

PLANNING DEPARTMENT

DATE:

April 4, 2019

TO:

Planning Commission

APPLICANT:

Kendra Hada

29907 Oakvista Court Agoura Hills, CA 91301

CASE NO .:

SPR-01550-2018

LOCATION:

29907 Oakvista Court (A.P.N. 2056-037-024)

REQUESTS:

Request for approval of a Site Plan/Architectural Review to add a 231.6 square-foot second floor area within an existing two-story, single-family residence; and a request to make a finding of exemption under the California Environmental Quality Act.

ENVIRONMENTAL

DETERMINATION:

Categorically Exempt per Section 15301 of the California Environmental Quality Act (CEQA) and CEQA Guidelines.

RECOMMENDATION:

Staff recommends the Planning Commission approve Site Plan/Architectural Review Case No. SPR-01550-2018, subject to conditions, based on the findings of the attached draft resolution.

ZONING DESIGNATION: RS-(5)-7,500 (Single Family Residential - maximum five dwelling units per gross acre - 7,500 square-feet minimum lot size)

GENERAL PLAN

DESIGNATION:

RS (Residential Single Family)

PROJECT BACKGROUND AND DESCRIPTION I.

On December 11, 2018, a building permit was issued for a 72 square-foot infill of the atrium area to expand the kitchen by 72 square feet at the rear of the existing two-story residence at 29907 Oakvista Court, in the Morrison Ranch Estates neighborhood. The residence was built in 1984 and its original size was 3,260 square feet, with an attached 730.3 square-foot garage. The approved addition increased the residence to 4,062.3 square feet (includes garage). The project is currently in construction.

The applicant and owner, Kendra Hada, has submitted a new application for a Site Plan Architectural Review (SPR) to add 231.6 square feet of second floor living space within the existing two-story, single-family residence. With the current addition under construction and the proposed future addition, the residence would be 4,293.9 square feet total.

The 8,348 square-foot, relatively flat, corner lot is located on the northwest side of Oakvista Court and Forest Cove Lane within the Morrison Ranch residential neighborhood. The parcel is zoned Single Family Residential - (maximum 5 units per gross acre) — with a 7,500 square-foot minimum lot size (RS-(5)-7,500). Access to the property will continue to be via Oakvista Court. Existing single-family homes are located on the adjacent properties to the north and west, as well as across the street to the south. Morrison Park is located across the street to the east of the subject property.

The proposed 231.6 square-foot addition to the second-floor of the residence would allow for a bedroom in the open area above the dining room at the west side of the residence. The proposal does not increase the residence's footprint, as the additional square footage is above the first level. The project involves no changes to the building exterior, as the additional square footage would be contained with the existing exterior walls and roof, except for the addition of a window for natural light.

II. STAFF ANALYSIS

A. <u>Description and Zoning Compliance</u>

The existing residence and the proposed second-story addition are permitted uses in the RS zone. Although the original construction of the residence in 1984 pre-dates the City's Zoning Ordinance (1987), the existing structure complies with the current required development standards, relative to the maximum lot coverage and building height, for lots zoned as 7,500 square-foot minimum lot size. The Zoning Ordinance (Section 9243.9.B.e) identifies the Planning Commission as the reviewing authority for projects that involve additions to an existing second story that result in the second story exceeding seventy-five (75) percent of the existing first story, including second story additions that do not alter the building exterior. In this case, the addition would be approximately seven (7) percent of the first story.

The existing building lot coverage of this site is 28 percent, whereas the maximum allowable building coverage for the RS-(5)-7,500 zone is 50 percent. The proposed second floor addition would not increase the existing building lot coverage, as the addition is placed above the first story of the residence. The proposed second-story addition would not exceed 26-feet, three (3) inches in height at its highest point (same as the existing top of the roof), which is less than the 35-foot maximum height allowed in the RS zone. The front (south) yard setback is 61.90 feet and the rear (north) yard setback is

20 feet, whereas the required setbacks are 20 feet for each yard. The existing east side yard and west side yard both vary between five (5) feet and 14 feet, two and one half inches. The required minimum side yard setback is 18 feet combined with no less than eight (8) feet on any one (1) side. The residence has existing non-conforming side yard setbacks. In this case, the proposed 231.6 square-foot addition would not affect the side, front, or rear yard setbacks or involve construction exceeding the current roofline, since it is contained within the existing building envelope and roof height.

