

PLANNING DIVISION

DATE:

January 21, 2021

TO:

Planning Commission

APPLICANT:

Louis Skertich

28304 Foothill Drive

CASE NO:

SPR-01338-2017

LOCATION:

28304 Foothill Drive

(AIN 2055-016-016)

REQUEST:

Request for approval of a Site Plan and Architectural Review Permit to build a 608 square-foot addition to the first floor of an existing two-story house, and to construct a 416 square-foot uncovered front deck

ENVIRONMENTAL

DETERMINATION:

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

RECOMMENDATION:

Staff recommends the Planning Commission approve Site Plan and Architectural Review Permit Case No. SPR-01338-2017, subject to conditions, based on the findings of the attached Draft Resolution.

ZONING DESIGNATION: Residential Low Density - 20,000 - Old Agoura Design Overlay and Equestrian Overlay Districts (RL-20,000-OA-EQ).

GENERAL PLAN

DESIGNATION:

Residential Low Density (RL)

I. PROJECT BACKGROUND AND DESCRIPTION

Louis Skertich, the applicant and owner, is requesting approval of a Site Plan and Architectural Review Permit (SPR) to build a 608 square-foot (sq. ft.) living room addition on the first floor and a 416 sq. ft. uncovered deck with 287 sq. ft. of stairs to an existing 2,979 sq. ft. two-story house with an attached 473 sq. ft. garage on a 1-acre lot (42,617 sq. ft.) lot. The existing concrete driveway would be widened from the street to the garage for an additional 315 sq. ft. The living room addition and the deck would be located in the front yard along the north building elevation. The deck would serve as the residence's front entry.

The subject property is located within a low density residential neighborhood in Old Agoura between Lota Lane and Fairview Place. It is zoned Residential Low Density – 20,000 – Old Agoura Design Overlay and Equestrian Overlay Districts (RL-20,000-OA-EQ) with a General Plan land use designation of Residential Low Density (RL). The property is located on the south side of Foothill Drive and can be accessed from Fairview Place or Driver Avenue. The lot is relatively flat with an average slope of 6.6 percent. The lot slopes slightly upwards towards the west property line. The lot contains a single-family home with an attached garage, a swimming pool, tennis court, and over 1,500 sq. ft. of horse-keeping space. The surrounding properties are very similar in that they also contain a single-family home with a garage, horse-keeping space, and recreational amenities such as pools or sports courts.

The proposed addition is allowed in the RL zoning district, subject to Planning Commission approval, because the addition would result in the overall square footage of the house exceeding 3,000 square feet, considering presently proposed and past additions. It is also subject to Planning Commission approval as the proposed addition would continue the existing non-conforming west side yard setback of five (5) feet, encroaching into the minimum setback prescribed by the zoning district of 14 feet on each side. Zoning Ordinance Section 9702.B allows the Planning Commission to approve projects that maintain the existing non-conforming setbacks.

In 1992, a permitted non-habitable enclosed patio space of 330 sq. ft. was added to the rear of the house by the family room. In 1999, a permit was issued to convert 247.5 sq. ft. of the 330 sq. ft. space into habitable space, thereby expanding the family room. As part of the 1999 permit, the master bedroom on the second floor, just above the family room, was also expanded by 247.5 sq. ft. for a total of 495 sq. ft. added to the entire house.

The following table summarizes how the proposed project compares with the relevant lot and development standards.

	Existing	Proposed	Allowed/Required
Lot Dimensions			h
Size	0.98 ac.	0.98 ac.	0.46 ac. min.
Size in square feet	42,617 sq. ft.	42,617 sq. ft.	20,000 sq. ft.
·	•	'	min.
Lot Width	69.42 ft.	69.42 ft.	75 ft. min.
Lot Depth	209.5 ft.	635 ft. avg.	200 ft. min.
Building Height			
	22 ft.	22 ft.	30 ft. or two
	(two stories)	(two stories)	stories max.
Building Square Footage			
Residence	1,867 sq. ft.	2,475 sq. ft.	n/a
(1 st Floor)			
Residence	1,112 sq. ft.	1,112 sq. ft.	n/a
(2 nd Floor)			
TOTAL RESIDENCE	2,979 sq. ft.	3,587 sq. ft.	n/a
Other Structures			
Attached Garage	473 sq. ft.	473 sq. ft.	n/a
Covered Patio	450 sq. ft.	450 sq. ft.	n/a
Covered Balcony	147 sq. ft.	147 sq. ft.	n/a
Uncovered	667 sq. ft.	1,370 sq. ft.	n/a
Decks/Stairs			
Pool	547 sq. ft.	547 sq. ft.	n/a
Tennis Court	1,770 sq. ft.	1,770 sq. ft.	n/a
TOTAL OTHER STRUCTURES	4,054 sq. ft.	4,757 sq. ft.	n/a
Lot Coverage			
Main Structure ¹	2,340 sq. ft.	2,948 sq. ft. / 7%	n/a
Pool	547 sq. ft.	547 sq. ft. / 1.3%	n/a
Tennis Court	1,770 sq. ft.	1,770 sq. ft. / 4.2%	n/a
Accessory Structures ²	1,264 sq. ft.	1,967 sq. ft. / 4.6%	n/a
Driveway	1,259 sq. ft.	1,574 sq. ft. / 3.7%	n/a
TOTAL LOT COVERAGE	7,180 sq. ft. /	8,806 sq. ft. /	35% max.
	17%	21%	
Building Setbacks			
Front Yard	81.7 ft.	81.7 ft.	35.3 ft. min.
Rear Yard	487 ft.	487 ft.	25 ft. min.
Side Yard (East)	12 ft.	12 ft.	14.13 ft. min.
Side Yard (West)	5 ft.	5 ft.	14.13 ft. min.

¹ Value includes first floor (1,867 sq. ft.), garage (473 sq. ft.), with proposed addition of 608 sq. ft. ² Value includes existing decks, patios, covered balcony and stairs and proposed deck at 416 sq. ft. and stairs at 287 sq. ft.

II. STAFF ANALYSIS

A. Site Plan and Buildings

The parcel is already developed with a 22-foot high, 2,979 sq. ft. two-story residence; 1,264 sq. ft. of decks, exterior stairs, covered balcony, and patios, a 473 sq. ft. attached garage, a 547 sq. ft. swimming pool, a 1,770 sq. ft. fenced tennis court, and 14,818 sq. ft. for equestrian use. The existing lot coverage is 17 percent, which includes the main structure with garage, swimming pool, tennis court, accessory structures (e.g. decks, stairs, patios, covered balcony), and the concrete driveway. The property is accessible through an existing 16-foot concrete driveway from Foothill Drive.

The proposed building addition would add 608 sq. ft. of living room space to the first floor of the existing house, resulting in a gross floor area of 2,475 sq. ft. on the first floor and a total of 3,587 sq. ft. for the overall residence. Data gathered on 11 single-family homes within the vicinity of the existing house shows an average house size of 3,021 sq. ft., a median of 3,234 sq. ft. and a range of 1,564 sq. ft. to 3,885 sq. ft. Compared to most lots in the surveyed vicinity, with an average size of 27,768 sq. ft., the subject lot is larger at 42,617 sq. ft., but the proposed structure size would not be the largest.

