

PLANNING DIVISION

DATE:

June 3, 2021

APPLICANT:

Russell Lefferts

6029 Rustling Oaks Dr. Agoura Hills, CA 91301

CASE NO:

SPR-01830-2020

LOCATION:

6029 Rustling Oaks Dr.

(AIN 2051-008-012)

REQUEST:

Request for approval of a Site Plan/Architectural Review Permit to add 319 square feet on the second story of an existing two-story, single-family residence with an attached

garage.

ENVIRONMENTAL

DETERMINATION:

Exempt from the California Environmental Quality Act

(CEQA) per §15301 (existing facilities) of the CEQA

Guidelines.

RECOMMENDATION:

Staff recommends the Planning Commission approve Site Plan/Architectural Review Case No. SPR-01830-2020, subject to conditions, based on the findings of the attached

Draft Resolution.

ZONING DESIGNATION: Residential - Single Family District with a maximum density of five units per gross acre and minimum lot size of 7,000

square-feet (RS-(5)-7,000)

GENERAL PLAN

DESIGNATION:

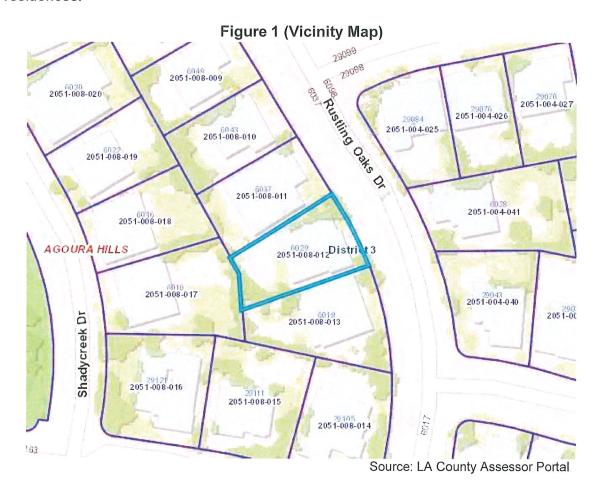
Residential Single Family (RS)

I. PROJECT BACKGROUND AND DESCRIPTION

Russell Lefferts, the Applicant, is requesting approval of a Site Plan/Architectural Review (SPAR) Permit to construct an addition of 319 square feet (sq. ft.) for a new bedroom on the second story of an existing 3,098 sq. ft. two-story, single-family residence with an attached 550 sq. ft. two-car garage. The subject property is a 7,676 sq. ft. lot located in the Morrison Ranch tract and is zoned RS-(5)-7,000. The lot is rectangular shaped and narrows slightly towards the rear of the lot (Figure 1 – Vicinity Map). Surrounding land uses consist of similarly sized two-story, single-family residences.

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The existing residence is two-stories at a height of 27 feet – five inches with a chimney that vertically projects two-feet above the peak of the roof, and includes an attached two-car garage and a swimming pool. The proposed addition will be constructed above the kitchen, on the second story, on the northwest corner of the residence. The addition will result in new exterior walls and a new roof that will maintain the existing height and design of the residence.

Legislative Review

The existing single-family residence is considered a Type I nonconforming building in that the existing setbacks are not consistent with the RS zoning standards, as it was constructed in the year 1980.¹ The Type I nonconforming section of the Zoning Ordinance allows a building to be improved, altered or enlarged provided that it complies with all the provisions of the district. In cases where an improvement or alteration is proposed to a structure with existing nonconforming setbacks, the Project is subject to Planning Commission review and approval².

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For this reason, the proposed addition is subject to review and approval by the Planning Commission as the addition is proposed to continue and maintain the existing nonconforming eight foot – five inch setback on the north side yard. The existing nonconforming five foot setback on the south side yard will remain unchanged.

Project Description

The proposed scope of work is as follows:

Construction

a. New 319 sq. ft., second-story addition to an existing single-family residence.

Proposed Building Area (Sq. Ft.)

| | | Total: 3,417 sq. ft. |
|---|--------------------------------|----------------------|
| • | Proposed Second Floor Addition | 319 sq. ft. |
| • | Existing Second Floor | 1,386 sq. ft. |
| • | Existing First Floor | 1,712 sq. ft. |

II. STAFF ANALYSIS

The existing structure and proposed addition are subject to the design and development standards set forth under the Agoura Hills Municipal Code (AHMC) §9241 (RS-Zoning). Table 1 provides a summary and indicates the proposed Project meets those standards.

| Table 1 – Zoning Conformance | | | | |
|------------------------------|--------------------|---------------|---------------|----------|
| Development Requirement | Allowed/Req'd | Existing | Proposed | Comments |
| LOT DIMENSIONS | | | | |
| Size | 7,000 sq. ft. min. | 7,676 sq. ft. | 7,676 sq. ft. | Complies |

¹ The City was incorporated in 1982 and no zoning ordinances were adopted prior to this year. Additionally, Los Angeles County standards were used several years after incorporation until the City established a zoning ordinance.

