



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: April 6, 2006

APPLICANT: Robert Mahterian Architects for Tom and Susan Mogan
28351 Agoura Road, Suite A
Agoura Hills, CA 91301

TO: Planning Commission

CASE NOS.: 05-CUP-004, 05-MOD-005 & 06-OTP-004

LOCATION: 28250 Laura La Plante Drive
(A.P.N. 2061-017-046)

REQUEST: Request for approval of a Conditional Use Permit to construct a 1,015 square-foot first and second story addition to an existing 1,339 square-foot, two-story single-family residence; a Modification request for a 20-foot front yard instead of the minimum 25-feet; and a request for an Oak Tree Permit to encroach within the protected zone of two Oak trees for the proposed construction.

ENVIRONMENTAL DETERMINATION: Exempt from CEQA, per Section 15303

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 05-CUP-004, Modification Case No. 05-MOD-005, and Oak Tree Permit Case No. 06-OTP-004, subject to conditions, based on the findings of the attached draft Resolution.

ZONE DESIGNATION: RS-(2)-20,000-IH (Residential Single-Family – Indian Hills Design Overlay District)

GENERAL PLAN DESIGNATION: RS – Residential Single-Family

I. PROJECT BACKGROUND AND DESCRIPTION

The applicant is requesting approval of a Conditional Use Permit to construct a 1,015 square-foot first and second-story addition to an existing 1,339 square foot, two-story, single-family residence on a hillside lot. The property is located at 28250 Laura La Plante Drive in the Residential Single-Family (RS) and the Indian Hills Design Overlay zones. The 8,740 square-foot parcel was recently merged with three contiguous lots to the east of it and now totals 22,314 square feet (.051 acres) in size.

A Conditional Use Permit is required for proposed development on lots exceeding a 10% average slope. In this instance, the average slope of the property is approximately 30%. Therefore, the property is considered a hillside lot and is subject to a Conditional Use Permit. The applicant is also requesting a Modification for a 20-foot front yard instead of the minimum 25-feet. Finally, the applicant is requesting approval of an Oak Tree Permit to encroach in the protected zone of two off-site Oak trees for the proposed construction.

The existing residence and the proposed addition are permitted uses in the Single-Family Residential (RS) zone and will meet the required development standards, relative to lot coverage, building placement, and height. Listed below are the proposed development data pertaining to the project:

Development Standards	Existing	Proposed	Allowed/ Required
1. Lot Size	22,314 sq. ft.	22,314 sq. ft.	20,000 sq. ft.
2. Lot Width	150 ft.	150 ft.	90 ft. min.
3. Lot Depth	140-199 ft.	140-199 ft.	100 ft. min.
4. Building Size			
1 st Story:	655 sq. ft.	1,048 sq. ft.	N/A
2 nd Story:	684 sq. ft.	1,306 sq. ft.	
Garage:	<u>362 sq. ft.</u>	<u>362 sq. ft.</u>	
Total:	1,701	2,716 sq. ft.	
5. Building Height	26.5 ft.	29 ft.	35 ft. max.
6. Bldg. Lot Coverage	4%	6%	35% max.

Development Standards	Existing	Proposed	Allowed/ Required
7. Building Setbacks			
a. Front:	15 ft.	20 ft. (2 nd story)	25 ft. min.
b. Rear:	106 ft.	106.5 ft.	25 ft. min.
c. Side (east):	106 ft.	89 ft.	22 ft. combined side yards
d. Side (west):	4.16 ft.	4.16 ft.	22 ft. combined side yards
8. Oak Trees	2 off-site	2 off-site	N/A

II. STAFF ANALYSIS

A. Site Plan

The existing house is two-story in design and is on a hillside lot located on the south side of Laura La Plante Drive. Access to the residence is provided by an on-site driveway from Laura La Plante Drive. The proposed development will include construction of a first and second-story addition on the east portion of the existing residence as well as a second-story addition on the northeast (front) portion of the residence above the existing garage. The applicant is requesting to add 393 square-feet to the first floor and 622 square-feet to the second floor. The project represents a 76% increase to the size of the living area. The addition will allow for more living space which includes constructing a new living room, powder room and closet on the east side of the house, and constructing a second-story bonus room above the garage. The existing entry area will be removed and a new front entry porch and stairs are proposed to be constructed at the front, northeast side of the house, to provide for access to the new living room area.