The existing site plan has an uncovered courtyard within the proposed area off the addition. The courtyard and an existing Chinese elm tree would be removed to accommodate the first floor addition and the new deck. To accommodate the 608 sq. ft. addition, the applicant proposes to demolish the front wall of the north elevation from the existing westerly wall of the structure to the east, up to the front door entrance, which also includes a fireplace and chimney. On the northern exterior of the proposed addition, the proposed uncovered deck would be attached and would abut the front of the living room addition up to the new front door entrance. The proposed addition and deck would continue the existing non-conforming five (5) – foot setback on the west side yard, which is allowed by Section 9702.B of the Zoning Ordinance regarding alterations of existing non-conforming buildings³. The addition would also continue the existing slope of the roof and would not exceed or change the existing maximum height of 22 feet.

B. Architectural Design

The proposed living room addition would have two sliding white-framed glass doors on the north elevation that would lead onto the new deck. Above the sliding glass doors, are two proposed trapezoidal windows. The new brown polymer composite wood-like deck and stairs would lead down towards the front yard. The new deck and stairs would have black stainless steel railing and cables. The proposed front door would be a French style glass door with a black frame and above the front door would be a new picture style black-framed window.

³ Section 9702.B Type I Non-conforming lots, buildings, and uses; non-detrimental, allows for the improvement or alteration of buildings encroaching in established (existing) non-conforming setbacks subject to Planning Commission approval.

In conjunction with the proposed addition and deck, the applicant proposes to replace the existing guardrail on the balcony above the garage with a black steel rail and tempered glass. The entire front elevation would be refaced from stucco to a white fiber cement wood-like siding and would wrap about six (6) feet onto the west elevation wall and the east elevation wall on the second floor. White wood-like siding would also be installed on the rear six (6) feet of the east elevation wall.

Other architectural design features that would be included in the project scope would be the replacement of the existing garage door with a dark grey, steel garage door, a six (6) inch fireplace vent on the roof for the new interior fireplace, and six (6) new ranch-style wall sconces to be placed by the front exterior doors and on each side of the garage door. Recessed downlights would be placed beneath the flat roof just above the front door entrance. The roof material and color of the addition would be a grey shingle and would match the existing roof. The driveway and driveway entrance would be expanded from 16 feet to 20 feet to accommodate for Los Angeles County Fire Department access and would maintain the existing three (3) foot tall split rail white fence.

C. Equestrian Overlay District

The project site is within the Equestrian Overlay District (EQ), which requires that a horse-keeping area of at least 1,500 sq. ft. be identified on the property for equestrian purposes. The existing 14,818 sq. ft. equestrian space would not change and would remain as-is for this project.

D. Old Agoura Design Overlay District

The intent of the Old Agoura (OA) Overlay District is to preserve Old Agoura's unique semi-rural character through the establishment of special standards and design guidelines. The District calls for residential development to embrace an eclectic, rural style that preserves the equestrian nature of the area. The project is consistent with the District and other neighboring Old Agoura residences through the incorporation of wood-like material and craftsman-style architectural elements, such as rustic wall sconces, and muted colors.

As part of the Old Agoura Design Overlay, the applicant also accounted for the recommended maximum structure size detailed in the Old Agoura Design Guidelines within the Architectural Design Standards and Guidelines (ADS&G). The Old Agoura Design Guidelines set the maximum allowed total structure sq. ft. at 5,252 and the proposed addition would result in a total 4,184 sq. ft., which includes the first and second floor of house with the addition (3,587 sq. ft.), the covered patio (450 sq. ft.), and the covered balcony (147 sq. ft.)⁴. The overall structure with the addition would be below the maximum allowed structure size.

⁴ The Old Agoura Design Guidelines exempts attached garages from the maximum allowed structure calculation if the garage is 690 sq. ft. or less.

E. Homeowners Group

The Old Agoura Homeowners Planning and Zoning Committee has reviewed the project and provided a letter of support dated May 12, 2020. To assure its support of the project, the latest plans were reviewed by the Committee in November 2020 and the letter updated to conclude, "Plans were reviewed 11/2020, and found consistent with our original findings. We continue to support the project as presented." A copy of the letter is included as Attachment 6 to this report.

F. General Plan Consistency

Staff finds the project would be consistent with the following applicable General Plan goals and policies:

Goal LU-7: Livable and Quality Neighborhoods. Neighborhoods that provide a variety of housing types, densities, and design, and mix of uses and services that support needs of their residents.

- Policy LU-7.1 Neighborhood Conservation. Maintain the uses, densities, character, amenities, and quality of Agoura Hills' residential neighborhoods, recognizing their contribution to the City's identity, economic value, and quality of life for residents.
- Policy LU-7.2 Housing Character and Design. Require that new and renovated housing within existing single- and multi-family neighborhoods be located and designed to maintain their distinguishing characteristics and qualities, including prevailing lot sizes; building form, scale, massing, and relationship to street frontages; architectural design; landscape; property setbacks; and comparable elements. Continue to implement the City's Architectural Design Standards and Guidelines to ensure that residential units are designed to sustain the high level of architectural design quality and the character of the existing land forms that characterize the Agoura Hills neighborhoods, in consideration of the following principles as identified in the City Architectural Design Standards and Guidelines:
 - Harmony with the natural land forms and native vegetation
 - Response to the local climate (through proper building orientation, appropriate glazing, use of overhangs, shading devices, native vegetation, etc.)
 - Reflection of the highest standards of adjacent buildings and the neighborhood style[s], proportions, colors, and materials.

Goal LU-8 Residential Very Low- and Residential Low-Density Neighborhoods (Old Agoura). Residential neighborhoods containing very low-and low-density

housing reflecting Agoura Hills' history and designed to respect their environmental setting.

- Policy LU-8.1 Neighborhood Identity. Promote and maintain the integrity of Old Agoura residential neighborhoods for their low-density large estates, rustic character, non-urban infrastructure, and keeping of horses and other farm animals.
- Policy LU-8.2 Development Compatibility with Community Character. Require that renovation of existing and construction of new housing and property improvements respect the characteristics that distinguish Old Agoura, including its topography, parcel sizes, housing scale and form, nonurban infrastructure and some streetscapes (no sidewalks, curbs and gutters, and street lighting), and equestrian trails.
- Policy LU-8.3 Integration of Development with Natural Setting. Require that buildings be located, scaled, and designed to reflect the existing terrain and minimize grading to the maximum extent possible. Structures shall be integrated into the hillsides, taking care to preserve the viewsheds and natural ridgelines.
- Policy LU-8.4 Property Setbacks. Encourage variable setbacks to enhance streetscape character and increase building separation.
- Policy LU-8.5 Building Materials and Colors. Limit exterior building materials to those that have the appearance of materials that are characteristic of rural environments.
- Policy LU-8.7 Open Spaces. Encourage the provision of open space areas suitable for horses or other farm animals, thereby enhancing the equestrian and rural character of the area.

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's site and building design are consistent with Goals LU-7, LU-8, and LU-9 and their policies. The project's minor addition in the front would be compatible with the neighborhood in terms of building form and scale. The design would maintain privacy for all adjacent neighbors of the residence as the existing non-conforming west side yard setback would not be reduced and all other setbacks would be met. Site grading would be minimal due to the lot being relatively flat. The proposed changes would provide a design for the residence.

The project incorporates Old Agoura preferred design elements by using natural-appearing materials to maintain the neighborhood's natural setting. The building also incorporates white wood-like siding to match the existing stucco on the house. The combination of the façade materials, and architectural features (existing balconies and patio) articulated at various locations around the house, and open deck within the front yard that is significantly setback from the street, helps minimize the appearance of building mass. The proposed project would not alter the existing horse-keeping area within the rear yard of the property and would, therefore, remain consistent with the necessary open space and neighborhood identify that is reminiscent of the Old Agoura neighborhood.

