

MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, January 27, 2016
6:00 P.M.

The City Council meeting was called to order at 6:00 p.m. by Mayor Schwarz.

The Pledge of Allegiance was led by Mayor Pro Tem Weber.

Present were: Mayor Harry Schwarz, Councilmember Illece Buckley Weber, Councilmember William D. Koehler, Councilmember Linda Northrup, and Mayor Pro Tem Denis Weber.

Also Present were: City Manager Greg Ramirez, City Attorney Candice K. Lee, Assistant City Manager Nathan Hamburger, Deputy City Manager Louis Celaya, Administrative Aide John Treichler, Planning Director Doug Hooper, Assistant Planning Director Allison Cook, Planning Consultant Joe Power, Public Works Director/City Engineer Ramiro Adeva, Public Works Project Manager Kelly Fisher, Traffic Consultant Sri Chakravarthy, Building Official Amir Hamidzadeh, Director of Community Services Amy Brink, Director of Finance Christy Pinuelas, and City Clerk Kimberly M. Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Lee reported on the City Council Closed Session item, pursuant to Government Code Section 54957.6. The City Council considered the item, direction was given to staff, and no reportable action was taken.

APPROVAL OF AGENDA

ACTION: Councilmember Koehler moved to approve the Agenda, as presented. Mayor Pro Tem Weber seconded. The motion carried 5-0, by the following voice vote:

AYES: Mayor Schwarz, Mayor Pro Tem Weber, and Councilmembers Buckley Weber, Koehler, and Northrup.

NOES: None.

ABSENT: None.

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

There were no reports.

PUBLIC COMMENTS

The following person(s) spoke:

Joan Yacovone, Agoura Hills, representing Liberty Canyon (*submitted 29 petitions*)
Jeremy Wolf, Agoura, representing Liberty Canyon

CONSENT CALENDAR

There were no public speakers.

ACTION: Mayor Pro Tem Weber moved to approve Consent Calendar Item Nos. 1-6, as presented. Councilmember Buckley Weber seconded. The motion carried 5-0, by the following voice vote:

AYES: Mayor Schwarz, Mayor Pro Tem Weber, and Councilmembers Buckley Weber, Koehler, and Northrup.

NOES: None.

ABSENT: None.

1. Approve Minutes of the Regular City Council Meeting of January 13, 2016
2. Approve Demand Warrant Register No. 740
3. Approve Treasurer's Investment Report for December 2015
4. Approve Comments Letter to Caltrans Regarding the Liberty Canyon Wildlife Corridor
5. Approve Notice of Completion for Fiscal Year 2015-2016 Pavement Rehabilitation Project; NIB 15-02
6. Adopt **Resolution No. 16-1803**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING AND DIRECTING THE CITY CLERK TO DESTROY CERTAIN CITY RECORDS AND DOCUMENTS PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF

CALIFORNIA (ADMINISTRATION/CITY MANAGER, ADMINISTRATION/TRANSPORTATION, CITY CLERK, COMMUNITY DEVELOPMENT/PLANNING, COMMUNITY SERVICES/PARKS/RECREATION, AND PUBLIC WORKS/ BUILDING AND SAFETY)

PUBLIC HEARING/ APPEAL

7. Conduct a Public Hearing to Consider the Appeal of the City Planning Commission's Approval of Site Plan/Architectural Review Case No. 14-SPR-003, Oak Tree Permit Case No. 14-OTP-016, Variance Case No. 14-VAR-003(A), and Vesting Tentative Parcel Map Case No. VTPM 73266, and Denial of Sign Permit Case No. 14-SP-040, and Variance Case No. 14-VAR-003(B), which are Requests to Construct a 45,000 Square-Foot Fitness Facility and 4,000 Square-Foot Retail/Fast Service Restaurant Building as Part of the Agoura Park Project at 29431 and 29439 Agoura Road and Direct Staff to Bring Back the Appropriate Resolutions to Uphold or Overturn the Decision of the Planning Commission (*Agoura Hills City Council, Appellant / Rosenheim and Associates, Inc., for Selleck Development Group, Inc., Applicant*)

City Attorney Lee stated for the record that the City Council has not articulated any objection to this particular project. The City Council has simply called up the project to be given the opportunity to review the project as a whole. This is a reminder to the City Council, and just everyone, that the City Council will be reviewing this application "de novo", with fresh eyes, and is limited to the evidence in the record presented this evening when making its determination.

