



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
December 3, 2015**

CALL TO ORDER: Vice Chair Anstead called the meeting to order at 6:30 p.m.

FLAG SALUTE: Commissioner O'Meara

ROLL CALL: Vice Chair Chris Anstead, Commissioners Michael Justice, John O'Meara, and Curtis Zacuto

Also present were Assistant City Manager Nathan Hamburger, Planning Director Doug Hooper, City Attorney Candice Lee, Assistant Planning Director Allison Cook, Director of Public Works/City Engineer Ramiro Adeva, Associate Planner Valerie Darbouze, Public Works Project Manager Kelly Fisher, Planning Consultant Michelle D'Anna, Traffic Consultant Carlie Campuzano, Joe Power of Rincon Consultants, Inc., and Recording Secretary Sheila Keckhut.

APPROVAL OF AGENDA: Commissioner O'Meara recommended that Agenda Item 3 (Case No. ZOA-01176-2015) be moved to Item 2 on the Agenda.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission approved the December 3, 2015 Meeting Agenda, with the recommended item change. Motion carried 4-0.

PUBLIC COMMENTS None

APPROVAL OF MINUTES

1. Minutes – November 5, 2015 Planning Commission Meeting

On a motion by Commissioner O’Meara, seconded by Commissioner Justice, the Planning Commission moved to approve the revised Minutes of the November 5, 2015, Planning Commission Meeting. Motion carried 3-0-1. Commissioner Zacuto abstained.

NEW PUBLIC HEARING

2. REQUEST: Request for the Planning Commission to adopt a Resolution recommending that the City Council adopt an Ordinance revising regulations applicable to massage services, and amending Article IX (Zoning Ordinance) of the City of Agoura Hills Municipal Code, specifically paragraph L of Section 9312.3 of Part 2 of Chapter 3, and Division 12 of Part 2 of Chapter 6; and make a finding of exemption under the California Environmental Quality Act.

APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NO.: ZOA-01176-2015

LOCATION: Citywide

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines.

RECOMMENDATION: Staff recommended that the Planning Commission adopt a Resolution recommending that the City Council adopt an Ordinance revising regulations applicable to massage services.

PUBLIC COMMENTS: Vice Chair Anstead opened the public hearing.

Dylan Donate, Massage Envy

Glennda Donate, Massage Envy

Vice Chair Anstead closed the public hearing.

ACTION: On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to recommend the City Council not adopt an Ordinance revising regulations applicable to massage services; and to re-evaluate the existing massage ordinance. Motion carried 4-0.

CONTINUED PUBLIC HEARING

3. **REQUESTS:** Request for the Planning Commission to approve: 1) the merger of two parcels by way of a Vesting Tentative Parcel Map; 2) a Site Plan/Architectural Review to construct a new 45,000 square-foot, two-story fitness facility building and a 4,000 square-foot, single-story retail/fast service restaurant building on a vacant site; 3) an Oak Tree Permit to remove two (2) oak trees and encroach into the protected zone of one (1) other oak tree for the proposed construction; 4) a Sign Permit to allow for a sign program; 5) Variances to exceed the maximum allowable height of the fitness building from 35 to 38 feet; to exceed the maximum allowable signage on the primary and secondary elevations of the fitness building; to reduce the required Freeway Corridor Overlay District rear yard setback from 76 to 35 feet; and to allow the encroachment of parking spaces, a public sidewalk, and other amenities within the required twenty-foot wide landscape planter required along one street frontage; and 6) the adoption of an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

APPLICANT: Rosenheim & Associates for:
Selleck Development Group, Inc.
21550 Oxnard Street, Suite 780
Woodland Hills, CA 91367

CASE NOS.: 14-SPR-003, 14-OTP-016, 14-VAR-003(A&B), 14-SP-040
and VTPM 73266

LOCATION: 29431 & 29439 Agoura Road
(A.P.Ns. 2061-004-015, 035 & 036)

ENVIRONMENTAL DETERMINATION: Initial Study/Mitigated Negative Declaration, per the California Environmental Quality Act.

RECOMMENDATION: Staff recommended the Planning Commission approve Site Plan/Architectural Review Case No. 14-SPR-003; Oak Tree Permit Case No. 14-OTP-016, Sign Permit Case No. 14-SP-040; Variance Case No. 14-VAR-003 (A&B); and Vesting Tentative Parcel Map Case No. 73266, subject to Conditions, based on the findings of the Draft Resolutions.

PUBLIC COMMENTS: Vice Chair Anstead opened the public hearing.

Brad Rosenheim, Rosenheim & Associates, Inc.,
representing applicant.

Brian Poliquin, PK Architecture, representing the applicant.

Greg Gill, Architect representing LA Fitness.

Vice Chair Anstead closed the public hearing.

RECESS: Vice Chair Anstead called for a recess at 8:48 p.m.

RECONVENE: Vice Chair Anstead reconvened the meeting at 9:02 p.m.

Vice Chair Anstead reopened the public hearing.

Mark Hardy, Civil Engineer representing LA Fitness.

Dan Selleck, Selleck Development Group, Inc., applicant

Phil Ramuno, Old Agoura Home Owners Association

Ed Corridori, resident

Cyrena Nouzille, resident

Mike Tingus, representing applicant

REBUTTAL: Brad Rosenheim, Rosenheim & Associates, Inc. gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Ken Smith, LA Fitness, Brian Poliquin, PK Architecture, and Dan Selleck, Selleck Development Group, Inc., answered additional questions of the Planning Commission.

Vice Chair Anstead closed the public hearing.

Vice Chair Anstead reopened and closed the public hearing to ask applicant Dan Selleck, Selleck Development Group, Inc., additional questions.

ACTION:

On a motion by Commissioner O'Meara, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 15-1144 for approval of the Initial Study/Mitigated Negative Declaration. Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to adopt Resolution No. 15-1145 for approval of the Vesting Tentative Parcel Map Case No. 73266. Motion carried 4-0.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to adopt Resolution No. 15-1146 for approval of the Variance Case No. 14-VAR-003(A). Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to adopt Resolution No. 15-1147 for approval of Oak Tree Permit Case No. 14-OTP-016. Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 15-1147 for approval of Site Plan/Architectural Review Case No. 14-SPR-003, subject to amended conditions. Motion carried 3-1. Vice Chair Anstead opposed.

On a motion by Commissioner O'Meara, seconded by Commissioner Justice, the Planning Commission moved to approve Sign Permit Case No. 14-SP-040 and Variance Case No. 14-VAR-003(B). Motion failed 2-2. Vice Chair Anstead and Commissioner Zacuto opposed.

PLANNING COMMISSION/STAFF COMMENTS

None

ADJOURNMENT

At 11:53 p.m., on a motion by Commissioner Zacuto, seconded by Commissioner Justice, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on December 17, 2015. Motion carried 4-0.