM zone portion of the lot.

The existing 77-foot side yard setback from the north property line will be decreased to 68 feet, to allow for the expansion of the existing garage. The existing 10-foot side yard setback from the south property line will be maintained, and exceeds the 7-foot side yard setback requirement of the RM zone. The proposed garage addition at the front of the existing structure will decrease the existing 18-foot front yard setback from the east property line (measured from the sidewalk as allowed per the original Tract Map) to 16 feet. However, the proposed front yard setback will still be in compliance with the minimum 15-foot front yard setback requirement of the RM zone. The existing 8-foot, non-conforming setback from the rear west property line of the RM zone would be decreased to zero to construct the proposed addition. The minimum rear yard setback requirement is 15 feet for the RM zone. Therefore, the applicant is requesting approval of a Variance from Municipal Code Section 9253.3.E to allow a zero-foot (west) rear yard instead of at least 15 feet. The CR-D land use designated land to the rear of the lot, west of the RM zone, is not included in the calculation of the rear setback, although it does provide the prescribed setback (buffer zone) from the rear property line within the subject property. The distance from the proposed addition and the west property line of the CR-D land use designation is approximately 22 feet. The distance from the proposed addition to the northern neighboring home is approximately 120 feet.

The new addition to the second story will be built at the same 23-foot height as the existing residence without exceeding the maximum height of 35 feet allowed for the RM zone. The appearance of the proposed addition will match the existing dwelling with off-white stucco walls and a concrete tile roof. New black, anodized double-pane windows and doors will be installed on the entire house. Thus, the exterior building materials will be compatible with the surrounding neighborhood.

The proposed project will be the largest home in the immediate neighborhood that include home sizes ranging from 1,218 square feet to 2,501 square feet, with the average home size of 1,608 square feet (excluding the garages), and an average lot size of 6,072 square feet resulting in an average floor/area ratio of 0.27. There is no required limitation on proposed additions to existing residences, but the issue of neighborhood compatibility should be considered by the Planning Commission. The largest house on Hackers Lane (across the street from subject property) is 2,501 square feet, which includes 627 square-feet of room additions. The applicant is proposing a house size of 2,977 square feet on an 11,609 square-foot lot, which is also the largest lot on the street, which results in a floor/area ratio of 0.26. The proposed size of the residence exceeds the neighborhood average by approximately 1,369 square feet, but the home is well within the lot coverage limitations of the RM zone.

#### Oak Tree Review

The applicant proposes to construct a three-foot high, Keystone block, retaining wall at the westerly edge of the side yard, adjacent to the CR-D zone, to the rear of the property. Two

valley oak trees (*Quercus lobata*) are located on the property within the vicinity of the proposed retaining wall. Both oaks appear to be self-generated. Construction of the room addition, as proposed, would not impact either of the oak trees. However, construction of the retaining wall would impact both trees. The purpose of the retaining wall is to provide the applicant with a more level side yard than currently exists.

Oak Tree Number 1 is a 5-inch diameter valley oak of below average health and vigor. It exhibits poor structure with an approximately 45-degree lean toward Oak Tree 2. The tree will remain a poor specimen, at best, and if it continues to grow it will interfere with the proper development of Oak Tree 2. If both trees remain, their proximity to each other will require frequent pruning to prevent crossing and rubbing branches and competition for sunlight. Construction of the improvements would not require removal of Oak Tree Number 1. However, for the aforementioned reasons, the applicant has requested permission to remove Oak Tree Number 1 and replace it with a viable oak tree of the same size and species. The City Oak Tree Consultant recommends the applicant be allowed to do so.

Oak Tree Number 2 would sustain moderate to significant encroachments within the protected zone from construction of the proposed retaining wall. Construction of the wall and required drainage would come within 5 feet of the oak tree's trunk. Although this is in relatively close proximity to the trunk, the retaining wall requires 1 to 1½ courses of the 8-inch high blocks to be set below grade, in lieu of a typical footing. This is shallower than a typical footing, so the possibility of severing roots is reduced. The applicant's oak tree consultant has recommended an exploratory trench be dug, prior to excavation, to determine the extent and size of roots that would require removal. The City Oak Tree Consultant recommends the applicant's oak tree consultant be on site during all excavation within the protected zone of Tree Number 2.

To provide a somewhat level side yard, the applicant requests that he be permitted to place fill soil within a portion of the protected zone of the oak tree, behind the retaining wall. The applicant's oak tree consultant has recommended the applicant utilize 3-inch to 6-inch diameter rock within 5-feet, north and south, of the oak tree's trunk, in lieu of soil behind the proposed wall. This would serve to allow rapid drainage around the tree, and prevent excess moisture from creating favorable conditions for pathogens around the trunk. The City recommends the City of Agoura Hills' Oak Tree Consultant review the grading plan prior to final approval, to ensure the proposed grading will not adversely affect the oak tree.

It is the City Oak Tree Consultant's opinion that the tree could recover from the potential root disturbance and could safely remain in place, as long as the work is performed carefully and no significant roots require severing.

### Variance

The applicant is requesting a Variance from the Zoning Ordinance Section 9253.3E to allow a reduced rear yard setback of zero feet along the western boundary of the RM zoned portion of the property, instead of at least 15 feet, in order to build the proposed addition. The distance between the addition and the western end of the CR boundary is 24 feet. The Variance would be consistent with the character of the neighborhood and consistent with the intent of the Zoning Ordinance.

In order for the Planning Commission to grant approval of the Variance, each of the following five (5) findings must be made, pursuant to Section 9253.3.E of the Zoning Ordinance. Staff's analysis for each required finding for the applicant's request are listed as follows:

A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The residentially zoned portion of the lot is irregular in shape with a non-conforming average depth of 68 feet, which is less than the 75-foot depth required of the RM zone. The RM zone requires a 15-foot rear yard setback. The applicant is requesting a zero-foot rear yard setback from the western property line to locate the addition in the most logical location of the lot. Although the parcel is non-conforming in depth, the house footprint is less than the 60% maximum building coverage of the RM zone. As such, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property owners in the immediate area within the same zoning district.

B. The granting of the Variance, as conditioned, will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the zone in which the subject property is situated. At 2,604 square feet, 35% building coverage, and with a height of 23 feet, the residence would comply with the development standards of the RM zone excluding the rear yard setback requirement. In addition, the proposed development is an expansion of a single-family residential use, which is permitted within the RM zone. Privacy between neighboring structures is maintained by building in the rear yard.

C. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The encroachment into the rear yard setback area is for an addition that is logically located along the north and west sides of the existing residence. By definition, the RM District is intended for residential development consisting of small lot subdivisions. The existing use of the subject property would not be changed from a single-family residence and no additional bedrooms would be added. The two-story addition will not impact views or privacy of the adjoining neighbors as the neighboring residence to the north is located 26 feet from the applicant's north property line, and 40 feet from the proposed addition. No neighbors are located on the west side of the property.

D. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity. The requested setback reduction is to accommodate development within the required rear yard setback. The fact that the subject property abuts a greenbelt/drainage gully within the CR zone along the rear property line, will not result in significant impacts to neighboring properties regarding loss of privacy, nor, will there be a negative aesthetic impact due to the approval of this Variance. The proposed addition would be consistent with the architecture, color, and materials used for the rest of the house. In addition, the project would be subject to Building and Safety Department approval to assure that all development would be in compliance with the City Building Code.

E. The granting of the Variance will be consistent with the character of the surrounding area. Several houses within the surrounding area and RM zone are of similar size,

scale, and mass. The proposed exterior finishes to the existing single-family residence will consist of off-white stucco walls, aluminum windows, and a brown tile roof that are consistent with the architecture of the surrounding area. The majority of the proposed development cannot be seen from a public right of way and, thus, the visual impact of mass and bulk are minimal as viewed from the right-of-way.