The existing distance between the house and the west side property line will remain at approximately 4 feet and the proposed distance between the house and the east side property line will change from 106 feet to 89 feet (at addition). The Zoning Ordinance allows for single-story room additions to maintain existing side yard setbacks. Second-story additions may also be placed directly above a first-story, provided that the minimum combined side yards are met for the second-story addition. The proposed combined side yard setback for the second-story is 212 feet, which exceeds the required 22-foot minimum combined setback requirement. The proposed setback to the rear property line will be 106 feet at the closest point, which exceeds the 25 feet minimum requirement of the zone. The height of the residence increased 3 feet, from 26.5 feet to

29.5 feet over the proposed additions without exceeding the maximum height of 15 feet at the rear property line per the Hillside Ordinance. This hillside lot has an average slope of 30% and as such, the hillside standards require a minimum of 77.5% of the lot total square footage to remain as undisturbed open space. As proposed, the project provides approximately 83% of undisturbed open space area on the lot. The total proposed coverage for this project is 6% of the parcel, with a building footprint of 1,429 square feet. The maximum allowable lot coverage for the zone is 35%.

The Modification is a request for a 20-foot front yard instead of the required 25 feet. The applicant is proposing the second story addition at the front of the existing structure that would create a reduced front yard setback of 20 feet. The Zoning Ordinance allows the Planning Commission to review and approve Modifications of up to 20% of the distance required between the front property line and the building line once the findings for a Modification have been made. The Director of Planning and Community Development may consider Modification requests, which are typically deviations of not more than 20% of the required setback distance. However, it was determined that it would be appropriate for the Planning Commission to consider the request in conjunction with review of the Conditional Use Permit application.

In an effort to evaluating the compatibility of the proposed size of the home with other Indian Hills properties, a survey of 39 neighboring developed lots was conducted. The results revealed an average lot size of 7,359 square feet and an average dwelling unit size of 2,030 square feet (excluding the garages), resulting in an average floor/area ratio of 0.27. The applicant is proposing a house size of 2,354 square feet on a 22,314 square-foot lot, which results in a floor/area ratio of 0.11. The proposed size of the house is above the neighborhood average.

B. Architectural Design

The applicant has chosen new exterior building materials and colors, which include beige color stucco, and a tan color for the decorative trims and shutters. All new fiberglass-clad windows will be in a “Pebble Gray” color, some with stain wood headers and shutters. The front door will be a stained wooden door with porcelain tile trim around the door and on the vertical surface of the stairs leading to the front entry porch. The new garage door will be a metal sectional roll-up painted tan to match the trim color. The new roof will be a mix of two-tone clay tiles. The applicant also proposes wrought iron guardrails and handrails and faux stone at the base of the residence along the front north elevation. The City’s Architectural Review Panel found the design and materials to comply with the City Architectural Design Guidelines and Standards.

C. Oak Tree Review

Two (2) connected Oak trees in the front, northeast corner of the property, along Laura La Plante Drive would be encroached upon for the proposed construction. The encroachment would require raising the canopy of one Oak tree for construction vehicle access and deliveries, and to allow access to the existing driveway. Both trees are Coast

Live Oaks and are in good health. The two Oak trees have been previously pruned for Roadway clearance. The City Oak Tree Consultant has reviewed the proposed works and recommends approval of the Oak Tree Permit, subject to conditions included with the draft Resolution.

