

**MINUTES**  
**REGULAR MEETING – VIDEO CONFERENCE**  
**AGOURA HILLS PLANNING COMMISSION**  
**Civic Center – Council Chambers**  
**30001 Ladyface Court, Agoura Hills, California 91301**  
**Thursday, April 7, 2022**  
**6:30 p.m.**

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

The Pledge of Allegiance was led by Commissioner Asuncion.

Present were: Vice Chair Penny Sylvester, Commissioner John R. Asuncion, and Commissioner Murtaza Mogri.

Absent were: Chair Jeremy Wolf and Commissioner David Horenstein.

Also Present were: Community Development Director Denice Thomas, Assistant City Attorney Nick Ghirelli, Senior Planner Jessica Cleavenger, Associate Planner Valerie Darbouze, Deputy City Manager Louis Celaya, Engineering Aide Robert Cortes, Executive Assistant Amber Victoria, Media Analyst Ericka Diaz, and Administrative Analyst/Recording Secretary Celeste Bird.

**EXCUSED ABSENCES**

ACTION: Commissioner Asuncion moved to approve excusing the absences of Chair Wolf and Commissioner Horenstein. Commissioner Mogri seconded. The motion carried 3-0, by the following roll call vote:

AYES: Vice Chair Sylvester and Commissioners Asuncion and Mogri.

NOES: None.

ABSENT: Chair Wolf and Commissioner Horenstein.

**APPROVAL OF AGENDA**

ACTION: Commissioner Mogri moved to approve the Agenda, as presented. Commissioner Asuncion seconded. The motion carried 3-0, by the following roll call vote:

AYES: Vice Chair Sylvester and Commissioners Asuncion and Mogri.

NOES: None.

ABSENT: Chair Wolf and Commissioner Horenstein.

## **PUBLIC COMMENTS**

There were no public comments.

## **CONSENT CALENDAR**

There were no public comments.

**ACTION:** Commissioner Asuncion moved to approve Consent Calendar Item No. 1, as presented. Commissioner Mogri seconded. The motion carried 3-0, by the following roll call vote:

**AYES:** Vice Chair Sylvester and Commissioners Asuncion and Mogri.

**NOES:** None.

**ABSENT:** Chair Wolf and Commissioner Horenstein.

1. Approve Minutes of the January 20, 2022, Regular Planning Commission Meeting

## **PUBLIC HEARINGS**

2. **REQUEST:** 1) Approval of a Conditional Use Permit and Site Plan/Architectural Review Permit to Build a New Single-Family Residence, with a Detached, Garage and Accessory Structure, Located on a Vacant Hillside Lot, and 2) to Make a Finding of Exemption under the California Environmental Quality Act

**APPLICANT:** Architecture JHK for Mustafa Bengali

**CASE NOS.:** CUP-2021-0005 and SPR-2021-0008

**LOCATION:** 28439 Foothill Drive (AIN 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)

**GENERAL PLAN DESIGNATION:** RV (Residential Very Low)

**RECOMMENDATION:** Staff recommended the Planning Commission approve Conditional Use Permit Case No. CUP-2021-0005 and Site Plan/Architectural Review Case No. SPR-2021-0008;

subject to conditions, based on the findings of the Draft Resolution.

During the presentation, Staff noted the following correction to Condition No. 24:

*~~“The property owners agree to preserve the areas of the lot above the 1,050-foot topographic elevation line as permanent open space **per the recorded conservation easement**. The property owners shall record a land conservation easement against the property, satisfactory in form to the Planning Director. Evidence of such recordation shall be provided to the satisfaction of the Planning Director prior to issuance of a grading permit or building permit, whichever occurs first.”~~*

Following the presentation of the staff report, Vice Chair Sylvester opened the Public Hearing at 6:56 p.m.

The following person(s) provided in-person live testimony:

Mustafa Bengali, Agoura Hills, Property Owner/Applicant  
Daniel Farkash, Agoura Hills, representing Old Agoura Homeowners Group  
Matt Steele, representing Architecture JHK  
Jane Kim, representing Architecture JHK

There being no further public comments, nor a rebuttal from the Applicant, Vice Chair Sylvester closed the Public Hearing at 7:11 p.m.

Following deliberation, at Vice Chair Sylvester’s request, staff added, Condition No. 87, to read as follows:

**“The applicant may embellish the driveway by using alternative construction materials including but not limited to pavers so long as to the safety and longevity of the construction can be verified the Building Official and City Landscape consultant.”**

ACTION: Commissioner Mogri moved to adopt **Resolution No. 22-1267**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-2021-0005 AND SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-2021-0008 FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AT 28439 FOOTHILL DRIVE; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL ACT, including the correction to Condition No. 24, and the addition of Condition No. 87. Commissioner Asuncion seconded. The motion carried 3-0, by the following roll call vote:

AYES: Vice Chair Sylvester and Commissioners Asuncion and Mogri.  
NOES: None.  
ABSENT: Chair Wolf and Commissioner Horenstein

