

MINUTES
REGULAR MEETING OF THE
AGOURA HILLS PLANNING COMMISSION
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Thursday, September 7, 2017
6:30 P.M.

The Planning Commission meeting was called to order at 6:30 p.m. by Chair Zacuto.

The Pledge of Allegiance was led by Commissioner Justice.

Present were: Chair Curtis Zacuto, Vice Chair John Asuncion, and Commissioners Michael Justice and John O'Meara.

Absent was: Commissioner Kate Anderson arrived at 6:43 p.m.

Also Present were: Planning Director Doug Hooper, Assistant City Attorney Nick Ghirelli, Assistant Planning Director Allison Cook, Associate Planner Valerie Darbouze, Associate Planner Renee Madrigal, and City Clerk/Recording Secretary Kimberly M. Rodrigues.

APPROVAL OF AGENDA

ACTION: Commissioner O'Meara moved to approve the Agenda, as presented. Commissioner Justice seconded. The motion carried 4-0, with Commissioner Anderson absent, by the following voice vote:

AYES: Chair Zacuto, Vice Chair Asuncion, and Commissioners Justice and O'Meara.

NOES: None.

ABSENT: Commissioner Anderson.

PUBLIC COMMENTS

There were no public speakers.

APPROVAL OF MINUTES

1. Minutes – July 6, 2017 Planning Commission Meeting

ACTION: Commissioner Justice moved to approve Item No. 1, as presented. Vice Chair Asuncion seconded. The motion carried 4-0, with Commissioner Anderson absent, by the following voice vote:

AYES: Chair Zacuto, Vice Chair Asuncion, and Commissioners Justice and O'Meara.

NOES: None.

ABSENT: Commissioner Anderson.

NEW PUBLIC HEARING

2. REQUEST: Request for approval of: 1) a Conditional Use Permit to construct a 4,165 square-foot, two-story, single-family residence; a 798 square-foot attached garage; a 259 square-foot covered patio; and a 276 square-foot barn; 2) an Oak Tree Permit to encroach in the protected zone of 4 oak trees; 3) a Variance to allow an increase in the building height per the hillside development standards and a reduction in the side yard setbacks from 13.5 to 12 feet and 12.5 feet; 4) and make a finding of exemption under the California Environmental Quality Act.

APPLICANT: Angelica Galvez for Gadi Telem
123 N. Orlando Avenue, Apt. E
Los Angeles, CA 90048

CASE NOS.: CUP-01225-2016, OAK-01226-2016, and VAR-01227-2016

LOCATION: 28236 Driver Avenue (APN 2055-005-042)

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15303 of the CEQA Guidelines.

ZONING DESIGNATION: Residential Low Density-20,000 square-foot minimum lot size-Old Agoura Design Overlay-Equestrian Overlay Districts (RL-20,000-OA-EQ)

GENERAL PLAN DESIGNATION: RL (Residential Low Density)

RECOMMENDATION: Staff recommended the Planning Commission approve Conditional Use Permit Case No. CUP-01225-2016, Oak Tree Permit Case No. OAK-01226-2016, and Variance Case No. VAR-01227-2016, subject to conditions, based on the findings of the draft Resolutions.

Commissioner Anderson arrived at this point in the meeting (6:43 p.m.).

Following presentation of the staff report, Chair Zacuto opened the Public Hearing at 6:49 p.m.

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

Angelica Galvez
Gadi Telem, Calabasas, Applicant
Nick Neilson, Simi Valley

The following person(s) spoke:

Anne Sailors, Agoura Hills (*Opposed*)
Aubrey McCann, Agoura Hills (*Opposed*)
Rich Stann, Agoura Hills (*Opposed*) (*Submitted photograph*)
Phil Ramuno, Agoura Hills, representing Old Agoura Homeowners
Alfred Ira, Agoura Hills (*Opposed*)

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

Nick Neilson, Simi Valley
Angelica Galvez

At the request of Commissioner Anderson, Chair Zacuto allowed the following person to answer Commissioner Anderson's questions regarding compatibility of the house with the neighborhood:

Phil Ramuno, Agoura Hills, representing Old Agoura Homeowners

The Applicant had no further comments (rebuttal).

There being no further public speakers, Chair Zacuto closed the Public Hearing at 8:10 p.m.

ACTION: Commissioner O'Meara moved to approve Variance Case No. VAR-01227-2016, making a finding of exemption under the California Environmental Quality Act (CEQA), and adopt **Resolution No. 17-1197**. Commissioner Justice seconded. The motion carried 4-1, with Vice Chair Asuncion opposed, by the following voice vote:

AYES: Chair Zacuto and Commissioners Anderson, Justice, and O'Meara.
NOES: Vice Chair Asuncion.
ABSENT: None.

The Planning Commission, by consensus, agreed to add Condition No. 88 to address concerns with vegetative screening in the backyard for privacy of neighboring properties.

