



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
September 15, 2005**

1. CALL TO ORDER: Chair Koehler called the meeting to order at 6:37p.m.

2. FLAG SALUTE: Vice Chair Ramuno

3. ROLL CALL: Chair Koehler, Vice Chair Ramuno, Commissioners Zacuto, Rishoff and Schwarz

Also present were, Assistant Director of Community Development Doug Hooper, City Engineer Ken Berkman, Assistant Engineer Kelly Fisher, City Oak Tree and Landscape Consultant Kay Greeley, Senior Planner Allison Cook, Associate Planner Valerie Darbouze and Planning Technician Christopher Aune.

4. APPROVAL OF MINUTES: August 18, and September 15, 2005 Meetings

ACTION: A motion by Commissioner Schwarz, seconded by Commissioner Zacuto, the Planning Commission moved to approve the minutes of the August 18, 2005 Planning Commission meeting. Motion carried 5-0.

A motion by Vice Chair Ramuno, seconded by Commissioner Schwarz, the Planning Commission moved to approve the minutes of the September 1, 2005 Planning Commission meeting. Motion carried 4-0 (Chair Koehler abstained since he was absent from the September 1, 2005 Planning Commission hearing).

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

6. CONSENT ITEMS: None

7. CONTINUED PUBLIC HEARING:

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

CASE NOS.: 03-CUP-010; 98-CUP-007; 04-VAR-004; 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 approval of a Variance to allow one residence to be located 26 feet from the Agoura Road right-of-way, rather than at least 32 feet away; 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: Staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case Nos. 03-CUP-010 and 98-CUP-007; Variance Case No. 04-VAR-004, and Oak Tree Permit Case No. 98-OTP-011, subject to conditions, based on the findings of the draft Resolution.

PUBLIC HEARING OPENED: Commissioner Zacuto recused himself from participating in the hearing.

Assistant Community Development Director Doug Hooper presented the case and answered questions of the Planning Commission

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

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

Laura Kaufman, Envicon Corporation, 28328 Agoura Road, environmental consultant for the applicant, discussed the Mitigated Negative Declaration prepared for the project.

Travis Cullen, Envicon Corporation, 28328 Agoura Road, environmental consultant for the applicant, discussed the project's environmental review process 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.

Jon Irvine, 1461 E. Chevy Chase Dr., Glendale, Soil Engineer/Geologist for the applicant, discussed on-site and off-site geotechnical issues and answered questions of the Planning Commission.

Richard W. Cambell, 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 Rd. Woodland Hills, project architect for the applicant, presented the architectural design and answered questions of the Planning Commission.

A.J. Ponsiglione, 4937 Calle Roblada, spoke in favor of the project.

Astrid Agustin, 27804 Via Amistosa, spoke against the project.

Tom Cohen, 2801 Townsgate Rd. Suite 215 Thousand Oaks, presented his rebuttal testimony.

RECESS: Chair Koehler called for a recess at 8:29.

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

Tom Cohen, 2801 Townsgate Suite 215 Thousand Oaks, and Yair Koshet, 5226 Medina Rd. Woodland Hills, completed the rebuttal testimony on behalf of the applicant.

ACTION: On a motion by Chair Koehler, seconded by Vice Chair Ramuno, the Planning Commission moved to continue Conditional Use Permit Case Nos. 03-CUP-010 and 98-CUP-007; Variance Case No. 04-VAR-004, and Oak

Tree Permit Case No. 98-OTP-011, to the October 20, 2005 Planning Commission meeting. Motion carried 4-0 (Commissioner Zacuto recused himself from the hearing),

8. NEW PUBLIC HEARING:

APPLICANTS: Mr. and Mrs. Clifton Von Buck
43956 21st Street West
Lancaster, CA 93536

CASE NOS. 03-CUP-017 and 03-OTP-016

LOCATION: 27801 Blythedale Road
(A.P.N. 2055-001-035)

REQUEST: Request for approval of a Conditional Use Permit to construct a 4,664 square-foot, two-story residence with a 1,266 square-foot attached garage and a 1,225 square-foot barn; a request for an Oak Tree Permit to encroach within the protected zone of two (2) Oak trees for the proposed construction.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: If the Planning Commission's decision was to approve Conditional Use Permit Case No. 03-CUP-017, Oak Tree Permit Case No. 03-OTP-016, the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, staff recommended that the Commission adopt the draft Resolution with conditions of approval.

PUBLIC HEARING OPENED:

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

Senior Planner Allison Cook answered questions of the Planning Commission.

Tammy Von Buck, 43956 21st Street West, applicant, presented the project and answered questions of the Planning Commission.

Robert Evren, 5732 Colodny, representing Old Agoura Homeowners Association, spoke in favor of the project and answered questions of the Planning Commission.

ACTION: On a motion by Vice Chair Ramuno, seconded by Commissioner Zacuto, the Planning Commission moved to adopt Resolution No. 825, approving Conditional Use Permit Case No. 03-CUP-017, Oak Tree Permit Case No. 03-OTP-016, the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, subject to amended Conditions of Approval and revisions to the draft Resolution. Motion carried 5-0.

9. DISCUSSION ITEM: Presentation of Agoura Village Specific Plan Document.
Senior Planner Alison Cook presented this item and answered questions of the Planning Commission.

10. ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDAS:

Commission: Chair Koehler requested that exhibits in the staff report be tabbed for easier reference.

The Commission requested staff to clarify for discussion at a future Planning Commission meeting the appropriate procedures for reviewing written testimony that is submitted shortly prior to the Planning Commission meetings.

Staff: None

11. ADJOURNMENT:

The Planning Commission adjourned at 11:06 p.m. to the next Planning Commission meeting on October 6, 2005 at 6:30 p.m.