REPORT TO PLANNING COMMISSION

DATE:

MARCH 3, 2022

TO:

HONORABLE CHAIR AND MEMBERS OF THE PLANNING

COMMISSION

FROM:

DENICE THOMAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR

BY:

KATRINA GARCIA, ASSISTANT PLANNER

REQUEST: REQUEST FOR

1) APPROVAL OF A SITE PLAN ARCHITECTURAL REVIEW PERMIT TO CONSTRUCT ADDITIONS TO THE FIRST AND SECOND STORY OF AN EXISTING TWO-STORY SINGLE-FAMILY RESIDENCE, AND 2) TO MAKE A FINDING OF **EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY**

ACT (CEQA)

APPLICANT:

Raz Grinbaum for Tzur Shalev

CASE NO:

SPR-2021-0011

LOCATION:

29105 Garden Oaks Court (AIN 2051-010-002)

ENVIRONMENTAL DETERMINATION:

Exempt from the California Environmental Quality Act (CEQA) per §15301 (Existing Facilities) of the CEQA

Guidelines.

ZONING

DESIGNATION:

Residential Single Family - Five units per gross acre

maximum density - 7,000 square feet minimum lot size

(RS-(5)-7,000)

GENERAL PLAN

DESIGNATION:

Residential Single Family (RS)

RECOMMENDATION:

Staff recommends the Planning Commission approve Site Plan and Architectural Review permit case number SPR-2021-0011 subject to conditions, based on the

findings of the attached Draft Resolution.

I. PROJECT BACKGROUND AND DESCRIPTION

Raz Grinbaum, the applicant for the property owner, Tzur Shalev, is requesting approval of a Site Plan and Architectural Review Permit (SPR) to construct additions of 399 square feet (sq. ft.) to the first story and 540 sq. ft. to the second story of an existing two-story, single-family residence with an attached two-car garage ("Project"). The Project also includes removal of a chimney and fireplace, window and door change-outs, and interior remodel.

The Project site is zoned in the Residential Single-Family District with a five-unit per gross acre maximum density and a minimum lot size of 7,000 sq. ft. (RS-(5)-7,000), and General Plan designation of Residential Single-Family. As seen in Figure 1 (Vicinity Map), the lot is on the northern most portion of the City's boundary and borders the unincorporated community of Oak Park in Ventura County. The lot is accessible on the west side of Kanan Road through Fountainwood Street.



Figure 1 (Vicinity Map)

Source: ArcMap GIS, 2020 Assessor Information

The property is within the Morrison Ranch tract composed of similar style single-family residences ranging in size from one to two stories. The lot has a rectangular shape and contains the existing two-story residence with a swimming pool, built-in barbeque, and a

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covered patio, also serving as the second story balcony. The lot is relatively flat except for nine feet – seven inches of the rear yard that is supported by a five to six-foot tall retaining wall that runs the full width of the lot (62 linear feet). Thirteen of the lots on the north side of Garden Oaks Court have a similar layout where a portion of the rear yard is being supported by a retaining wall due to the finished grade of the northern lots (Oak Park neighborhood) being at a higher elevation.

As with most of the lots in this tract (No. 33402), the development of the front yard (i.e. driveway paving, landscaping, etc.) extends approximately six feet past the actual front property line. When the residential tract was developed in 1980, prior to the City's incorporation in 1982, the residences were constructed based on setback requirements dictated by Los Angeles County and the approved tract map. The tract map states "Dashed lines within street rights of way indicate property lines for the purpose of computing required area and building setbacks, as provided in Los Angeles County Ordinance No. 1494 and are not for the purpose of conveying." As a result, many of the residences in this tract and street, including the subject property, are non-conforming with the City's front yard setback requirements in this zoning district. Similar to the front yard setback, the side yards in this tract were constructed per the Los Angeles County standards that allowed for narrower setbacks, but the actual requirement for side yards at the time is unknown. Because the setback measurements for the front and side yards were lawful at the time the subject home was developed, it constitutes a legal nonconforming use.

The proposed scope of work is as follows:

Building Construction

	Total Residence:	3.750 sq. ft.
	 Proposed 2nd floor addition 	<u>540 sq. ft.</u>
•	Existing 2 nd floor	1,168 sq. ft.
	 Proposed 1st floor addition 	399 sq. ft.
•	Existing 1st floor (excluding garage)	1,643 sq. ft.

Other Improvements

- Remove chimney
- New sliding patio doors
- New windows and window replacements
- Interior remodel
- New porch

Legislative Review

Pursuant to Agoura Hills Municipal Code (AHMC) §9243.9(B)(2)(e), the Planning Commission is the reviewing authority for site plan reviews for projects that consist of additions to an existing second story that result in the second story exceeding 75 percent of the original gross floor area of the first story. In this instance, the proposed

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540-square-foot addition above the garage, on the second story, would result in the second story being 1,708 sq. ft. and 78 percent of the existing gross floor area of the first story (2,199 sq. ft. 1).

The Planning Commission is also the required reviewing authority for additions that are proposed within the required setback, but continue the existing non-conforming setbacks of the structure (AHMC §9702(B)). In this case, a combined 18-foot side yard setback is required in the district; however, the first story addition would continue the existing nine-foot – four-inch east side yard setback, thereby continuing the 15-foot combined side yard setback on the site. Additionally, the required front yard setback is 20 feet (ft.); however, a non-conforming setback of 15 ft. – 10 inches (in.) exists, as previously discussed. The proposed first and second story additions would continue the existing 15-foot – 10-inch front yard setback.

Regional Housing Needs Assessment (RHNA)

The RHNA identifies the number of residential units needed for a jurisdiction to meet their projected housing needs per RHNA cycle. The City of Agoura Hills has a proposed allocation for the 6th RHNA cycle of 318 residential units. This project does not add or remove an affordable housing unit from the City's current RHNA allocation and the site is not included in the City's inventory of proposed housing sites.

II. STAFF ANALYSIS

The proposed addition to the single-family residence is subject to the design and development standards set forth under the AHMC §9241 et seq. (RS – Zoning) and §9702 (Non-conforming Lots, Buildings, and Uses). 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 (sq. ft.)					
Size	7,000 sq. ft. min.	6,758 sq. ft.	6,758 sq. ft.	No Change	
Lot Width	60 ft. min.	62 ft.	62 ft.	No Change	
Lot Depth	75 ft. min.	109 ft.	109 ft.	No Change	
BUILDING AREA (sq. ft.)					
First Floor		1,643 sq. ft.	2,042 sq. ft.	Complies	
Second Floor		1,168 sq. ft.	1,708 sq. ft.	Complies	
Attached Garage		556 sq. ft.	556 sq. ft.	No Change	
Front Porch		N/A	23 sq. ft.	Complies	
Covered Patio		175 sq. ft.	175 sq. ft.	No Change	

¹ This calculation only includes the footprint of the first floor of the structure, including the garage, and before any proposed additions. The purpose of this requirement is to ensure there is an aesthetic and physical balance of the first and second story.

