

#### PLANNING DEPARTMENT

DATE:

December 15, 2016

TO:

**Planning Commission** 

**APPLICANT:** 

Dennis Bakkenson

27305 Country Glen Road Agoura Hills, CA 91301

CASE NO .:

SPR-01300-2016

LOCATION:

27305 Country Glen Road (A.P.N. 2064-013-018)

REQUESTS:

Request for approval of a Site Plan/Architectural Review to add an 890 square-foot second floor within an existing single-story residence; and a request to make a finding of exemption under the California

Environmental Quality Act.

**ENVIRONMENTAL** 

**DETERMINATION:** 

Categorically Exempt from the California

Environmental Quality Act (CEQA) per Section

15301(e) of the CEQA Guidelines.

RECOMMENDATION:

Staff recommends the Planning Commission approve Site Plan Architectural Review Case No. SPR-01300-2016, subject to conditions, based on the findings of

the attached draft Resolution.

**ZONING DESIGNATION:** 

RS-(3)-10,000 (Single Family Residential - maximum

three dwelling units per acre - 10,000 square feet

minimum lot size)

GENERAL PLAN DESIGNATION:

Residential Single Family (RS)

# i. PROJECT BACKGROUND AND DESCRIPTION

On April 17, 2016, a building permit was issued for a 560 square-foot room addition, a 40 square-foot bay window, and a 283 square-foot pergola to an existing single-story residence located at 27305 Country Glen Road, which was built in 1972, before City

incorporation. The original size of the residence was 1,550 square feet with an attached 500 square-foot garage. The approved addition increased the residence to 2,650 square feet (includes garage). The project is currently in construction.

A new application has been submitted for the same house by Dennis Bakkenson, representing property owners, Sofia Sausser and Susan Salit, requesting approval of a Site Plan Architectural Review (SPR) to add 890 square feet of second-story living space within the same single-story residence. With the current addition under construction and the proposed further addition, the residence would be 3,040 square feet total. The 8,697 square-foot corner lot is located on the northwest side of Country Glen Road and Gadshill Lane, and is zoned Single Family Residential (maximum 3 units per gross acre) within a 10,000 square-foot minimum lot size (RS-3-10,000). Access to the property will continue to be via Country Glen Road. Existing single-family homes are located on the adjacent properties to the north and west, as well as across the street to the east and south of the subject property.

The proposed expansion of the residence would allow more living space that includes a master bedroom, master bathroom and exterior windows in the space above the recently approved added living area at the rear of the residence. The proposal does not increase the footprint. The City Building Code establishes minimum standards to be considered for a legal second floor, including requirements that rooms be a minimum height of seven (7) feet, have a minimum of 70 square feet in floor area, have natural or artificial light, and be heated. The proposed master suite space does comply with those requirements by providing a seven and a half (7.5) foot height, 890 square feet of floor area, and natural light from new exterior windows. The second floor would necessitate a new staircase proposed in the existing dining area.

#### II. STAFF ANALYSIS

# Building

The existing residence and the proposed addition are permitted uses in the RS zone and must comply with the required development standards for lots zoned as 10,000 square foot minimum lot size. Although adding a new floor level to the existing single-story dwelling unit adds additional living space, staff does not believe it would intensify the use, as the dwelling unit remains a single-family structure. The Zoning Ordinance (Section 9243.9B) identifies the Planning Commission as the reviewing authority for projects that involve a second story addition to an existing one-story single-family residence.

Although the original construction of the residence in 1972 pre-dates the City's Zoning Ordinance (1987), the existing structure complies with the current required development standards relative to building site coverage and building height. The proposed second floor addition would not increase the existing building coverage, as the addition is placed above the first story of the residence. Currently, the building site coverage is 34 percent, whereas the maximum allowable coverage for the RS-(3)-10,000 zone is 35 percent. The building is 24 feet high per existing approved plans for the single-story addition, whereas the maximum allowable height in the RS zone is 35 feet or two stories, whichever is less.

The existing west side yard is ten (10) feet, and the existing east side yard is 16 feet compared to the required ten (10) and 12 feet, respectively. The rear and front yards of the parcel are 25 feet and 20 feet, respectively, whereas the required setbacks are 25 feet for both yards. Therefore, the residence has an existing non-conforming front yard setback. In this case, the proposed 890 square-foot addition will not affect the side, front, or rear yard setbacks since it is contained within the building envelope and roof height.