B. Architectural Design

The proposed square footage is consistent with the City Architectural Design Standards and Guidelines. The project would not increase the building mass, height, and bulk, as it would remain within the existing building envelope and within the interior of the residence. Although the request is to make the second floor larger, it does not change the architectural style of the residence since the new area would be within the existing exterior walls and roofline. The project would not impact the neighbors, since it would be constructed entirely within the home interior. The new window on the east elevation would face Forest Cove Lane, and not any neighboring homes. The project would not cause a change in the house's exterior materials. The Morrison Ranch Estates Homeowner's Association approved the proposed plans.

C. 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. The height of the residence can accommodate the additional room adjacent to the existing livable space on the second floor without the need for exterior changes to the building envelope that would be visible to the public, with the exception of a window. No increase in height or alteration of exterior walls are necessary. The new window would match the existing windows on the house and would allow natural light into the room without impacting neighborhood privacy.

D. 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) as it is a minor alteration to an existing structure. 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-01550-2018, subject to the attached conditions and based on the findings in the draft resolution.

IV. ATTACHMENTS:

- 1. Draft Resolution for Site Plan/Architectural Review, and Conditions of Approval (Exhibit A)
- 2. Vicinity Map
- 3. Reduced Copies of Project Plans
- 4. Photographs of Applicant's Lot and Surrounding Properties

Case Planner: Renee Madrigal, Associate Planner

DRAFT RESOLUTION NO. 19-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01550-2018 TO ADD A 231.6 SQUARE-FOOT, SECOND FLOOR LIVING AREA WITHIN AN EXISTING TWO-STORY, SINGLE-FAMILY RESIDENCE LOCATED AT 29907 OAKVISTA COURT; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL 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 Kendra Hada with respect to the real property located at 29907 Oakvista Court, Assessor's Parcel Number 2056-037-024, requesting approval of Site Plan/Architectural Review Case No. SPR-01550-2018 to add a 231.6 square-foot, second floor living area within an existing two-story, single-family residence.

<u>Section II.</u> The project is a request for expansion of square footage of an existing private residence and is exempt from the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15301(e) (Existing Facilities). The project would not result in significant impacts to the environment, as it involves a minor, 231.6 square-foot interior expansion of square footage of an existing private residence.

<u>Section III.</u> The Planning Commission of the City of Agoura Hills considered the application at a public hearing held on April 4, 2019, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforementioned hearing was duly given and published as required by state law.

<u>Section IV.</u> Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforementioned public hearing.

<u>Section V.</u> Site Plan/Architectural Review. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Zoning Ordinance Section 9677.5 and Section 9677.6.G of the Agoura Hills Municipal Code, that:

Site Plan Review Findings (Section 9677.5 of the Zoning Ordinance):

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 Residential (RS) zone. The addition would allow more living space to the existing second floor of the residence. The proposal would not affect the existing non-conforming side yard building setbacks, 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, and without the need for roof modification. 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 addition is located within the interior of the home and will not expand the footprint or the roof of the residence. The additional room will obtain light through a new window in the bedroom, which matches the existing house windows, and will not result in any substantial exterior changes to the building 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 roofline.
- E. The proposed use is consistent with the City's General Plan Goal LU-9 Single-Family Neighborhoods, Policy LU-9.1 Neighborhood Identity to 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 the applicable Goal LU-9 and Policy LU-9.1 by remaining in scale and in character with other residences in the neighborhood, which are also two-story, and does not alter the exterior appearance of the building, with the exception of a window, nor the streetscape of the single-family neighborhood. The height of the residence and the mass of the structure will not change, since the addition is fully contained in the interior of the residence.

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F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The project 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 a window added. The window will be placed on the east elevation, along the existing street.