Table 1 – Zoning Conformance (continued)				
Development Requirement	Allowed/Req'd	Existing	Proposed	Comments
BUILDING AREA (sq. ft.)				
Second Floor Deck		175 sq. ft.	175 sq. ft.	No Change
Total Building		3,542 sq. ft.	4,679 sq. ft.	Complies
SETBACKS (ft.)				
Front Yard (south)	20 ft. min.	15.83 ft.	15.83 ft.	No Change
Rear Yard (north)	20 ft. min.	37.42 ft.	37.42 ft.	No Change
Side Yard (east)	18 ft. min.	9.33 ft.	9.33 ft.	No Change
Side Yard (west)	combined; no less than 8 ft. on one side	6 ft.	6 ft.	No Change
BUILDING COVERAGE (%)	50% max.	35%	41%	Complies
HEIGHT	2 stories or 35 ft.	23.5 ft.	23.5 ft.	No Change
Height of 2 nd Story Add.	max; whichever is less	N/A	22.1 ft.	Complies

Site Plan and Buildings

The existing building is sited towards the south property line. A five- to six-foot retaining wall running the 62-foot width of the lot is sited approximately nine feet – seven inches south of the northern property line and slopes downward towards the rear yard of the lot. The sloped area behind the retaining wall is landscaped. Adjacent to the retaining wall are existing amenities such as a swimming pool and spa, built-in barbeque and counters, and the enclosed pool equipment. A five-foot tall stucco block wall runs along the side property lines, beginning at approximately 38 feet from the front property line and extending towards the rear yard and terminating at the retaining wall.

The existing residence is two-stories, with four bedrooms and four bathrooms. After the additions and interior remodel the residence will have six bedrooms and six bathrooms. The residence has an existing attached 556 square-foot garage, forming the existing L-shape of the structure. The proposed 399-square-foot addition on the first story will be located on the south side of the residence, adjacent to the east side of the attached garage. As a result, the structure will be square rather than an L-shape. Furthermore, the first story addition will continue the existing nine-foot – four-inch east-side-yard-setback. Though more than the eight-foot requirement on one side, combined with the six-foot west side yard setback, the combined side yard only totals 15 ft. – four inches, and is less than the 18 ft. required by the district. However, the proposed addition does not cause any further encroachment into the existing setback. In conjunction to the side yard, the first floor addition is proposed to be constructed up to the same linear plane as the garage wall (see Figure 2 (Site Plan)), which is 15 ft. – 10 in. from the front property line. Therefore, the addition will also be 15 ft. – 10 in. from the front property line.

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The proposed 540 sq. ft. second story addition is located directly above the existing attached garage. The addition is setback eight-feet — eight inches from the west property line and will not continue the existing six-foot non-conforming side yard setback. However, the second story addition's front, or south facing, wall will be on the same plane as the front of the garage. Therefore, the addition on the second story will continue the non-conforming front yard setback of 15 ft. — 10 in.

The existing height of the structure, from the highest peak or ridge of the roof is 23 ft. – six inches. The ridge of the roof runs east to west and slopes downward to the north (rear) and south (front). The garage's gable roof runs perpendicular to the main structure's roof and sits at a lower height of approximately 14 ft. The addition on the first story would continue the southern downward slope of the existing residence's roof. Additionally, the gable roof above the second-story addition will maintain the perpendicular direction from the main residence.

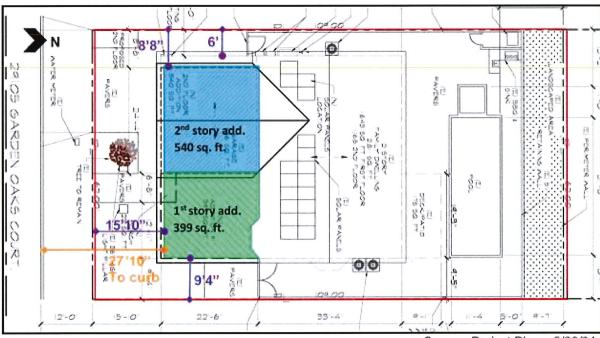


Figure 2 (Site Plan)

Source: Project Plans, 5/22/21

Architectural Design

The subject residence is part of the Morrison Ranch tract homes that contains various architectural styles from craftsman to ranch. The various styles are repeated throughout the community, each with its own color and material scheme, as defined by the Morrison Ranch Homeowners Association (HOA). The HOA has submitted a letter to the City consenting to the proposed additions. The existing residence is composed of white stucco as the primary exterior wall color and material, along with stone veneers

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covering the southwest corner of the garage wall. The roof tile is a terra cotta color with brown fascia board lining the roof eave. In keeping with the same architectural style and design of the residence, the additions will continue the use of white stucco, terra cotta roof tile, and brown fascia board.

As part of the additions, new windows will be installed and will match the existing white frames. To help accentuate the front-facing windows, a four-inch pop-out, composed of the same white stucco, will frame the new windows. The first-story addition will also feature east-facing windows. A new window, also facing east, will be installed on the existing structure. Due to the addition on the first floor, the roof's design will require the existing second-story bedroom's south-facing window to be removed and relocated to the eastern wall. The proposed design is consistent with the California Building Code and the City's Building Code as all bedrooms are required to have at least one window. Windows on the west side will remain and no additional windows are proposed. The north side of the residence, facing the rear yard, consists of several improvements, including removal of a chimney to accommodate for a larger second story bedroom window and two new sliding glass panel doors on the first story.

III. Findings

A. 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

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- 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.

Analysis: 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. Though it will be larger than the average size of the residences in the surrounding neighborhood, the visual mass from the public view will not be disproportionate with the neighborhood as there are residences with similar front facades. Therefore, the residence will remain in character with the surrounding The residence's architecture will be maintained as the proposed neighborhood. additions will continue the use of white stucco on exterior wall surfaces, terra cotta colored gable roof tiles and white colored vinyl window frames, and brown fascia board. The additions will continue the existing roof style and slope and will not change the character of the development and neighborhood. Other residences along Garden Oaks Court have similar build-outs: above the garage and lower level expansion towards the southern property line. The additions will not intensify or encroach into the nonconforming setbacks. Therefore, the project is consistent with the Goals and policies of LU-7 and LU-9.