# Architectural Design

The City Architectural Design Standards and Guidelines recommend that when modifying a structure that was constructed as part of a residential tract development, an applicant design the modifications to be in keeping with the overall tract design. Therefore, the Architectural Design Standards and Guidelines note that in order to maintain the neighborhood character, an addition should consider similar setbacks, height, roof pitch, eaves, and wall heights to the ones existing on nearby residential properties. The proposed added square footage meets the Architectural Design Standards and Guidelines by not increasing the building mass, height, and bulk, and remaining within the existing building envelope and within the interior of the residence. Although the request is to add another floor, the project would not impact the neighbors, since it would be built entirely within the home interior, within the existing building envelope, and the new windows would not be positioned to look directly into the windows of adjacent neighboring homes. The residence's exterior materials will remain the same.

# General Plan Consistency

Staff finds the project would be consistent with the following applicable General Plan goal and policy:

# Goal LU-9: Single Family Neighborhoods

Maintenance of the identity, scale and character of the City's distinct residential neighborhoods.

• Policy LU-9.1 Neighborhood Identity. Maintain the distinguishing characteristics that differentiate by topography, parcel size, housing scale and form, and public streetscapes in Agoura Hills' single-family neighborhoods.

The project complies with Goal LU-9 and Policy LU-9.1 by remaining in scale and in character with the other residences in the neighborhood. Existing homes in the neighborhood are two story. The height of the residence can accommodate a second floor without the need for substantial exterior changes to the building envelope that would be visible to the public. No increase in height is necessary. The new windows would match existing and would allow natural light into the rooms without impacting neighbors' privacy.

### **Environmental Review**

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA), and has been determined to be Categorically Exempt from the CEQA Guidelines per Section 15301(e). The addition includes minor expansion of square footage of an existing private residence. The project would not have a significant effect on the environmental because it involves negligible interior expansion of an existing use. No exception to this categorical exemption applies as set forth in Section 15300.2 of the CEQA Guidelines including but not limited to, subsection (c) which relates to unusual circumstances that could have a significant effect on the environment.

#### III. RECOMMENDATION

Based on the foregoing review and analysis, staff recommends that the Planning Commission approve Site Plan/Architectural Review Case No. SPR-01300-2016, subject to conditions, based on the findings of the attached Draft Resolution.

#### IV. ATTACHMENTS:

- Exhibit A: Draft Resolution for the Site Plan/Architectural Review with Exhibit A for Conditions of Approval
- Exhibit B: Vicinity Map
- Exhibit C: Reduced Copies of the Project Plans
- Exhibit D: Photographs of Applicant's Lot and Surrounding Parcels

Case Planner: Renee Madrigal, Associate Planner

# RESOLUTION NO. 16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01300-2016 FOR A SECOND FLOOR ADDITION TO A SINGLE FAMILY HOME LOCATED AT 27305 COUNTRY GLEN ROAD; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

<u>Section I.</u> An application was duly filed by Dennis Bakkenson for Sofia Sausser and Susan Salit with respect to the real property located at 27305 Country Glen Road (Assessor Parcel No. 2064-013-018), requesting approval from the Planning Commission for a Site Plan/Architectural Review (Case No. SPR-1300-2016) to construct an 890 square-foot, second-story level within an existing single-story residence pursuant to Zoning Code Section 9243.9.B.2.d., which pertains to new second-story additions to existing single-story, single-family dwelling units.

Section II. The project is a request for a small second floor addition to a single-family residence, and is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (e) (Existing Facilities). The project would not have a significant effect on the environment because it involves negligible interior expansion of an existing use. No exception to this categorical exemption applies as set forth in Section 15300.2 of the CEQA Guidelines, including but not limited to, subsection (c) which relates to unusual circumstances that could have a significant effect on the environment.

<u>Section III.</u> The Planning Commission of the City of Agoura Hills considered the application at a public hearing held on December 15, 2016, at 6:30 p.m. in the City Hall Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

<u>Section IV.</u> 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 hearing.

<u>Section V.</u> Site Plan Review. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9677.5 of the Agoura Hills Zoning Ordinance, that:

A. The proposed use 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 residence and the proposed addition are permitted uses in the Single Family

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Residential (RS) zone. The addition would create a second floor to the existing single floor of the residence. The proposal meets the development standards for the Single Family Residential (RS) zone relative to use, building height and building coverage, and would not affect the existing non-conforming front yard building setback, since it will not result in the expansion of the house's footprint.