<u>Architectural Review Findings (Section 9677.6.G of the Zoning Ordinance)</u>

- 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 and character with the other residences in the neighborhood. The height of the residence can accommodate a second floor room addition without the need for structural or exterior changes to the building envelope. The building height 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, 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 proposed addition is located entirely within the interior of the home, will not expand the footprint or maximum building height of the residence, and will not interfere with the use and enjoyment of existing development in the vicinity. Access to the property will continue to be via Oakvista Court. 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 would allow more living space to the existing second floor of the residence without modifying the exterior of the dwelling unit, except for a window installation for light and air, which would match the existing windows. The proposed colors and materials would match those on the existing building.
- D. The design of the proposed development provides a desirable environment for its occupants, as well as for the project's neighbors. The interior changes will provide benefits to the residence's occupants by creating additional interior space. The new window design will match the existing house's windows and will not face any neighboring houses. There would be no exterior changes to the structure that would affect the house's aesthetics.

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- 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 interior expansion to single-family units are allowed in the Single-Family Residential (RS) zone. The building site coverage, building setbacks, and building height will not change because the additional square footage will be created within the existing roofline and 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 house will be improved and constructed according to current City Building Code standards. No other changes to the property are proposed.

<u>Section VI.</u> Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. SPR-01550-2018, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.

<u>Section VII.</u> 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 April, 2019, by the following vote to wit:

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

John Asuncion, Chairperson

Doug Hooper, Secretary

EXHIBIT A CONDITIONS OF APPROVAL (Case No. SPR-01550-2018)

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 the Planning Commission's 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 they are aware of, and accept, 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 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.
- 7. 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-01550-2018 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. 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.

- 11. No construction work or repair shall be performed outside the hours of 7:00 a.m. to 7:00 p.m. or any Sunday or Holiday.
- 12. No roof-mounted equipment is permitted as part of this approval.
- 13. The Applicant, and property owner(s), and their successors in interest, shall indemnify, defend and hold harmless the City, its officials, officers, agents and employees (collectively "Indemnitees") from and against any and all claims, actions, lawsuits, damages, losses and liabilities arising or resulting from the granting of this approval by the City or the exercise of the rights granted by this approval. This indemnification obligation shall include, but not be limited to, paying all fees and costs incurred by legal counsel of the City's choice in representing the Indemnitees in connection with any such claims, actions or lawsuits, any expert fees, and any award of damages, judgments, verdicts, court costs or attorneys' fees in any such claim, action or lawsuit. The City shall promptly notify Applicant and property owners of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. In the event such a legal action is filed, the City shall estimate its expenses for litigation. Applicant or property owners shall deposit such amount with the City or enter into an agreement with the City to pay such expenses as they become due. Applicant and property owners shall reimburse the City, and each of the Indemnitees for any and all legal expenses and costs incurred by it in enforcing the indemnity herein provided. 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.

BUILDING AND SAFETY DEPARTMENT

- 14. This project is subject to the 2016 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Green Building Codes and Agoura Hills Municipal Code.
- 15. All the code requirements for the Very High Fire Hazard Severity Zone (VHFHSZ) per chapter 7A of the 2016 California Building Code, 2017 Los Angeles County Fire Code and Agoura Hills Municipal Code applies to this project, including, but not limited to, having tempered glass on one of the two panes of new or replacement windows.
- 16. 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, Title 24 plans shall be submitted to Building and Safety Department for plan review and approval.