² Agoura Hills Municipal Code (AHMC) §9701 - Nonconforming Lots, Building Uses and Land.

| Lot Width | 60 ft. min. | 64.5 ft. avg. | 64.5 ft. avg. | Complies |
|---------------------------------|------------------------------------------|----------------|----------------|-----------|
| Lot Depth | 75 ft. min. | 122.2 ft. avg. | 122.2 ft. avg. | Complies |
| BUILDING AREA (sq | . ft.) | | - | |
| First Floor | | 1,712 sq. ft. | 1,712 sq. ft. | Complies |
| Second Floor | | 1,386 sq. ft. | 1,705 sq. ft. | Complies |
| Attached Garage | | 550 sq. ft. | 550 sq. ft. | Complies |
| Total Building (exclude garage) | | 3,098 sq. ft. | 3,417 sq. ft. | Complies |
| SETBACKS (ft.) | | | | |
| Front Yard (east) | 20 ft. | 20.9 ft. | 20.9 ft. | Complies |
| Rear Yard (west) | 20 ft. | 48 ft. | 48 ft. | Complies |
| Side Yard (north) | 18 ft. Combined; | 8 ft. 5 in. | 8 ft. 5 in. | No Change |
| Side Yard (south) | No less than 8 ft. on one side | 5 ft. | 5 ft. | No Change |
| BUILDING SITE COVERAGE (%) | 50% | 29.46% | 29.46% | Complies |
| HEIGHT | 2 stories or 35 ft. whichever is less | 27 ft. 5 in. | 27 ft. 5 in. | Complies |
| Proposed Addition | 35 ft. | NA | 27 ft. 5 in. | Complies |

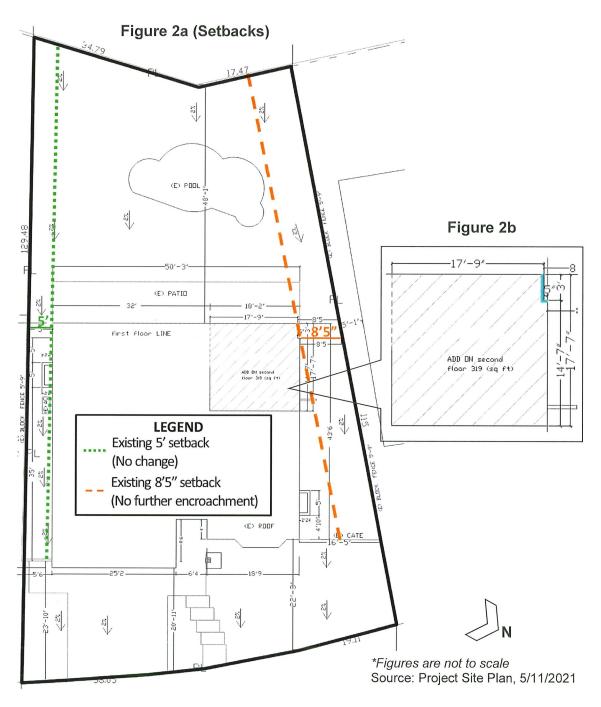
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A. Architectural Design

The existing property contains a two-story, single-family residence with an attached twocar garage. The primary exterior wall cover is an off-white to beige colored stucco and the roof consists of terra cotta colored roof tiles. The gable roof slopes down from the mid-rear section of the house towards the front and rear yards. The north side of the house is single-story while the south side contains the existing second-story with bedrooms and bathrooms. The residence's doors and windows are framed with white vinyl. The existing residence is consistent with the Neighborhood Compatibility Guidelines within the Architectural Design Standards and Guidelines with regard to building height, plate height, eaves, building materials, and roof pitch. The subject residence is part of the Morrison Ranch tract homes, which contain various architectural styles from craftsman to ranch that are repeated throughout the community, each with its own color and material scheme as defined by the Morrison Ranch Homeowners Association (HOA).

The proposed addition on the second story on the north side of the residence will continue the height of the roof of the existing second story and continue the existing slope of the roof. The exterior wall of the addition will be on the same plane as the existing walls on the west (rear) side of the residence. The north side exterior wall will also be on the same plane as the existing exterior walls. As seen in Figure 2a, the existing nonconforming south side yard setback remains unchanged. The Project proposes to extend, without further increasing or encroaching into, the existing eight foot – five inch setback. In order to follow and continue the existing nonconforming setback, the Applicant removed five inches of the proposed addition to the south and three feet to the east, as seen in Figure 2b. The cut on the northwest corner of the proposed second story will not affect the first story as the second story is overhanging



by three feet above the first story line. The angled line causes the lot to narrow towards the rear yard. As part of the addition for a bedroom and bathroom, three new windows

are also proposed—two in the bedroom on the west side and one for the bathroom on the north side. The addition will maintain the existing off-white/beige colored stucco, terra cotta roof tiles and white vinyl framed windows.

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B. General Plan Consistency

Staff finds the Project will 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-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 and LU-9 and their policies. The proposed additions will maintain the existing residence's architecture and, therefore remain in character with the surrounding neighborhood. The residence

architecture will be maintained as the proposed additions will continue the use of off-white/beige stucco on exterior wall surfaces, terra cotta hued gable roof and white colored vinyl window frames. The proposed addition for a bedroom on the rear side of this type of architecture in the Morrison Ranch HOA is common. The addition will continue the existing roof style, slope and height and will not change the scale and character of the development and neighborhood. The five-inch cut into the corner of the proposed addition is minimal to ensuring that the existing nonconforming eight foot – five inch setback will be maintained and to not further be encroached upon; thus, in appearance, the house will be consistent with the neighborhood. Therefore, the project

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III. FINDINGS

A. Site Plan Review: AHMC §9677.5

is consistent with the Goals and policies of LU-7 and LU-9.

Finding 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 RS zoning district allows 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 building site coverage, lot size, building height and number of stories, and all other applicable development standards. The addition to the second story at the rear of the residence will maintain all existing setbacks on the property. The **Project complies with the finding.**

Finding 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 bedroom and bathroom. The proposed addition will be added to the existing second story, towards the rear of the house, and will maintain the height and slope of the existing roof. Therefore, the addition will not impede visibility of traffic for safety purposes. There is no change in site access or circulation. The existing structure's nonconforming five-foot setback on the south property line will not change and the north side's eight foot – five inch setback, where the proposed addition is located, will not be further encroached upon. In addition, the Project will be in compliance with the City's Building Code. **The Project complies with the finding.**

Finding 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 for a bedroom and bathroom will be located on the second story of an existing two-story residence and will not affect the building site coverage of the property and, therefore, will not affect the open space in the surrounding area. All setbacks will be maintained or unchanged. The addition will also maintain the existing architecture with regard to the existing height of the residence and slope of the roof. The addition proposes to use the same color and materials, which includes a terra cotta

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colored roof tile, off-white/beige stucco, and white vinyl framed windows. Therefore, the addition and the use will not conflict with the character and design of the buildings in the surrounding area. The Project complies with the finding.