The proposed project is a request for a 1,175 square-foot of addition to an existing 2,422 square foot, single-family residence and a 565 square-foot deck, and is exempt from the California Environmental Quality Act (CEQA) Guidelines, per Section 15301(e) of the CEQA Guidelines.

Notice of this public hearing and request were sent to property owners within 750 feet of the project site.

### **III. RECOMMENDATION**

Based on the foregoing review and analysis, staff recommends that the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case No. SPR-01005-2014, Variance Case No. VAR-01006-2014, and Oak Tree Case No. OAK-01007-2014, subject to conditions, based on the findings of the attached draft Resolutions.

### **IV. ATTACHMENTS:**

- Exhibit A: Variance Draft Resolution and Conditions
- Exhibit B: Site Plan/Architectural Review and Oak Tree Permit Draft Resolution and Conditions
- Exhibit C: Color and Material Board
- Exhibit D: Vicinity Map
- Exhibit E: Reduced copies of Project Plans
- Exhibit F: Photographs of applicants' lot and surrounding parcels

Case Planner: Renee Madrigal, Associate Planner

**EXHIBIT A**  
**VARIANCE DRAFT RESOLUTION AND CONDITIONS**



DRAFT RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, APPROVING VARIANCE CASE NO. VAR-01006-2014 TO ALLOW A ZERO-FOOT REAR YARD INSTEAD OF AT LEAST 15 FEET, AT 6055 HACKERS LANE, MADE MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. An application was duly filed by Michael Allan, with respect to real property located at 6055 Hackers Lane, (Assessor's Parcel No. 2056-023-030), requesting approval of a Variance (Case No. VAR-01006-2014) from Zoning Ordinance Section 9253.3E to allow a zero-foot (west) rear yard, instead of at least 15 feet. A public hearing to consider Case No. VAR-01006-2014 was duly held on February 19, 2015, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid meeting was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9676.2.E of the Agoura Hills Municipal Code, that:

A. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The residentially zoned portion of the lot is irregular in shape with a non-conforming average depth of 68 feet, which is less than the 75-foot depth required of the RM zone. The RM zone requires a 15-foot rear yard setback. The applicant is requesting a zero-foot rear yard setback from the western property line to locate the addition in the most logical location of the lot. Although the parcel is non-conforming in depth, the house footprint is less than the 60% maximum building coverage of the RM zone. As such, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property owners in the immediate area within the same zoning district.

B. The granting of the Variance, as conditioned, will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the zone in which the subject property is situated. At 2,604 square feet, 35% building coverage, and with a height of 23 feet, the residence would comply with the development standards of the RM zone excluding the rear yard setback requirement. In addition, the proposed development is an

expansion of a single-family residential use, which is permitted within the RM zone. Privacy between neighboring structures is maintained by building in the rear yard.

C. The strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The encroachment into the rear yard setback area is for an addition that is logically located along the north and west sides of the existing residence. By definition, the RM District is intended for residential development consisting of small lot subdivisions. The existing use of the subject property would not be changed from a single-family residence and no additional bedrooms would be added. The two-story addition will not impact views or privacy of the adjoining neighbors as the neighboring residence to the north is located 26 feet from the applicant's north property line, and 40 feet from the proposed addition. No neighbors are located on the west side of the property.

D. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity. The requested setback reduction is to accommodate development within the required rear yard setback. The fact that the subject property abuts a greenbelt/drainage gully within the CR zone along the rear property line, will not result in significant impacts to neighboring properties regarding loss of privacy, nor, will there be a negative aesthetic impact due to the approval of this Variance. The proposed addition would be consistent with the architecture, color, and materials used for the rest of the house. In addition, the project would be subject to Building and Safety Department approval to assure that all development would be in compliance with the City Building Code.

E. The granting of the Variance will be consistent with the character of the surrounding area. Several houses within the surrounding area and RM zone are of similar size, scale, and mass. The proposed exterior finishes to the existing single-family residence will consist of off-white stucco walls, aluminum windows, and a brown tile roof that are consistent with the architecture of the surrounding area. The majority of the proposed development cannot be seen from a public right of way and, thus, the visual impact of mass and bulk are minimal as viewed from the right-of-way.

Section 4. The proposed project is a request for a 1,175 square-foot of addition to an existing 2,422 square foot, single-family residence and a 565 square-foot deck, and is exempt from the California Environmental Quality Act (CEQA) Guidelines, per Section 15301(e) of the CEQA Guidelines.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Case No. VAR-01006-2014, subject to the attached Conditions, with respect to the property described in Section 1 hereof.

Section 6. 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 19<sup>th</sup> day of February, 2015, by the following vote to wit:

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

\_\_\_\_\_  
Linda Northrup, Chairperson

\_\_\_\_\_  
Doug Hooper, Secretary

CONDITIONS OF APPROVAL  
(Case No. VAR-01006-2014)

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. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits: Site Plan, Floor Plans, Elevation Plans, and Roof Plan.
3. The approval of this permit shall not be effective for any purpose until the applicant and property owner have agreed in writing that they are aware of, and accept all Conditions of this permit with the Department of Planning and Community Development.
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. Unless the approval is used within two (2) years from the date of City approval, Case No. VAR-01006-2014 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
7. The Variance Case No. VAR-01006-2014 is valid only in conjunction with Site Plan/Architectural Review Case No. SPR-010105-2014 and the approved Conditions of approval therein.

END

**EXHIBIT B**  
**SITE PLAN/ARCHITECTURAL REVIEW**  
**AND**  
**OAK TREE PERMIT DRAFT RESOLUTION AND CONDITIONS**

DRAFT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01005-2014, AND OAK TREE PERMIT CASE NO. OAK-01007-2014, TO ALLOW AN ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE AT 6055 HACKERS LANE, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Section 1. An application was duly filed by Michael Allan with respect to the property located at 6055 Hackers Lane (Assessor's Parcel Number 2056-023-030), requesting approval of a Site Plan/Architectural Review (Case No. SPR-01005-2014) to construct a 724 square foot first-floor addition, a 240 square foot second-floor addition, a 66 square foot garage expansion, 145 square feet of accessory storage rooms, and a 565 square foot rooftop deck with fireplace, and an Oak Tree Permit to construct a retaining wall within the protected zone of two oak trees. A public hearing was duly held on February 19, 2015, 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 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. 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 Section 9677.5, that:

A. 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 proposed residence and additions are permitted uses in the Medium Density Residential (RM) zone. The additions would expand the existing first and second floor of the residence. With the exception of the rear yard Variance, the minimum development standards of the RM zoning district have been met with regard to building coverage, front and side yards, and height.

B. The proposed addition, as conditioned, 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 all building plans will be reviewed and approved by the City's Building and Safety Department. The placement of the additions will not exceed minimum yard setbacks, with the exception of the rear yard setback, and will be below the

maximum allowable building height of 35 feet, thereby allowing for privacy, light, and air to adjacent residences, and is compatible with the established building heights in the neighborhood, as called for in the Architectural Design Standards and Guidelines for neighborhood compatibility.

C. The proposed additions, as conditioned, will not conflict with the character and design of the buildings in the surrounding area. The proposed exterior materials consisting of off-white stucco walls, new black anodized double pane windows and doors and brown tile roof would be compatible with the neighborhood, and will not exceed the maximum building lot coverage required for parcels within the RM zone.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance, except for approved rear yard variance. The project is consistent with the development standards of the RM zone regarding building coverage, building height, and front and side yard setback requirements.

E. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan in that the project maintains the identity, scale and character of the residential neighborhood, as called for in the General Plan Land Use and Community Form Element, Goal LU-9.

F. The proposed use, as conditioned, preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed exterior finishes to the existing single-family residence will consist of off-white stucco walls and a brown tile roof that are consistent with the architecture of the surrounding area. The proposed room additions and deck are logical expansions to the existing single-family residence and will be constructed in accordance with the development standards of the RM zone.

Section 4. 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 Section 9677.7G, that:

A. The proposed use, as conditioned, is consistent with the General Plan, and design standards adopted by the City Council. The project maintains the identity, scale and character of the residential neighborhood, as called for in the General Plan Land Use and Community Form Element, Goal LU-9.

B. As conditioned, the design and location of the proposed development and its relationship to existing developments and traffic in the vicinity thereof is such that it will increase the desirability of investment or occupation in the neighborhood. The proposed project will not unreasonably interfere with the use and enjoyment of existing or proposed developments in the vicinity, and will not create traffic hazards or congestion. Access to the property will continue to be via Hackers Lane. The structure will remain a single-family residence like the adjacent properties.

C. The proposed use, as conditioned, is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive

development contemplated by the Zoning Ordinance and the General Plan of the City. The proposed exterior finishes to the existing single-family residence would consist of off-white stucco walls, and brown tile roof that are in keeping with the style of homes in the neighborhood, and have exceeded the minimum development standards of the RM zone, except for approved variance, established by the Zoning Ordinance.

D. The design of the proposed development, as conditioned, provides a desirable environment for its occupants, as well as for the project's neighbors, and is aesthetically of good composition, materials, textures, and colors. The proposed additions are a logical expansion of the existing use. The proposed exterior building materials and colors are compatible with the colors and materials in the neighborhood and comply with the City Architectural Design Standards and Guidelines.

E. The proposed use, as conditioned, complies with all applicable requirements of the district in which it is located and all other applicable requirements. Single-family residential uses and expansion to single-family units are allowed in the Medium Density Residential (RM) zone.

F. 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 meets the minimum yard standards, except for the approved variance, and building height standards of the RM zone, and will maintain privacy to adjoining neighbors.

Section 5. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9657.5.C.(a-c), that:

A. The proposed construction, as conditioned, will be accomplished without endangering the health of the 2 oak trees on the subject property.

B. The encroachment into the protected zone of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters in which cannot be satisfactorily mitigated. The retaining wall will ensure adequate slope stability and property drainage on-site and off-site as a result of construction and for the protection against soil erosion.

C. No removal or encroachment of the oak trees is requested for the construction of the additions. The proposed oak tree permit relates only to the encroachment into the protected zone of 2 oak trees to construct the retaining wall, which is considered a moderate disturbance to the oak trees. The request use on the private property can be accomplished without the endangerment of the health of the oak trees.

Section 6. The proposed project is a request for a 1,175 square-foot addition to an existing 2,422 square foot, single-family residence, and a 565 square-foot rooftop deck and is exempt from the California Environmental Quality Act, Section 15301(e) of the CEQA Guidelines.



Section 7. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. SPR-01005-2014, and Oak Tree Permit Case No. OAK-01007-2014, subject to the attached conditions, with respect to the property described in Section I hereof.

Section 8. The Secretary of 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 19<sup>h</sup> day of February 2015, by the following vote to wit:

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

\_\_\_\_\_  
Linda Northrup, Chairperson

ATTEST:

\_\_\_\_\_  
Doug Hooper, Secretary

CONDITIONS OF APPROVAL  
(CASE NOS. SPR-01005-2014 AND OAK-01007-2014)

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. The approval of this permit shall not be effective for any purpose until the applicant has agreed in writing that he 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 Architectural Plans.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. 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.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in this permit or on the approved Site Plan.
8. All structures shall conform to the requirements of the Building and Safety Department of the City of Agoura Hills.
9. Unless this permit is used within two (2) years from the date of City approval, Conditional Use Permit Case Nos. SPR-01005-2014, VAR-01006-2014, AND OAK-01007-2014 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
10. 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.
11. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$3.20 per square foot for residential construction.

12. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
13. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
14. It is the responsibility of the applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.

#### BUILDING AND SAFETY DEPARTMENT CONDITIONS

15. All exterior materials used for eaves, sidings, porch, patio, deck, carport and other similar structures shall meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 2 of Article VIII in the Agoura Hills Municipal Code (AHMC).
16. This project is subject to compliance with the 2013 California Residential Code, 2013 Mechanical Code, 2013 California Plumbing Code, 2013 Electrical Code, and 2013 Energy Code.
17. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, including Structural, Floor Plan, Mechanical, Electrical, Plumbing, Energy Plans, plans shall be submitted to Building and Safety Department for plan review and approval.
18. The applicant shall indicate on plans the location of Smoke and Carbon Monoxide detectors which are required per 2013 Residential Code Section R314 and R315. Carbon Monoxide detectors must be located immediately outside each sleeping room.
19. The applicant shall indicate the proposed decking material and comply with Chapter 2 of Article VIII in the Agoura Hills Municipal Code (AHMC) to meet Very High Fire Hazard Severity Zone (VHFHSZ). All new decking material must comply with either State Fire Marshall Standard 12-7A-4, or ASTM E84. The information provided for the proposed decking material does not indicate that it meets these criteria.
20. All non-permitted work on the property is required to be permitted by the City of Agoura Hills, and legalized prior to final approval of this project.
21. Handrails will be required for exterior stairs with four (4) or more risers. (2013 California Residential Code Section 311.7.8).
22. The applicant shall comply with Air Quality Management District (AQMD) Standards for the new proposed fireplace, and restrictions on wood burning fireplaces.
23. Los Angeles County Fire Department approval will be required, prior to building permit issuance, for access for additions of a 1,000 sq ft or more.

#### ENGINEERING/PUBLIC WORKS DEPARTMENT CONDITIONS

24. Prior to the approval of the Building Plan and issuance of Building Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
- a. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
  - b. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
  - c. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
  - d. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.

#### OAK TREE CONDITIONS

25. The applicant is permitted to remove Oak Tree Number 1 and shall provide mitigation in the form of one 60-inch box-size valley oak to be planted within the landscape.
26. Prior to final approval the applicant shall provide construction drawings indicating both existing and proposed contour lines in addition to the site sections already submitted. The City shall not grant final approval to the architectural plans until such time as the City Oak Tree Consultant has reviewed the plan and determined that its implementation will not adversely affect Tree 2.
27. The applicant is permitted to encroach within the protected zone of Tree 2 to construct the retaining wall shown on the plans prepared by David Freedman, A.I.A.
28. Prior to retaining wall construction, the applicant shall excavate an exploratory trench in the location proposed for the wall near the trunk of Tree 2. The trench must be dug by hand under the direct observation of the applicant's Oak Tree Consultant. The applicant or his contractor must notify the City's Oak Tree Consultant a minimum of 48 hours prior to the commencement of this work so that we may inspect the operation. If major roots are encountered the retaining wall must be re-aligned and another exploratory trench excavated in the same manner as the first.

