



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**MINUTES OF THE REGULAR SCHEDULED MEETING OF  
THE PLANNING COMMISSION  
November 17, 2005**

1. CALL TO ORDER: Chair Koehler called the meeting to order at 6:34 p.m.
  
2. FLAG SALUTE: Vice Chair Ramuno
  
3. ROLL CALL: Chair Koehler, Vice Chair Ramuno, Commissioners Zacuto, and Schwarz (Commissioner Rishoff arrived at 6:50 p.m.).  
  
Also present were, Director of Community Development Mike Kamino, Assistant Director of Community Development Doug Hooper, City Engineer Ken Berkman, Assistant Engineer Kelly Fisher, Associate Planner Valerie Darbouze, Planning Technician Christopher Aune, City Oak Tree and Landscape Consultant Kay Greeley and City Environmental Consultant Steve Craig.
  
4. APPROVAL OF MINUTES: November 3, 2005 Meeting Minutes  
  
ACTION: On a motion by Vice Chair Ramuno, seconded by Commissioner Schwarz, the Planning Commission moved to approve the minutes of the November 3, 2005 Planning Commission meeting with modifications requested by Chair Koehler. Motion carried 3-0 (Commissioner Rishoff was absent for this agenda item. Commissioner Zacuto abstained due to his absence at the November 3, 2005 meeting).
  
5. COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA: None

6. CONSENT ITEM:

APPLICANT: Glen Benton  
30961 West Agoura Road  
Westlake Village, CA 91361

CASE NO.: 03-CUP-001, 03-OTP-001 and 03-VAR-001

LOCATION: East of 28191 Laura La Plante Drive  
(A.P.N. 2061-016-054)

REQUESTS: Request for approval of a Conditional Use Permit to construct a 3,300 square-foot residence and a 768 square-foot, attached, three-car garage; a request for a Variance from Zoning Ordinance Sections 9243.3.D, 9652.13.B and 9606.2.A. to provide for an 11-foot front yard instead of the minimum 25 feet; to provide for 60% of undisturbed open space area on the lot instead of 92.5%; and to construct retaining walls in excess of 3.5 feet in height in the front yard; and a request for an Oak Tree Permit to remove one Oak Tree and encroach within the protected zone of one Oak Tree for the proposed construction.

ENVIRONMENTAL  
DETERMINATION: Exempt from CEQA

RECOMMENDATION: Based on direction given by the Planning Commission on November 3, 2005, staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 03-CUP-001, Oak Tree Permit Case No. 03-OTP-001 and Variance Case No. 03-VAR-001, subject to conditions based on the findings of the draft Resolutions.

Commissioner Zacuto abstained on this agenda item due to his absence on the November 3, 2005 meeting.

ACTION: On a motion by Commissioner Schwarz, seconded by Vice Chair Ramuno, the Planning Commission moved to adopt Resolution No. 833, approving Conditional Use Permit Case No. 03-CUP-001 and Oak Tree Permit Case No. 03-OTP-001, subject to conditions based on the findings of the draft Resolution. Motion carried 3-0 (Commissioner Rishoff was absent for this agenda item and Commissioner Zacuto abstained).

On a motion by Commissioner Schwarz, seconded by Vice Chair Ramuno, the Planning Commission moved to adopt Resolution No. 834, approving Variance Case No.

03-VAR-001, subject to conditions based on the findings of the draft Resolution. Motion carried 3-0 (Commissioner Rishoff was absent for this agenda item and Commissioner Zacuto abstained).

7. CONTINUED PUBLIC HEARING:

APPLICANT: Riopharm USA, Inc.  
17150 Newhope St., #1005  
Fountain Valley, CA 92708

CASE NOS.: 03-CUP-010; 98-CUP-007; and 98-OTP-011

LOCATION: South side of Agoura Road, east of Calle Montecillo and west of Liberty Canyon Road (A.P.N. 2061-014-(007-015), (018-020), (023-042); and 2061-015-008)

REQUESTS: A request for approval of Conditional Use Permits to allow development on two recorded residential tracts for 27 detached, single-family residences (14 units in one tract and 13 units in another tract); request for an Oak Tree Permit to remove 32 Oak trees and encroach within the protected zone of 15 Oak trees; and a request for adoption of a Mitigated Negative Declaration.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case Nos. 03-CUP-010 and 98-CUP-007; and Oak Tree Permit Case No. 98-OTP-011, subject to conditions, based on the findings of the draft Resolutions.