The project would be consistent with other single-family homes in the neighborhood, in terms of scale and massing, as discussed in Item A, Site Plan and Buildings.

G. Findings

Two sets of findings are required: Site Plan, and Architectural Review. The findings are listed in full in Attachment 1, Draft Resolution, Sections V. and VI. In summary, in order to approve this project the Planning Commission would need to determine that the project meets neighborhood compatibility in terms of size, scale, and design, and that it would maintain the public health, safety, and welfare. It would also need to ensure that the project would be consistent with the General Plan and Zoning Ordinance.

H. 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 (Existing Facilities). This exemption includes alterations of, and small additions to, structures. No significant environmental impacts are expected from development of this project, because the proposed addition is set within an existing developed area and there are no significant environmental resources on or adjacent to the site. 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 analysis, staff recommends that the Planning Commission approve Site Plan and Architectural Review Permit Case No SPR-01338-2017, subject to the conditions, and based on the findings of the attached Draft Resolution.

IV. ATTACHMENTS

- 1. Draft Resolution for the Site Plan/Architectural Review with Exhibit A, Conditions of Approval
- 2. Project Plans
- 3. Project Renderings
- 4. Color and Material Board
- 5. Vicinity Map
- 6. Letter from Old Agoura Homeowners Planning and Zoning Committee, dated May 12, 2020

Case Planner: Katrina Garcia, Assistant Planner

EXHIBIT A CONDITIONS OF APPROVAL (Case Nos. SPR-01338-2017)

PLANNING DIVISION

- 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 Division.
- 3. Except as modified herein, the approval of this action is limited to, and requires complete conformation to, the final labeled exhibits: Site Plan, Building Elevation Plans, Floor Plans, Roof Plan, and Sections.
- 4. All exterior materials used in this project shall be in conformance with the materials stated in the plans as 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 permits 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 these conditions or on the approved Site Plan.
- 8. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
- 9. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits.
- 10. Unless this permit is used within two (2) years from the date of City approval, Site Plan/Architectural Review Case No. SPR-01338-2017 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.

- 11. 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.
- 12. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District prior to issuance of a Building Permit. The current fee is \$3.79 per square foot for residential construction.
- 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. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
- 15. All exterior lights shall be focused downward and shielded to minimize the glare and light spillover onto adjacent lots.
- 16. 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.
- A pre-construction conference shall be held prior to the issuance of a Building Permit, with City staff and all construction personnel involved with the Building operations.
- 18. 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.
- 19. In the event archaeological resources are encountered during ground-disturbing activities, the City Planning Division shall be notified immediately, and work shall stop within a 100-foot radius until a qualified archaeologist approved by the City Planning Division, and retained and paid for by the developer/applicant, has assessed the nature, extent, and potential significance of any remains. In the event such resources are determined to be significant, appropriate actions are to be determined by the archaeologist consistent with the City General Plan, in consultation with the City Planning Division.
- 20. If human remains are unearthed during ground disturbing activities, State Health and Safety Code Section 7050.5 requires that no further disturbances shall occur until the County Coroner has made the necessary findings regarding origin and disposition pursuant to the Public Resources Code Section 5097.98. If human remains are unearthed, the developer/contractor shall contact the City Planning Division and County Coroner immediately. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) to be the Most Likely Descended (MLD) of the deceased Native American, who will then help determine what course of

action should be taken in dealing with the remains. If an archaeologist and/or a Native American representative is needed to assess the remains and determines a course of action, all such fees and expenses shall be the responsibility of the developer/contractor and not the City.

21. 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 DIVISION

- 22. All exterior materials used for eaves, sidings, porch, patio, decks, canopies, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone (VHFHSZ) per chapter 7A of the 2019 California Building Code and Agoura Hills Municipal Code applies to this project.
- 23. A two percent (2%) slope away from the structure for drainage (on the first 5 feet) all around the new structure(s) shall be provided.
- 24. The applicant shall note on the plans that all new or replaced windows will 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 2019 California Building Code.
- 25. This project shall be subject to the 2019 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Green Building Codes, and Agoura Hills Municipal Code.
- 26. Soils report is required unless the requirements for the soils report waiver form is met (flat construction area, no fill material, 1000s.f or less of new construction).
- 27. Las Virgenes School District fees will be required (livable sq ft x \$3.79).

28. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, <u>including</u> Structural, Floor Plan, Mechanical, Electrical, Plumbing, Energy Plans, plans will need to be submitted to Building and Safety Department for plan review and approval. Please be advised that this is a <u>preliminary review</u> and does not constitute a final Building and Safety approval.

SOLID WASTE MANAGEMENT STANDARDS

- 29. 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.
- 30. 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.
- 31. 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.

Draft Resolution for the Site Plan/Architectural Review with Exhibit A, Conditions of Approval

DRAFT RESOLUTION NO. 21-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN AND ARCHITECTURAL REVIEW PERMIT CASE NO. SPR-01338-2017 FOR THE CONSTRUCTION OF AN ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 28304 FOOTHILL DRIVE; 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:

Section I. An application was duly filed by Louis Skertich with respect to the real property located at 28304 Foothill Drive, Assessor's Identification Number (AIN) 2055-016-016, requesting approval of Site Plan and Architectural Review Permit (SPR) Case No. SPR-01338-2017 to allow the construction of a 608 square-foot addition and 416 square-foot uncovered deck to an existing 2,979 square-foot, two (2) story, single-family residence, with an attached 473 square-foot garage.

Section II. The project is a request for construction of an addition to an existing single-family residence and is exempt from the California Environmental Quality Act (CEQA), per CEQA Guidelines Section 15301 (Existing Facilities). The addition to the single-family residence, including the deck, would not result in significant impacts to the environment, as the project is within an existing developed area and there are no significant environmental resources on or adjacent to the site. 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.

Section III. The Planning Commission of the City of Agoura Hills considered the project and application at a public hearing held on January 21, 2021 at 6:30 p.m. The public hearing was held in accordance with the Governor's Executive Order N-29-20 on an electronic platform that allowed for the applicant and members of the public to present statements and provide materials to the Commission. Notice of the time, date, means of participation in 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 Review. Based upon 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 of the Agoura Hills Municipal Code, that:

- A. The proposed use is consistent with the objectives and provisions of Article IX (Zoning) of the Agoura Hills Municipal Code and the purposes of the land use district in which the use is located. The proposed project is located within the Low Density Residential and Old Agoura Design Overlay and Equestrian Overlay (RL-20,000-OA-EQ) districts, which allow for the development and alteration of single-family residences. The project meets the City's minimum development standards for the zoning district with regard to lot coverage, lot size, building height and number of stories, existing non-conforming building setbacks, and all other applicable development standards. The addition to the front yard will not affect any rear yard amenities and structures, including the existing equestrian space, which is in compliance with the Equestrian Overlay District.
- 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 proposed use of the addition to the single-family residence would be a living room. The proposed addition will be added to the front of the house, but will not be within the minimum required front yard setback, therefore, ensuring visibility of traffic for safety purposes. The proposed addition will meet the district's required setbacks for the main structure. The driveway is designed in accordance with City and County Fire Department standards. No change in site access or circulation is proposed. The plans are in compliance with applicable codes, guidelines, and standards of practice. The project will be in full compliance with the City's Building Code.
- C. The proposed use shall not conflict with the character and design of the buildings and open space in the surrounding area. The proposed addition to the existing house will be consistent with the lot coverage prescribed by the district. In addition to the proposed addition, the open space areas in the rear yard will be preserved and unchanged. They will continue to consist of vegetation, unpaved areas for horse-keeping, a swimming pool and tennis court. The addition to the residence will be consistent with the height and number of stories prescribed by the district and will not obstruct any open space or scenic vista. The addition is on the ground level. The subject lot, like those surrounding it, will continue to support equestrian facilities that will allow for a balance of open space and buildings. The design of the addition to the residence, as well as, the deck will ensure adequate light, air, privacy and open space to surrounding properties, as the project complies with the RL zone building height, lot size and coverage requirements, and will exceed the minimum required front yard setback standards and will not further encroach into the existing non-conforming west side yard setback.
- D. The proposed use will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances or modifications. The project is consistent with the zoning district's requirements for building height, building site coverage, lot size and fence and wall heights, and all other applicable development standards. The project meets the minimum required rear, front and east side yard setbacks. The proposed addition will continue the existing non-conforming setback in the west side yard, consistent with Zoning Ordinance, Section 9702.B, and will not further encroach into the setback. The proposed