29. The planting location, species and quality of the mitigation oak tree are subject to the approval of the City Oak Tree Consultant.
30. The mitigation oak tree shall be maintained in perpetuity. Should the mitigation oak tree decline or die, it shall be replaced in accordance with the provisions of the Oak Tree Preservation and Protection Guidelines.
31. The approved excavation within the protected zone of Oak Tree 2 shall be performed using only hand tools under the direct observation of the applicant's oak tree consultant.
32. Prior to the start of any work or mobilization at the site, protective fencing shall be installed. Oak Tree 2 shall be fenced at the approved work limits, in accordance with Article IX, Appendix A, Section V.C.1.1. The applicant or his Oak Tree Consultant shall consult the City Oak Tree Consultant to determine the exact fencing configuration.
33. The applicant shall provide a minimum of 48 hours notice to the City Oak Tree Consultant prior to the start of approved work within the protected zone of any oak tree.
34. No grading, scarifying or other soil disturbance shall be permitted within the portion of the protected zone of any oak tree except as specifically required to complete the approved scope of work and in accordance with this oak tree permit.
35. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
36. Prior to occupancy, the oak tree shall be mulched throughout the dripline with three inches of approved organic matter.
37. No irrigation or planting shall be installed within the dripline of any existing or new oak tree unless specifically approved by the City Oak Tree Consultant and the Director.
38. Any fertilization of the tree should be based on actual soil tests from the site. Fertilization is generally not necessary unless serious deficiencies are evident in the leaves.
39. Prior to removal of the protective fencing, the applicant shall contact the City Oak Tree Consultant to perform a final inspection. The applicant shall proceed with any remedial measures the City Oak Tree Consultant deems necessary to protect or preserve the health of the subject oak tree at that time.
40. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. Any authorized pruning shall be performed by a qualified arborist under the direct observation of the applicant's oak tree consultant. All pruning operations shall be consistent with ANSI A300 Standards – Part 1 Pruning and the most recent edition of the International Society of Arboriculture Best Management Practices for Tree Pruning.

41. No herbicides shall be used within 100 feet of the dripline of any oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.
42. The project oak tree consultant shall submit certification letters for all work completed within the protected zone of the oak tree within five working days of the completion of said work. The letters shall describe all work performed, methods utilized, monitoring performed and shall state whether such work was completed in accordance with the above conditions of approval.

#### SOLID WASTE MANAGEMENT STANDARD CONDITIONS

43. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project to be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Department of Planning and Community Development prior to issuance of a building permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility location. The City's Waste Reduction & Recycling Plan form or a similar format shall be used.
44. The project shall comply with the plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
45. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

#### SPECIAL CONDITIONS

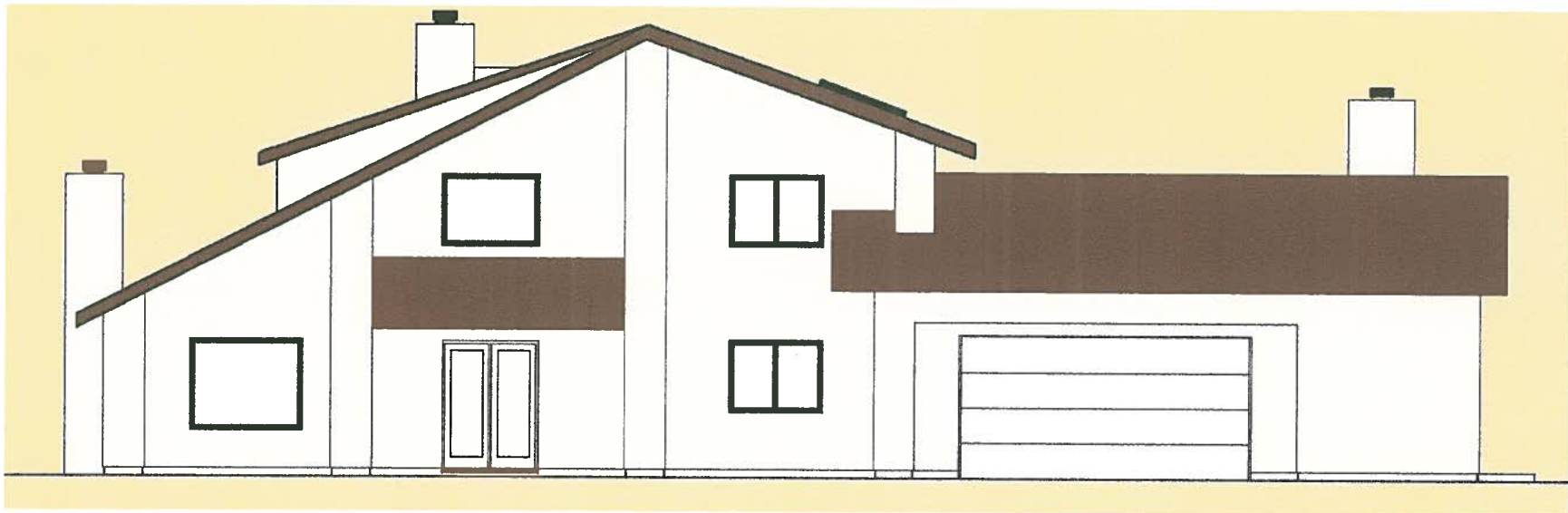
46. Any new proposed development within CR zoned portion of the property shall be subject to the review and approval by the City of Agoura Hills.

END

**EXHIBIT C**  
**COLOR AND MATERIAL BOARD**

Allan/Yan 6055 Hackers Lane

Color Board



Windows: Bronze Anodized Aluminum

Roof: Boral Shake 700 Tahoe Blend (concrete)

Exterior Walls and Eaves: La Habra X-73 Egg Shell Smooth Stucco



Allan/Yan  
6055 Hackers Lane  
Construction color table

New Western Window Systems exterior windows and doors in existing and new construction



Dark Bronze Anodized Aluminum Doors



Dark Bronze Anodized Aluminum Windows



Dark Bronze Anodized Aluminum Doors

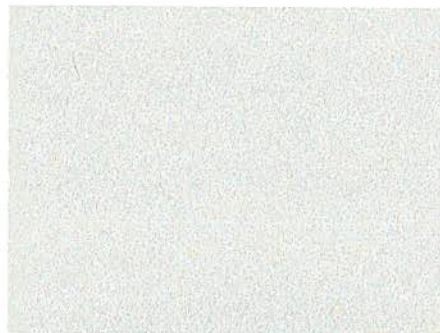
Smooth Stucco

Exterior will continue to be stucco. The new construction existing walls will be smooth stucco.

Existing roof tiles will be matched



Boral Shake 700 Tahoe Blend Cement Roof Tiles



La Habra X-73 Egg Shell Smooth Stucco

**EXHIBIT D**  
**VICINITY MAP**

Vicinity Map/Zoning Map  
Site Plan/Architectural Review Case No. SPR-01005-2014,  
Variance Case No. VAR-01006-2014, and  
Oak Tree Permit Case No. OAK-01007-2014



**EXHIBIT E**  
**REDUCED COPIES OF PROJECT PLANS**

SITE PLAN

REVISIONS

STAMP

JOB NO:  
FILE:  
DRAWN BY: OF  
DATE: 09/20/15

SHEET:

A2.1

SCOP:

