

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING AN AMENDMENT
TO SITE PLAN/ARCHITECTURAL REVIEW CASE NO. 06-SPR-003
FOR THE PURPOSE OF GRANTING A TWO-YEAR TIME EXTENSION

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

Section 1. An application was duly filed by Colodny, LP/Montage/Chuck Francoeur with respect to real property located at 5310 Colodny Drive (A.P.N. 2055-007-053), requesting approval of a Site Plan/Architectural Review for a two-year entitlement to start construction of two (2) buildings consisting of four (4) apartment units ranging in size from 1,415 square feet to 1,246 square feet permit, with attached 400 square foot, two-car garages for each unit. A Public Hearing was duly held on May 18, 2006 at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. The Planning Commission finds that the request for a Site Plan/Architectural Review time extension is acceptable given that there are no changes that are proposed to the project and that there are no changes to the site, to the surrounding area and to the regulations that affect the site. The Planning Commission, pursuant to the Agoura Hills Zoning Ordinance, finds that the findings contained in Planning Commission Resolution No. 738 approved on April 3, 2003, are still valid and state as follows:

A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. Apartment uses are permitted in the High Density Residential, Freeway Corridor Overlay, and Old Agoura Overlay zones. The proposed building will meet all the minimum requirements for the RH (High Density Residential) zone, thereby preserving light, air, privacy and open space for surrounding properties. Also, the project meets the height and lot coverage requirements as specified in the City Zoning Ordinance.

B. The proposed use, as conditioned, and the manner in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. Access to the site would be taken off of Colodny Drive. The placement of the two buildings, one toward the west and the other in the eastern portion of the property, will preserve the light, air and privacy of the surrounding properties, in turn protecting the general welfare of the neighboring community. The project will comply with the current building standards and regulations.

C. The proposed use, as conditioned, will not conflict with the character and design of the building and open space in the surrounding area. The building design and materials, as conditioned, will be compatible with the rural theme of the Old Agoura Overlay District and will upgrade the surrounding neighborhood.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of this Zoning Ordinance. The project complies with the provisions of the High Density Residential District-Freeway Corridor Overlay District-Old Agoura Overlay District zone in regards to use, parking, lot coverage, building height, group open space and setbacks.

E. The proposed use, as conditioned, is consistent with Policy No. 2.1 of the General Plan Community Design Element in the City's General Plan. The design and proposed use of natural materials and colors is consistent with the Old Agoura Overlay zone.

F. The proposed use, as conditioned, preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed apartment development use is consistent with the existing development uses on the street. The project density of 12 units per acre is below the maximum allowable density of 25 units per acre and is also below the prevailing density in the area.

G. There are no changes to the project approval on April 3, 2003, and there are no changes to the surrounding area nor changes to the regulations that affect the site.

Section 4. The Planning Commission finds the proposed apartment development to be categorically exempt from the requirements of the California Environmental Quality Act, per Section 15303.

Section 5. Based upon the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 06-SPR-003, with respect to property described in Section 1 hereof, subject to the attached Conditions of Approval.

PASSED, APPROVED and ADOPTED this 18th day of May, 2006, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Phil Ramuno, Chairperson

ATTEST:

Doug Hooper, Secretary