D. Engineering

The majority of the proposed addition area is within the existing graded building pad area, therefore, requires very minor grading resulting in 65 cubic yards of cut and 15 cubic yards of fill. The applicant will be required to improve Laura La Plante Drive from the easterly edge of the existing driveway to the westerly property line to provide for a minimum of 20-foot paved width, and an asphalt curb or inverted shoulder to ensure runoff is maintained within the roadway. The property is connected to the public sewer system.

A new retaining wall, not to exceed 6 feet in height, is proposed five feet away from the house along the east side of the property continuing to the rear of the property. The proposed wall is required to level the side and a portion of the rear yard. The applicant is required to comply with the recommendations of the City Geotechnical Consultant prior to grading permit issuance.

E. Environmental Review

The City Environmental Consultant has reviewed the proposed project and finds that the single-family residence is Categorically Exempt from the California Environmental Quality Act, in accordance with Section 15303, and is not subject to preparation of a negative declaration or environmental impact report.

III. MODIFICATION FINDINGS

The applicant is requesting a Modification from the Zoning Ordinance Section 9243.3 to allow a reduced front yard setback from 25 feet to 20 feet for the proposed project. In order for the Planning Commission to grant approval of the Modification, each of the following five (5) findings must be made pursuant to Section 9676.2.E. of the Zoning Ordinance:

1. Required Findings

That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this article deprives the property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification.

Staff Analysis

The proposed bonus room addition to the two-story residence is logically situated within the second floor and within the same footprint of the first floor. The existing residence is located 15 feet from the front property line and the second floor addition will not decrease this existing front yard setback distance.

2. Required Findings

That the granting of the Modification will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone.

Staff Analysis

The subject property is located in an area in which many homes have existing attached garages located less than 25 feet from the front property line. The proposed room addition will not extend beyond the existing garage that is 15 feet from the front property line. Privacy between neighboring structures is maintained by no windows in the bonus room portion of the addition being situated on the west elevation.

3. Required Findings

That the strict interpretation and enforcement of the provisions of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

Staff Analysis

The encroachment proposed into the front yard setback area is for a bonus room, which is logically located at the front portion of the existing residence. Reducing the length of the addition would limit the necessary space within the proposed habitable area. The proposed size of the bonus room is in keeping with the footprint of the residence and will not require additional grading elsewhere on the lot for the provision of the room.

4. Required Findings

That the granting of the Modification will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity.

Staff Analysis

With this addition, the applicant will be making a number of aesthetic upgrades to the house including new stucco, stone, and new exterior paint. The room addition will be an integral component of the architectural style of the building and will add aesthetic quality to the house. The addition is consistent with the architecture, color and materials of the rest of the house and all the improvements would be subject to Building and Safety approval. The locations of the proposed additions will insure adequate light, air and privacy, and open space to surrounding properties. The property will be served by the public sewer system.

5. Required Findings

That the granting of the Modification will be consistent with the character of the surrounding area.

Staff Analysis

The room addition will be compatible with the neighborhood due to existing variations in front yard setbacks for developed properties along Laura La Plante Drive and will not exceed the existing front yard setback of the garage.

IV. RECOMMENDATION

Based on the foregoing analysis, staff recommends that the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 05-CUP-004 and Oak Tree Permit Case No. 06-OTP-005 and Modification Case No. 05-MOD-005, subject to Conditions, based on the findings of the attached draft Resolutions.

V. ATTACHMENTS

- Draft Resolution and Conditions for Conditional Use Permit and Oak Tree Permit
- Draft Resolution and Conditions for Modification Request
- Exhibit A: Vicinity Map
- Exhibit B: Square Footage Analysis Table
- Exhibit C: City Oak Tree Consultant Letter of Recommendation
- Exhibit D: Environmental Determination
- Exhibit E: Architectural and Grading Plans
- Exhibit F: Photographs of surroundings

Case Planner: Renee Madrigal, Assistant Planner