

**MINUTES**  
**REGULAR MEETING OF THE**  
**AGOURA HILLS PLANNING COMMISSION**  
Civic Center – Council Chambers  
30001 Ladyface Court, Agoura Hills, California 91301  
**Thursday, July 18, 2019**  
**6:30 P.M.**

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

The Pledge of Allegiance was led by Commissioner Mogri.

Present were: Chair John R. Asuncion and Commissioners Michael Justice, Murtaza Mogri, and Jeremy Wolf.

Absent was: Vice Chair Kate Anderson.

Also Present were: Planning Director Doug Hooper, Assistant City Attorney Nick Ghirelli, Associate Planner Renee Madrigal, Engineering Aide Robert Cortes, and City Clerk/Recording Secretary Kimberly Rodrigues.

**EXCUSED ABSENCE**

ACTION: By consensus, the Planning Commission excused the absence of Vice Chair Anderson 4-0, by the following voice vote:

AYES: Chair Asuncion and Commissioners Justice, Mogri, and Wolf.

NOES: None.

ABSENT: Vice Chair Anderson.

**APPROVAL OF AGENDA**

ACTION: Commissioner Justice moved to approve the Agenda, as presented. Commissioner Mogri seconded. The motion carried 4-0, by the following voice vote:

AYES: Chair Asuncion and Commissioners Justice, Mogri, and Wolf.

NOES: None.

ABSENT: Vice Chair Anderson.

**PUBLIC COMMENTS**

There were no public speakers.

## **APPROVAL OF MINUTES**

### 1. Minutes – June 20, 2019 Planning Commission Meeting

**ACTION:** Commissioner Wolf moved to adopt the minutes, as presented. Commissioner Justice seconded. The motion carried 4-0, by the following voice vote:

**AYES:** Chair Asuncion and Commissioners Justice, Mogri, and Wolf.

**NOES:** None.

**ABSENT:** Vice Chair Anderson.

## **CONSENT CALENDAR**

### 2. Adopt Resolutions of Denial for a Request to Demolish and Rebuild a Starbucks Coffee Shop with a New Drive-Thru at 5827 Kanan Road (Case Nos. SPR-01462-2019, OAK-01463-2018, VAR-01581-2019)

**ACTION:** Commissioner Mogri moved to adopt **Resolution No. 19-1225**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, DENYING SITE PLAN/ ARCHITECTURAL REVIEW CASE NO. SPR-01462-2018 AND OAK TREE PERMIT CASE NO. OAK-01463-2018 FOR THE RECONSTRUCTION OF A STARBUCKS COFFEE SHOP LOCATED AT 5827 KANAN ROAD; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; **Resolution No. 19-1226**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS CALIFORNIA, DENYING VARIANCE CASE NO. VAR-01581-2019 IN CONNECTION WITH THE RECONSTRUCTION OF A STARBUCKS COFFEE SHOP TO ENCROACH IN THE FRONT LANDSCAPE PLANTER BY MORE THAN 50 PERCENT OF ITS LENGTH AND REDUCE ITS WIDTH TO LESS THAN 10 FEET FOR THE PROPERTY LOCATED AT 5827 KANAN ROAD; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). Commissioner Wolf seconded. The motion carried 4-0, by the following voice vote:

**AYES:** Chair Asuncion and Commissioners Justice, Mogri, and Wolf.

**NOES:** None.

**ABSENT:** Vice Chair Anderson.

### **NEW PUBLIC HEARINGS**

3. REQUEST: Request for approval of a Conditional Use Permit to allow the on-sale and off-sale of alcoholic beverages (Types 20 and 42 ABC licenses) for a new retail wine and beer shop with a tasting bar; approval of a Site Plan/Architectural Review for an outdoor patio and exterior improvements; approval of an Outdoor Dining Permit to allow dining within a new outdoor patio area; and to make a finding of exemption under the California Environmental Quality Act.

APPLICANT: Agoura Wine and Beer Company  
8526 Oso Avenue  
Winnetka, CA 91306

CASE NOS.: CUP-01480-2018, SPR-01653-2019 and DINE-01481-2018

LOCATION: 28851 Agoura Road  
(A.P.N.s 2061-007-041 and 2061-007-051)

ENVIRONMENTAL DETERMINATION: Categorically Exempt per Section 15301 of the CEQA Guidelines.

ZONING DESIGNATION: PD (Planned Development) - Agoura Village Specific Plan

GENERAL PLAN DESIGNATION: PD (Planned Development)

**RECOMMENDATION:** Staff recommended that the Planning Commission approve Conditional Use Permit Case No. CUP-01480-2018, Site Plan/Architectural Review Case No. 01653-2018, and Outdoor Dining Permit Case No. DINE-01481-2018, subject to conditions, based on the findings of the draft resolutions.

Following presentation of the staff report, Chair Asuncion opened the Public Hearing at 6:43 p.m.

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

Brett Engstrom  
Jeremy Olaso and Gina Seidenglanz, Owners

There being no public speakers or a rebuttal from the applicant, Chair Asuncion closed the Public Hearing at 6:51 p.m.