- B. The proposed use and the manner in which it will be operated or maintained will not be detrimental to the public health, safety, or general welfare. The addition is proposed to be built entirely within the home interior, within the existing building envelope without the need for roof modification. Windows will be added to this second story, thereby allowing for light and air to adjacent residences and will be placed to protect privacy of adjacent residences. 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.
- C. The proposed use will not conflict with the character and design of the buildings and surrounding area and is compatible with the surrounding properties and open spaces. The design of the proposed addition will provide a desirable environment for its occupants, and will not conflict with the neighborhood character or conflict with open space areas in the neighborhood. The existing residence is aesthetically of good composition, materials, textures, and colors and the addition will continue these conditions. The room addition is located within the interior of the residence and will not expand the footprint or the roof of the residence. The new addition will obtain light through new windows in the master suite, and will not result in any substantial exterior changes to the residence that could affect the neighborhood character or open space areas.
- D. The proposed use will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances or modifications. No modification or variance is required as part of the request and the additional square footage is permitted in the RS zone. The project does not affect the development standards of the zone since the additional square footage is contained within the existing building envelope, including within the roof line.
- E. The proposed use is consistent with the City's General Plan Goal LU-9 Single Family Neighborhoods, Policy LU-9.1 Neighborhood Identity, in that the project remains in scale and form with other residences in the neighborhood and does not alter the streetscape of the single-family neighborhood. The height of the residence and the mass of the structure do not change, since the addition is fully contained in the interior of the residence. There are other two story homes in the neighborhood.
- F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed request does not change the existing conditions of the neighborhood, as the requested additional livable square footage will not be visible from the exterior of the residence and no significant exterior changes are proposed, with the exception of windows added.

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<u>Section VI.</u> Architectural Review. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to the Agoura Hills Municipal Code Section 9677.7G. of the Agoura Hills Zoning Ordinance, that:

- A. The proposed use is consistent with the General Plan, any specific plans, and any design standards adopted by the City Council. The project complies with the City General Plan Goal LU-9 and Policy LU-9.1 by remaining in scale with the other residences in the neighborhood. The height of the residence can house a second floor without the need for structural changes to the building envelope. The building height is consistent with other residences in the neighborhood, and would not be increased by the project.
- B. 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 not impair the desirability of investment or occupation in the neighborhood; and that it 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. The expansion will not interfere with the use and enjoyment of existing development in the area. Access to the property will continue to be via Country Glen Road. The proposed project will not increase traffic in the neighborhood, as it is an addition to an existing home and the structure will remain a single-family residence similar to the adjacent properties.
- C. The proposed use 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 project adds a second floor without modifying the exterior of the dwelling unit, with the exception of the new windows.
- D. The design of the proposed development provides a desirable environment for its occupants, as well as for the project's neighbors, as the original architectural design of the building exterior will not change and remains of good composition, materials, textures, and colors. The exterior changes will provide benefits to the residence's occupants by creating additional interior space.
- E. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements. Single-family residential uses and expansion of single-family units are allowed in the Single Family Residential (RS) zone. The building site coverage, building setbacks, and height will not change because the additional square footage is created within the existing roof line within the house interior.
- 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.

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hereby approves S	Based on the aforementioned findings, the Planning Commission Site Plan/Architectural Review Case No. SPR-01300-2016, subject to itions in Exhibit A, with respect to the property described in Section I
approval, and add	The Secretary of the Planning Commission shall certify to the passage, option of this resolution, and shall cause this resolution and this entered in the Book of Resolutions of the Planning Commission of the
PASSED, A following vote to wi	APPROVED, and ADOPTED this 15th day of December, 2016, by the t:
AYES: NOES: ABSTAIN: ABSENT:	(O) (O) (O) (O)
	John O'Meara, Chairperson

Doug Hooper, Secretary

# Exhibit A CONDITIONS OF APPROVAL (Case No. SPR-01300-2016)

#### PLANNING DEPARTMENT

- 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 Planning Department.
- 3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits: Site Plan, Building Elevation Plans, Floor Plans, Cross-Section, and Roof Plan
- 4. 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.
- 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 this permit or on the approved Site Plan.
- All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
- 8. Unless this permit is used within two (2) years from the date of City approval, Site Plan/Architectural Review Case No. SPR-01300-2016 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
- 9. 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.
- 10. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$3.48 per square foot for residential construction.