A. Site Plan Review: AHMC §9677.5

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 Project is located within the Single-Family Residential (RS) zoning district that 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 other applicable development standards. The additions will maintain all existing setbacks on the property and will not further encroach into the non-conforming front and side yard setbacks. **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.

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The proposed use of the additions to the single-family residence includes an expanded living room on the first story and additional bathrooms and bedrooms on the second story. The additions will not further encroach into the non-conforming setback and will be below the maximum allowed height in the district. Therefore, the Project will not impede vehicular visibility on and off-site. Additionally, there is no change in site access or circulation. The Project is subject to a building permit and will, therefore, require compliance with the California Building Code, City Building Code, and the Los Angeles County Fire Department. 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 additions are within the buildable area of the lot, excluding the area of the non-conforming setbacks that will not be further encroached upon. The architectural design of the Project will not change and will maintain the existing colors and materials, including white stucco, terra cotta gable roof tiles, brown fascia board, stone veneers, and white vinyl window frames—all of which are in keeping with the Architectural Design Standards and Guidelines (ADS&G). The height of the second story addition will not exceed the existing height of the residence of 23 ft. – six inches and will follow the slope of the roof. Other residences in the neighborhood and street have a similar structural design. Therefore, the additions 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 yard. The existing non-conforming south front yard and east side yard setbacks will not be further encroached upon, 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 the *Architectural Design* section of this report. 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

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the lot size. The proposed additions are 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 consists of additions for an expanded living room and additional bathrooms and bedrooms, all serving the existing single-family residence. The additions are consistent in size and shape with the 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 the *General Plan Consistency* section of the *Findings*. The Project is also consistent with the Neighborhood Compatibility Guidelines within the City's ADS&G, as it pertains to height, eaves, roof pitch, and setbacks as most of the residences in surrounding vicinity have non-conforming front yards. The second story addition will maintain the existing height of the residence and, subsequently, the roof pitch and slope. The non-conforming setbacks in the side yards and front yard will be maintained and not be further encroached upon as allowed by AHMC §9702.B. **The Project complies with the finding.**

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 additions will be located at the front side of the existing residence. The additions will maintain the existing non-conforming setbacks on the east (side) and south (front) such that they will not impair visibility of traffic from the residence's driveway and from the street. The height of the structure will not exceed the existing height of 23 ft. – 6 inches and will be consistent with the architectural and structural design of the surrounding neighborhood. As such, the residence and its additions will not block views to any scenic resources. The site access and circulation will not be changed. Since the Project meets all required development standards and guidelines, it will maintain the architectural design of the neighborhood. The Project complies with the finding.

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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 additions to the single-family residence are designed in accordance with the City's Zoning Ordinance and the ADS&G as it will be compatible with the surrounding neighborhood with regard to height, scale, and roof pitch. It meets all development standards and guidelines and will not interfere with allowable setback requirements as pursuant to AHMC §9702.B (Zoning Ordinance) regarding non-conforming buildings. The Project has been designed to remain consistent with the existing structure's architecture and color and materials, as described in the *Architectural Design* section. **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 the *Architectural Design* section of this report, the colors and materials of the existing residence will be maintained. The additions will not encroach further into the non-conforming setbacks and the colors, materials and roof design will conform with the ADS&G such that it will be aesthetically consistent with neighboring properties. The proposed additions will improve the occupant's environment as it will be utilized by its owners and future owners. **The Project complies with the finding.**

Finding 5. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements.

The additions are consistent with the RS zone requirements as described in Finding D of the *Site Plan Review §9677.5* set of findings and will comply with AHMC §9702.B with regard to non-conforming 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 involves additions to a single-family residence. The proposed additions are located above the garage and adjacent to the garage, therefore, having no effect on the existing access to the lot. The driveway will remain and vehicular access to the property from Garden Oaks Court will not change. The additions will not be within the required west side yard and rear yard setback and will not further encroach into the existing non-conforming east side yard and front yard setbacks. The Project is subject to a building permit and will be in full compliance with the City's Building Code and the Los Angeles County Fire Department. **The Project complies with the finding.**

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

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

The location of the proposed additions on the first floor and above the garage are similar to the existing residences on the street and within the Morrison Ranch tract. The first floor addition's roof will continue the existing slope downward and will not affect the mass and bulk of the existing structure. The second story addition will be articulated from the west side yard, as it will be pushed-in and away from the side property line. In combination with the materials and accent features, such as the window frame popouts, the addition will be uniform with the existing residence. Therefore, the proposed additions 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 designed with quality architectural details.

The additions will continue the architecture of the existing structure by using the same colors and materials: white stucco, terra cotta roof tiles, brown fascia board, and white vinyl framed windows. The materials and colors are consistent with the City's ADS&G. **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.

Though the additions will contain more residential floor area than the other residences in the neighborhood, the location of the additions will not be disproportionate as there are similar floor plans and structural designs that already exist within the surrounding neighborhood. The Morrison Ranch tract was also developed with various floor plans and designs to ensure there is aesthetic variety in the neighborhood. 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 additions 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. As described in the *Architectural Design* section of this report, the addition will maintain the existing colors and materials. **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(a) and (e) (Existing Facilities). This exemption includes interior

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alterations, such as interior partitions of existing structures and additions. No significant environmental impacts are expected from the development of this project, as it is additions to an existing single-family dwelling. 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 and Architectural Review Permit Case No. SPR-2021-0011, subject to the Conditions of Approval and based on the findings of the attached Draft Resolution.

VI. ATTACHMENTS

- 1. Draft Resolution for the Site Plan Architectural Review Permit, with Exhibit A, Conditions of Approval
- 2. Project Plans
- 3. Renderings
- 4. Colors and Materials
- 5. Existing On-site Photos
- 6. Morrison Ranch HOA Approval Letter

Case Planner: Katrina Garcia, Assistant Planner

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

RESOLUTION NO. 22-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN AND ARCHITECTURAL REVIEW PERMIT CASE NO. SPR-2021-0011, TO CONSTRUCT ADDITIONS TO THE FIRST AND SECOND STORY OF AN EXISTING TWO-STORY SINGLE-FAMILY RESIDENCE; 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 1. An application was duly filed by Raz Grinbaum for the property owner, Tzur Shalev with respect to the property located at 29105 Garden Oaks Court (Assessor's Identification No. 2051-010-002), requesting approval of a Site Plan and Architectural Review Permit (Case No. SPR-2021-0011) to construct a 399 square-foot addition to the first story and a 540 square-foot addition to the second story of an existing two-story residence ("Project").