SOLID WASTE MANAGEMENT

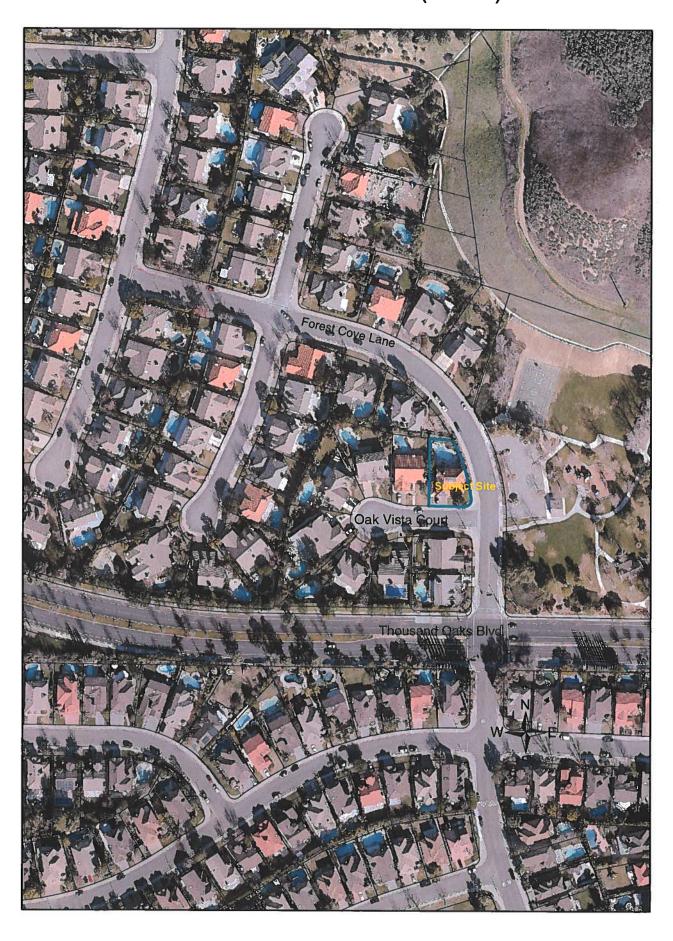
17. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for a

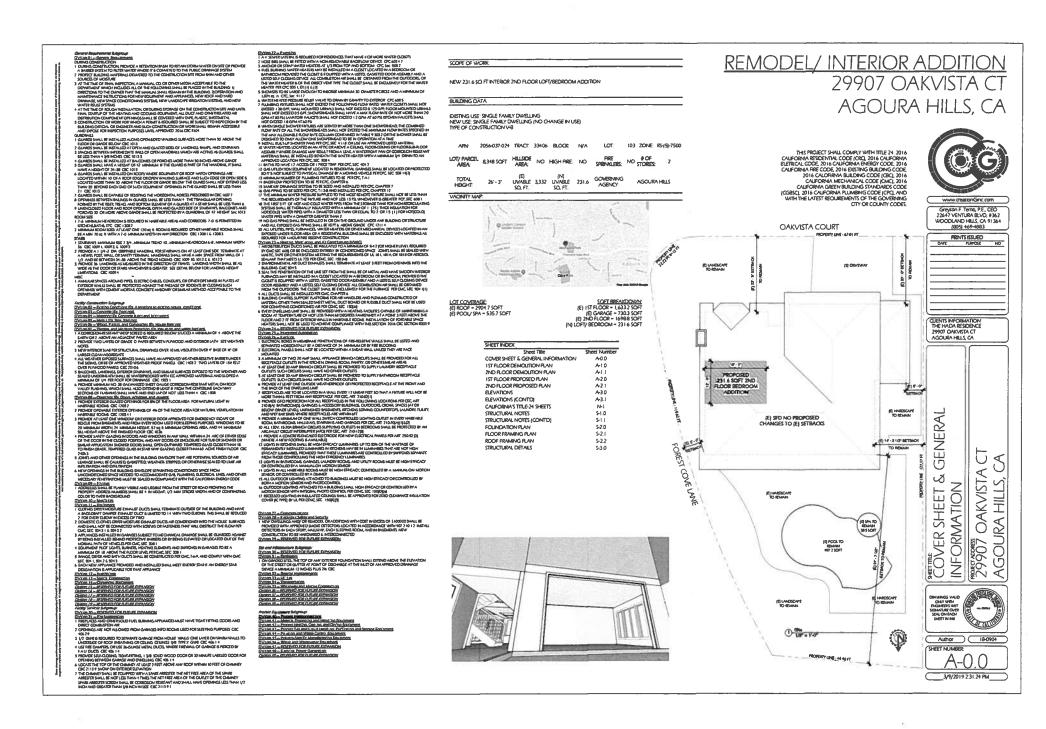
percent of the waste generated on the project to be diverted from the landfill, at the rate currently required by California Department of Resources Recycling and Recovery. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be 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.