Finding 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 RS zoning district's requirements for building height, building site coverage, lot size and fence and wall heights. The Project meets the minimum required rear and front yard setbacks. The existing nonconforming south side yard setback remains unchanged and the existing nonconforming north side yard setback will be extended without further increasing or encroaching into the required side yard setback, consistent with AHMC §9702.B. **The Project complies with the finding.**

Finding 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 and LU-9 and the applicable policies including Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-9.1 Neighborhood Identity. The Project is consistent with other properties in the neighborhood in terms of number of stories and density. The proposed project conforms to the required height and building size, and building site coverage. The architectural design will be consistent with the existing residence as described in Finding C of section V. 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 is in scale with the overall neighborhood in terms of mass and building articulation. **The Project complies with the finding.**

Finding 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 as the project is a bedroom and bathroom addition to an existing single-family residence. The addition is consistent in size and shape with surrounding development within the same residential housing tract. **The Project complies with the finding.**

B. Architectural Review. AHMC §9677.7.G

Finding 1. 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-9 and their applicable policies as described under Finding E of Section V. The project is also consistent with the Neighborhood Compatibility Guidelines within the City's Architectural Design Standards and Guidelines, as it pertains to height and roof pitch. The addition would maintain the existing height of the residence and, subsequently, the

roof pitch and slope. The front, rear, and south side yard setback will not change. The north side yard's nonconforming setback will be maintained and not be further encroached upon as allowed by AHMC §9702.B. The Project complies with the finding.

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Finding 2. 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 will be located toward the rear of the property on the second story of the existing two-story residence. The only aspect of the addition that would be visible from the street is the new roof that will continue the adjacent roof line and slope of the existing structure. The site access and circulation will not be changed. The proposed addition will not alter the existing building height of 27 feet — five inches, 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. Therefore, the residence 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. **The Project complies with the finding.**

Finding 3. The design of the proposed development is in keeping with the character of the surrounding neighborhood, and is not detrimental to the harmonious, orderly, and attractive development contemplated by this ordinance and the general plan of the city.

The addition to the single-family residence is designed in accordance with the City's Zoning Ordinance and the Architectural Design Standards and Guidelines as it will be compatible with the surrounding neighborhood with regard to height, scale, and roof pitch. The Project also complies with the second story addition design guidelines as it is proposed toward the back of the house to minimize a two-story profile at the street where it did not previously exist. It meets all development standards and guidelines and will meet setback requirements as allowed by AHMC §9702.B (Zoning Ordinance) regarding nonconforming buildings. The residence is within the range of home sizes in the surrounding neighborhood. The project has been designed to remain consistent with the existing structure's architecture and color and materials, as described in Finding C of Section V. **The Project complies with the finding.**

Finding 4. 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.

As previously described in Finding C of Section V, the architectural design, colors and materials will be maintained and only the new roof will be visible from the public right of way, therefore, it will not affect the environment for the neighbors. The addition will comply with the required front and rear yard setbacks and maintain the existing

nonconforming side yard setbacks. The proposed addition will not affect the safety and privacy of its neighbors, nor will it negatively impact the aesthetics of the neighborhood. The purpose of its use as a bedroom and bathroom will improve the occupant's environment as it will be additional living space for the entire residence. **The Project complies with the finding.**

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Finding 5. 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 the RS zone requirements as described in Finding D of Section V and will comply with AHMC §9702.B with regard to nonconforming setbacks. **The Project complies with the finding.**

Finding 6. The overall development of the subject property is designed to ensure the protections of the public health, safety, and general welfare.

The proposed use is an addition to a single-family residence. The proposed addition is located at the rear of the existing residence and no work is proposed on the driveway that would impede the line-of-sight for traffic visibility. The addition will not be within the required front or rear yard setback and will not further encroach into the existing nonconforming north or south side yard setback. Vehicular access to the property exists along Rustling Oaks Drive and will not change. The project will be in full compliance with the City's Building Code. **The Project complies with the finding.**

C. Residential - Single-Family, Site Plan Review: AHMC §9243.9.D

Finding 1. The mass and bulk of the design is reasonably compatible with the predominant adjacent structures and the surrounding neighborhood character.

The proposed addition will be located at the rear of the residence and will continue the height and slope of the existing roof and will not affect the mass and bulk of the existing structure. Other residences in the neighborhood with similar floor plans have the rear bedroom already built as part of the tract development. Therefore, the proposed addition will be compatible with the adjacent structures and the surrounding neighborhood character. **The Project complies with the finding.**

Finding 2. The proposed buildings and structures are design with quality architectural details.

The addition will continue the architecture of the existing structure by using the same materials: off-white/beige colored stucco, terra cotta roof tiles, and white vinyl framed windows. The Project complies with the finding.

Finding 3. New buildings and structures or substantial remodels are not disproportionately larger than, or out of scale with, the neighborhood character.

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The proposed addition is typical of the homes in the neighborhood. Other homes in the neighborhood with similar floor plans have the rear bedroom already built as part of the tract development. Therefore, the residence will not be out of scale or disproportionate from the neighborhood character. **The Project complies with the finding.**

Finding 4. The project is consistent with the Neighborhood Compatibility Guidelines found in the City's Architectural Design Standards and Guidelines.