- 11. 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.
- 12. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
- 13. 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.
- 14. The applicant shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought up against the City because of the approval of this application. Although the applicant is the real party in interest in an action, the City may, at its sole discretion, participate in the defense of the action, but such participation shall not relieve the applicant of any obligation under this condition.
- 15. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from an against any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval or condition of approval. The City shall notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter at applicant's expense.

## **BUILDING AND SAFETY DEPARTMENT**

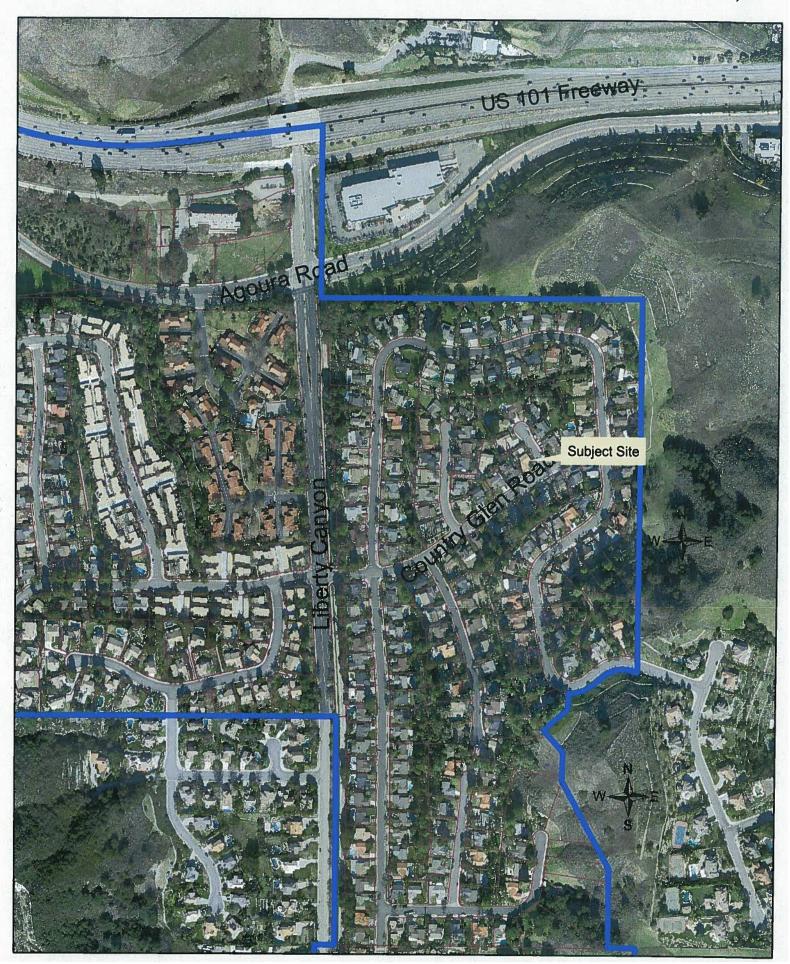
- 16. All exterior materials used for eaves, sidings, porch, patio, decks, canopies, carport and other similar structures shall meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 2 of Article VIII in the Agoura Hills Municipal Code (AHMC).
- 17. All new or replaced windows must be tempered on at least one side of the dual pane, or a 20 minute rated window or glass blocks per Section 704A.3.2.2 of the 2013 California Building Code.
- 18. This project is subject to the 2013 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Green Building Codes and Agoura Hills Municipal Code. If submitting plans after January 1, 2017, they will be reviewed under 2016 California Building Codes with any local amendments.
- 19. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, including but not limited to Structural, Floor, Mechanical,