Mayor Schwarz disclosed that he had met with the applicant and reviewed the project, made no comments, but did review what the applicant had to say.

Mayor Pro Tem Weber disclosed that he had met with the applicant and City staff, was briefed on the history of the project and issues, made no comment to the project, and did not discuss the project with any Councilmembers.

Councilmember Northrup disclosed that she had met with the applicant and City staff, was briefed on the history and some of the land use issues, did not comment or express her views, did ask a question about the window coverings and if the applicant could provide information at this meeting on that topic, and did not discuss this project with any of her colleagues on the Council.

Councilmember Buckley Weber disclosed that she had met with the applicant and City staff, her comments to the applicant were limited to landscaping, she did not render any opinions or tell the applicant her feelings about the project, and she discussed some landscaping options.

Councilmember Koehler disclosed that he had met with the applicant and City staff, received a history of the project and some renderings, answered a few questions, and did not share his thoughts.

Following presentation of the staff report and a question and answer period, Mayor Schwarz opened the Public Hearing at 6:33 p.m.

The following person(s) submitted documents after the distribution of the Agenda packet and prior to the City Council meeting. Copies were placed at the dais for City Council consideration and made available at the public counter for review:

Written Correspondence (Letter) Received in Opposition:

Joice Corridori, Agoura Hills, President, representing Hillrise Open Space Association

Written Correspondence (Email) Received in Support:

Garrett Lepisto, Agoura Hills, Athletic Director, representing the Agoura High School Athletics Department

George Hecker, Agoura Hills, representing Agoura Hills Financial

Written Correspondence (Letters) Received in Support:

Luis Alberto, Agoura Hills

Aleksandra Andrew, Agoura Hills

John Alters, Agoura Hills, representing Tan LA

Chris Antzoulatos, Agoura Hills

Vanessa Arya, Agoura Hills, representing Agoura Advanced Dentistry

Chanelle Battistone, Agoura Hills

Angela Beaird, Agoura Hills

Dino Beneduci, Agoura Hills, representing Italia Deli and Bakery

Marisa Boyle, Agoura Hills, representing Cronies

Matthew Bradley, Agoura Hills, representing Italia Deli and Bakery

William Bromiley, Agoura Hills

Moshe Bryski, Agoura Hills

Rabbi Moshe Bryski, Agoura Hills, representing the Chabad of the Conejo

Dennis W. Burns, Agoura Hills

Blanca Chavez, Agoura Hills, representing Rishko and Sam

Daniel Crisafuli, Agoura Hills, representing The Engraved Letter

Leah Cruse, Agoura Hills, representing EnviroSolve Corp.

David Delrahim, Agoura Hills, representing Platinum Energy

Marisa De Falco, Agoura Hills

Nicole Eggert, Agoura Hills

Orna Ered, Agoura Hills, representing Elite Residential Realty

Tony Esfand, Agoura Hills, representing Global Marketing Partners, Inc.

Written Correspondence (Letters) Received in Support, continued-

Don Fehmel, Agoura Hills
Elizabeth Fehmel, Agoura Hills
Leandro Fusco, Agoura Hills
Marion Gainer, Agoura Hills
Kenny Garcia, Agoura Hills
Lori George, Agoura Hills
Jaime Goldberg, Agoura Hills
Kathleen Golde, Agoura Hills
Scott Hardy, Agoura Hills
Scott Hardy, Agoura Hills, representing Bank Card USA
Robert Hays, Agoura Hills
Larry Horn, Agoura Hills
Larry Horn, Agoura Hills, representing Love's Pets
Jeremy Hudes, Agoura Hills
Jared Smits, Agoura Hills
Marshall Jones, Agoura Hills
John Kilkenry, Agoura Hills
Paige LaBelle, Agoura Hills, President, representing Global Marketing Partners, Inc.
Sue Lepisto, Agoura Hills
Vic Lepisto, Agoura Hills
Zak Levine, Agoura Hills
Illene Lipton, Agoura Hills
Dionne Marshall, Agoura Hills
Jeff Nakamura, Agoura Hills
Michelle Nakamura, Agoura Hills
Cory Newton, Agoura Hills
Kara Newton, Agoura Hills
Candace Orr, Agoura Hills, representing Tifa Chocolate & Gelato
Loren Powell, Agoura Hills
Eytan Poznansky, Agoura Hills
Eve Rabinovitz, Agoura Hills, representing Wood Ranch BBQ
*Nancy Kirkpatrick Reno, Agoura Hills, President/CEO, representing Conejo Valley
Multisport Masters (CVMM)*
Noel Roxas, Agoura Hills
Jak Schachtel, Agoura Hills, representing CTP Solutions
Amy Schiowitz, Agoura Hills, representing Cronies
Laila Shumsu, Agoura Hills, representing Agoura Advanced Dentistry
Natalie Shore, Agoura Hills
David Spurlorn, Agoura Hills, representing Rishko and Sam
Jacob Staben, Agoura Hills
Dustin Stewart, Agoura Hills
James Steward, Agoura Hills
Matthew Tallman, Agoura Hills
Veronica Tallman, Agoura Hills

