

MINUTES
REGULAR MEETING
AGOURA HILLS PLANNING COMMISSION
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Thursday, June 20, 2024
6:30 p.m.

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

The Pledge of Allegiance was led by Commissioner Reinhardt.

Present were: Vice Chair Morgan Roth, Commissioner Jessica Reinhardt, Commissioner Brit Sharon, and Commissioner Bruce Stein.

Absent was: Chair Kate Anderson.

Also Present were: Community Development Director Denice Thomas, Assistant City Attorney Travis M. Kaya, Principal Planner Robby Nesovic, Associate Planner Katrina Garcia, Director of Public Works/City Engineer Jessica Forte, Kimley-Horn Traffic Engineering Consultant Matt Stewart, Executive Assistant Michele Hubbs, and City Clerk/Recording Secretary Kimberly M. Rodrigues.

EXCUSED ABSENCE

ACTION: Commissioner Reinhardt moved to excuse the absence of Chair Anderson. Commissioner Sharon seconded. The motion carried 4-0, by the following roll call vote:

AYES: Vice Chair Roth and Commissioners Reinhardt, Sharon, and Stein.

NOES: None.

ABSTAIN: None.

ABSENT: Chair Anderson.

APPROVAL OF AGENDA

ACTION: Commissioner Stein moved to approve the Agenda, as presented. Commissioner Sharon seconded. The motion carried 4-0, by the following roll call vote:

AYES: Vice Chair Roth and Commissioners Reinhardt, Sharon, and Stein.

NOES: None.

ABSTAIN: None.

ABSENT: Chair Anderson.

PUBLIC COMMENTS

There were no public comments.

CONSENT CALENDAR

There were no public comments.

ACTION: Commissioner Stein moved to approve Consent Calendar Item No. 1. Commissioner Reinhardt seconded. The motion carried 4-0, by the following roll call vote:

AYES: Vice Chair Roth and Commissioners Reinhardt, Sharon, and Stein.

NOES: None.

ABSTAIN: None.

ABSENT: Chair Anderson.

1. Approve Minutes of the Regular Planning Commission Meeting of May 16, 2024

CONTINUED PUBLIC HEARING

2. **REQUEST:** Conduct a Continued Public Hearing (from February 15, 2024) to Consider an Application for a Site Plan/Architectural Review Permit and Oak Tree Permit (Case Nos. SPR-2022-0020 and OAK-2022-0056) to Construct a New Commercial Office Building

APPLICANT: Robert Schutz for Kor-Ten, LLC

CASE NOS: SPR-2022-0020, & OAK-2022-0056

LOCATION: 5066 Chesebro Road (AIN 2061-013-033)

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per §15303 (New Construction or Conversion of Small Structures) and §15332 (In-fill Development) of the CEQA Guidelines

ZONING DESIGNATION: CRS-FC-OA (Commercial Retail/Service – Freeway Corridor Overlay - Old Agoura Overlay)

GENERAL PLAN DESIGNATION: CRS (Commercial Retail/Service)

RECOMMENDATION: Staff recommended the Planning Commission consider the revisions made by the Applicant and additional studies completed by the City for Site Plan/Architectural

Review Permit Case No. SPR-2022-0020 and Oak Tree Permit Case No. OAK-2022-0056 and direct staff to return with a Resolution based on the decision of the Planning Commission.

Vice Chair Roth opened the Continued Public Hearing at 6:35 p.m.

Staff noted a correction to Attachment 2 of the staff report (a page of the renderings was missing).

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

- Commissioner Sharon disclosed that she drove the site and area and met with Director of Public Works/City Engineer Forte.
- Commissioner Reinhardt disclosed she drove by the site and reviewed the area.
- Commissioner Stein disclosed that he watched the recording of the original meeting, had visited the site multiple times, and met with staff.
- Vice Chair Roth disclosed that he had visited the site multiple times and driven around the community, and had spoken with staff.

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

Robert Schutz, Applicant
Steve Heinze, Agoura Hills, representing Dioji

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.

*Steve Heinze, Agoura Hills, representing Dioji K-9 Resort and Spa
Daniel Farkash, representing Old Agoura Homeowners*

There being no further public comment, Vice Chair Roth invited the Applicant to present his rebuttal.

Robert Schutz, Applicant

There being no further questions from the Planning Commission, Vice Chair Roth closed the Public Hearing at 7:42 p.m.

During deliberations, Vice Chair Roth, Commissioner Reinhardt, and Commissioner Stein disclosed they could make all the findings to approve the

project. Commissioner Sharon disclosed that she could not make the findings related to the architecture and design (i.e., Section VI., No. 1., of the Resolution).