PUBLIC HEARING OPENED: Assistant Director of Community Development Doug Hooper, presented the case and answered questions of the Planning Commission.

The City's Environmental Consultant Steve Craig, discussed the Mitigated Negative Declaration and answered questions of the Planning Commission.

Commissioner Rishoff arrived at 6:50 p.m. and participated in the public hearing.

Commissioner Zacuto stated that while he was absent at the previous public hearing on this matter, he has since reviewed the current and prior staff reports and reviewed the prior video taped recorded hearings for this project.

Tom Cohen, 2801 Townsgate, Suite 215, Thousand Oaks, representing the applicant, presented the case and answered questions of the Planning Commission.

Don Waite, 100 N. Rancho Rd., Suite 2, Thousand Oaks, Civil Engineer for the applicant, discussed drainage issues and answered questions of the Planning Commission.

Richard W. Campbell, Thousand Oaks, Landscape Architect and Oak Tree Consultant for the applicant, discussed potential Oak Tree impacts of the project and answered questions of the project.

Yair Koshet, 5226 Medina Road, Woodland Hills, architect for the applicant, presented the architectural design and answered questions of the Planning Commission.

Yael Lir, 30 N. Raymond Ave., Suite 814, Pasadena, landscape architect for the applicant, presented the landscape plan and answered questions of the Planning Commission.

Joan Yacovone, 27328 Country Glen, Agoura Hills, stated her concerns with the project.

City Oak Tree and Landscape Consultant Kay Greeley answered questions of the Planning Commission.

City Engineer Ken Berkman answered questions of the Planning Commission.

RECESS: Chair Koehler called for a recess at 8:33 p.m.

RECONVENE: Chair Koehler reconvened the meeting at 8:48 p.m.

Tom Cohen, representing the applicant, requested that the Planning Commission take final action on the project as currently proposed.

ACTION: On a motion by Chair Koehler, seconded by Commissioner Rishoff, the Planning Commission directed staff to return with a Resolution of denial for adoption on December 1, 2005, for Conditional Use Permit Case Nos. 03-CUP-010 and 98-CUP-007; and Oak Tree Permit Case No. 98-OTP-011. Motion carried 5-0.

8. SITE PLAN/ARCHITECTURAL REVIEW

APPLICANT: Ken Stockton for Deborah Raymond  
5522 Fallbrook Avenue  
Woodland Hills, CA 91367-4326

CASE NO.: 04-SPR-007

LOCATION: 5344 Lewis Road (A.P.N. 2055-005-058)

REQUEST: Request for approval of a Site Plan/Architectural Review application to remodel an existing single-story residence and to construct a 1,659 square-foot first and second-story addition with a 421 square-foot covered porch area.

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA per Section 15301

RECOMMENDATION: Staff recommended approval of Site Plan/Architectural Review Case No. 04-SPR-007, subject to conditions, based on the findings of the draft Resolution.

PUBLIC HEARING OPENED: Associate Planner Valerie Darbouze presented the case and answered questions of the Planning Commission.

Ken Stockton 5522 Fallbrook Avenue, Woodland Hills, representing the applicant, presented the project and answered questions of the Planning Commission.

Jon Umhey, 5354 Lewis Road, Agoura Hills, spoke in opposition to the project.

Terrance Pham, 5352 Lewis Road, Agoura Hills, spoke in opposition to the project.

Ray Rust, 5358 Lewis Road, Agoura Hills, spoke in opposition to the project.

ACTION: On a motion by Commissioner Schwarz, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution 835, approving Site Plan/Architectural Review Case No. 04-SPR-007, subject to conditions, based on the findings of the draft Resolution. Motion carried 4-1 (Vice Chair Ramuno opposed).

9. ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDAS:

Commission: None

Staff:

Community Development Director Mike Kamino announced that the Agoura Village Specific Plan Draft EIR (Environmental Impact Report) is now available for review and will undergo a forty-five day public review period per the requirements of the California Environmental Quality Act (CEQA). The Planning Commission will be conducting a public hearing on the Draft EIR on December 1, 2005. The public hearing is not a requirement of CEQA, rather a recommendation for the purpose of obtaining as much public input as possible.

Community Development Director Mike Kamino announced that due to the lack of quorum, the December 15, 2005 Planning Commission meeting is cancelled.

10. ADJOURNMENT:

The Planning Commission adjourned at 10:36 p.m. to the next Planning Commission meeting on December 1, 2005 at 6:30 p.m.