Written Correspondence (Letters) Received in Support, continued-

Angela Taylor, Agoura Hills
Yana Tazzari, Agoura Hills, representing Fabio and Co.
Christy Terris, Calabasas
Eric Thomas, Agoura Hills, representing La-Z-Boy
Jeremy D. Walker, Agoura Hills
Kelly Walker, Agoura Hills
Amber Ward, Agoura Hills
Mark Ward, Agoura Hills
David Warman, Agoura Hills, representing Agoura Meadows Health Foods
Hannah Watkins, Agoura Hills, representing Wood Ranch BBQ
Kayla Zartoshty, Agoura Hills, representing Wood Ranch BBQ

The following person(s) submitted documents at the City Council meeting:

Written Correspondence (Letters) Received in Support:

Chuck Cohen, Westlake Village, representing the applicant
Landon Case, Agoura Hills, representing Camp Bow Wow
Gary Latos Dum, Agoura Hills, representing Veterinary Angels, Inc.
Kaveh Ebrahimi, Agoura Hills
Roger Ebrahimi, Agoura Hills
Darlene Geekie, Agoura Hills, CEO/Founder, representing Veterinary Angels, Inc.
Andy Gonzalez, Agoura Hills
Jamee Gu, Agoura Hills, representing Roadside Smog Test Only
Jessica Harley, Agoura Hills
Teresa Lee, Agoura Hills, representing Agoura Cleaners
Victor Mercado, Agoura Hills, representing Driven Lube
Dusty Nabor, Agoura Hills, representing 101 Pipe and Casing
Cheryl L. Pavet, Agoura Hills, representing Veterinary Angels, Inc.
Keshia Rodriguez, Agoura Hills, representing Veterinary Angels, Inc.
Barbara Sheets, Agoura Hills, Popped Fresh
Misti SooHoo, Agoura Hills, representing Veterinary Angels, Inc.
Joel Thomas, Agoura Hills, representing Driven Wash

The following person(s) spoke on behalf of the applicant, Selleck Development Group:

Brad Rosenheim, Agoura Hills
Brian Poliquin, Agoura Hills
Ken Smith, Chino Hills
Dan Selleck, Westlake Village, Applicant
Greg Gill, Irvine, representing LA Fitness

The following person(s) spoke:

Pat MacGregor, Agoura Hills (*Neither*)
Phil Ramuno, Agoura Hills, representing Old Agoura
Nancy Reno, Agoura Hills, representing Conejo Valley Multi-Sport (*In Favor*)
Joan Yacovone, Agoura Hills
Ed Corridori, Agoura Hills
Darlene Geekne, representing Veterinary Angels, Inc.
Garrett Lepisto, representing Agoura High School Athletics (*In Favor*)
Joel Thomas, representing Driven Smog Lube Wash

The following person(s) spoke on behalf of the applicant (rebuttal):

Dan Selleck, Westlake Village, Applicant

There being no further speakers, Mayor Schwarz closed the Public Hearing at 7:58 p.m.

The City Council recessed at 8:38 p.m. and reconvened at 8:47 p.m.

Mayor Schwarz reopened the Public Hearing at 9:24 p.m. Following a question and answer period with the applicant, Mayor Schwarz closed the Public Hearing at 9:47 p.m.