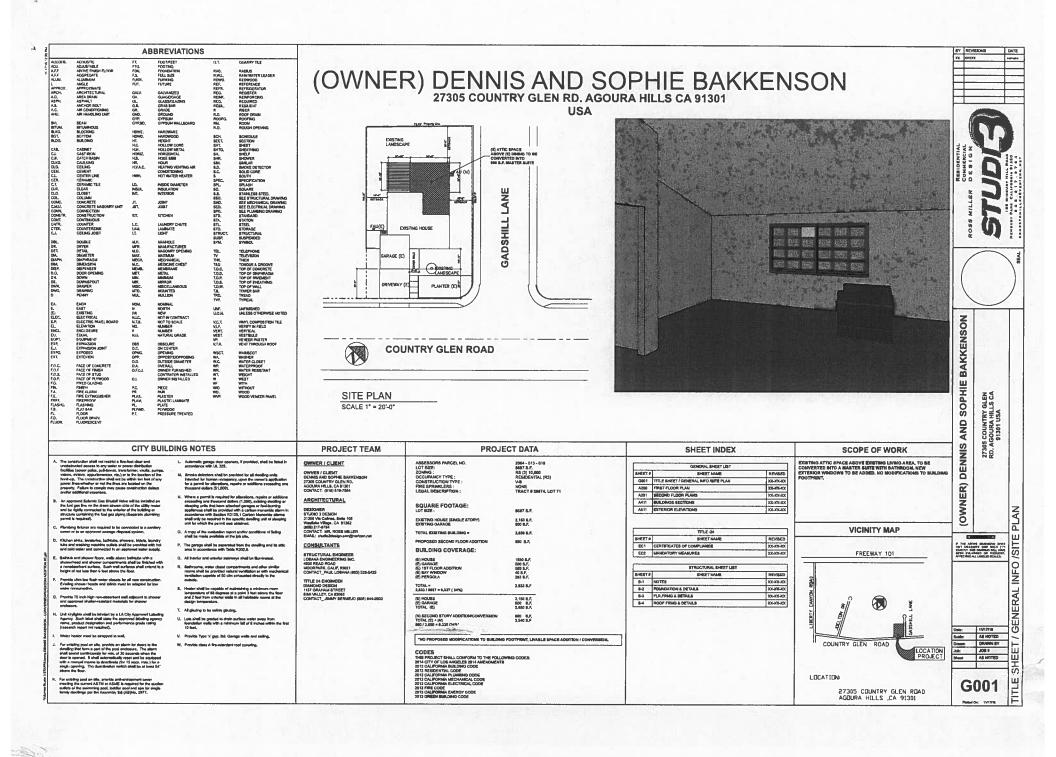
Electrical, Plumbing Plans, and Energy Calculations, will need to be submitted to the Building and Safety Department for review and approval.