addition and existing structure are also consistent with the Old Agoura Design Overlay and Equestrian Overlay districts relative to the style of architecture with natural wood-like materials and subdued colors, minimization of grading, and sufficient area for equestrian use. No variances or modifications are required.

- E. The proposed use is consistent with the city's general plan. The project is consistent with Land Use and Community Form Goals LU-7, LU-8, LU-9 and their applicable policies including Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-8.1 Neighborhood Identity, Policy LU-8.2 Development Compatibility with Community Character, Policy LU-8.3 Integration of Development with Natural Setting, Policy LU-8.4 Property Setbacks, Policy LU-8.5 Building Materials and Colors, and Policy LU-8.7 Open Spaces. The project is consistent with other properties in the general neighborhood in terms of number of stories and density. The proposed project conforms to the required height and building size, and lot coverage. All minimum required setbacks will be met except that of the west side yard, which is existing non-conforming and will not be further encroached upon, consistent with Zoning Ordinance Section 9702.B with the approval of the Planning Commission. The architectural design is of high quality, as are the materials, which utilize neutral colors and natural or natural-appearing materials that integrate the project with the Old Agoura area natural setting. The existing residence is adequately articulated with varying architectural features and planes and will be further enhanced with the front wood-like deck. The different building façade materials (wood-like siding and deck) and features, including the balcony and open deck, minimize the building mass. The project will be removing an existing Chinese elm tree in the front to accommodate the addition and deck, but will maintain the existing landscaping and open space within the rear yard. The project will not alter the equestrian space in the rear yard. The project complies with Goal LU-9 and Policy LU-9.1 Neighborhood Identity, as it will maintain its use as a single-family residence that will meet the district's development standards and is in scale with the adjacent residences, particularly in consideration of the lot size. The proposed addition to the residence is in scale with the overall neighborhood, in terms of mass and building articulation. It complies with the recommended maximum square footage in the Old Agoura Design Guidelines section of the City Architectural Design Standards and Guidelines.
- F. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed use will be consistent with the existing single-family neighborhood because the project is a living room addition and deck to an existing single-family residence. The lots in the neighborhood all have a dedicated horse-keeping area and open space. The proposed project will continue to contribute to the character of the neighborhood by maintaining a house compatible with the Old Agoura community and maintaining the existing abundant horse-keeping space.

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

- Α. The proposed development is consistent with the general plan, any specific plans, and any design standards adopted by the city council. The project is consistent with Land Use and Community Form Goals LU-7 and LU-8 and their applicable policies including Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-8.1 Neighborhood Identity, Policy LU-8.2 Development Compatibility with Community Character, Policy LU-8.3 Integration of Development with Natural Setting, Policy LU-8.4 Property Setbacks, Policy LU-8.5 Building Materials and Colors, Policy LU-8.6 Landscaping, and Policy LU-8.7 Open Spaces. The project is consistent with other properties in the general neighborhood in terms of number of stories and scale as it relates to the size of the lot. Relative to the adjacent properties, the subject lot is larger, but will comply with the district's development standards. The proposed deck and addition to the existing single-family residence conforms to the required height, building size, and lot coverage. All minimum required setbacks will be met except that of the west side yard. which is existing non-conforming and will not be further encroached upon, consistent with Zoning Ordinance Section 9702.B, with the approval of the Planning Commission. The architectural design is of high quality, as are the materials, which include natural materials (wood-like deck and siding) that integrate the project with the Old Agoura area natural setting. The existing residence is adequately articulated with varying architectural features and planes and will be further enhanced with the open wood-like deck in the front yard. The different building façade materials (wood-like siding and deck), variations in building planes, and features, including the new deck, and balcony, minimize the building mass. The project will not affect or alter the existing horse-keeping area in the rear yard as the proposed addition and deck are within the front yard. The project complies with Goal LU-9 and Policy LU-9.1 Neighborhood Identity in terms of the district's development standards and is in scale with the adjacent residences, particularly when the lot size is considered. proposed deck and addition to the residence will maintain its scale with the overall neighborhood in terms of mass and number of stories. It complies with the recommended maximum square footage in the Old Agoura Design Guidelines section of the City Architectural Design Standards and Guidelines.
- The design and location of the proposed development and its relationship to existing or proposed developments and traffic in the vicinity thereof is such that it will not impair the desirability of investment or occupation in the neighborhood; and it will not unreasonably interfere with the use and enjoyment of existing or proposed developments in the vicinity thereof, and it will not create traffic hazards or congestion. The proposed addition to the existing house will be located within the front yard and will be setback 81 feet from the street. The driveway will be expanded to 20 feet to accommodate Los Angeles County Fire Department access and will maintain its three (3) foot split rail fence. As such, there would continue to be to adequate traffic line-of-sight both from the driveway and from the vehicle traffic from the street. The site access and circulation will not be changed. The proposed addition will not alter the existing building height of 22 feet, therefore, the house will not block views to any scenic resources. The residence is within the size range of the other houses in the area, and while larger than most homes, it is not the largest in the surrounding area, and is comparable in size when lot area is considered. Since the project meets all required development standards and guidelines, it will maintain the neighborhood's continuity.

- C. The design of the proposed development is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by this ordinance and the general plan of the city. The addition to the single-family home is designed in accordance with the City's Zoning Ordinance and the Architectural Design Standards and Guidelines, specifically the Old Agoura Design Guidelines. It meets all development standards and guidelines and will meet setback requirements as allowed by Zoning Ordinance Section 9702.B regarding non-conforming buildings. The home is within the range of home sizes in the surrounding neighborhood, but larger than the average size. The house is also set on a larger lot than the majority of existing neighborhood character since they have included wood-like siding to the front exterior of the house, and brown wood-like decking. It blends in with the rest of the equestrian neighborhood as it will continue the use and maintain the size of the existing horse-keeping area in the rear yard.
- D. The design of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures, and colors. The project is designed with high quality materials. Architectural design, incorporates a balance between heavy materials (steel cable railing) and light materials (wood-like siding and deck). Building colors are neutral, with white facades, brown deck, and gray and black roof. A variety of materials is provided (wood-like siding and deck, asphalt shingle roof, steel railing, glass). The house has an existing balcony that offsets the massing at the front of the building and will be further enhanced by replacing the existing stucco railing with a transparent glass. All of these elements help to break up the massing along the facades and create architectural interest. The addition will comply with the required front yard setback and will not affect the safety and privacy of its neighbors, nor will it negatively impact the aesthetics of the neighborhood.
- E. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements. The addition is consistent with RL zone requirements regarding lot coverage, building height, and yard setbacks, and will maintain and not further encroach into, the existing non-conforming setback of the west side yard. It is also consistent with the Old Agoura Design Overlay and Guidelines with regards to the architectural quality of materials, colors and features, as well as maximum recommended structure size. It is also consistent with the Equestrian Overlay as there is an existing horse-keeping area in the rear yard that will not be affected by the addition.
- F. The overall development of the subject property is designed to ensure the protections of the public health, safety, and general welfare, as conditioned. The proposed use is an addition to a single-family residence. The proposed addition is located on a developed lot with fencing and a proposed 20-foot driveway that will ensure adequate the line-of-sight for traffic visibility. The addition will not be within the required front yard setback and will not further encroach into the existing non-conforming west side yard

Resolu	ution	No.	21
Page	6 of	6	

setback. Vehicular access to the property exists along Foothill Drive, and will not change, and the driveway is designed in accordance with City and County Fire Department standards. The project will be in full compliance with the City's Building Code.