Planning Director Hooper offered suggestions for language on the conditions of approval noting staff would return to Council with resolutions of approval reflecting the changes offered by the applicant including: 1) a reduction in the building height to 36.5 feet; 2) a reduction in the sign square footage of 75 sq. ft. on the north building elevation of Building A; 3) 113 sq. ft. on the south elevation; 4) the north building elevation sign would be halo lit; 5) a portion of the windows on the north elevation of Building A would be blacked out; including the addition of the following conditions:

- (1) *"The Planning Department shall monitor for 30 days after the initial opening of the fitness business the light emitting from the north elevation windows of Building A and, if deemed necessary by the Planning Director, the business shall apply window tinting and/or draw interior window shades nightly to minimize impacts from interior lights on views from the freeway.";*
- (2) *"Interior lights facing the freeway, excluding security lights, shall be turned off upon close of business each day."*
- (3) *"Lighting for signage on the north elevation of Building A shall be turned off at the close of business each day."*

- (4) *“The Landscape Plan shall be revised to incorporate: 1) additional green screens on the north elevation of Building A; and 2) additional landscaping material between the building and the access road adjacent to the freeway, with the intent to screen the building as viewed from the freeway corridor. If deemed necessary by the Planning Director, in consultation with the applicant, the sidewalk on the north side of Building A may be removed and replaced with a planter to meet the requirement of this condition. These revisions to the Landscape Plan shall be subject to prior approval by the Planning Director.”*

RECOMMENDED MOTION

City Attorney Lee recommended the following motion:

Direct staff to return with appropriate resolutions to approve the following entitlements for the Agoura Park Project, as revised by the applicant today and restated by Planning Director Hooper, in the following order:

- 1) Initial Study/Mitigated Negative Declaration (IS/MND)
- 2) Mitigation Monitoring and Reporting Program (MMRP)
- 2) Vesting Tentative Parcel Map Case No. VTPM 73266
- 3) Variance Case No. 14-VAR-003(A)
- 4) Variance Case No. 14-VAR-003(B)
- 5) Site Plan/Architectural Review Case No. 14-SPR-003
- 6) Oak Tree Permit Case No. 14-OTP-016
- 7) Sign Permit Case No. 14-SP-040
- 8) Additional Conditions of Approval, as stated by Planning Director Hooper
- 9) Revised Condition of Approval Number 128.

ACTION: Councilmember Koehler moved to approve the **“Recommended Motion”** (outlined above) as provided by the City Attorney. Mayor Pro Tem Weber seconded. The motion carried 5-0, by the following voice vote:

AYES: Mayor Schwarz, Mayor Pro Tem Weber, and Councilmembers Buckley Weber, Koehler, and Northrup.

NOES: None.

ABSENT: None.

CITY COUNCIL, STAFF COMMENTS

Deputy City Manager Louis Celeya announced a *Storm Season Preparedness Event* would be hosted by the County of Los Angeles Fire Department on Saturday, January 30, 2016, at Fire Station 89.

Councilmember Buckley Weber spoke about the senior luncheon, a “*Celebration of the 30’s, 40’s, and 50’s*”, celebrating the one-year anniversary of the Recreation and Event Center.

Councilmember Koehler congratulated the Community Services Department as the recipient of the 2015 California Park & Recreation Society (CPRS) Award of Excellence for the Agoura Hills Recreation and Event Center.

Mayor Schwarz congratulated staff on the one-year anniversary of the Agoura Hills Recreation and Event Center.

Mayor Pro Tem Weber spoke about attending the senior luncheon, noting it was a sold out event, and thanked the “75 plus people” for taking the time to submit their letters this evening regarding how they felt about the fitness facility project.

Councilmember Northrup thanked staff and the City Council for a great evening, concurred that it was exciting when a lot of residents weighed in on a project, and thanked the applicant and staff for working collaboratively to provide options for the Council to be able to move the project forward.

ADJOURNMENT

ACTION: At 9:59 p.m., Councilmember Northrup moved to adjourn to 6:00 p.m., Wednesday, February 10, 2016, for a Regular Meeting of the City Council in the Council Chambers of the Civic Center, with a Closed Session at 5:00 p.m. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California. Councilmember Koehler seconded. The motion carried 5-0, by the following voice vote:

AYES: Mayor Schwarz, Mayor Pro Tem Weber, and Councilmembers Buckley Weber, Koehler, and Northrup.

NOES: None.

ABSENT: None.

Kimberly M. Rodrigues, MPPA, MMC
City Clerk