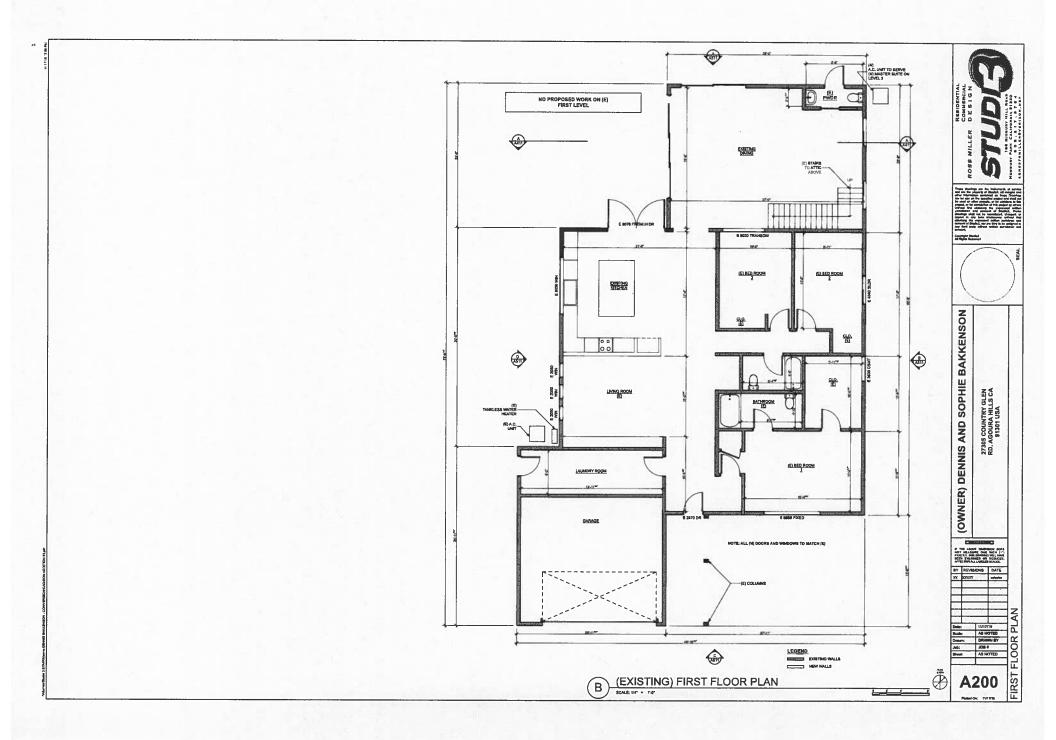
#### SOLID WASTE MANAGEMENT

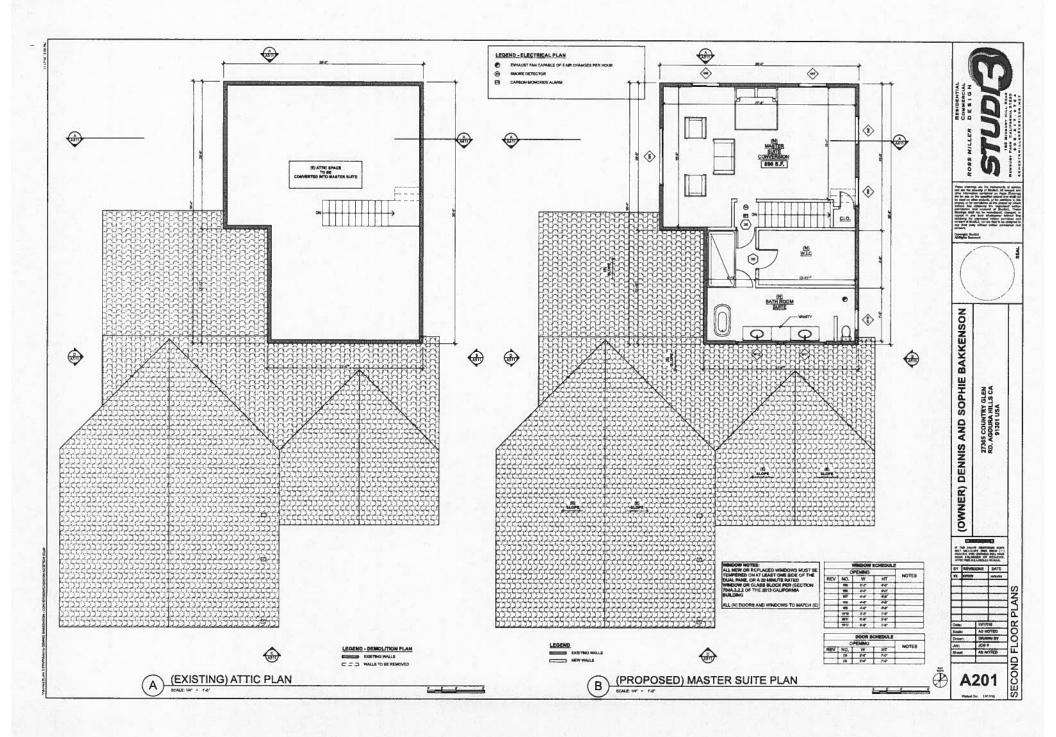
- 20. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project 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 Planning Department 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.
- 21. The project shall comply with the City's Waste Reduction & Recycling 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 to and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
- 22. 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.