Section 2. The Project has been reviewed pursuant to the California Environmental Quality Act (CEQA), and has been determined to be exempt from CEQA per §15301(a) and (e). This exemption applies to exterior and interior alterations, such as interior partitions of existing structures and additions. No significant environmental impacts are expected from the development of this project, as it proposes a reduction in the existing use to accommodate for a new tenant. 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.

Section 3. The Planning Commission of the City of Agoura Hills considered the Project application at a public hearing held on March 3, 2022 at 6:30 p.m. The public hearing was held in accordance with Assembly Bill 361 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 4.</u> Evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the Planning Commission at the aforementioned public hearing.

Section 5. Site Plan Review. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to §9677.5 of the Agoura Hills Municipal Code (AHMC), that:

- 1. 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 project includes additions to a single-family residence within the Residential-Single-Family (RS) zone and is a permitted use. It meets the City's non-conforming development standards, AHMC §9702, such that the additions will not further encroach into the existing side yard and front yard.
- 2. 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 additions are for an existing single-family residence and will serve as private additional space for the residents. The Project does not propose any changes that will negatively affect or be detrimental to public health, safety, or general welfare. The project will also be subject to the City's Building Code, State (California) Codes, and the Los Angeles County Fire Department.
- 3. The proposed use shall not conflict with the character and design of the buildings and open space in the surrounding area. The additions and the proposed design will maintain the existing colors and materials of the structure and be below the maximum required building site coverage. Similar architectural designs and floor plan layouts exist in the tract.
- 4. The proposed use will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances or modifications. The use and the additions are permitted in the RS district. In accordance with the RS district's stipulations on additions and alterations, the Project is made subject to the approval of the Planning Commission. The addition will also not further encroach into the required setbacks. The Project does not require modifications or variances.
- 5. The proposed use is consistent with the city's general plan. The single-family residence and its additions are consistent with the Land Use and Community Form Goals LU-7 and LU-9, including Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-9.1 Neighborhood Identity.
- 6. The proposed use preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The additions to the single-family residence will maintain the colors and materials of the existing structure. The additions will result in a structure that is similar to existing residences in the neighborhood and will be an asset to the surrounding area as it will preserve the character of the neighborhood.
- <u>Section 6.</u> Architectural Review. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to AHMC §9677.7(G), that:
- 1. The Project is consistent with the general plan, any specific plans, and any design standards adopted by the City Council. The Project is consistent with the Land

Resolution	No.	22-	
Page 3 of 4	4		

Use and Community Form Goals LU-7 and LU-9, including Policy LU-7.1 Neighborhood Conservation, Policy LU-7.2 Housing Character and Design, Policy LU-9.1 Neighborhood Identity. It is designed in accordance with the Architectural Design Standards & Guidelines (ADS&G), specifically, the Neighborhood Compatibility Guidelines.

- 2. The design and location of the Project 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 additions are located such that they will not impact the existing access on and off the site. It will not impede traffic visibility or cause congestion as the additions will maintain the existing setbacks and will not further encroach into the non-conforming setbacks.
- 3. The design of the Project 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 Project was designed in accordance with the Neighborhood Compatibility Guidelines in the ADS&G. It will maintain the existing residences colors and materials and will be consistent with the architectural design with the rest of the neighborhood with regard to building volume and the physical layout of the front façade.
- 4. The design of the Project 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 additions will serve as a private use for the occupants or residents. It is designed to be consistent with the rest of the architectural features of the residence and aesthetically compatible with the neighboring structures.
- 5. The proposed use complies with all applicable requirements of the district in which it is located and all other applicable requirements. The additions to the existing single-family residence, as bedrooms, bathrooms, and living space are permitted uses in the RS district. The additions are also designed such that it will not further encroach into the non-conforming setbacks as described in AHMC §9702.
- 6. The overall development of the subject property is designed to ensure the protections of the public health, safety, and general welfare. The additions will not be located on the property that would negatively affect the health and safety of the public. It maintains the existing setbacks and will not alter the existing access on and off the property. The Project is subject to the City's Building Code, State (California) Building Code, and the Los Angeles County Fire Department.
- <u>Section 7.</u> Residential-Single Family, Site Plan Review. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to AHMC §924.3(9)(D), that:

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Page 4 of 4	1		

- 1. The mass and bulk of the design is reasonably compatible with the predominant adjacent structures and the surrounding neighborhood character. The Morrison Ranch tract was developed with various floor plans and architectural designs. The proposed design of the Project is similar to the existing structures in the neighborhood and will use the same colors and materials of the residence that are compatible with the neighborhood.
- 2. The proposed buildings and structures are designed with quality architectural details. The design of the structure takes into account the neighboring structures to ensure that it is compatible. The colors and materials are of high-quality and are consistent with the existing residence and surrounding neighbors.
- 3. New buildings and structures or substantial remodels are not disproportionately larger than, or out of scale with, the neighborhood character. The structure is designed to be proportionate with the rest of the neighborhood. As part of the Morrison Ranch tract homes, the proposed floor plan and front façade are similar to other residences such that it will be to scale and maintain the continuity of the neighborhood's character.
- 4. The Project is consistent with the Neighborhood Compatibility Guidelines found in the City's ADS&G. The additions are designed in accordance with the City's Neighborhood Compatibility Guidelines with regard to height, roof pitch, plate height, eaves, and second-story design.
- <u>Section 7.</u> Based on the aforementioned findings, the Planning Commission hereby approves Case No. SPR-2021-0011, subject to the conditions attached hereto as Exhibit A, with respect to the property described in Section I hereof.
- <u>Section 8.</u> The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and its certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 3rd day of March 2022, by the following vote to wit:

AYES: NOES: ABSENT: ABSTAIN:	(0) (0) (0) (0)		
		Jeremy Wolf, Chairperso	n
Lukas Quach, Secr	etary		

EXHIBIT A CONDITIONS OF APPROVAL (Case No. SPR-2021-0011)

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 Planning Commission action, subject to filing the required forms and related fees with the City.
- 2. The approval of this permit shall not be effective for any purpose until the Applicant has agreed in writing that the Applicant is aware of, and accepts, 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 approved labeled exhibits: Site Plan, Floor Plan, Roof Plan, and Elevation Plan.
- 4. All exterior materials used in this project shall be in conformance with the material samples submitted as a part of this application.
- 5. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permits shall be void and the privileges granted hereunder shall lapse.
- 6. It is further declared and made a condition of this action that if any condition herein is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
- 7. All requirements of the Agoura Hills Municipal Code 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. A minimum of two (2) enclosed parking spaces shall be provided on the subject property, in conformance with the City Parking Ordinance. A minimum interior clear space of twenty (20) feet by twenty (20) feet must be maintained within the garage.
- 9. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
- 10. A construction chain link fence with green mesh fabric screening no higher than six (6) feet in height shall be installed on-site along the perimeter of the site prior to construction, no closer than five (5) feet from the property line. The fence shall allow for vehicle access to the site, and be installed such that the line-of-sight for vehicles entering or exiting the site is clear and unobstructed. The fence and screening shall be installed prior to construction and shall remain in good working