<u>Section VII.</u> Based on the aforementioned findings, the Planning Commission hereby approves Site Plan and Architectural Review Permit, Case no. SPR-01338-2017, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.

<u>Section VIII.</u> The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 21st day of January 2021, by the following vote to wit:

AYES:

(0)

NOES:

(0)

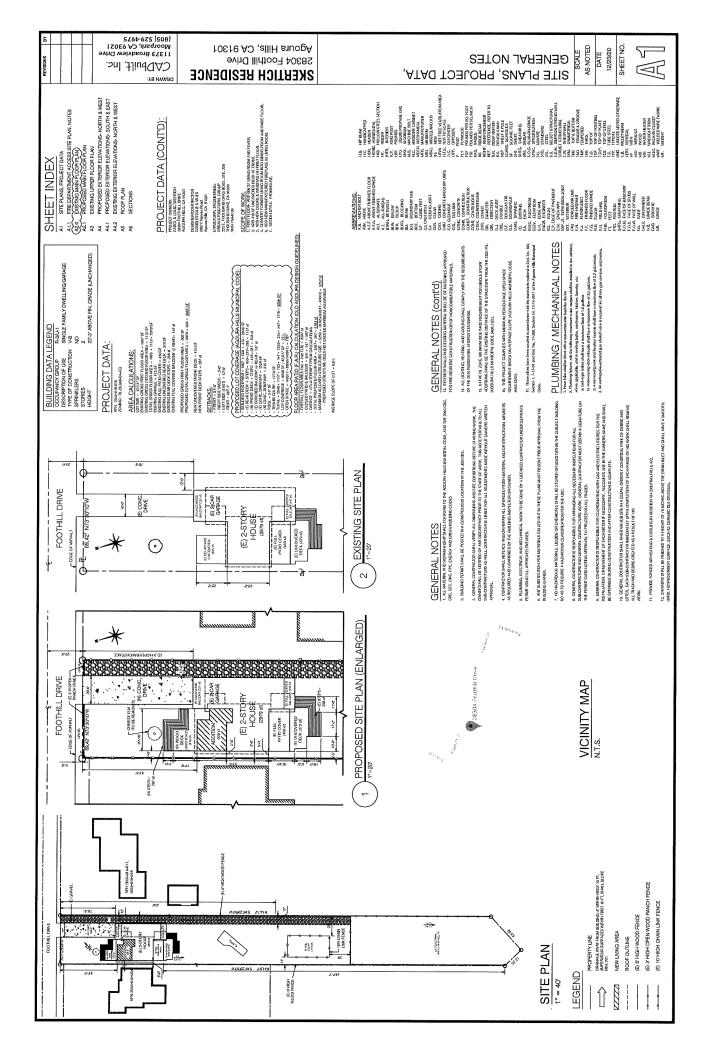
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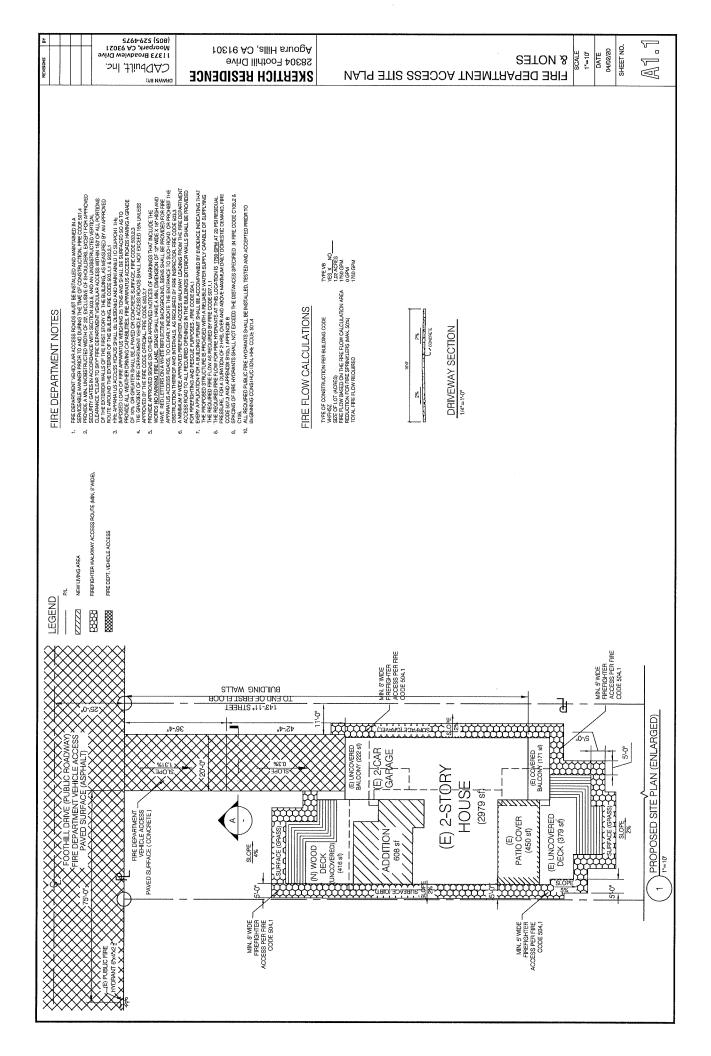
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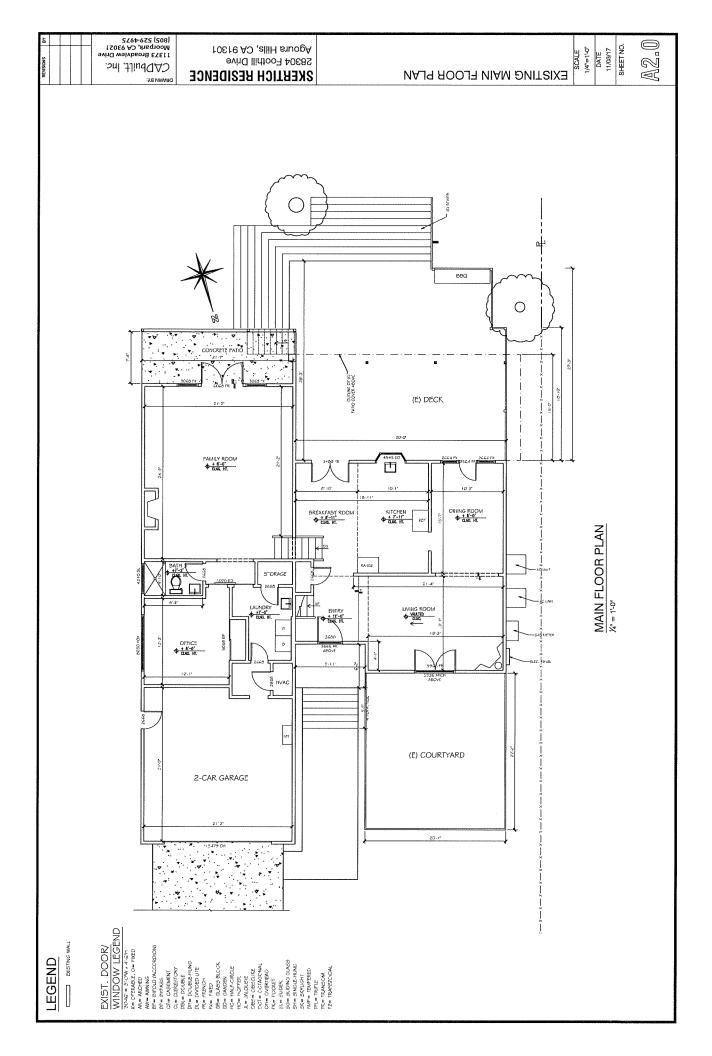
John Asuncion, Chairperson