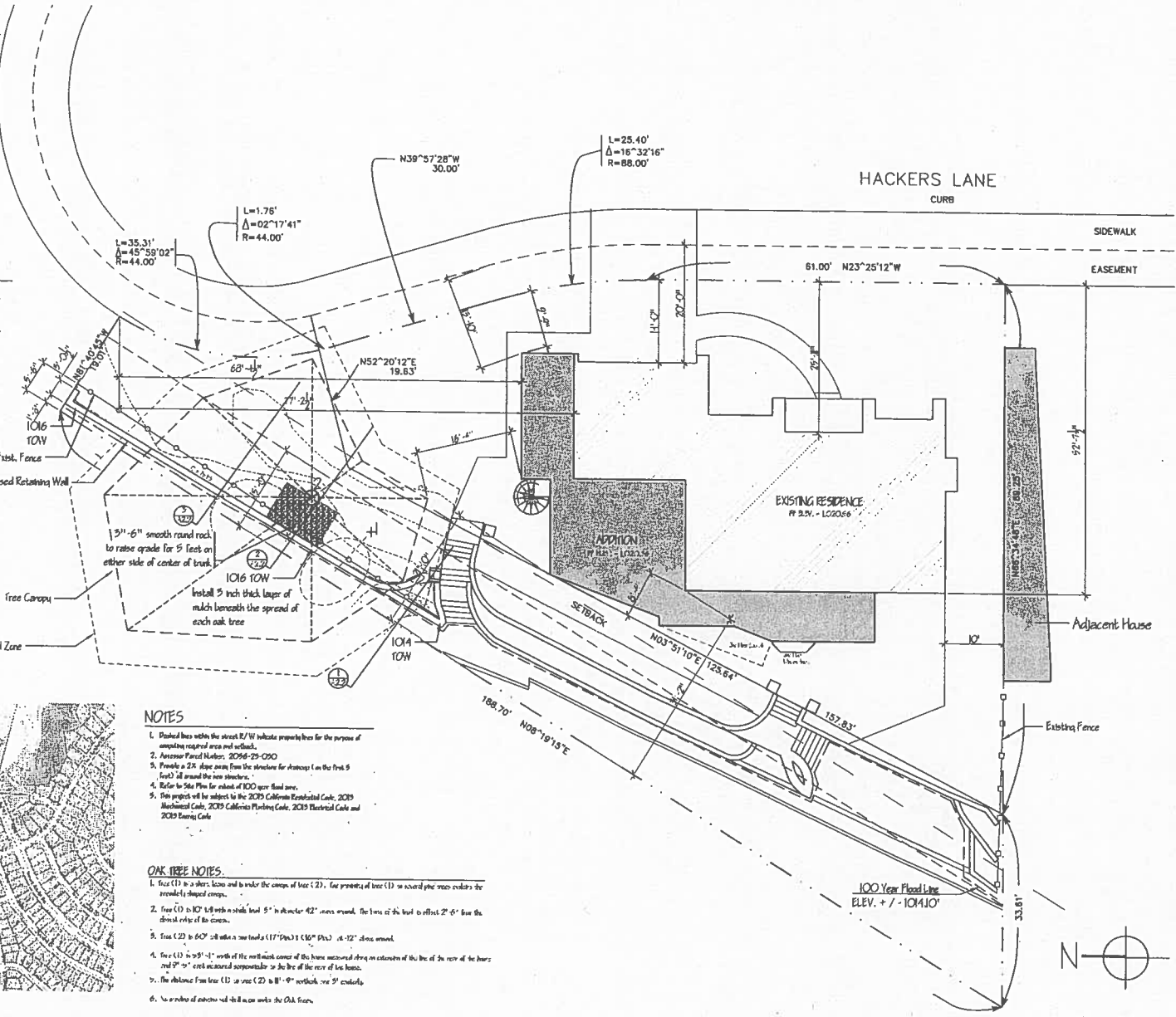
Addition of new habitable areas on both the ground and second floor. Alterations to the existing ground and second floor interior spaces consisting of the following:  
Removal and replacement/ expansion of existing 1st floor  
Removal and replacement of existing windows with energy efficient units  
Removal of both ground floor book rooms  
Removal of ground floor living room  
Addition of new ground floor study room  
Expansion of garage & addition of storage rooms  
Removal and expansion of Master Bedroom & addition of new Master Suite  
Removal of existing 2nd floor both rooms  
Addition of new rooftop deck with fire place  
Sandblast existing masonry exterior and replace with smooth stone finish  
Install 4" dia of new site retaining wall and concrete sidewalk  
Complete replacement of HVAC system.

AREA CALCULATIONS

Existing	
1st Floor Living	1,280 sf
2nd Floor Living	793 sf
Garage	409 sf
TOTAL	2,482 sf
Addition	
1st Floor Living	724 sf
2nd Floor Living	240 sf
Garage	86 sf
TOTAL	1,050 sf
Accessory Uses	
Storage	149 sf
TOTAL AREA INCREASE	1,179 sf (+48.5% increase)
Rooftop Deck	569 sf

Site Area

Setback & CE Site Area	8,600.79 sf
Existing lot coverage	14.51 %
New lot coverage	22.75 %
Area % increase of lot coverage	0.06 %
EM total area	7,299 sq
EM existing coverage	22.85 %
EM new lot coverage	29.32 %
EM area % increase of lot coverage	12.21 %
Total existing	2,422 sf
Total with addition	3,597 sf
Total area increase	1,175 sq



NOTES

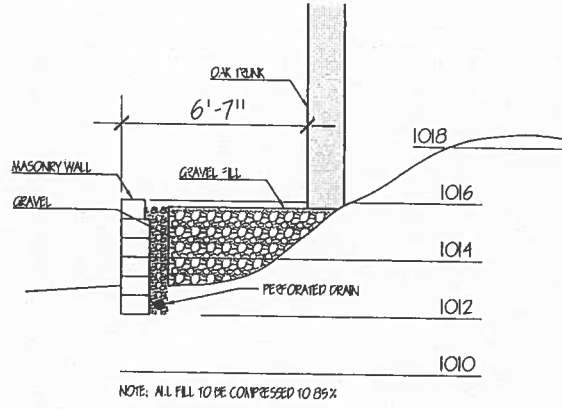
- Dashed lines within the street R/W indicate proposed lines for the purpose of amending required area and setback.
- Accessory Parcel Number: 2096-29-C20
- Provide a 2% slope away from the structure for drainage (on the first 5 feet) all around the new structure.
- Refer to Site Plan for extent of 100 year flood zone.
- This project will be subject to the 2015 California Residential Code, 2015 Mechanical Code, 2015 California Plumbing Code, 2015 Electrical Code and 2015 Energy Code.

OAK TREE NOTES

- Tree (1) is a silver leaf and is under the canopy of tree (2). The presence of tree (1) is assumed since it is located in a shaded area.
- Tree (1) is 10' tall with a trunk level 5' in diameter 42" across around. The base of the trunk is offset 2' 6" from the ground edge of the canopy.
- Tree (2) is 60' tall with a trunk level (17' dia) (16" dia) at 12' above ground.
- Tree (1) is 9' 11" north of the northeast corner of this home measured along an extension of the line of the rear of the home and 9' 9" east measured perpendicular to the line of the rear of the home.
- The distance from tree (1) to tree (2) is 11' 0" northeast one 5' setback.
- No number of mature oak trees are shown on the site plan.

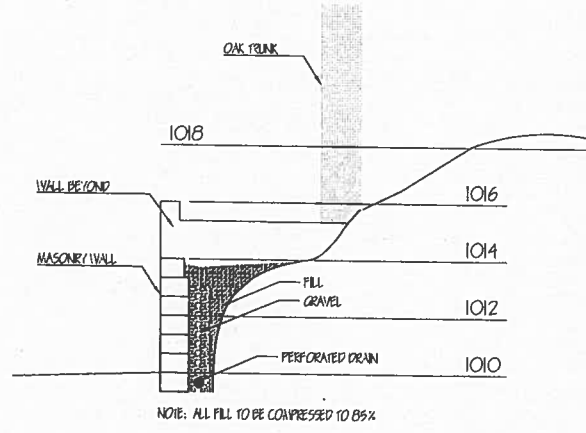


Site Plan  
1/8" = 1'-0"