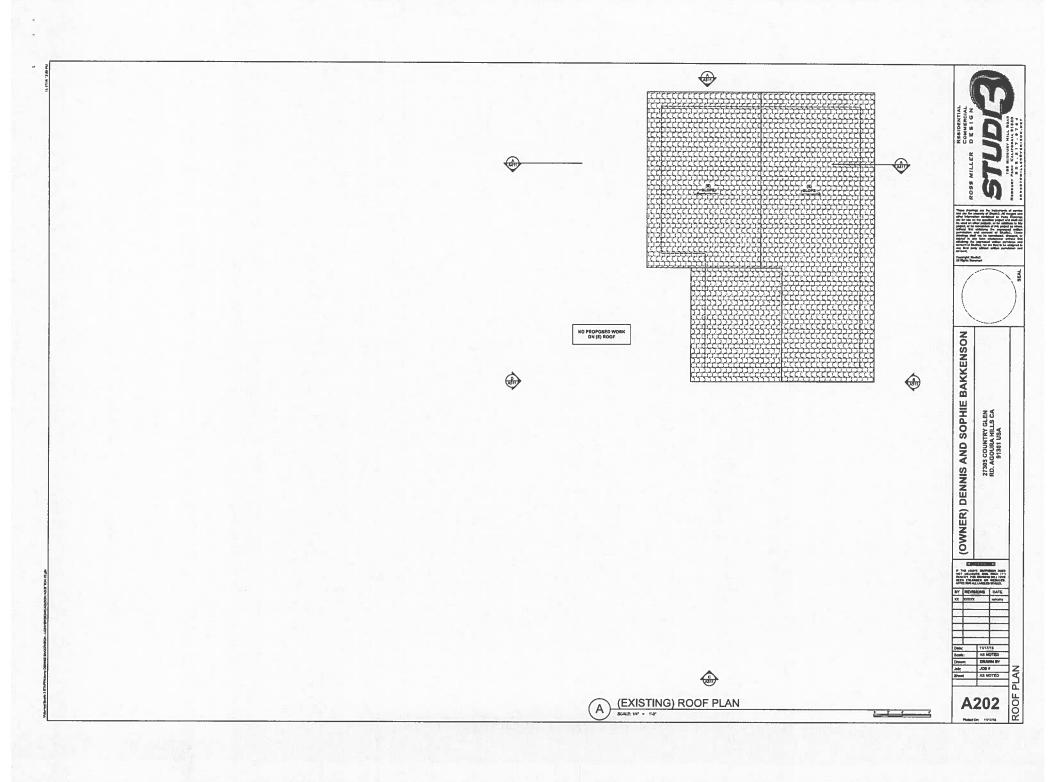
Site Plan/Architectural Review Case No. SPR-01300-2016 (Applicant: Bakkenson)