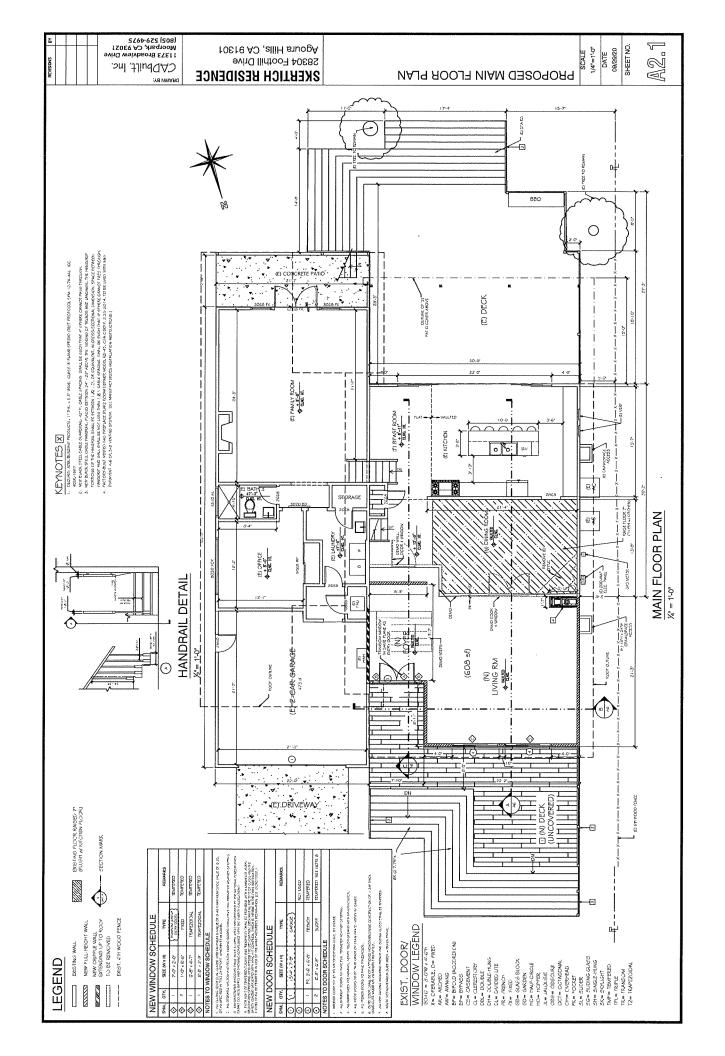
Denice Thomas, Secretary

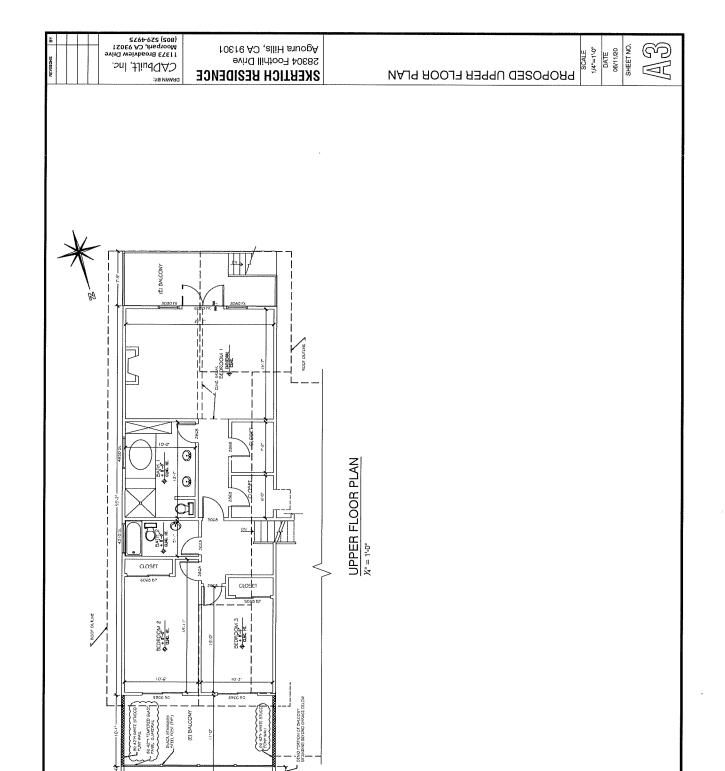
Project Plans











EXESTING WALL

FORTH FOR WALL

FORTH WALL

FORTH FOR WALL

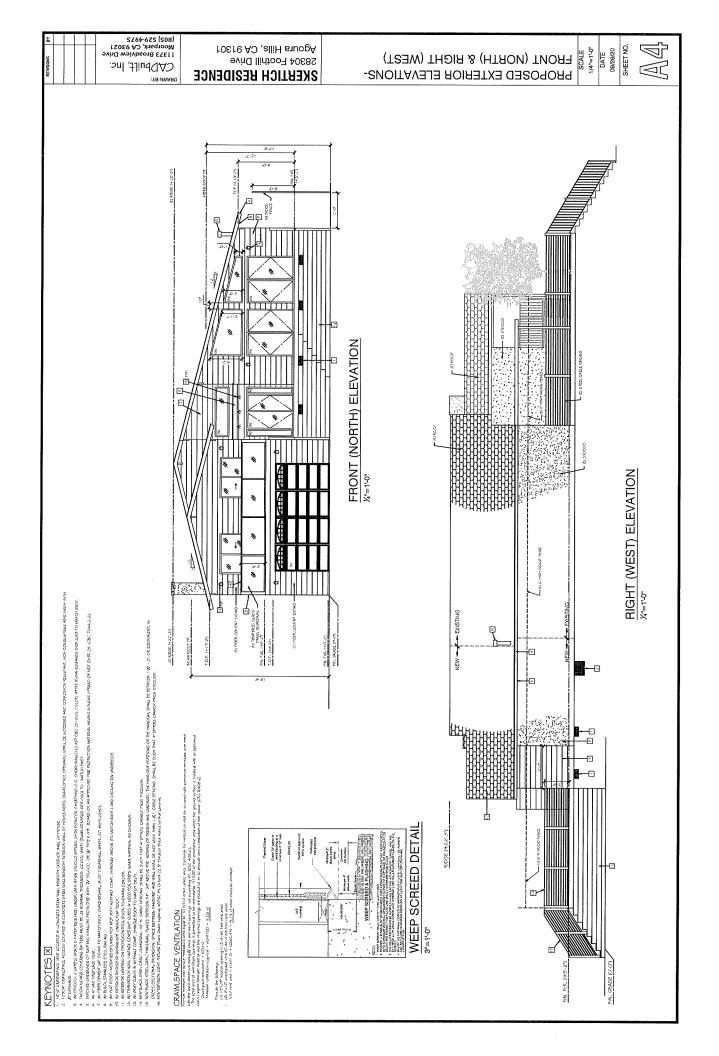
TO BE REMOVED

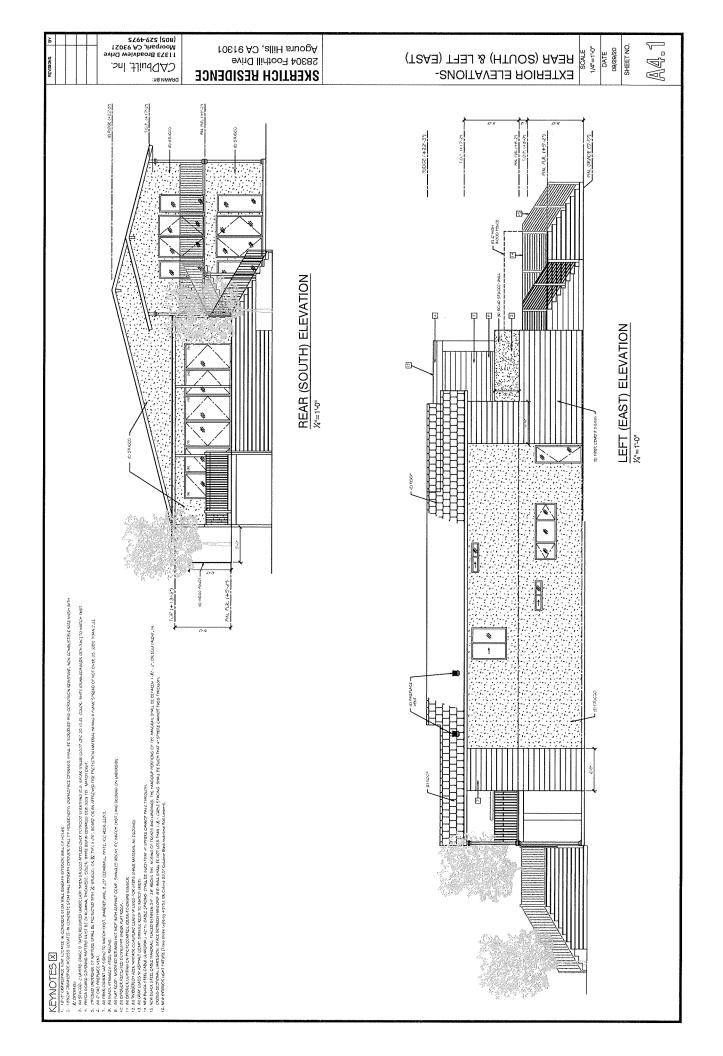