**ACTION:** Commissioner Wolf moved to adopt **Resolution No. 19-1227**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-01480-2018 TO ALLOW THE ON-SALE AND OFF-SALE OF ALCOHOLIC BEVERAGES (TYPE 20 AND 42 ABC LICENSE) FOR A NEW RETAIL WINE AND BEER SHOP WITH TASTING BAR LOCATED AT 28851 AGOURA ROAD; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT and **Resolution No. 19-1228**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01653-2019 FOR A NEW OUTDOOR PATIO AND EXTERIOR IMPROVEMENTS; APPROVING OUTDOOR DINING PERMIT CASE NO. DINE-01481-2018 TO ALLOW DINING WITHIN A NEW OUTDOOR PATIO AREA LOCATED AT 28851 AGOURA ROAD; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. Commissioner Justice seconded. The motion included the following amendments:

Amendment to Condition No. 12 of Resolution No. 19-1227: “The approved hours of operation are from 10:00 a.m. to 10:00 p.m. Sunday through Thursday, and 10:00 a.m. to 11:00 p.m. Fridays, and Saturdays, and on Federal holidays.”

Amendment to Condition No. 10 of Resolution No. 19-1228: “The approved hours of operation are from 10:00 a.m. to 10:00 p.m. Sunday through Thursday, and 10:00 a.m. to 11:00 p.m. Fridays, and Saturdays, and on Federal holidays.”

The motion carried 4-0, by the following voice vote:

**AYES:** Chair Asuncion and Commissioners Justice, Mogri, and Wolf.

**NOES:** None.

**ABSENT:** Vice Chair Anderson.

4. **REQUEST:** Request for approval of: 1) a Conditional Use Permit and Site Plan/Architectural Review for construction of a 2,000 square-foot, one-story office building; 2) Variances from Zoning Ordinance Sections 9373.1.A Minimum lot area, 9373.2.B Minimum lot width, and 9654.5.B Parking lot landscaping; 3) a Tentative Parcel Map to merge two parcels; and 4) a request to make a finding of exemption under the California Environmental Quality Act (CEQA).

APPLICANT: Jay DiMaggio  
29728 Triunfo Drive  
Agoura, CA 91301

CASE NOS.: CUP-01503-2018, SPR-01654-2019, VAR-01507-2018 &  
PMAP-01559-2018

LOCATION: 28127 Agoura Road  
(A.P.N.s 2061-012-020 and 2061-012-021)

ENVIRONMENTAL  
DETERMINATION: Categorically Exempt per Section 15303 of the CEQA  
Guidelines.

ZONING  
DESIGNATION: Business Park-Office/Retail-Freeway Corridor Overlay-  
Old Agoura Design Overlay (BP-OR-FC-OA)

GENERAL PLAN  
DESIGNATION: Business Park-Office/Retail (BP-OR)

**RECOMMENDATION:** Staff recommended the Planning Commission approve Conditional Use Permit Case No. CUP-01503-2018, Site Plan/Architectural Review Case No. 01654-2019, Variance Case No. VAR-01507-2018, Parcel Map Case No. PMAP-01559-2018, subject to conditions, based on the findings of the attached draft resolutions.

Following presentation of the staff report, Chair Asuncion opened the Public Hearing at 7:11 p.m.

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

Jay DiMaggio, Applicant  
Jeffrey Eith, Integra Design Services

*Following distribution of the agenda packet, and prior to the Planning Commission meeting, written correspondence was received from the following person(s), distributed to the Planning Commission, and made available to the public.*

Franca and Joseph Pisa, Agoura (*in favor*)

The following person(s) spoke in favor of the project:

Hilarie Steinzeig, Agoura Hills  
Elizabeth Gould, Agoura Hills

There being no public speakers or a rebuttal from the applicant, Chair Asuncion closed the Public Hearing at 7:22 p.m.

**ACTION:** Commissioner Justice moved to adopt **Resolution No. 19-1229**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-01503-2018 AND SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-01654-2019 FOR THE CONSTRUCTION OF A 2,000 SQUARE-FOOT OFFICE BUILDING AT 28127 AGOURA ROAD; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, **Resolution No. 19-1230**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VARIANCE REQUEST CASE NO. VAR-01507-2019 TO: 1) REDUCE THE MINIMUM REQUIRED LOT AREA; 2) REDUCE THE MINIMUM REQUIRED LOT WIDTH; AND 3) REDUCE THE MINIMUM REQUIRED WIDTH OF THE LANDSCAPE PLANTER ALONG THE FULL LENGTH OF THE FRONT PROPERTY LINE AND ENCROACH INTO MORE THAN 50 PERCENT OF THE LENGTH OF THE LANDSCAPE PLANTER and **Resolution No. 19-1231**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP CASE NO. PMAP-01559-2018 TO MERGE TWO PARCELS LOCATED AT 28127 AGOURA ROAD. Commissioner Mogri seconded. The motion carried 4-0, by the following voice vote:

**AYES:** Chair Asuncion and Commissioners Justice, Mogri, and Wolf.

**NOES:** None.

**ABSENT:** Vice Chair Anderson.

### **PLANNING COMMISSION / STAFF COMMENTS**

Commissioner Mogri and Chair Asuncion thanked staff for their reports.

### **ADJOURNMENT**

Chair Asuncion announced the next Regular Meeting of the Planning Commission would be held at 6:30 p.m., Thursday, August 1, 2019, in the Council Chambers of the Civic Center. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

**ACTION:** At 7:28 p.m., Commissioner Mogri moved to adjourn the meeting. Commissioner Justice seconded. The motion carried 4-0, by the following voice vote:

**AYES:** Chair Asuncion and Commissioners Justice, Mogri, and Wolf.

NOES: None.

ABSENT: Vice Chair Anderson.

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