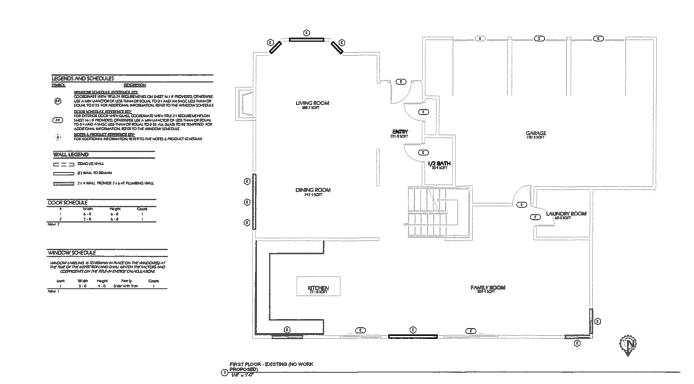
- 18. The project shall comply with the City's Waste Reduction & Recycling Plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion 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.
- 19. 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.

END

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Greyson F. Terno, P.E., CEO 27647 VENTURA BLVD, #362 WOODLAND HBLS, CA 91364 (805) 469-4883

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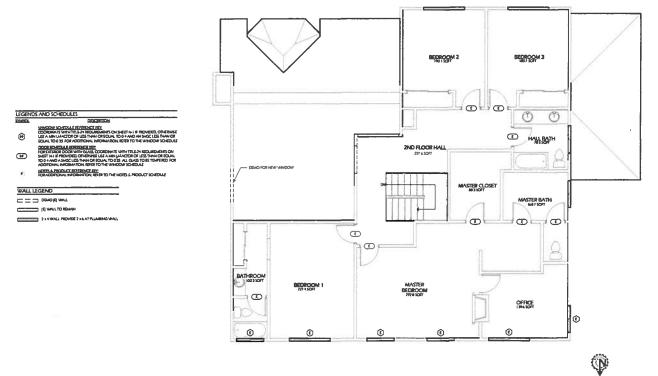
1ST FLOOR DEMOLITION PLAN

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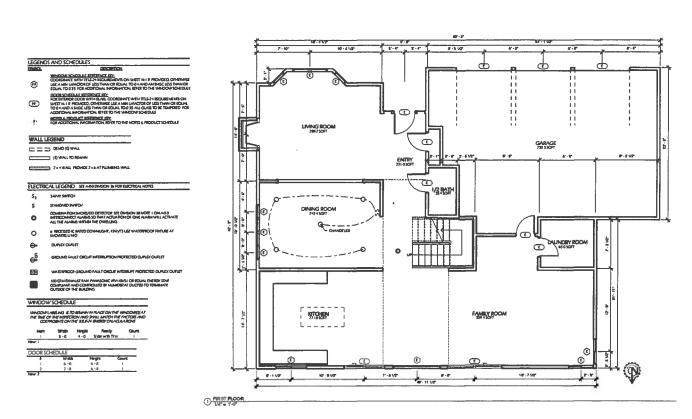


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1) SECOND FLOOR - DEMOLITION









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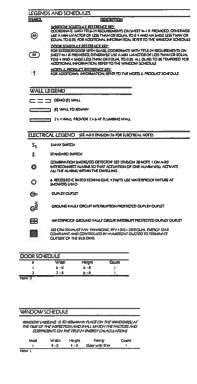
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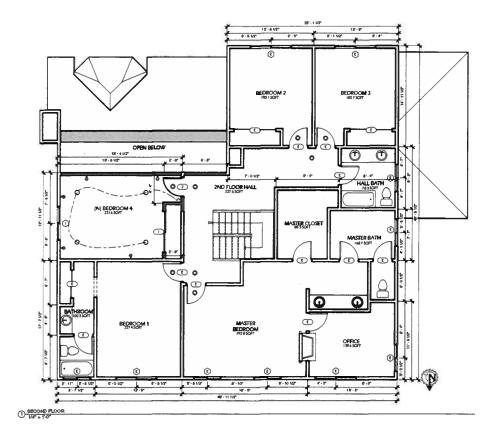
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1ST FLOOR PROPOSED PLAN 5 29907 OAKVISTA

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