

**MINUTES**  
**ADJOURNED REGULAR MEETING OF THE**  
**AGOURA HILLS CITY COUNCIL**  
**December 6, 2004 at 7:00 p.m.**  
(Adjourned from October 13, 2004)

The meeting was called to order at 7:01 p.m.

The flag salute was led by Councilmember Edelston.

Present were: Mayor Dan Kuperberg, Mayor pro Tem Ed Corridori, Councilmember John Edelston, Councilmember Jeff Reinhardt, and Councilmember Denis Weber.

Also Present were: City Manager Greg Ramirez, City Attorney Craig Steele, Assistant City Manager Jim Thorsen, Planning and Community Development Director Mike Kamino, Principal Planner Doug Hooper, Oak Tree and Landscape Consultant Kay Greeley, Environmental Analyst Steve Craig, and City Clerk Kimberly Rodrigues.

**REPORT OF CLOSED SESSION**

City Attorney Steele reported on the Closed Session, pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiators, regarding the properties listed on the posted Agenda. The City Council gave direction to staff and took no reportable action.

**APPROVAL OF AGENDA**

On a motion by Councilmember Weber, seconded by Councilmember Edelston, the Agenda was approved without objection.

**ORAL COMMUNICATIONS**

As part of their Community Service Project, the following 8<sup>th</sup> Grade students of Lindero Canyon Middle School spoke in support of building a fenced dog park in Agoura Hills by utilizing a portion of land in an existing City park and offered to assist with fundraisers to pay for the fencing, which will cost approximately \$4.50 per foot:

Kevin Goller, 6346 Acadia Avenue, Agoura Hills  
Justin Rushing, 5970 Dove Tail Drive, Agoura Hills  
Scott Wilson, 5951 Bridgewater Court, Agoura Hills

**PRESENTATIONS**

There were no presentations.

## **INTERGOVERNMENTAL AND SPECIAL PURPOSE COMMITTEE REPORTS**

Councilmember Reinhardt congratulated the County of Los Angeles Sheriff's Department on successfully handling the November 24, 2004 incident involving a stolen vehicle.

## **CONSENT CALENDAR**

On a motion by Councilmember Weber, seconded by Mayor Pro Tem Corridori, the Consent Calendar was approved without objection.

1. Approve Minutes of Regular City Council Meeting of October 27, 2004

ACTION: Approved 5-0

2. Approve Demand Register No. 504

ACTION: Approved 5-0

3. Approve Treasurer's Report for October 2004

ACTION: Approved 5-0

4. Approve the City Council Meeting Schedule for 2005

ACTION: Approved 5-0

## **PUBLIC HEARING/ORDINANCE**

5. 2<sup>nd</sup> Reading and Adoption of Ordinance 04-327 Adopting by Reference Title 32, Fire Code, of the Los Angeles County Code, as Amended and in Effect on December 25, 2003, which Constitutes an Amended Version of the California Fire Code, 2001 Edition, and Amending Chapter 1 of Article III of the Agoura Hills Municipal Code

Following presentation of the staff report, Mayor Kuperberg opened the Public Hearing.

There were no speakers.

Mayor Kuperberg closed the Public Hearing.

ACTION: The motion by Mayor Pro Tem Corridori to waive the 2<sup>nd</sup> reading in full and adopt Ordinance No. 04-327, as read in title only, was seconded by Councilmember Weber and approved on a roll call vote of 5-0.

## **PUBLIC HEARING**

6. Appeal of the Planning Commission's Approval of Conditional Use Permit Case No. 03-CUP-014, Variance Case No. 04-VAR-002, Oak Tree Permit Case No. 03-OTP-013 and Sign Permit Case No. 03-SP-048, which allows for the Construction of an Auto Detailing Facility on the Northeast Corner of Reyes Adobe Road and Canwood Street; and Adoption of the Project Mitigated Negative Declaration and Mitigation Monitoring Plan (Bradley and Gail Kagan, Appellants; Agoura Detail Center/David Delrahim, Applicant) – *This item was continued from the City Council Meeting of October 13, 2004 for the purpose of taking additional information from the Applicant and Staff, and to permit rebuttal testimony from the Applicant and Appellant. Please take note that the Applicant has withdrawn his request for a variance.*

*Subsequent to the close of the Public Comment and continuation of the Public Hearing to the City Council meeting of December 6, 2004 and prior to tonight's meeting, the City Council received commentary from the following citizens:*

Letter in support of the Applicant from:

*David R. Daniels, legal counsel for the Applicant, Jeffer Mangels Butler & Marmaro LLP (JMBM), 1900 Avenue of the Stars, 7<sup>th</sup> Floor, Los Angeles*

Letter in support of the Appellant from:

*Kevin H. Park, Zinder & Park, 4605 Lankershim Boulevard, Suite 300, North Hollywood  
Mary E. Wiesbrock, on behalf of Save Open Space, P. O. Box 1284, Agoura Hills*

Email in opposition to the project:

*Daniel Belanger, 5455 Luis Drive, Agoura Hills*

Mayor Kuperberg announced that the Public Comment portion of the hearing was closed at the meeting of September 22, 2004, the Public Hearing was continued to October 13, 2004 and, subsequently, continued to December 6, 2004. Although the Public Comment portion remains closed, the Public Hearing will be opened and the City Council will receive comments from the Applicant and the Appellant only.

Following presentation of the staff report and a question and answer period, Mayor Kuperberg opened the Public Hearing.

Speaking on behalf of the Applicant:

*Francisco Behr, Project Architect, 340 N. Westlake Boulevard, # 250, Westlake Village  
David DelRahim, Applicant, 30245 Canwood Street, Agoura Hills*

Speaking on behalf of the Appellant:

*Brad Kagan, Appellant, 5301 Cedarhaven Drive, Agoura Hills  
Mary Weisbrock, Save Open Space, P. O. Box 1284, Agoura Hills  
Barbara Schweitzer, Appellant, 5309 Cederhaven Drive, Agoura Hills*

Comment Forms received regarding the Project:

Maurice R. Portnoy, 6106 Lake Lindero Drive, Agoura Hills

Comment Forms received in Opposition to the Project:

Gary Fradkin, 5403 N. Alfonso Drive, Agoura Hills

Judith Fradkin, 5403 Alfredo Court, Agoura Hills

Stu Goodman, 5409 Alfonso Drive, Agoura Hills

Kevin Park, 30147 W. Rainbow Crest, Agoura Hills

Mayor Kuperberg closed the Public Hearing.

**ACTION:** Following discussion, the motion by Councilmember Weber to deny the appeal and uphold the decision of the Planning Commission to approve the project, and adopt Resolution No. 04-1338, as amended, was seconded by Councilmember Edelston and approved on a roll call vote of 5-0.

**COUNCIL, STAFF COMMENTS**

There were no Council or Staff comments.

**ADJOURNMENT**

At 9:55 p.m., on a motion by Councilmember Weber, seconded by Councilmember Reinhardt, the Council unanimously consented to adjourn the meeting to 7:00 p.m. December 8, 2004 for the next Regular Meeting of the City Council in the Council Chambers of the Civic Center located at 30001 Ladyface Court, Agoura Hills.