- condition and free from disrepair and vandalism for the duration of the construction period. The fence shall be removed upon construction completion.
- 11. Unless this permit is used within two (2) years from the date of City approval, Site Plan and Architectural Review Permit Case No. SPR-2021-0011 will expire. A written request for a one (1) year extension may be considered before the expiration date.
- 12. 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.
- 13. 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.
- 14. 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.
- 15. No roof-mounted equipment, other than attic ventilation systems and solar panels, as allowed by the Municipal Code, shall be permitted.
- 16. All exterior lights shall be focused downward and shielded to minimize glare and light spillover onto adjacent lots.
- 17. 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.
- 18. 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 Department 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) though to be the Most Likely Descendent (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 determine a course of action, all such fees and expenses shall be the responsibility of the developer/contractor and not the City.

- 19. 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.
- 20. A pre-construction conference shall be held prior to the issuance of a Grading Permit, with all construction personnel involved with the grading and building operations. Prior to the issuance of the grading permit the applicant shall submit a construction management plan to the City for review and approval. At minimum the plan shall identify truck haul routes and onsite parking locations.
- 21. 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.
- 22. 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

- 23. 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 as outlined in Chapter 2 of Article VIII in the Agoura Hills Municipal Code.
- 24. 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.
- 25. 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 and 2020 Los Angeles County Fire Code.

- 26. This project shall be subject to the 2019 California Residential, Building, Mechanical, Plumbing, Electrical, Fire, Energy, Green Building Codes, Los Angeles County Fire Code and Agoura Hills Municipal Code.
- 27. A soils report is required to be submitted to the Building and Safety Division for this project.
- 28. Las Virgenes School District fees will be required (livable sq ft x \$4.08).
- 29. As part of the permitting process and prior to permit issuance, two (2) complete sets of construction plans, including Structural, Floor Plan, Mechanical, Electrical, Plumbing, Energy Plans, plans will need to be submitted to Building and Safety Division for plan review and approval. Please be advised that this is a preliminary review and does not constitute a final Building and Safety approval.
- 30. Provides sections at a minimum one in each direction at location of impact
- 31. Fire Sprinklers may be required per Agoura Hills Municipal Code 903.2
- 32. Los Angeles County Fire Department approval may be required.

SOLID WASTE MANAGEMENT

- 33. 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 the 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.
- 34. 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 the issuance of a certificate of occupancy is not applicable.
- 35. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company or shall arrange for self-hauling to an authorized facility.

END

Project Plans

GENERAL NOTES NEW ADDITION 29105 GARDEN OAKS COURT AGOURA HILLS, CA. 91301 13'-2" 10'-1" T-24 ALL CITY AND COUNTY LAMS AND ORDINANCES, CHANICAL ELECTRICAL AND PLUMBING PERMITS SHALL BE OBTAINED **ABBREVIATIONS** 4358855585dabbeeter CONSULTANTS ENGINEER STAMP (E) 5' HISH-GATE WITH GRAY METAL FRAME OBSCURE GLASS SAS METER 6'-0" GAS METER SHEET INDEX SCOPE OF WORK SITE FLAN DEPOLITION FLOOR FLAN PROPOSED IST, FLOOR FLAN EXISTING ELEVATIONS PROPOSED ELEVATIONS PROPOSED ELEVATIONS MATERIAL BOARD MATER METER **TABULATIONS** 29105 GARDEN OAKS COURT 29105 GARDEN OAKS COURT. EXISTING SITE PLAN 3/32* = 140* PROPOSED SITE PLAN 3/32' • 1'6'