Following discussion related to the addition of a condition of a construction plan to the Resolution, Vice Chair Roth called for a motion and second to approve the staff recommendation and return with a Resolution of approval.

ACTION: Following deliberations, Commissioner Reinhardt moved to approve the staff recommendation, including the added condition of a construction plan. Seconded by Commissioner Stein. The motion carried 3-1, by the following roll call vote:

AYES: Vice Chair Roth and Commissioners Reinhardt and Stein.

NOES: Commissioner Sharon.

ABSTAIN: None.

ABSENT: Chair Anderson.

PUBLIC HEARINGS

3. **REQUEST:** 1) Approve a Site Plan/Architectural Review Permit to Construct an Addition to an Existing Single-Family Residence, and 2) to Make a Determination of Exemption Under the California Environmental Quality Act (CEQA)

APPLICANT: Bourgault Drafting & Design for Rosen

CASE NO: SPR-2023-0041

LOCATION: 5948 Lake Lindero Drive (AIN 2056-022-012)

ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per §15301 (Existing Facilities) of the CEQA Guidelines.

ZONING DESIGNATION: Single Family Residential (RS-(5)-7,500)

GENERAL PLAN DESIGNATION: Residential Single Family (RS)

RECOMMENDATION: Staff recommended the Planning Commission approve Site Plan/Architectural Review Permit Case No. SPR-2023-0041, subject to conditions, based on the findings of the Resolution.

Commissioner Reinhardt recused herself from participation on this item, as it was within 750 feet of property that she had an interest in, stepped down from the dais, and exited the Council Chambers at 7:59 p.m.

Vice Chair Roth opened the Public Hearing at 8:00 p.m.

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

- Commissioner Sharon disclosed that she drove through the neighborhood, saw the site, as well as looked around the neighborhood and saw the other ongoing projects.
- Commissioner Stein disclosed that he drove the neighborhood and looked at the property and how it would impact other properties.
- Vice Chair Roth disclosed that he drove through the neighborhood and saw the proposed location and other projects in the immediate area.

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

Ryan and Brittney Rosen, Applicants

There being no public comments or a rebuttal from the Applicant, or any further questions from the Planning Commission, Vice Chair Roth closed the Public Hearing at 8:10 p.m.

During deliberations, each Planning Commissioner (*Vice Chair Roth, Commissioner Sharon, and Commissioner Stein*) disclosed they could make all the findings to approve the project.

ACTION: Following deliberations, Commissioner Stein moved to adopt **Resolution No. 24-1294**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW PERMIT CASE NO. SPR-2023-0041 FOR FIRST AND SECOND FLOOR ADDITIONS TO AN EXISTING TWO-STORY SINGLE-FAMILY RESIDENCE LOCATED AT 5948 LAKE LINDERO DRIVE AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. Seconded by Commissioner Sharon. The motion carried 3-0, by the following roll call vote:

AYES: Vice Chair Roth and Commissioners Sharon and Stein.

NOES: None.

ABSTAIN: None.

ABSENT: Chair Anderson.

Vice Chair Roth recessed the meeting at 8:14 p.m. and reconvened at 8:19 p.m. at which time Commissioner Reinhardt rejoined the meeting.

4. REQUEST: Consider a Resolution Approving Conditional Use Permit Case No. CUP 2022-0010 and Site Plan/Architectural Review Case No. SPR-2022-0017 to Build a New Single-Family Residence on a Developed Hillside Lot, Approving Oak Tree Permit Case No. OAK-2022-0037 to Encroach into the Protected Zone of One Oak Tree, and Making a Finding of Exemption Under the California Environmental Quality Act (CEQA)
- APPLICANT: Elevated Entitlements for Lior and Anat Oren
- CASE NOS: CUP-2022-0010, SPR-2022-0017, OAK-2022-0037
- LOCATION: 5810 Colodny Drive, AIN 2055-023-046
- ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per §15303 of the CEQA Guidelines
- ZONING DESIGNATION: Residential Very Low Density (RV); Old Agoura Design Overlay (OA); Equestrian Overlay District (EQ) “RV-OA-EQ”
- GENERAL PLAN DESIGNATION: Residential Very Low Density
- RECOMMENDATION: Staff recommended the Planning Commission approve Conditional Use Permit (CUP) Case No. CUP-2022-0010, Site Plan/Architectural Review (SPR) Case No. SPR-2022-0017, and Oak Tree Permit Case No. OAK-2022-0037, subject to conditions, based on the findings of the Resolution.

Vice Chair Roth opened the Public Hearing at 8:00 p.m.

