

MINUTES
REGULAR MEETING
AGOURA HILLS PLANNING COMMISSION
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Thursday, April 4, 2024
6:30 p.m.

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

The Pledge of Allegiance was led by Vice Chair Roth.

Present were: Chair Kate Anderson, Vice Chair Morgan Roth, and Commissioner Brit Sharon.

Absent were: Commissioner Jessica Reinhardt.

Also Present were: Community Development Director Denice Thomas, Assistant City Attorney Nicholas Ghirelli, Principal Planner Robby Nesovic, Associate Planner Valerie Darbouze, RRM Design Consultant Lance Wierschem, Senior Civil Engineer Charmaine Yambao, Kimley-Horn Consultants Sri Chakravarthy, Rita Garcia, and Kiana Graham, Deputy City Manager Louis Celaya, Management Analyst/Recording Secretary Amber Victoria.

EXCUSED ABSENCE

ACTION: Commissioner Sharon moved to excuse the absence of Commissioner Reinhardt. Vice Chair Roth seconded. The motion carried 3-0, by the following roll call vote:

AYES: Chair Anderson, Vice Chair Roth, and Commissioner Sharon.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Reinhardt.

APPROVAL OF AGENDA

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

AYES: Chair Anderson, Vice Chair Roth, and Commissioner Sharon.

NOES: None.

ABSTAIN: None.
ABSENT: Commissioner Reinhardt.

PUBLIC COMMENTS

There were no public comments.

CONSENT CALENDAR

There were no public comments.

ACTION: Vice Chair Roth moved to approve Consent Calendar Item No. 1. Commissioner Sharon seconded. The motion carried 3-0, by the following roll call vote:
AYES: Chair Anderson, Vice Chair Roth, and Commissioner Sharon.
NOES: None.
ABSTAIN: None.
ABSENT: Commissioner Reinhardt.

1. Approve Minutes of the Regular Planning Commission Meeting of February 1, 2024

PUBLIC HEARINGS

2. REQUEST: APPROVAL OF 1) A CONDITIONAL USE PERMIT TO ALLOW A TYPE 47 LICENSE FOR ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES AT AN EXISTING RESTAURANT AND TO REVISE THE FACILITY'S HOURS OF OPERATION, AND 2) TO MAKE A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

APPLICANT: Dave Foldes for Cronies Sports Grill

CASE NO: CUP-2023-0026

LOCATION: 5687 Kanan Road (AIN: 2053-007-030)

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per §15061(b)(3)

ZONING DESIGNATION: Commercial Shopping Center – Mixed Use- Affordable Housing Overlay (CS-MU-AH)

GENERAL PLAN Commercial Shopping Center – Mixed Use (CS-MU)
DESIGNATION:

RECOMMENDATION: Staff recommends the Planning Commission approve Conditional Use Permit, Case No. CUP-2023-0026, subject to conditions, based on the findings of the attached Draft Resolution.

Chair Anderson opened the Public Hearing at 6:36 p.m.

Following presentation of the staff report, and a question and answer period with staff, Chair Anderson inquired if any Commissioners had any ex parte communications to disclose.

- Vice Chair Roth disclosed he drives past the facility every day.
- Commissioner Sharon disclosed that she also drove past the facility every day.

Chair Anderson opened the floor for public testimony. The following person(s) spoke:

David Foldes, Newbury Park, Applicant
Dave Rea, representing the Applicant

Following questions of the Applicant by the Planning Commission, Chair Anderson moved on to public comment.

Following distribution of the Agenda Packet, and prior to the Planning Commission Meeting, written correspondence was received from the following persons, forwarded to the Planning Commission, and made available for public review.

Written correspondence received from person(s) in favor of the item:

*Michelle Arouesty
Danielle Blum
Taylor Burns, Agoura Hills
Graeme Ginsburg, Agoura Hills
Lauren Ginsburg, Agoura Hills
Helen Ladon, Agoura Hills
Kimberly Koerner
Kyle Koerner, Agoura Hills
Jeannie Tanny
Laura Tomasiello
Roxanna Wallace*

Written correspondence received from person(s) opposed to the item:

*Geoffrey Bara
Richard Bowen
Caroline
Karen Ehrmann
Emilie Helfand, Agoura Hills
Jennifer Horn, Agoura Hills
Angela Johnson, Agoura Hills
Tina Kadner, Agoura Hills
Karen Kent, Agoura Hills
Debbi Kleinzweig
Rudy Lopez, Agoura Hills
Irene Ortiz, Agoura Hills
Brittany Rubin, Agoura Hills
Scopecat (no name provided)
Sandee Shapiro
Marilyn Stefano
Terese
Vicki Waier
Kelly White*

The following person(s) spoke in opposition to the item:

Mollie Helfand, Agoura Hills
Emilie Helfand, Agoura Hills

There being no further public comments, Chair Anderson invited the Applicant to present his rebuttal.