VICINITY MAP

SERVICES DESIGN ಂಕ PERMITS

JOB NUMBER DATE DRAWN 05-22-21 BCIJCINO SCALE AS NOTED

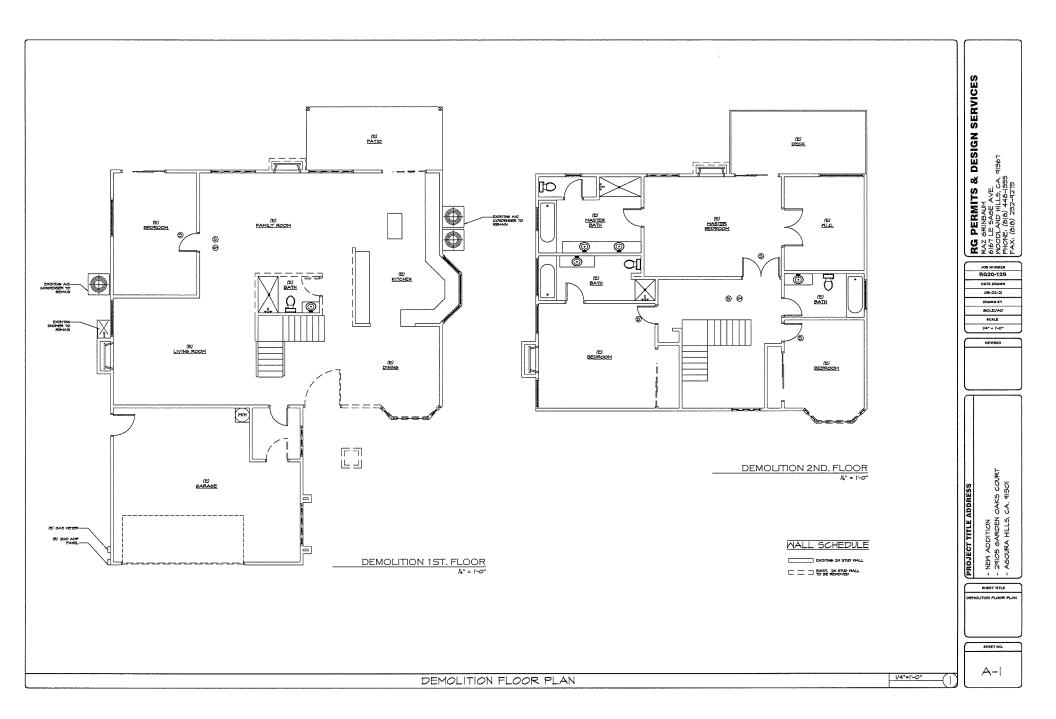
REVISED

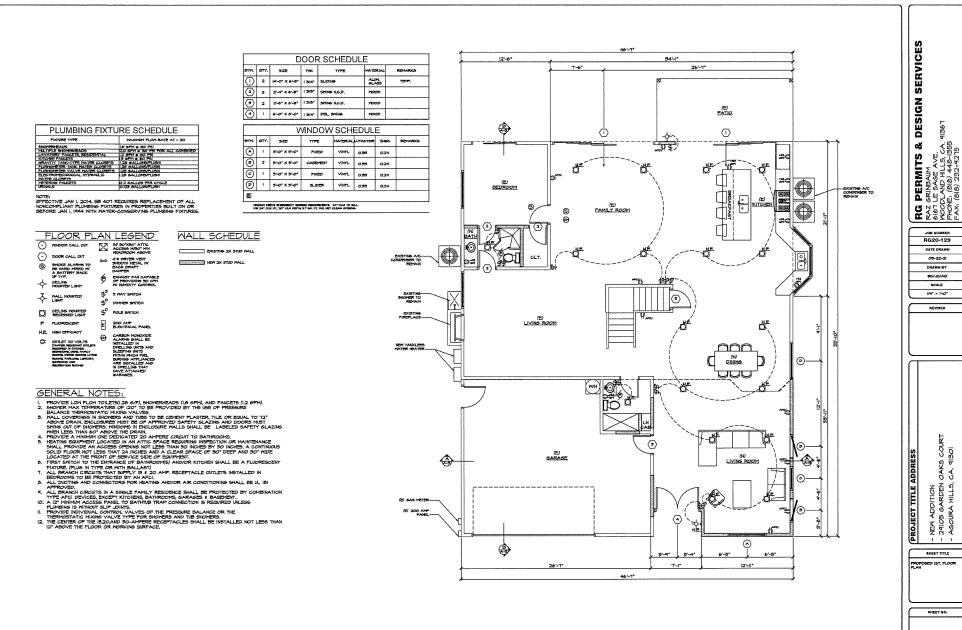
NEW ADDITION 29105 GARDEN OAKS COURT AGOURA HILLS, CA. 91301 PROJECT TITLE ADDRESS

SHEET TITLE

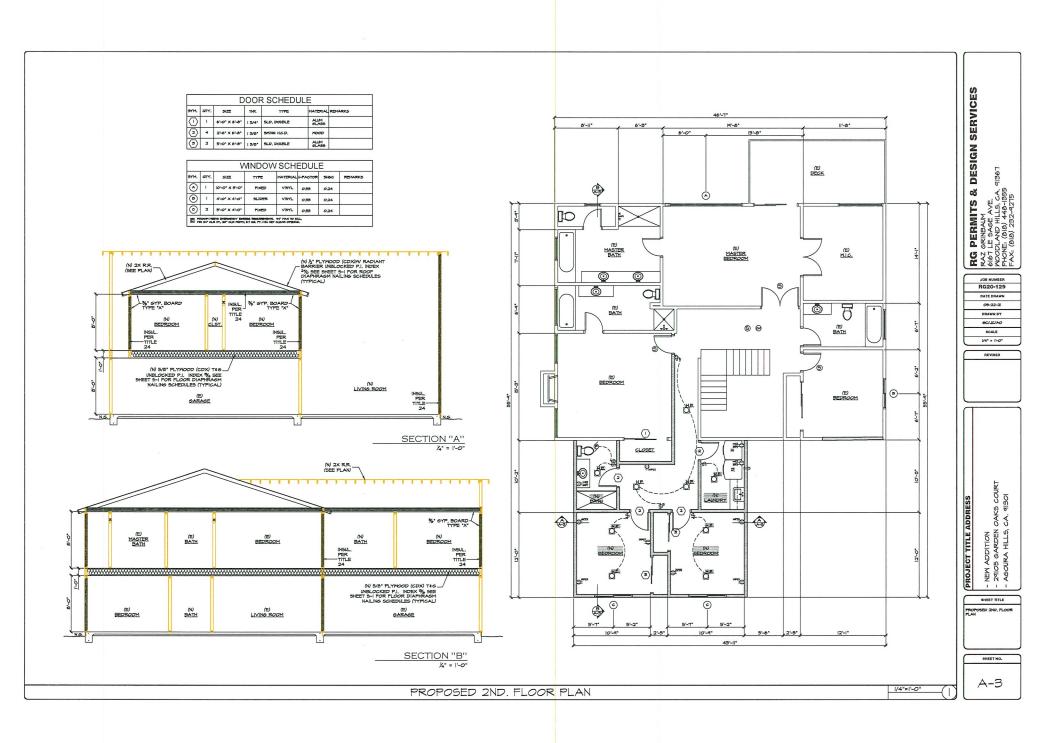
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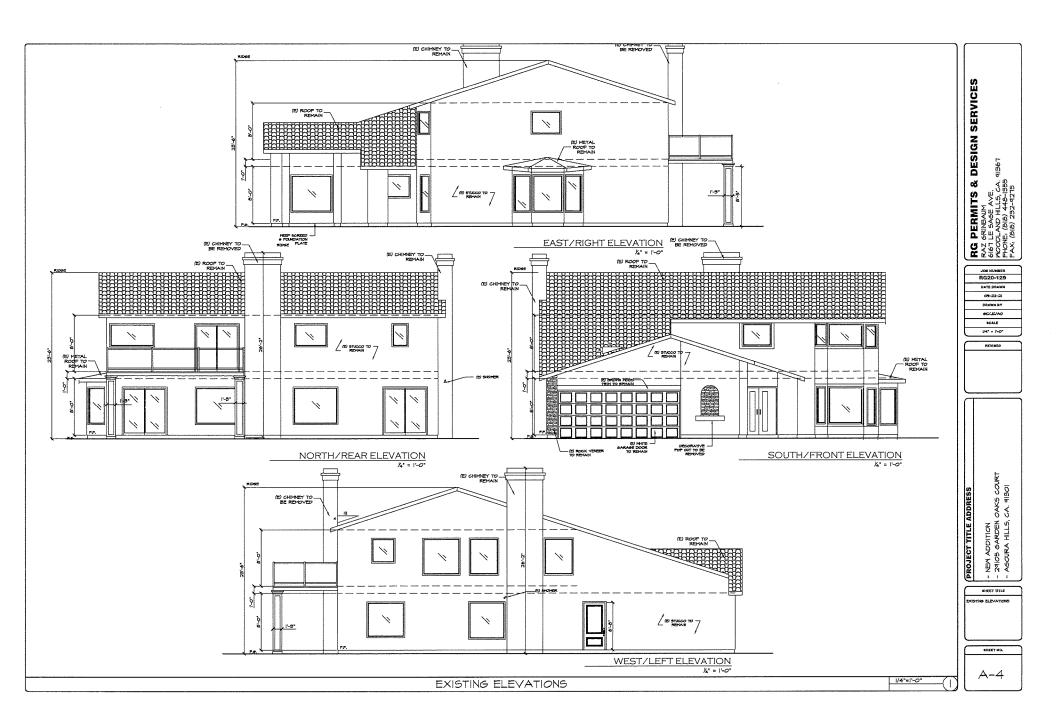
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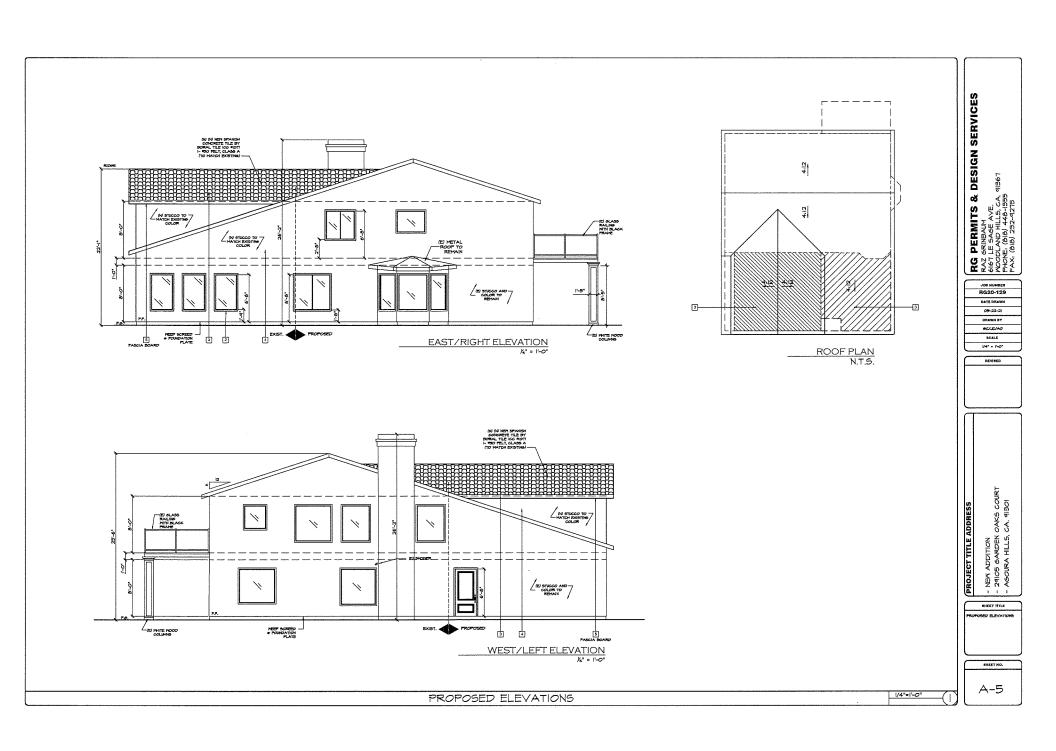