EXIST. DOOR WINDOW LEGEND

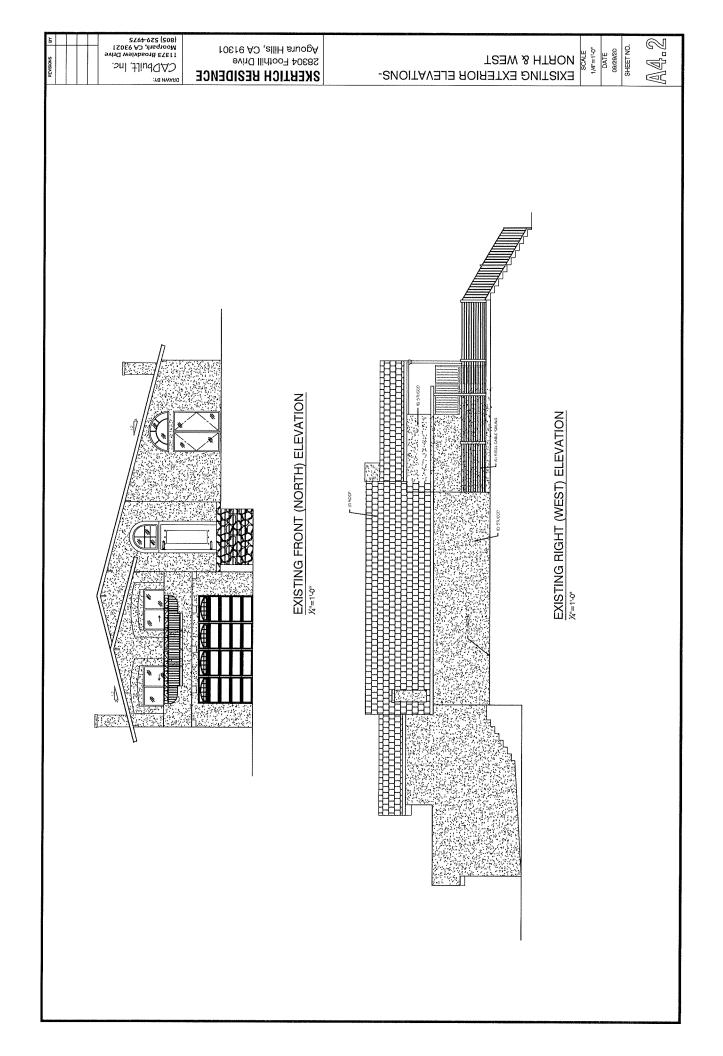
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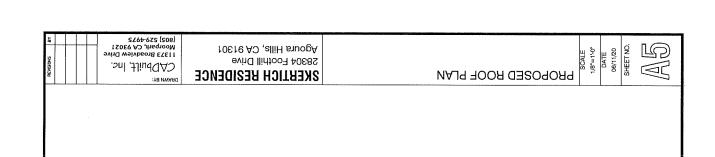
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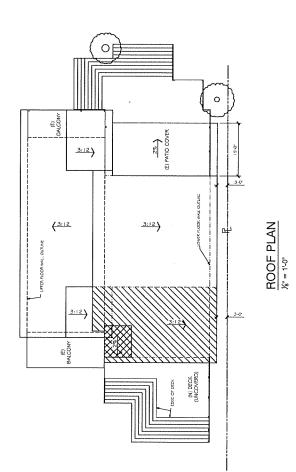
WALL LEGEND









