



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
December 1, 2005**

1. CALL TO ORDER: Chair Koehler called the meeting to order at 6:32 p.m.

2. FLAG SALUTE: Commissioner Zacuto

3. ROLL CALL: Chair Koehler, Commissioners Zacuto, and Schwarz (Vice Chair Ramuno, and Commissioner Rishoff were absent).

Also present were, Director of Community Development Mike Kamino, Assistant Director of Community Development Doug Hooper, Assistant Engineer Kelly Fisher, Senior Planner Allison Cook, Associate Planner Valerie Darbouze, Planning Technician Christopher Aune, City Environmental Consultant Steve Craig, and Planning Consultant Joyce Parker-Bozylinski.

4. APPROVAL OF MINUTES: November 17, 2005 Meeting Minutes

ACTION: On a motion by Commissioner Schwarz, seconded by Commissioner Zactuo, the Planning Commission moved to approve the minutes of the November 17, 2005 Planning Commission meeting. Motion carried 3-0 (Vice Chair Ramuno, and Commissioner Rishoff were absent).

5. COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA: None

6. CONSENT ITEM: None

7. CONTINUED PUBLIC HEARINGS:

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: 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 19 oak trees; and a request for adoption of a Mitigated Negative Declaration.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Based on direction given on November 17, 2005, staff recommended the Planning Commission deny Conditional Use Permit Case Nos. 03-CUP-010 and 98-CUP-007, and Oak Tree Permit Case No. 98-OTP-011, based on the findings of the draft Resolutions.

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

The City's Environmental Consultant Steve Craig answered questions of the Planning Commission.

ACTION: On a motion by Commissioner Schwarz, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 836, denying Conditional Use Permit Case No. 03-CUP-010. Motion approved 3-0 (Vice Chair Ramuno and Commissioner Rishoff were absent).

On a motion by Commissioner Schwarz, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 837, denying Conditional Use Permit No. 98-CUP-007. Motion carried 3-0 (Vice Chair Ramuno and Commissioner Rishoff were absent).

On a motion by Commissioner Schwarz, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 838, denying Oak Tree Permit Case No. 98-OTP-011, based on the findings of the draft Resolution. Motion carried 3-0 (Vice Chair Ramuno and Commissioner Rishoff were absent).

8. NEW PUBLIC HEARING

- A. APPLICANT: Realty Bancorp Equities
21800 Burbank Blvd., Suite 300
Woodland Hills, CA 91367
- CASE NOS.: 02-CUP-008 (Amendment); 02-VAR-007 (Amendment)
and 01-OTP-013 (Amendment)
- LOCATION: 29901 Agoura Road
(A.P.N. 2061-003-037)
- REQUESTS: Request for approval of a one-year extension for a previously approved Conditional Use Permit which allowed for the construction of a 76,710 square foot, two-story office and research development building; request for a one-year time extension for a Variance which allowed an increase in the maximum allowable building coverage from 30% of the lot to 34.6% of the lot; and a request for a one-year time extension for an approved Oak Tree Permit which allowed for an encroachment within the protected zone of 44 Oak trees for the approved construction.
- ENVIRONMENTAL DETERMINATION: The proposed project is consistent with the Mitigated Negative Declaration approved on December 5, 2002 by Planning Commission Resolution No. 721.
- RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 02-CUP-008 (Amendment), Variance Case No. 02-VAR-007 (Amendment) and Oak Tree Permit Case No. 01-OTP-013 (Amendment), subject to conditions, based on the findings of the draft Resolution.
- PUBLIC HEARING OPENED: Assistant Community Development Director Doug Hooper presented the case and answered questions of the Planning Commission.

Brian Poliquin, 6400 Canoga Avenue Suite 215, Woodland Hills, representing Realty Bancorp, presented his case and answered questions of the Planning Commission.

ACTION: On a motion by Commissioner Zacuto, seconded by Commissioner Schwarz, the Planning Commission moved to adopt Resolution No. 839, approving Conditional Use Permit Case No. 02-CUP-008 (Amendment), Variance Case No. 02-VAR-007 (Amendment) and Oak Tree Permit Case No. 01-OTP-013 (Amendment), subject to conditions, based on the draft Resolution. Motion carried 3-0 (Vice Chair Ramuno and Commissioner Schwarz were absent).

B. APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NO.: Draft Environmental Impact Report prepared for the Agoura Village Specific Plan

LOCATION: The 135-acre project area boundary includes property on the north and south sides of Agoura Road, from approximately 1,400 feet west of Kanan Road and approximately 750 feet east of Cornell Road. Roadside Drive and the 101 Freeway border much of the project site to the north.

REQUEST: Request for the Planning Commission to receive comments on the Draft Environmental Impact Report prepared for the Agoura Village Specific Plan, which includes development standards for the development of residential units, office, retail, restaurants, a community center and hotels, and the redevelopment of existing office and retail space within the project area. Legislative actions required to approve the project include: Agoura Village Specific Plan adoption, Zoning Ordinance Amendments and Map Changes, Ladyface Mountain Specific Plan Amendments and General Plan Amendments.