The proposed addition will continue the architectural design of the existing structure and will, therefore, be compatible with regard to building height, plate height, eaves, building materials, and roof pitch. **The Project complies with the finding.**

IV. 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 §15301 (Existing Facilities). This exemption includes alterations of, and small additions to, existing structures. No significant environmental impacts are expected from development of this project as the proposed addition is minor and will be developed on the second story of an existing structure. No exception to this categorical exemption applies as set forth in §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.

V. RECOMMENDATION

Based on the foregoing analysis, staff recommends that the Planning Commission approve Site Plan/Architectural Review Case No. SPR-01830-2020, subject to the conditions and based on the findings of the attached draft resolution.

VI. 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

Case Planner: Katrina Garcia, Assistant Planner

ATTACHMENT 1

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

| DRAFT RESOLUTION NO. | |
|----------------------|--|
|----------------------|--|

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN AND ARCHITECTURAL REVIEW PERMIT CASE NO. SPR-01830-2020 FOR THE CONSTRUCTION OF AN ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 6029 RUSTLING OAKS 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 Russell Lefferts with respect to the real property located at 6029 Rustling Oaks Drive, Assessor's Identification Number (AIN) 2051-008-012, requesting approval of Site Plan and Architectural Review Permit (SPR) Case No. SPR-01830-2020 to allow the construction of a 319 square-foot addition to an existing 3,098 square-foot, two-story, single-family residence, with an attached 550 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 §15301 (Existing Facilities). The addition to the single-family residence will not result in significant impacts to the environment, as the project is within an existing developed area, on the second story, and there are no significant environmental resources on or adjacent to the site. No exception to this categorical exemption applies, as set forth in §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 June 3, 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

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|----------------|--|
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Commission finds, pursuant to the Agoura Hills Municipal Code (AHMC) §9677.5 (Zoning Ordinance), that:

- A. The proposed use is consistent with the objectives and provisions of Article IX (Zoning) of the AHMC and the purposes of the land use district in which the use is located. The proposed addition for a bedroom and bathroom to the existing residence is located within the Single-Family Residential (RS) zoning district that allows for the development and alteration of single-family residences, such as this project. The Project meets the City's minimum development standards for the zoning district with regard to building site coverage, lot size, building height and number of stories, and all other applicable development standards. The addition to the second story at the rear of the residence will maintain all existing setbacks on the property, including the nonconforming side yard setbacks.
- 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 bedroom and bathroom. The proposed addition will be added to the existing second story, towards the rear of the house, and will maintain the height and slope of the existing roof. Therefore, the addition will not impede visibility of traffic for safety purposes. There is no change in site access or circulation. The existing nonconforming five-foot setback on the south property line will not change and the north side's eight foot five inch setback, where the proposed addition is located, will not be further encroached upon. 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 for a bedroom and bathroom will be located on the second story of an existing two-story residence and will not affect the building site coverage of the property and, therefore, will not affect the open space in the surrounding area. All setbacks will be maintained or unchanged, including the north side yard where the addition is proposed. The addition will also maintain the existing architecture with regard to the existing height of the residence and slope of the roof. The addition proposes to use the same color and materials, which includes a terra cotta colored roof tile, off-white/beige stucco, and white vinyl framed windows. Therefore, the addition and the use will not conflict with the character and design of the buildings in the surrounding area.
- 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 RS zoning district's requirements for building height, building site coverage, lot size and fence and wall heights. The Project meets the minimum required rear and front yard setbacks. The existing nonconforming south side yard setback remains unchanged and the existing nonconforming north side yard setback will be extended without further increasing or encroaching into the required side yard setback, consistent with AHMC §9702.B.
- 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 and LU-9 and the applicable policies including Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing

Character and Design, Policy LU-9.1 Neighborhood Identity. The Project is consistent with other properties in the neighborhood in terms of number of stories and density. The proposed project conforms to the required height and building size, and building site coverage. The architectural design will be consistent with the existing residence as described in Finding C of section V. 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.

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 bedroom and bathroom addition to an existing single-family residence. The addition that is proposed to the subject property is consistent in size and shape with surrounding development within the same residential housing tract.

<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 AHMC §9677.7.G (Zoning Ordinance), that:

- A. 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-9 and their applicable policies as described under Finding E of Section V. The project is also consistent with the Neighborhood Compatibility Guidelines within the City's Architectural Design Standards and Guidelines, as it pertains to height and roof pitch. The addition would maintain the existing height of the residence and, subsequently, the roof pitch and slope. The front, rear, and south side yard setback will not change. The north side yard's nonconforming setback of eight feet five inches will be maintained and not be further encroached upon as allowed by AHMC §9702.B.
- B. 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. The proposed addition 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 toward the rear of the property on the second story of the existing two-story residence. The only aspect of the addition that would be visible from the street is the new roof that will continue the adjacent roof line and slope of the existing structure. The site access and circulation will not be changed. The proposed addition will not alter the existing building height of 27 feet five inches, 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. Therefore, the residence 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 residence is designed in accordance with the City's Zoning Ordinance and the Architectural Design Standards and Guidelines as it will be compatible with the surrounding neighborhood with regard to height, scale, roof pitch, front yard setback. The Project also considers the second story addition design guidelines as it is to be placed toward the back of the house to minimize a two-story profile at the street where it did not exist before. It meets all development standards and guidelines and will meet setback requirements as allowed by AHMC §9702.B (Zoning Ordinance) regarding nonconforming buildings. The residence is within the range of home sizes in the surrounding neighborhood. The project has been designed to remain consistent with the existing structure's architecture and color and materials, as described in Finding C of Section V.
- D. The design of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and is aesthetically of good composition, materials, textures, and colors. As previously described in Finding C of Section V, the architectural design, colors and materials will be maintained and only the new roof will be visible from the public right of way, therefore, it will not affect the environment for the neighbors. The addition will comply with the required front and rear yard setbacks and maintain the existing nonconforming side yard setbacks and will not affect the safety and privacy of its neighbors, nor will it negatively impact the aesthetics of the neighborhood. The purpose of its use as a bedroom and bathroom will improve the occupant's environment as it will be additional living space for the entire residence.
- 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 the RS zone requirements as described in Finding D of Section V and will comply with AHMC §9702.B with regard to nonconforming setbacks.
- 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 at the rear of the existing residence and no work is proposed on the driveway that would impede the line-of-sight for traffic visibility. The addition will not be within the required front or rear yard setback and will not further encroach into the existing nonconforming north or south side yard setback. Vehicular access to the property exists along Rustling Oaks Drive and will not change. The project will be in full compliance with the City's Building Code.