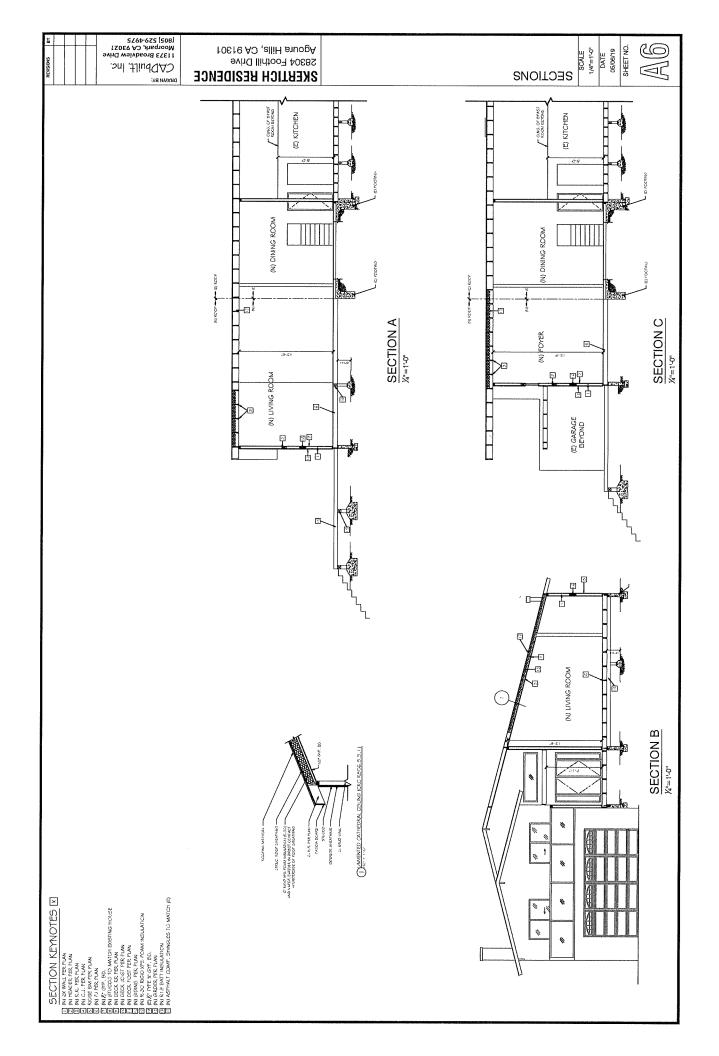




NEW LIPPER 31:12 RCOP- CLASS W ASPHALT COMP, SHINGLE TO WATCH ENST. NEW LOWER 2% SLOPE ROOF

ROOF LEGEND

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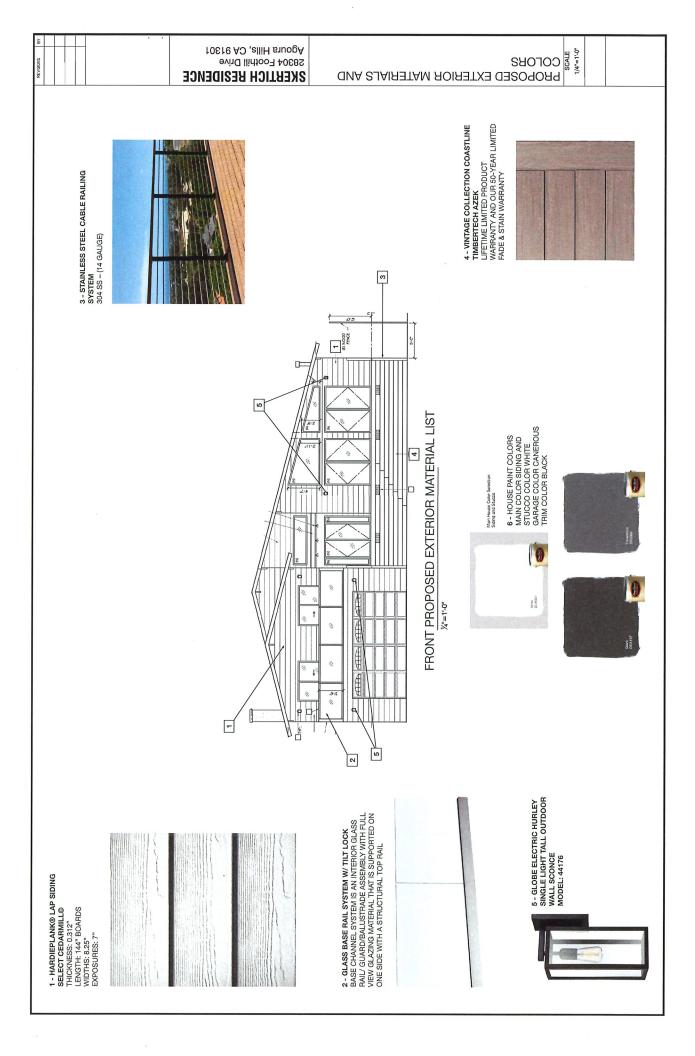


Project Renderings



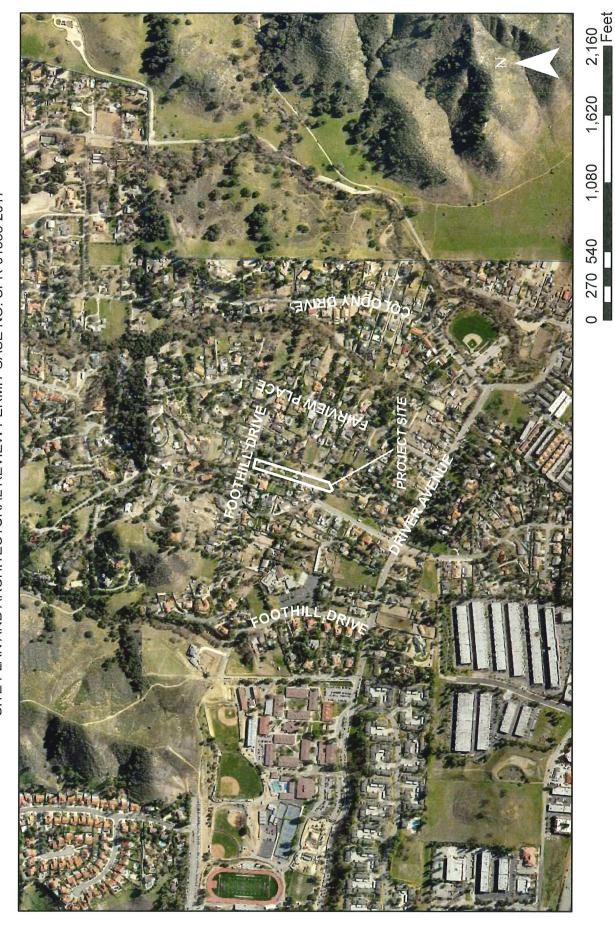
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SIONS		28304 Foothill Drive
REV		SKEBLICH BESIDENCE

Color and Materials Board



Vicinity Map

VICINITY MAP - 28304 FOOTHILL DRIVE / AIN 2055-016-016 SITE PLAN AND ARCHITECTURAL REVIEW PERMIT CASE NO. SPR-01338-2017



Letter from Old Agoura Homeowners Planning and Zoning Committee, Dated May 12, 2020

Old Agoura Home Owners Planning and Zoning Committee

May 12, 2020*,

Attn: City of Agoura Hills Planning Dept.

Re: 28304 Foothill Dr.

The Planning and zoning committee, from the Old Agoura Home Owners has visited the subject site, and reviewed the plans provided by CADbuilt, Inc. dated 02/26/20.

This existing single family residence is located on approximately 1 acre, which has an approximated descending slope estimated at 6%. The existing two story 2,979 S.F. house is located toward the front of the property. The proposed 608 S.F. addition on the first floor will bring the total square footage of the house to 3,587 S.F. The proposed 416 S.F. deck will be located towards the front of the property. Minor architectural changes to the front balconies are represented with either glass, or wire railings facing the street.

The applicant has supplied front elevations with color, and design elements that are compatible with the Old Agoura Design Standards. The project as proposed, complies with lot coverage, F.A.R., building height, equine keeping and reasonable access to.

Assuming the project complies with local codes, we suggest approval of the project as presented.

Thank you for allowing Old Agoura Homeowners Planning and Zoning to comment on the project. Feel free to call Daniel Farkash at 818-599-6842 if you have any questions.

* Plans were reviewed 11/2020, and found consistent with our original findings. We continue to support the project as presented.

Daniel Farkash Phil Ramuno Mike Colabella