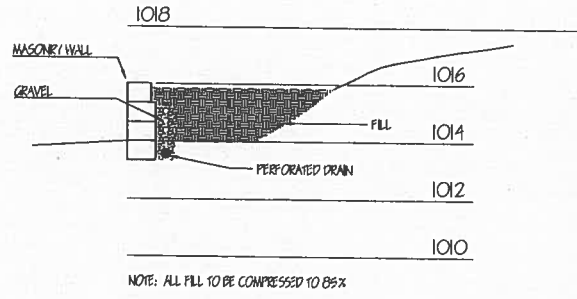
NOTE: ALL FILL TO BE COMPRESSED TO 85%

Site Section 2  
1/2" = 1'-0"



NOTE: ALL FILL TO BE COMPRESSED TO 85%

Site Section 1  
1/2" = 1'-0"



NOTE: ALL FILL TO BE COMPRESSED TO 85%

Site Section 3  
1/2" = 1'-0"

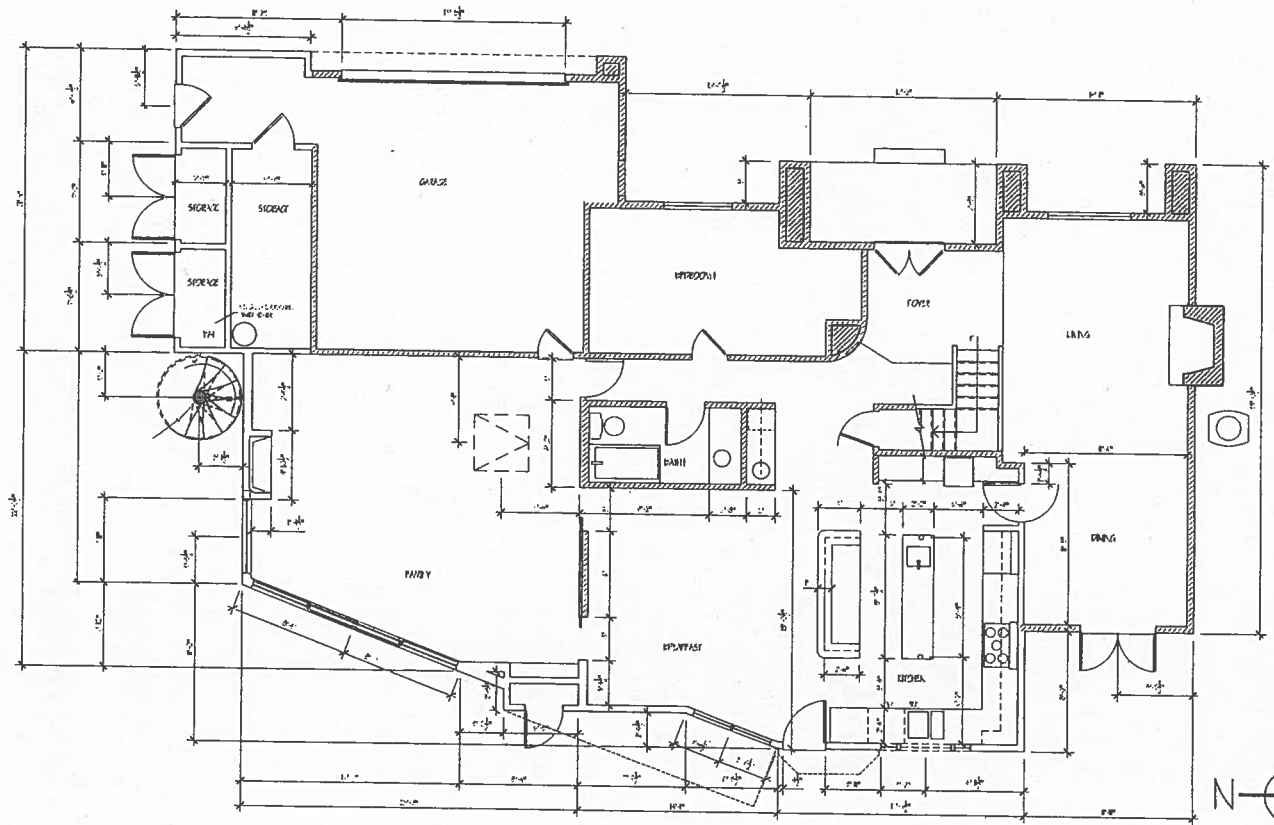
DAVID FREEDMAN, AIA  
28407 Renee Drive  
Agoura Hills, California  
213.200.4258

ALLAN RESIDENCE  
8055 Hackers Lane  
Agoura, California

SITE PLAN DETAILS

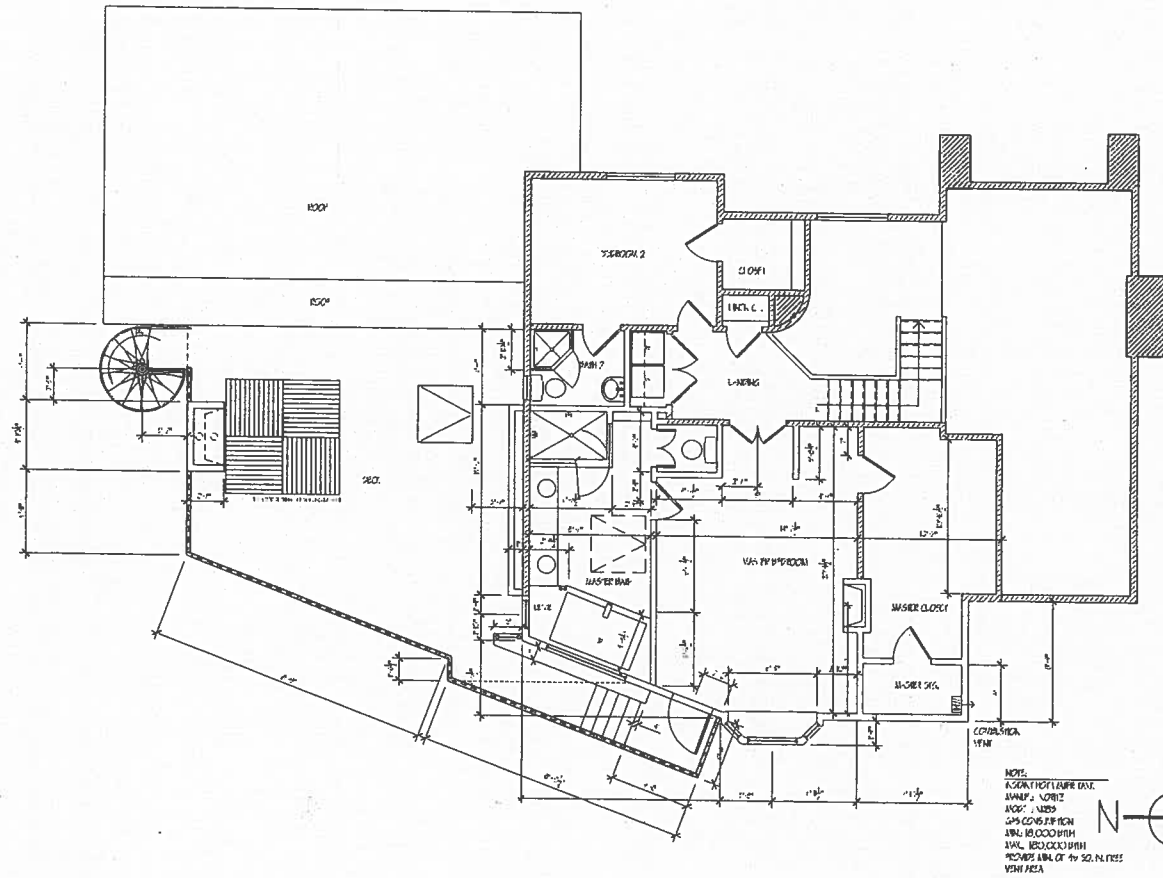
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FILE:
DRAWN BY: CP
DATE: 03/20/2018