3. REQUEST: 1) Approval of a Conditional Use Permit and Site Plan/Architectural Review Permit to Build a New Single-Family Residence, with an Attached, Two-Story, Three-Car Garage with Additional Living Space, Located on a Vacant Lot, 2) An Oak Tree Permit to Encroach into the Protected Zone of 16 Oak Trees, 3) A Variance to Reduce the Front Yard Setback, and 4) Adopt an Addendum to the Final Environmental Impact Report for the Palo Comado Ranch Tract

APPLICANT: Brian Gelt

CASE NOS.: CUP-01577-2019, SPR-2022-0015, OAK-01578-2019, and VAR-01579-2019

LOCATION: 6461 Chesebro Road (AIN: 2055-029-001)

ENVIRONMENTAL DETERMINATION: An addendum to the Palo Comado Ranch Tract Final Environmental Impact Report (EIR) for the Palo Comado Ranch Tract Project pursuant to the California Environmental Quality Act (CEQA).

ZONING DESIGNATION: Open Space-Restricted – Drainage - Old Agoura Design Overlay District and Equestrian District – (OS-R-D-OA-EQ)

GENERAL PLAN DESIGNATION: Open Space-Restricted (OS-R)

**RECOMMENDATION:** Staff recommended the Planning Commission approve Conditional Use Permit Case No. 01577-2019, Site Plan/Architectural Review Case No. SPR-2022-0015, Oak Tree Permit Case No. OAK-01578-2019, and Variance Case No. VAR-01579-2019 subject to conditions, based on the findings of the Draft Resolutions.

During the presentation of the staff report, Staff made a correction as follows:

*“The staff report indicated that the house and garage were 28 and 23 feet tall but instead, **they are proposed to be 29 and 25 feet tall.**”*

Staff also noted the following correction to Condition No. 56:

*“Prior to issuance of Certificate of Occupancy, all requirements including construction of improvements covered in condition number 47 **48** must be completed to the satisfaction of the City Engineer.”*

Following presentation of the staff report, Vice Chair Sylvester opened the Public Hearing at 7:35 p.m.

The following person(s) provided live testimony (via Zoom):

Alexis Benavidez, Stockton Architects, Project Architect

The following person(s) provided in-person live testimony:

Brian Gelt, Agoura Hills, Property Owner/Applicant  
Daniel Farkash, Agoura Hills, representing Old Agoura Homeowners Group

There being no further public comments, nor a rebuttal from the Applicant, Vice Chair Sylvester closed the Public Hearing at 7:51 p.m.

**ACTION:** Commissioner Asuncion moved to adopt **Resolution No. 22-1268**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING AN ADDENDUM TO THE CERTIFIED PALO COMADO RANCH TRACT FINAL ENVIRONMENTAL IMPACT REPORT AND MAKING THE REQUIRED ENVIRONMENTAL FINDINGS PURSUANT TO CEQA; adopt **Resolution No. 22-1269**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. SPR-2022-0015, AND OAK TREE PERMIT CASE NO. OAK-01578-2019 FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE LOCATED AT 6461 CHESEBRO ROAD; AND MAKING A FINDING OF CONSISTENCY WITH THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PALO COMADO RANCH PROJECT, and adopt **Resolution No. 22-1270**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VARIANCE REQUEST CASE NO. VAR-01579-2019 TO REDUCE THE FRONT YARD SETBACK FOR THE PROPERTY LOCATED AT 6461 CHESEBRO ROAD, including the correction to Condition No. 56. Commissioner Mogri seconded. The motion carried 3-0, by the following roll call vote:

**AYES:** Vice Chair Sylvester and Commissioners Asuncion and Mogri.

**NOES:** None.

ABSENT: Chair Wolf and Commissioner Horenstein.

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

The Planning Commission thanked Mr. Farkash for his participation and input on behalf of the Old Agoura Homeowners Group and welcomed the applicants to the City.

Community Development Director, Denice Thomas, announced that the April 21, 2022, Planning Commission meeting would be canceled. Ms. Thomas also announced Assistant Planning Director Allison Cook would be retiring at the end of the month, recognized her contributions to the community, and that her last day with the City would be April 25, 2022.

The Planning Commission congratulated Ms. Cook on her retirement and thanked her for her service to the City of Agoura Hills.

Vice Chair Sylvester requested the meeting be adjourned in honor of Allison Cook *“for all the years of dedication she has given to this City, we will miss her.”*

### **ADJOURNMENT**

Vice Chair Sylvester announced the Regular Meeting of the Planning Commission for April 21, 2022, would be canceled and the next Regular Meeting of the Planning Commission would be held at 6:30 p.m., Thursday, May 5, 2022, in the Council Chambers of the Civic Center. It is anticipated that members of the public will have the opportunity to participate in-person in the Council Chambers or by remote video conferencing (Zoom).

- ACTION:** At 8:03 p.m., Commissioner Asuncion moved to adjourn the meeting in honor of Allison Cook. Vice Chair Sylvester seconded. The motion carried 3-0, by the following roll call vote:
- AYES:** Vice Chair Sylvester and Commissioners Asuncion and Mogri.
- NOES:** None.
- ABSENT:** Chair Wolf and Commissioner Horenstein.