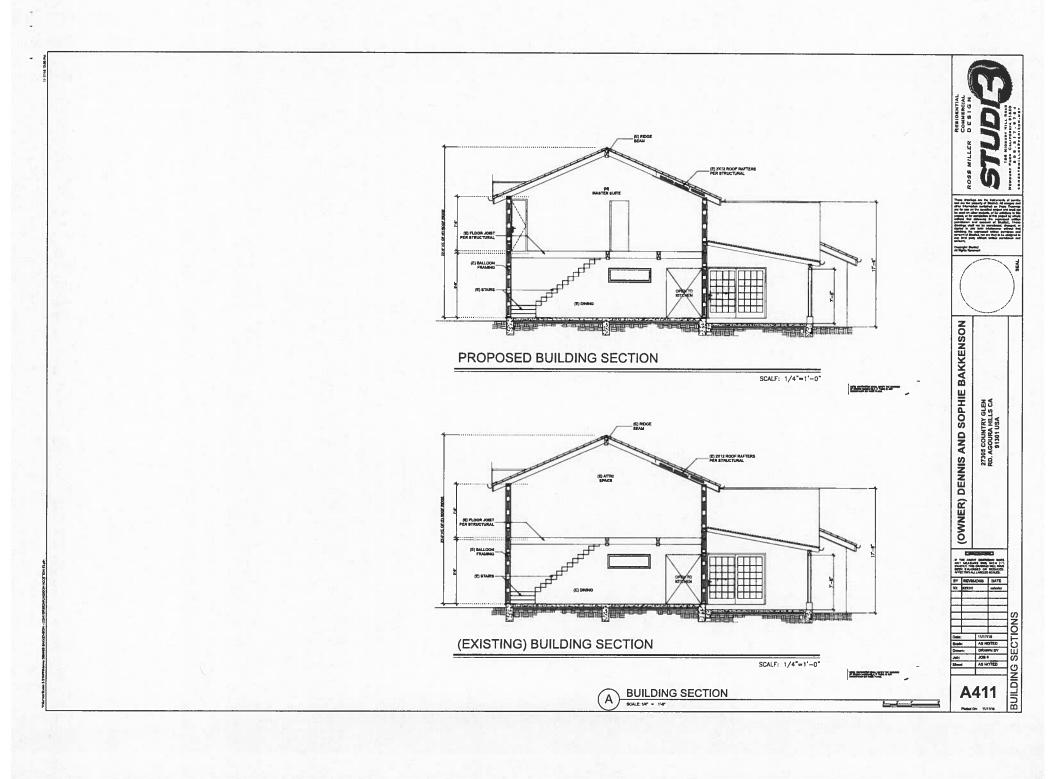




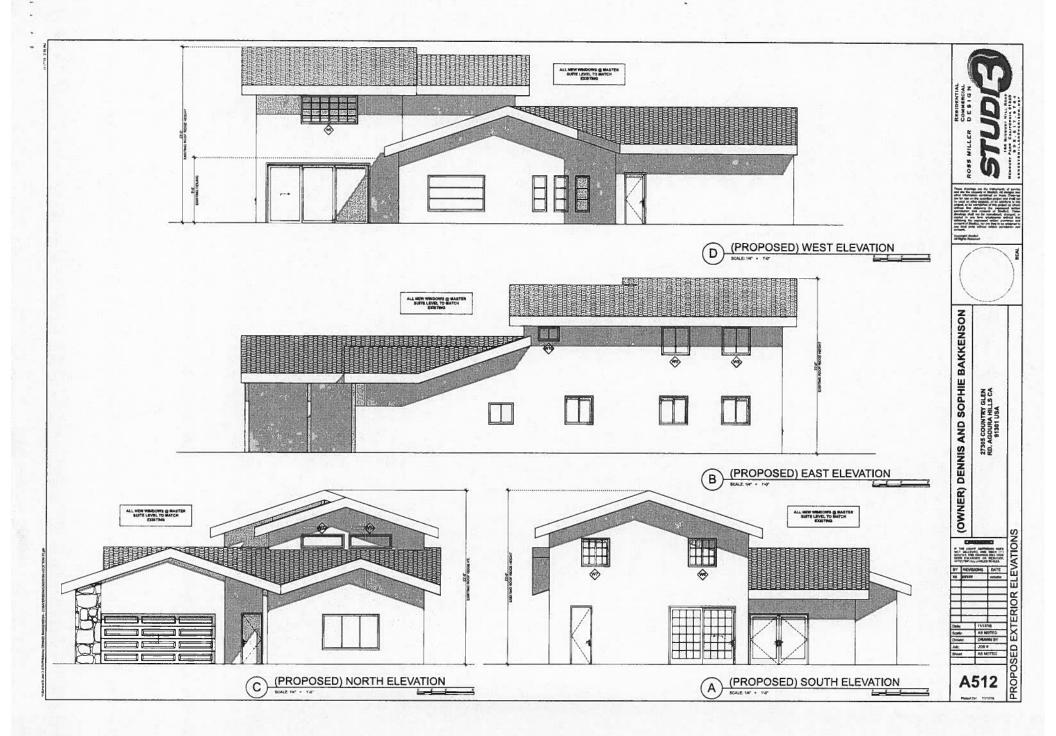










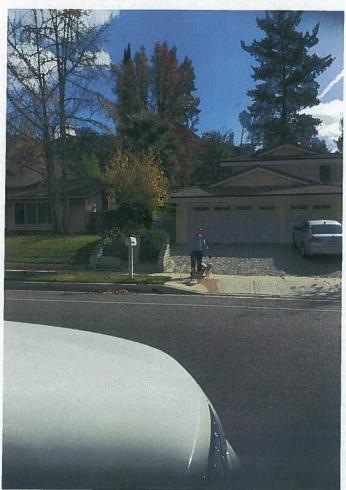




27305 Country Glen Road



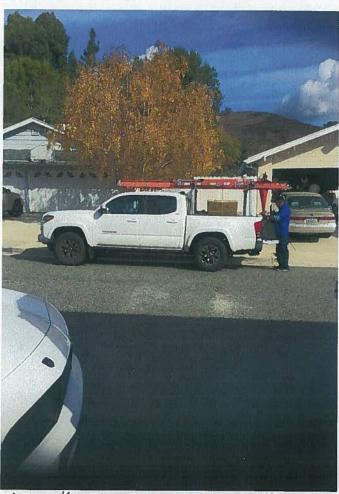
27305 Country Gien Road



Across the street (South) - 2 story



Rear (North) - single Story



Across the Street (EAST) - 2 story



Directly West - 2 Story