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A2.2



Ground Floor Plan  
1/4" = 1'-0"

DAVID FREEDMAN, AIA 28407 Renee Drive Agoura Hills, California 213.200.4258
ALLAN RESIDENCE 8055 Hackers Lane Agoura, California
GROUND FLOOR PLAN
REVISIONS:
STAMP
FILE: _____ DRAWN BY: _____ DATE: 03/08/2015
SHEET: <div style="text-align: right; font-size: 1.5em; font-weight: bold;">A4</div>



NOTE:  
 1. GENERAL LAYOUT DATA  
 2. DIMENSIONS  
 3. FINISHES  
 4. CONSTRUCTION  
 5. MATERIALS  
 6. MECHANICAL  
 7. ELECTRICAL  
 8. PLUMBING  
 9. HVAC  
 10. OTHER

Second Floor Plan  
 1/4" = 1'-0"

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 Agoura Hills, California  
 213.200.4258

ALLAN RESIDENCE  
 6055 Hackers Lane  
 Agoura, California

SECOND FLOOR PLAN

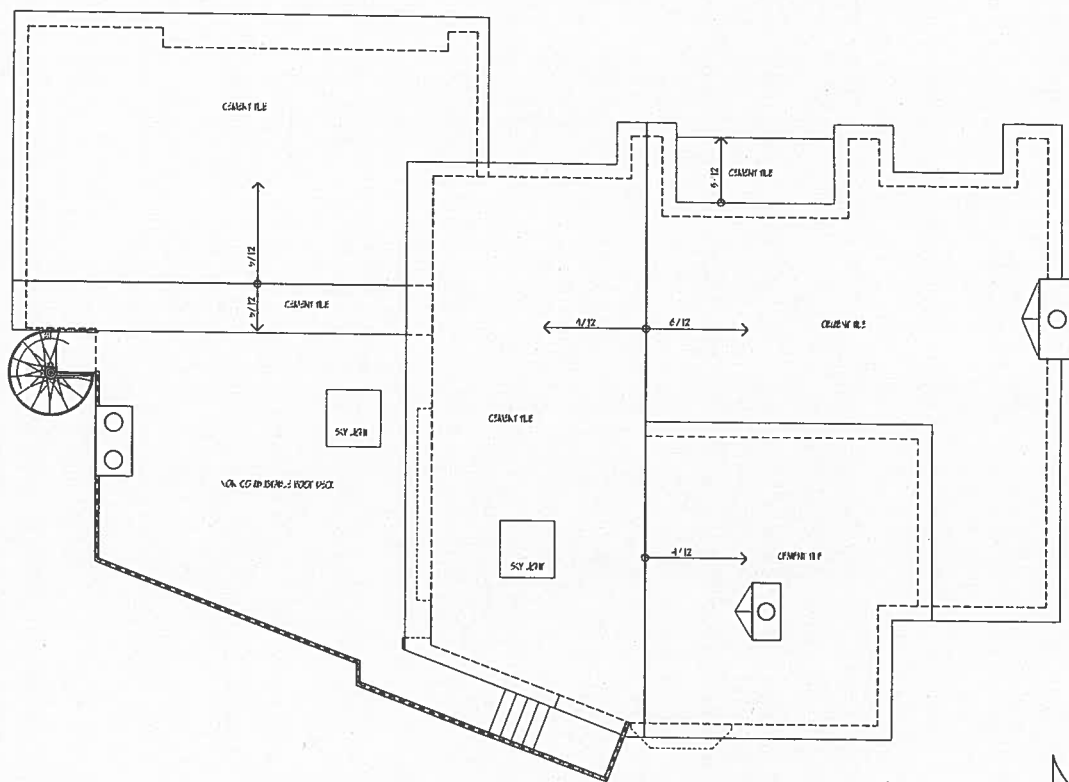
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 DATE: 03/09/18

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 A5





Roof Plan

1/4" = 1'-0"

DAVID FREEDMAN, AIA  
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Agoura Hills, California  
213.200.4238

ALLAN RESIDENCE  
6055 Hackers Lane  
Agoura, California

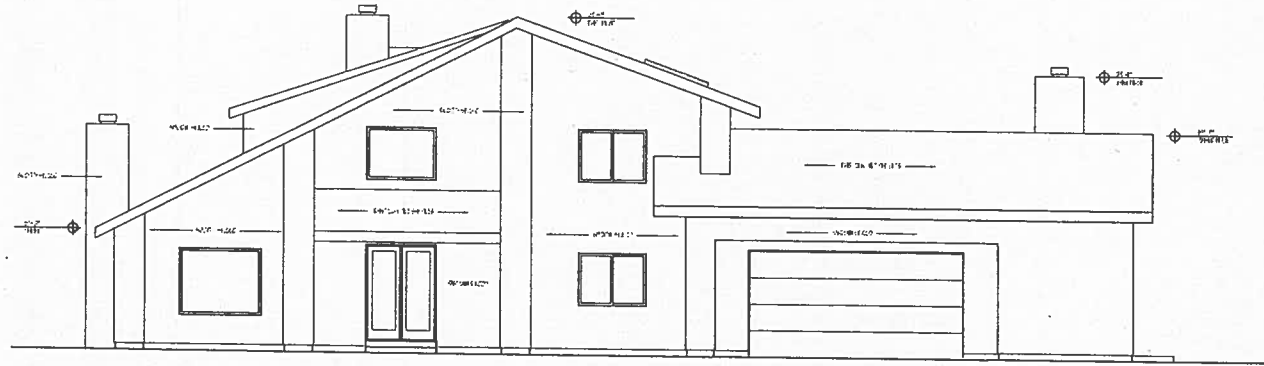
# ROOF PLAN

REVISIONS:

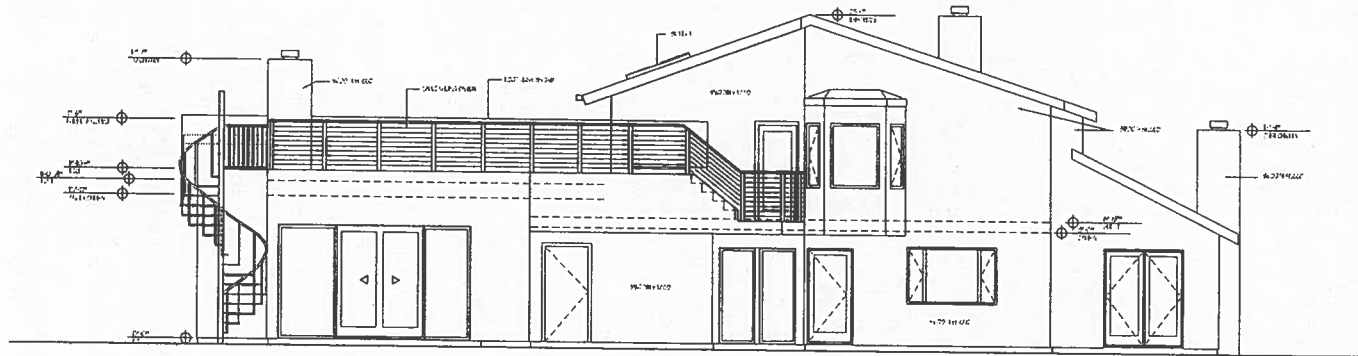
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DATE: 05/09/2019

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East Elevation  
1/2" = 1'-0"



West Elevation  
1/2" = 1'-0"