David Foldes, Newbury Park, Applicant

There being no further public comments and following questions of staff by the Planning Commission, Chair Anderson closed the Public Hearing at 7:16 p.m.

During deliberations, Chair Anderson disclosed she could not make the findings for: Finding 2, Finding 3, Finding B, and Finding D. Vice Chair Roth disclosed he could not make the findings for Finding A. Commissioner Sharon disclosed she could not make the findings for: Finding 2 and Finding 3. All three Planning Commissioners (*Chair Anderson, Vice Chair Roth, and Commissioner Sharon*) also concurred they could not make all the findings for a Type 47 License or the extended hours of operation.

Following deliberations, Chair Anderson called for a motion and second to deny the project and direct staff to bring back a Resolution reflecting the Planning Commission's direction.

ACTION: Vice Chair Roth moved to approve the staff recommendation. Seconded by Commissioner Sharon. The motion carried 3-0, by the following roll call vote:

AYES: Chair Anderson, Vice Chair Roth, and Commissioner Sharon.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Reinhardt.

3. **REQUEST:** CONSIDER A RESOLUTION RECOMMENDING THE CITY COUNCIL: 1) AMEND AND RESTATE THE AGOURA VILLAGE SPECIFIC PLAN, 2) AMEND THE GENERAL PLAN TYPICAL ROADWAY CLASSIFICATION CROSS-SECTION EXHIBIT (FIGURE M-2), 3) AMEND SECTION A. MOBILITY (M), CHAPTER 3: INFRASTRUCTURE AND COMMUNITY SERVICES OF THE GENERAL PLAN, AND 4) ADOPT THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE AGOURA VILLAGE SPECIFIC PLAN UPDATE AND THE GENERAL PLAN UPDATE PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPT AN AMEDED AND RESTATED MITIGATION MONITORING AND REPORTING PROGRAM

APPLICANT: City of Agoura Hills

CASE NOS: SPA 2024-0004 and GPA 2024-0006

LOCATION: Agoura Village Specific Plan Area (in its entirety)

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

ZONING DESIGNATION: PD – Agoura Village Specific Plan and AH – Affordable Housing Overlay (where identified)

GENERAL PLAN DESIGNATION: PD – Planned Development

RECOMMENDATION: Staff recommended the Planning Commission consider and recommend the City Council approve Specific Plan Amendment Case No. SPA 2024-0004, General Plan Amendment Case No. GPA 2024-0006, and adopt the Initial Study/Mitigated Negative Declaration and Mitigated

Monitoring and Reporting Program and make findings pursuant to the California Environmental Quality Act.

Chair Anderson opened the Public Hearing at 7:30 p.m.

Following presentation of the staff report, and a question and answer period with staff, Chair Anderson opened the floor for public comments.

There were no public comments.

There being no further questions from the Planning Commission, Chair Anderson closed the Public Hearing at 9:03 p.m.

Following deliberations, Chair Anderson called for a motion and second to adopt the staff recommendation to adopt the Resolution.

ACTION: Vice Chair Roth moved to adopt **Resolution No. 24-1289**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF AGOURA HILLS ADOPT THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE AGOURA VILLAGE SPECIFIC PLAN UPDATE AND THE GENERAL PLAN AMENDMENT, MAKE ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPT AN AMENDED AND RESTATED MITIGATION MONITORING AND REPORTING PROGRAM, ADOPT A GENERAL PLAN AMENDMENT (CASE NO. GPA 2024 -0006) TO AMEND THE GENERAL PLAN TYPICAL ROADWAY CLASSIFICATION CROSS-SECTION EXHIBIT (FIGURE M-2), AMEND SECTION A. MOBILITY (M), CHAPTER 3: INFRASTRUCTURE AND COMMUNITY SERVICES OF THE GENERAL PLAN, AND ADOPT AN AMENDED AND RESTATED AGOURA VILLAGE SPECIFIC PLAN (SPA 2024-0004). Seconded by Commissioner Sharon. The motion carried 3-0, by the following roll call vote:

AYES: Chair Anderson, Vice Chair Roth, and Commissioner Sharon.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Reinhardt.

PLANNING COMMISSION / STAFF COMMENTS

Vice Chair Roth shared his personal remarks regarding former Planning Commissioner John Asuncion.

ADJOURNMENT

At 9:13 p.m., Chair Anderson announced the next Regular Planning Commission Meeting would be held at 6:30 p.m., on Thursday, April 18, 2024, in the Council Chambers of the Civic Center and adjourned the meeting.

Amber Victoria, Management Analyst/Recording Secretary
Minutes Prepared by: Kimberly M. Rodrigues, MMC, City Clerk/Recording Secretary