<u>Section VII.</u> Residential-Single-Family, Site Plan Review. Based on the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to AHMC §9243.9.D (Zoning Ordinance), that:

- A. The mass and bulk of the design is reasonably compatible with the predominant adjacent structures and the surrounding neighborhood character. The proposed addition will be located at the rear of the residence and will continue the height and slope of the existing roof and will not affect the mass and bulk of the existing structure. Other residences in the neighborhood with similar floor plans have the rear bedroom already built as part of the tract development. Therefore, the proposed addition will be compatible with the adjacent structures and the surrounding neighborhood character.
- B. The proposed buildings and structures are designed with quality architectural details. The addition will continue the architecture of the existing structure by using the same materials: off-white/beige colored stucco, terra cotta roof tiles, and white vinyl framed windows.
- C. New buildings and structures or substantial remodels are not disproportionately larger than, or out of scale with, the neighborhood character. The proposed addition is typical of the homes in the neighborhood. Other homes in the neighborhood with similar floor plans have the rear bedroom already built as part of the tract development. Therefore, the residence will not be out of scale or disproportionate from the neighborhood character.
- D. The Project is consistent with the Neighborhood Compatibility Guidelines found in the City's Architectural Design Standards and Guidelines. The proposed addition will continue the architectural design of the existing structure and will, therefore, be compatible with regard to building height, plate height, eaves, building materials, and roof pitch.

<u>Section VIII.</u> Based on the aforementioned findings, the Planning Commission hereby approves Site Plan and Architectural Review Permit, Case no. SPR-01830-2020, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.

<u>Section IX.</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 3rd day of June 2021, by the following vote to wit:

AYES:

(0)

NOES:

(0)

ABSTAIN:

(0)

ABSENT:

(0)

| | Murtaza Mogri, Chairperson |
|--------------------------|----------------------------|
| Denice Thomas, Secretary | |

Resolution No. _____ Page **6** of **6**

EXHIBIT A CONDITIONS OF APPROVAL (Case Nos. SPR-01830-2020)

PLANNING DIVISION

- 1. This decision, or any aspect of this decision, can be appealed to the Planning Commission within fifteen (15) days from the date of the Zoning Administrator'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. 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.
- 7. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
- 8. The Applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits.
- 9. Unless this permit is used within two (2) years from the date of City approval, Site Plan/Architectural Review Case No. SPR-01830-2020 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
- 10. The Applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.

- 11. The Applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District prior to issuance of a Building Permit. The current fee is \$3.79 per square foot for residential construction.
- 12. 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.
- 13. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
- 14. It is the responsibility of the Applicant and/or his or her representatives to report to the City any changes related to any aspects of the construction prior to undertaking the changes.
- 15. 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.
- 16. 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.
- 17. 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

- 1. This project shall be subject to the 2019 California Residential, Building, Mechanical, Plumbing, Electrical, Energy, Green Building Codes, 2019 California Fire Code and Agoura Hills Municipal Code.
- 2. All the code requirements for the Very High Fire Hazard Severity Zone (VHFHSZ) per chapter 7A of the 2019 California Building Code, 2019 California 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 an new or replacement windows.
- 3. Los Angeles County Fire Department approval will be required for all new structures and additions.
- 4. 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, Title 24 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

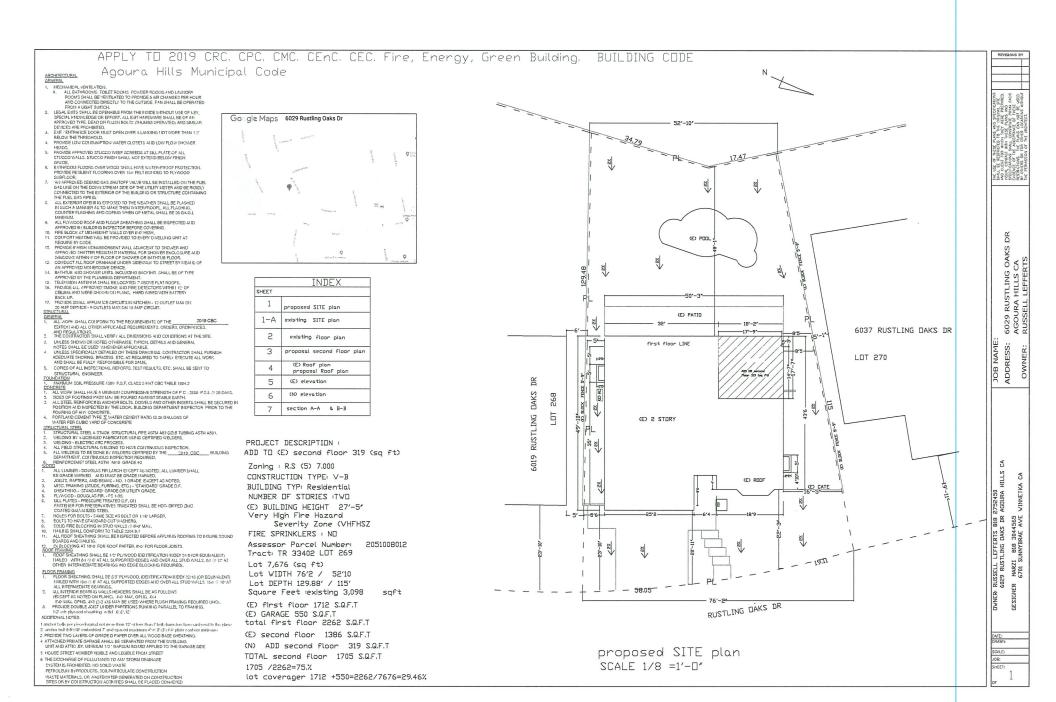
- 18. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the Applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for a percent of the waste generated on the project to 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.
- 19. 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