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Agoura, California

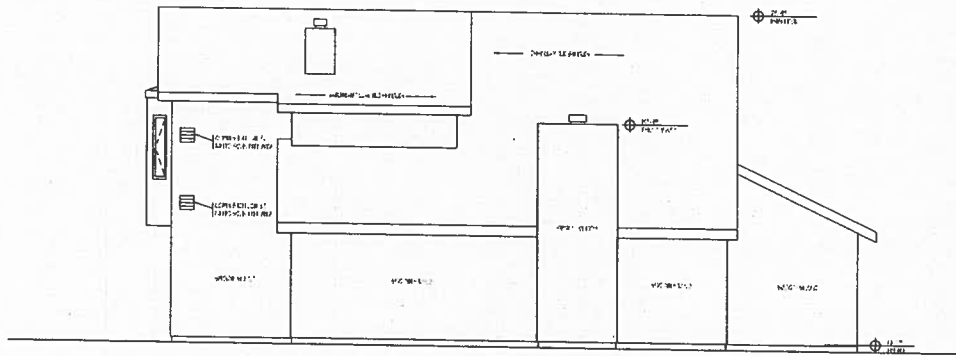
ELEVATIONS

REVISIONS

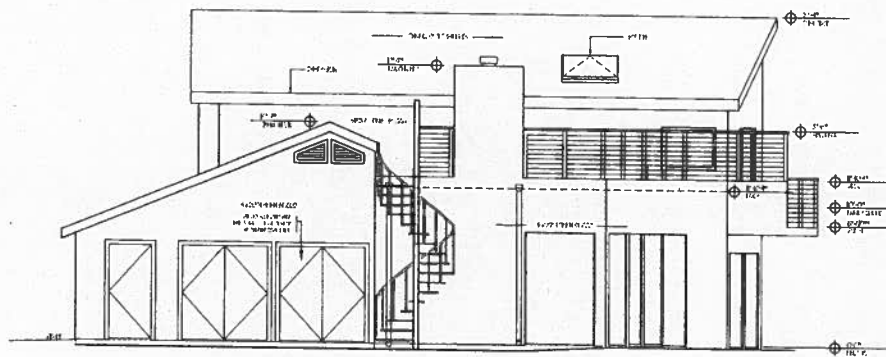
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DATE: 03/09/15

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South Elevation  
1/4" = 1'-0"



North Elevation  
1/4" = 1'-0"

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ALLAN RESIDENCE  
6065 Hacienda Lane  
Agoura, California

ELEVATIONS

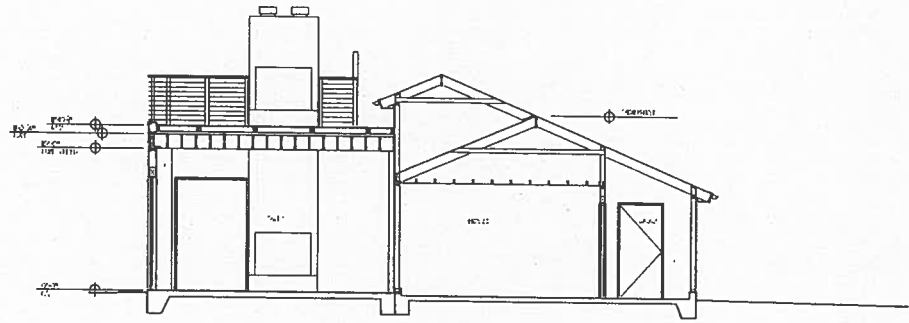
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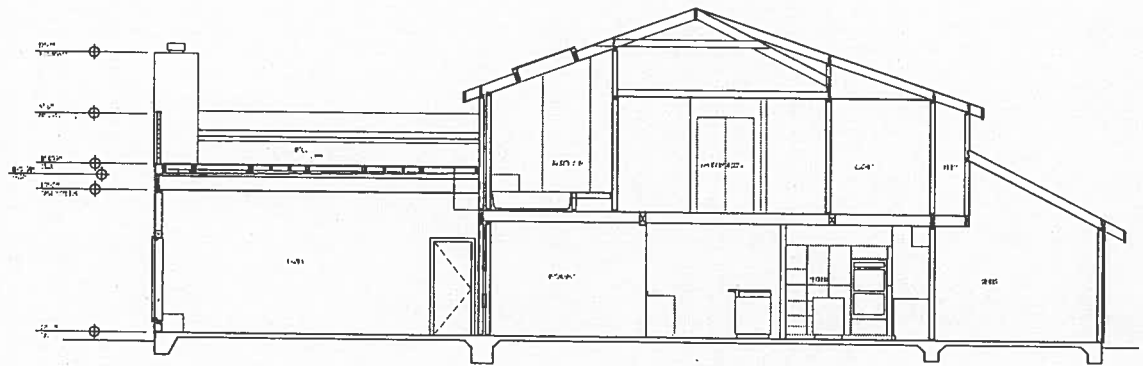
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DATE: 03/09/2015

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A8



Section B  
1/4" = 1'-0"



Section A  
1/4" = 1'-0"

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ALLAN RESIDENCE  
8055 Hackers Lane  
Agoura, California

SECTIONS

REVISIONS:

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FILE:  
DRAWN BY: DP  
DATE: 02/09/2015

SHEET:

A9

**EXHIBIT F**  
**PHOTOGRAPHS OF APPLICANTS' LOT**  
**AND**  
**SURROUNDING PARCELS**

EAST



VEWS OF HOUSE



SOUTH

WEST and REAR SOUTH



SOUTH



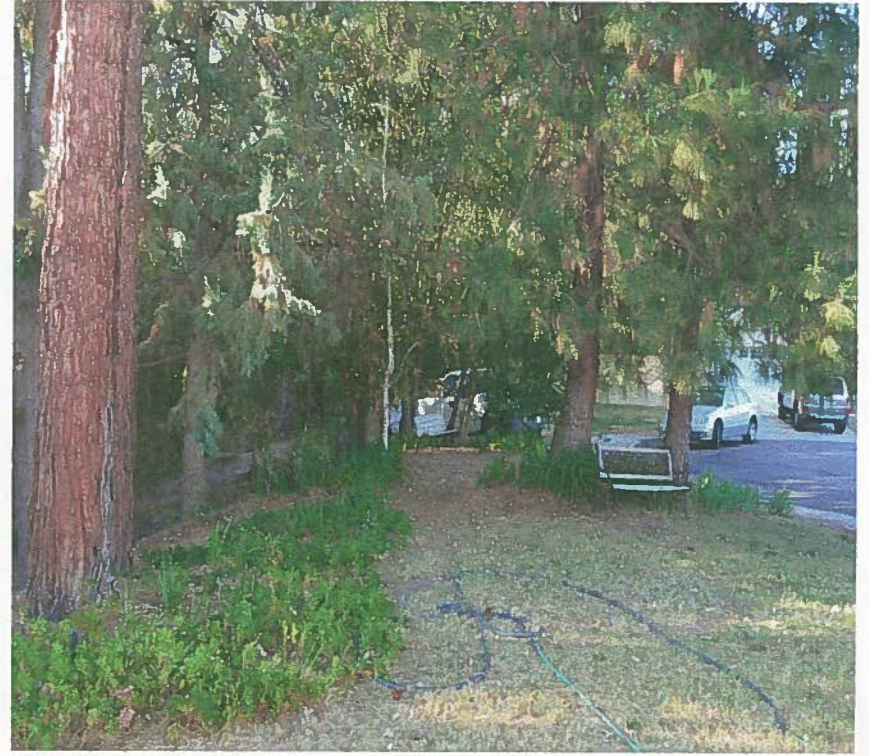
Allan/Yan 6055 HACKER LANE

1/2

EAST



VIEWS FROM HOUSE



NORTH

WEST



SOUTH



Allan/Yan 6055 HACKERS LANE

2/2