RECOMMENDATION: Staff recommended that the Planning Commission conduct a public hearing to receive comments on the Draft Environmental Impact Report. A public hearing to consider certification of the Final Environmental Impact Report will be scheduled at a future date.

**PUBLIC HEARING
OPENED:**

Senior Planner Allison Cook presented a summary of the Draft Environmental Impact Report and answered questions of the Planning Commission.

Mary Altman, 1857 Lookout Drive, Agoura, expressed concerns with biology, safety, and traffic.

Chester Yabitsu, 29438, Mulholland Highway, Agoura, expressed concerns with the residential component and the roundabout.

Colleen Holmes, 3700 Old Oak Road, Agoura, president of the Cornell Preservation Organization, spoke about preserving the knoll near the southeast corner of Kanan Road and Agoura Road and protecting the blue line stream and sensitive species. Mrs. Holmes said she would follow up with a comment letter regarding the Draft Environmental Impact Report.

Ken Handler, 29803 Vista Del Arroyo, Agoura, spoke of concerns with the safety of the proposed roundabout and coordination with Caltrans.

9. SITE PLAN/ARCHITECTURAL REVIEW

APPLICANT:

Ronit Zoldan
6144 Colodny Drive
Agoura Hills, CA 91301

CASE NO.:

05-SPR-016

LOCATION:

5850 Balkins Drive
(A.P.N. 2055-027-065)

REQUEST:

Request for approval of a Site Plan/Architectural Review application to construct a 5,536 square-foot attached three-car garage and 1,707 square feet of attached covered patios.

**ENVIRONMENTAL
DETERMINATION:**

Categorically Exempt from CEQA per Section 15303

RECOMMENDATION:

Staff recommended approval of Site Plan/Architectural Review Case No. 05-SPR-016, 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.

Siavash Jazayeri, SIA Architectural Design, 4766 Park Granada Suite 204, Calabasas, applicant's architect, presented the case and answered questions of the Planning Commission.

Ronit Zoldan, 6144 Colodny Drive, Agoura Hills, applicant, presented her case and answered questions of the Planning Commission.

ACTION: On a motion by Commissioner Zacuto, seconded by Commissioner Schwarz, the Planning Commission moved to adopt Resolution No. 840, approving Site Plan Architectural Review Case No. 05-SPR-016, subject to conditions, based on the findings of the draft Resolution.

10. DISCUSSION:

APPLICANT: Ashraf Yousseff for the Liquor Chest
5298 Kanan Road
Agoura Hills, CA 91301

CASE NO.: 05-INT-002

LOCATION: 5298 Kanan Road

REQUEST: Request for Zoning Ordinance Interpretation regarding the expansion of an existing, non-conforming liquor retail store in the Freeway Corridor Overlay District.

RECOMMENDATION: Staff recommended adoption of a minute motion regarding a Zoning Ordinance interpretation pertaining to the expansion of non-conforming liquor stores in the FC overlay zone.

**PUBLIC HEARING
OPENED:**

Associate Planner Valerie Darbouze presented the discussion and answered questions of the Planning Commission.

Alex Khader, 5298 Kanan Road, representing the applicant, discussed the request and answered questions of the Planning Commission.

RECESS: Chair Koehler called for a recess at 8:32 p.m.

RECONVENE: Chair Koehler reconvened the meeting at 8:46 p.m.

ACTION: On a motion by Commissioner Schwarz, seconded by Commissioner Zacuto, the Planning Commission found that the addition of the adjacent tenant space did not constitute an expansion of alcohol sale but rather an expansion of general retail merchandise and products sold at the Liquor Chest.

The Planning Commission stated, however, that the interior portion of the tenant space dedicated to displaying alcoholic beverages shall remain at 1,080 square feet, the total combined retail area shall not exceed 1,640 square feet and that an agreement shall be prepared and approved by the City Attorney addressing the termination of the expansion of the business upon the sale of the business to another party. Motion carried 3-0 (Vice Chair Ramuno and Commissioner Rishoff were absent).

11. INFORMATION: Staff presented a letter of withdrawal of Conditional Use Permit Case No. 03-CUP-023 and Oak Tree Permit Case No. 05-OTP-012, which was a request for two new single-family residences on Renee Drive (Pirouti).

12. ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA:

COMMISSION: It was Chair Koehler's and Commissioner Schwarz's last Planning Commission meeting and they thanked staff for their diligence during their terms in office.

STAFF: Staff returned the gratitude by acknowledging Chair Koehler and Commissioner Schwarz's superior service to the community.

13. ADJOURNMENT:

The Planning Commission adjourned at 9:10 p.m. to the next Planning Commission meeting on January 5, 2006 at 6:30 p.m.