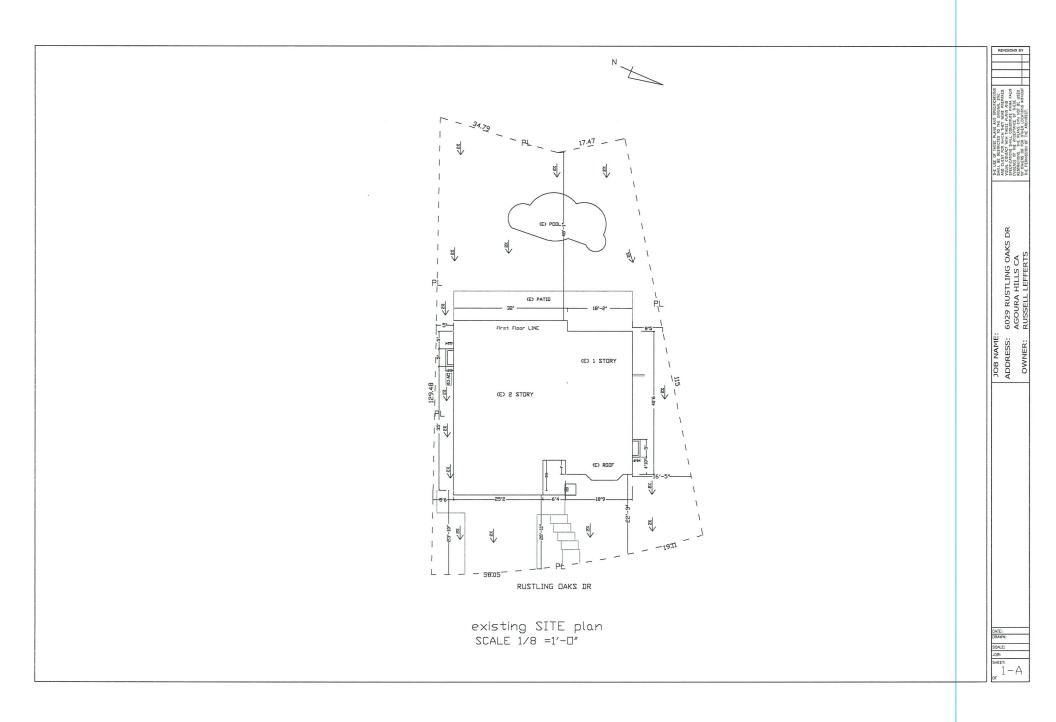
- Report shall be submitted to and approved prior to issuance of a certificate of occupancy, or final inspection if issuance of a certificate of occupancy is not applicable.
- 20. The Applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