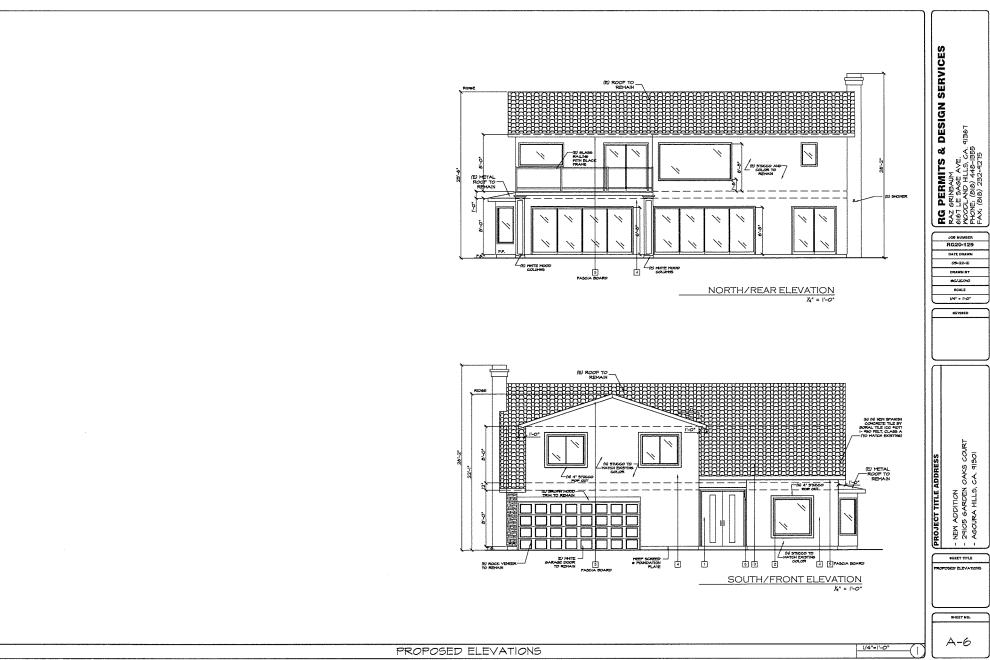


1/4"=1'-0" A-2









Renderings









RG PERMITS & DESIGN SERVICES
RAZ GRINBANN
610T LE SAGE AVE.
WOODLAND HILLS, CA. 9180T
FAX, (BIG) 222-4278

JOB NUMBER RG20-129 DATE DRAWN 05-22-21

DRAWN BY 6C/3C/A0

BCALE V4" = 140"

REVISED

PROJECT TITLE ADDRESS

- NEW ADDITION - 29105 GARDEN OAKS COURT - AGOURA HILLS, CA. 91301

SHEET TITLE

SHEET NO.