ACTION: Commissioner O'Meara moved to approve Conditional Use Permit Case No. CUP-01225-2016, Oak Tree Permit Case No. OAK-01226-2016, making a finding of exemption under the California Environmental Quality Act (CEQA), and adopt **Resolution No. 17-1196**, with the addition of Special Condition No. 88: "*The Final Landscape Plan shall include trees and other vegetation along the southern, eastern and western edges of the back yard to serve as a vegetative screen for privacy of neighboring properties to the satisfaction of the Planning Director and as allowed by the County Fire Department, Fuel Modification Unit. Trees and other vegetation used for screening shall be fast growing and sufficient in height and width to maximize privacy, with a preference for primarily native species.*" Commissioner Justice seconded. The motion carried 4-1, with Vice Chair Asuncion opposed, by the following voice vote:

AYES: Chair Zacuto and Commissioners Anderson, Justice, and O'Meara.

NOES: Vice Chair Asuncion.

ABSENT: None.

The Planning Commission recessed at 8:40 p.m. and reconvened at 8:54 p.m.

EXCUSED ABSENCE

Commissioner Justice left during the break, as he was not feeling well, and, the Planning Commission, by unanimous consensus (*Chair Zacuto, Vice Chair Asuncion, and Commissioners Anderson and O'Meara*), excused his absence.

NEW PUBLIC HEARING

3. **REQUEST:** Request for approval of a Conditional Use Permit to build a 3,647 square-foot, two-story single-family residence with a 56 square-foot basement, a 627 square-foot attached three-car garage and a 230 square-foot accessory structure; and to make a finding of exemption under the California Environmental Quality Act.

APPLICANT: 64North for Mordehai Asaf
5355 Cartwright Avenue, Suite 118
North Hollywood, CA 91601

CASE NO.: CUP-01309-2016

LOCATION: 28439 Foothill Drive (APN 2055-019-037)

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per Section 15303 of the CEQA Guidelines.

ZONING DESIGNATION: Residential Very Low Density – Old Agoura Design Overlay – Equestrian Overlay (RV-OA-EQ)

DESIGNATION: RV (Residential Very Low Density)

RECOMMENDATION: Staff recommended the Planning Commission approve Conditional Use Permit Case No. CUP-01309-2016; subject to conditions, based on the findings of the draft Resolution.

Following distribution of the agenda packet, and prior to the Planning Commission meeting, written correspondence was received from the following persons, distributed to the Planning Commission, and made available to the public:

Jose Fulginiti, Agoura Hills (Opposed)
Shay & Hilit Kalmanovich, Agoura Hills (in Favor)
Meril S. Platzer, Agoura Hills (Opposed)
Rina Yardeny, Agoura Hills (in Favor)

Following presentation of the staff report, Chair Zacuto opened the Public Hearing at 9:05 p.m.

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

Will Carson, Architect, representing Applicant 64 North

The following person(s) submitted written comments:

Sagalit Bar, Agoura Hills (In Favor)
Haim Malka, Agoura Hills (Opposed)
Jill Pan, Agoura Hills (Opposed)
Gail Wells, Agoura Hills (Opposed)
Lauren Wells, Agoura Hills (Opposed)

The following person(s) spoke:

Amit Yonay, Westlake Village (in Favor)
Jose Fulginiti, Agoura Hills (Opposed)
Phil Ramuno, Agoura Hills
Ronit Zoldan, Agoura Hills (In Favor)
Rafi Sharon, Agoura Hills (In Favor)

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

Will Carson, Architect, representing Applicant 64 North

There being no further public speakers, Chair Zacuto closed the Public Hearing at 9:42 p.m.

ACTION: Commissioner O'Meara moved to approve CUP-01309-2016, making a finding of exemption under the California Environmental Quality Act (CEQA), and adopt **Resolution No. 17-1198**, with Condition No. 80 amended to read: "*The Final Landscape Plan shall incorporate more native species than shown on the Preliminary Landscape Plan. In particular, the Mexican sycamore shall be replaced with California sycamore.*" Vice Chair Asuncion seconded. The motion carried 4-0, with Commissioner Justice absent, by the following voice vote:

AYES: Chair Zacuto, Vice Chair Asuncion, and Commissioners Anderson and O'Meara.

NOES: None.

ABSENT: Commissioner Justice

DISCUSSION

4. Discussion Regarding Planning Commission Norms Amendments

The Planning Commission, by consensus (*Chair Zacuto, Vice Chair Asuncion, and Commissioners Anderson and O'Meara*) continued this item to a future meeting where all Commissioners would be present.

PLANNING COMMISSION/STAFF COMMENTS

Vice Chair Asuncion thanked staff for promptly answering his questions.

Chair Zacuto spoke about being, personally, affected by the hurricanes in the gulf and Florida and requested everyone's thoughts and prayers for the people that have suffered the effects of the hurricanes.

ADJOURNMENT

Chair Zacuto announced the next Regular Meeting of the Planning Commission would be held at 6:30 p.m., Thursday, September 21, 2017, in the Council Chambers of the Civic Center. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

ACTION: At 9:52 p.m., Vice Chair Asuncion moved to adjourn the meeting. Commissioner O'Meara seconded. The motion carried 4-0, by the following voice vote:

AYES: Chair Zacuto, Vice Chair Asuncion, and
Commissioners Anderson and O'Meara.

NOES: None.

ABSENT: Commissioner Justice.

Kimberly M. Rodrigues, MPPA, MMC
City Clerk/Recording Secretary