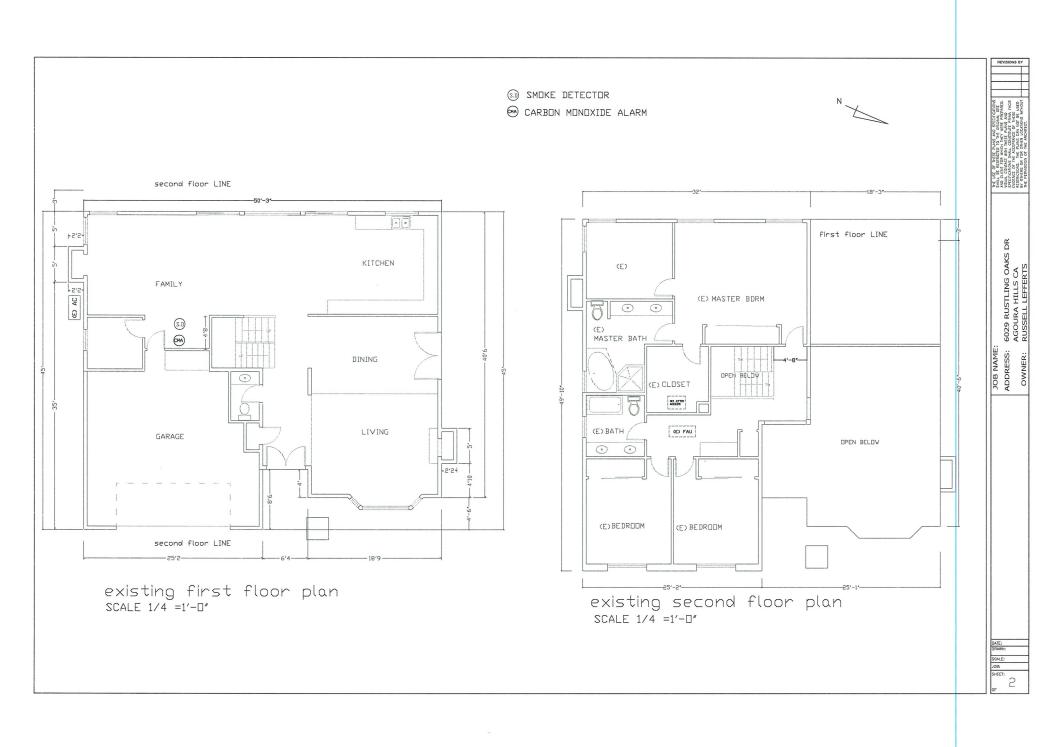
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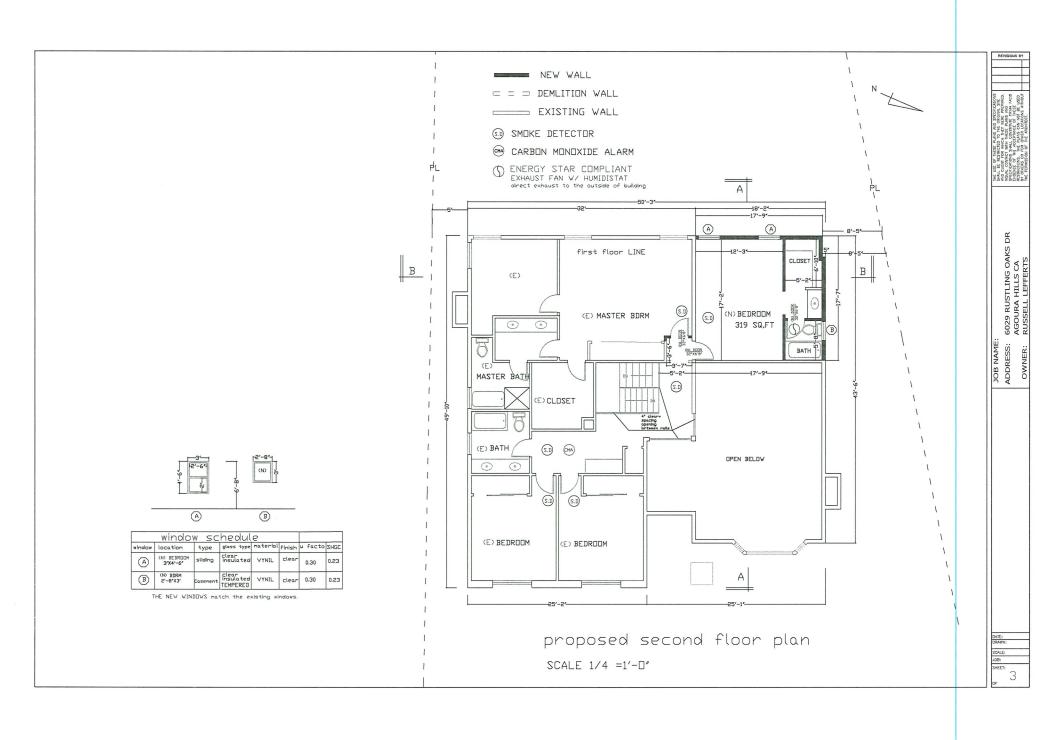
ATTACHMENT 2

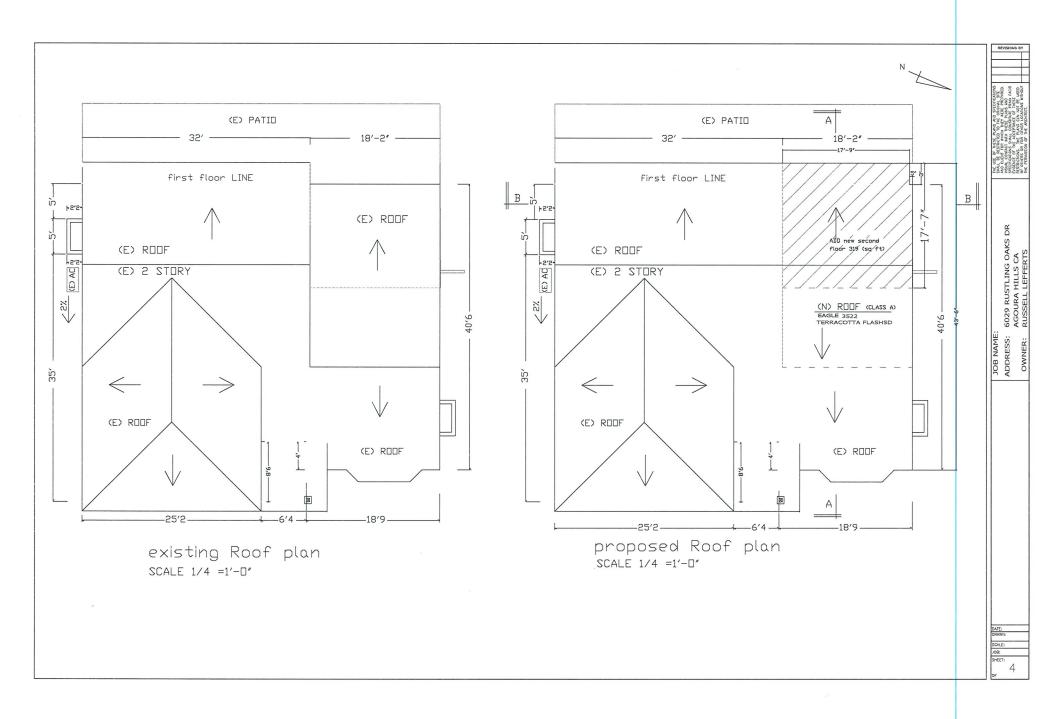
Project Plans











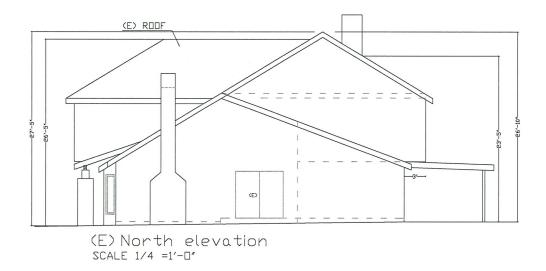




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ADDRESS:





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6029 RUSTLING OAKS DR AGOURA HILLS CA RUSSELL LEFFERTS

ADDRESS:



(N) West elevation SCALE 1/4 =1'-0"

MATERIAL LIST

ROOF TILE CLASS A TO MATCH EXISTING

EAGLE 3522 TERRACOTTA FLASHSD TO MATCH EXISTING

OFF WHITE

WINDOWS TO MATCH EXISTING VINYL WHITE



(E) South elevation SCALE 1/4 =1'-0"

THEER PLANS AND SPECIFICATIONS
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RUSTLING OAKS DR JRA HILLS CA SELL LEFFERTS

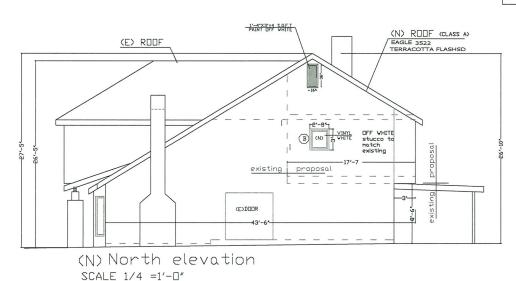
JOB NAME: ADDRESS: 6

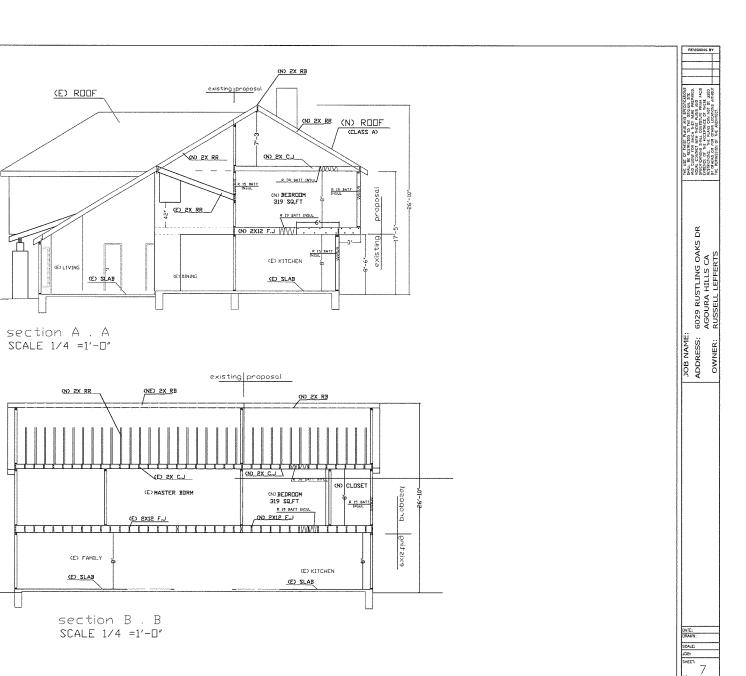


(N) East elevation SCALE 1/4 =1'-0"

MATERIAL LIST

ROOF TILE CLASS A EAGLE 3522 TERRACOTTA FLASHSD TO MATCH EXISTING
STUCCO TO MATCH EXISTING OFF WHITE WINDOWS TO MATCH EXISTING VINYL WHITE





ATTACHMENT 3

Project Renderings

A-1

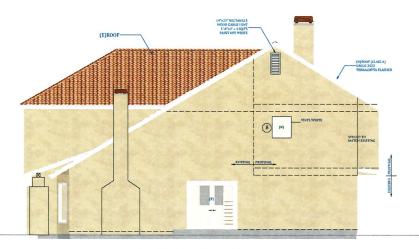


WEST ELEVATION:

SCALE: 1/4" = 1'-0"



NORTH-WEST ELEVATION: SCALE: N.T.S.



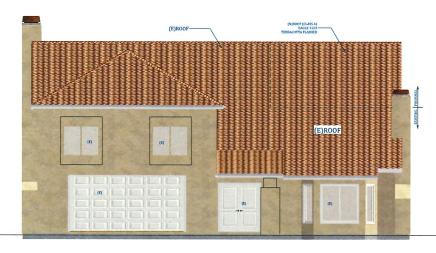
NORTH ELEVATION:

SCALE: 1/4" = 1'-0"



NORTH-EAST ELEVATION: SCALE: N.T.S.

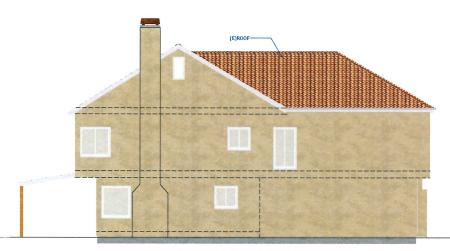
A-2





EAST ELEVATION: SCALE: 1/4" = 1'-0"

SOUTH-WEST ELEVATION: SCALE: N.T.S.



SOUTH ELEVATION: SCALE: 1/4" = 1'-0"



SOUTH-EAST ELEVATION:

SCALE: N.T.S.

ATTACHMENT 4

Color and Material Board

6029 RUSTLING OAKS DR AGOURA HILLS CA OWNER: RUSSELL LEFFERTS

MATERIAL LIST

ROOF TILE CLASS A TO MATCH EXISTING

EAGLE 3522 TERRACOTTA FLASHSD



STUCCO TO MATCH EXISTING

OFF WHITE



Flat Interior Paint, Latex, Linen Off White Item # 40WF17 Mfr. Model # 0000Z4680-16

WINDOWS TO MATCH EXISTING