Staff noted a correction to the Resolution, as follows:

“Section III. The Planning Commission of the City of Agoura Hills considered the Project application at a public meeting held on June 20, 2023~~4~~, at 6:30 p.m.”

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

- Commissioner Sharon disclosed that she drove the neighborhood and looked at the project site from her vehicle.

- Commissioner Reinhardt disclosed she drove past the property.
- Commissioner Stein disclosed that he drove by the property and the area and had spoken with staff about the application.
- Vice Chair Roth disclosed that he drove by the property.

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

Kevin Kohan, Thousand Oaks, representing the Applicant
Susan Carr, Old Agoura

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

Kevin Kohan, Thousand Oaks, representing Applicant

There being no further questions from the Planning Commission, Vice Chair Roth closed the Public Hearing at 8:52 p.m.

During deliberations, each Planning Commissioner (*Vice Chair Roth, Commissioner Reinhardt, Commissioner Sharon, and Commissioner Stein*) disclosed they could make all the findings to approve the project.

ACTION: Following deliberations, Commissioner Stein moved to adopt **Resolution No. 24-1295**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-2022-0010 AND SITE PLAN/ARCHITECTURAL REVIEW CASE NO. SPR-2022-0017 TO BUILD A NEW SINGLE-FAMILY RESIDENCE ON A DEVELOPED HILLSIDE LOT, APPROVING OAK TREE PERMIT CASE NO. OAK-2022-0037 TO ENCROACH INTO THE PROTECTED ZONE OF ONE OAK TREE, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. Seconded by Commissioner Sharon. The motion carried 4-0, by the following roll call vote:

AYES: Vice Chair Roth and Commissioners Reinhardt, Sharon, and Stein.

NOES: None.

ABSTAIN: None.

ABSENT: Chair Anderson

DISCUSSION / ACTION

5. REQUEST: Consider Approving a Resolution to: 1) Approve a Sign Permit that Permits Three Wall-Mounted Signs for a Commercial Building Located at 5025 Roadside Road and, 2) to Make a Finding of Exemption Under the California Environmental Quality Act (CEQA)
- APPLICANT: Jami Leaf for Selleck Development Group
- CASE NO: SIGN-2024-0087
- LOCATION: 5025 Roadside Road (AIN 2061-004-046)
- ENVIRONMENTAL DETERMINATION: Exempt from the California Environmental Quality Act (CEQA) per §15311(a) (Accessory Structures) of the CEQA Guidelines.
- ZONING DESIGNATION: Planned Office and Manufacturing District – Freeway Corridor Overlay District (POM-FC)
- GENERAL PLAN DESIGNATION: Planned Development District (PD)
- RECOMMENDATION: Staff recommended the Planning Commission approve Sign Permit Case No. SIGN-2024-0087, based on the findings of the Resolution.

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

- Commissioner Stein disclosed that he had driven by the property.
- Commissioner Reinhardt disclosed that she drove past the site.
- Commissioner Sharon disclosed that she drove past the site.
- Vice Chair Roth disclosed that he drove past the site and *“my children attend a sister Montessori that is owned by this group and I have received communications about the coming of this facility, but nothing related to the item tonight.”*

Vice Chair Roth opened the floor for public testimony. There were no public comments.

During deliberations, each Planning Commissioner (*Vice Chair Roth, Commissioner Reinhardt, Commissioner Sharon, and Commissioner Stein*) disclosed they could make all the findings to approve the project.

ACTION: Following deliberations, Commissioner Sharon moved to adopt **Resolution No. 24-1296**; A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SIGN PERMIT CASE NO. SIGN-2024-0087, THAT PERMITS THREE WALL-MOUNTED SIGNS FOR A COMMERCIAL BUILDING AT 5025 ROADSIDE ROAD; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. Seconded by Commissioner Reinhardt. The motion carried 4-0, by the following roll call vote:

AYES: Vice Chair Roth and Commissioners Reinhardt, Sharon, and Stein.

NOES: None.

ABSTAIN: None.

ABSENT: Chair Anderson

PLANNING COMMISSION / STAFF COMMENTS

Commissioner Sharon wished everyone a Happy Pride Month and shared that she and Chair Anderson had attended the flag-raising at City Hall.

ADJOURNMENT

At 9:14 p.m., Vice Chair Roth announced the Regular Meeting of the Planning Commission for July 4, 2024, would be canceled and the next Regular Planning Commission Meeting would be held at 6:30 p.m., on Thursday, July 18, 2024, in the Council Chambers of the Civic Center and adjourned the meeting.

Kimberly M. Rodrigues, MMC
City Clerk/Recording Secretary