R-I







3/8"=1'-0"

PROJECT TITLE ADDRESS

- NEW ADDITION

- 24IO5 GARDEN OAKS COURT

- AGOURA HILLS, CA. 41301

SHEET TIT

RG PERMITS & DESIGN SERVICES
RAZ GRINBAUM
MODILAR JOHE SAGE AVE.
WOODLAND HILLS, CA. 41361
FAX. (916) 222-4215
FAX. (916) 222-4215

DATE DRAWN

05-22-21

DRAWN BY

6C/JC/AO

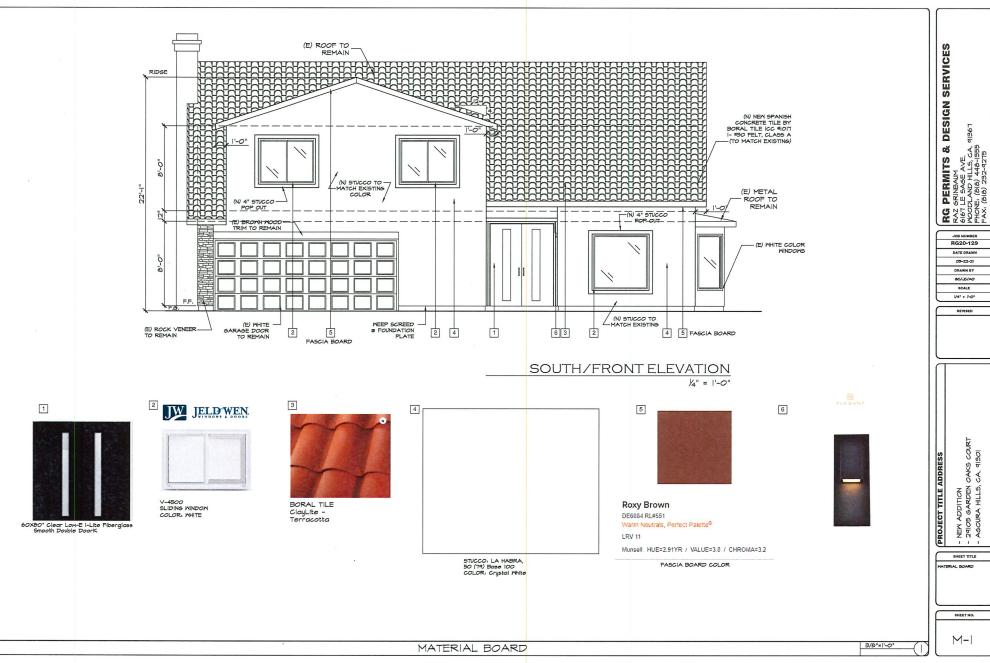
BCALE

1/4" = 1/-0"

SHEET NO.

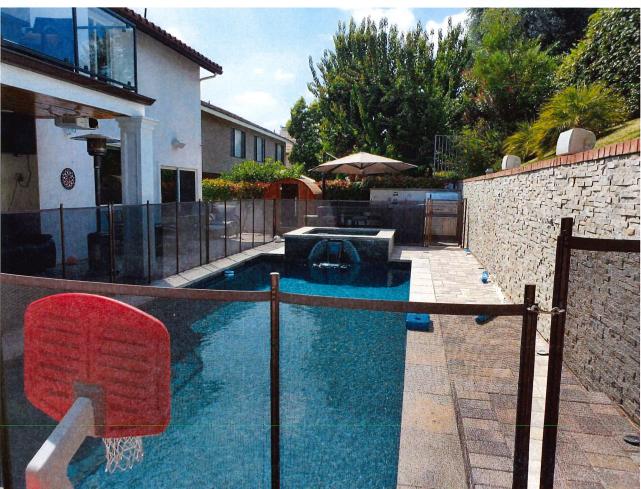
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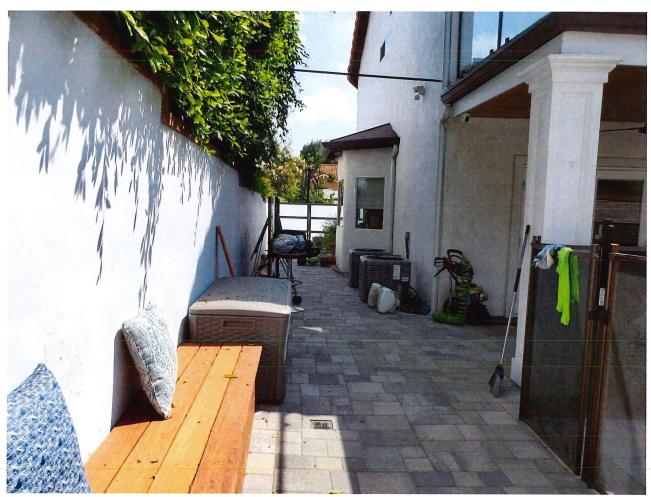
Colors and Materials



Existing On-site Photos



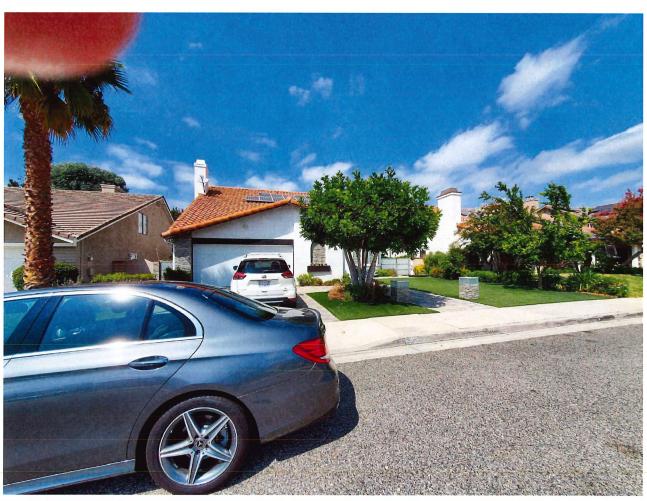














Morrison Ranch HOA Approval Letter

Morrison Ranch

C/O FirstService Residential, CA - Orange County 15241 Laguna Canyon Road Irvine, CA 92618-3146 Ph: 800-428-5588

Fax: 949-448-6400

August 10, 2021

TZUR SHALEV / MERAV SHALEV 29105 GARDEN OAKS CT Agoura Hills CA 91301 USA

RE: Architectural Modification Approved 29105 GARDEN OAKS CT / Customer ID #: MORAN-0339-01

Dear Tzur Shalev / Merav Shalev :

We are pleased to inform you that your plans for the addition to the 1st and 2nd floor remodeling and window replacement has been approved by the Morrison Ranch Architectural Committee. Plans were approved as submitted. Any deviation from the originally submitted plans may be cause for voiding this approval.

Please ensure that you comply with the conditions noted below:

- (1) The Committee approves plans and specifications based on aesthetics and compliance with the community guidelines. They do not review for engineering design or structural integrity. Zoning and building permits are the responsibility of the homeowner.
- (2) The Committee has the right to inspect improvements, constructed or being constructed, to determine that such improvements have been or are being built in compliance with the plans and specifications approved.

Upon completion of work, please submit your Notice of Completion Form along with photographs of the completed improvements.

Thank you for your patience and cooperation. If you have any questions, please refer to your Community Policies or contact me at 661-705-6061 or at Jennifer. Chavez 2@fsresidential.com. Thank you.

Sincerely,

Jennifer Chavez Community Manager