



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**AMENDED**  
**MINUTES OF THE REGULAR SCHEDULED MEETING OF**  
**THE PLANNING COMMISSION**  
**February 21, 2008**

**ITEM 3:** **The following persons spoke in favor ~~opposition~~ of the project.**

**Mike Poyer, Madeos Restaurant**

**Matthew May, Fat Fish/Urban Café**

**CALL TO ORDER:**

Vice Chair Zacuto called the meeting to order at 6:32 p.m.

**FLAG SALUTE:**

Commissioner Rishoff

**ROLL CALL:**

Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber, Cyrena Nouzille, and Steve Rishoff. Chair John O'Meara was absent.

Also present were Director of Planning and Community Development Mike Kamino, Assistant Community Development Director Doug Hooper, Senior Civil Engineer Jay Patel, Associate Planner Valerie Darbouze, Oak Tree and Landscape Consultant Ann Burroughs and Recording Secretary Sheila Keckhut.

**DISCUSSION ITEM NO. 5 WAS MOVED TO THE FIRST ITEM ON AGENDA**

**COMMISSIONER NOUZILLE RECUSED HERSELF FROM ITEMS NO. 3 AND NO. 4 OF THE AGENDA DUE TO CONFLICTS OF INTEREST**

**APPROVAL OF MINUTES:**

Amended Minutes – January 17, 2008 Planning Commission Meeting

On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to approve the Amended Minutes of the January 17, 2008 Planning Commission Meeting. Motion carried 4-0. Chair O'Meara was absent.

Amended Minutes – February 7, 2008 Planning Commission Meeting

On a motion by Commissioner Buckley Weber, seconded by Commissioner Rishoff, the Planning Commission moved to approve the Amended Minutes of the February 7, 2008 Planning Commission Meeting. Motion carried 4-0. Chair O'Meara was absent.

**COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA:**

None

**CONTINUED PUBLIC HEARING**

3. REQUEST: A request for approval of a Conditional Use Permit to construct five (5) detached buildings totaling 33,680 square feet in size for retail and restaurant use (Shops at Oak Creek); and a request for a Sign Permit for approval of the project's proposed sign program.
- APPLICANT: Danari Oak Creek, LLC  
c/o Adler Realty Investments, Inc.  
20950 Warner Center Drive, Suite C  
Woodland hills, CA 91367
- CASE NOS.: 06-CUP-007 and 06-SP-037
- LOCATION: 28941-29145 Canwood Street  
(A.P.N. 2048-011-(049-053) and 2048-011-061)
- ENVIRONMENTAL DETERMINATION: Compliant with the Certified Environmental Impact Report for the Tract

RECOMMENDATION: Staff recommended if the Planning Commission wished to approve Conditional Use Permit Case No. 06-CUP-007 and Sign Permit Case No. 06-SP-037, staff will return with a Resolution and conditions approval for adoption.

PUBLIC COMMENTS: Vice Chair Zacuto opened the Public Hearing

The following persons spoke in favor of the project.

Michael Adler, Applicant, Adler Realty Investments

Ken Soudani, VTBS Architects, applicant's architect

The following persons spoke in opposition of the project.

Mike Poyer, Madeos Restaurant

Matthew May, Fat Fish/Urban Café

RECESS: Vice Chair Zacuto called for a recess at 8:20 p.m.

RECONVENE: Vice Chair Zacuto reconvened the meeting at 8:42 p.m.

REBUTTAL: Ken Soudani, VTBS Architects, applicant's architect gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Michael Adler, Applicant, Adler Realty Investments answered questions of the Planning Commission.

ACTION: On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to direct staff to prepare a draft Resolution of denial for Conditional Use Permit No. 06-CUP-007 and Sign Permit Case No. 06-SP-037 for the Planning Commission's consideration at the March 6, 2008 Planning Commission meeting. Motioned carried 3-0. Commissioner Nouzille recused. Chair O'Meara was absent.

**NEW PUBLIC HEARING**

4. REQUEST: Request for approval of a Conditional Use Permit to build a 6,964 square-foot, two-story single-family residence with an 897 square-foot, attached garage and a 190 square-foot patio cover; and a request for approval of an Oak Tree Permit to encroach into the protected zone of 3 Oak trees for the proposed construction.

APPLICANT: Ron Waters  
28025 Balkins Drive  
Agoura Hills, Ca 91301

CASE NOS.: 03-CUP-002 & 03-OTP-002

LOCATION: 28031 Balkins Drive  
(A.P.N. 2055-023-065)

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA per Section 15303 (New Construction of a Single-Family Residence).

RECOMMENDATION: Staff recommended the Planning commission adopt a motion to approve Conditional Use Permit Case No. 03-CUP-002, and Oak Tree Permit Case No. 03-OTP-002, subject to conditions, based on the findings of the draft Resolution.

PUBLIC COMMENTS: Vice Chair Zacuto opened the Public Hearing

The following persons spoke in favor of the project.

Ron Waters, Applicant

Terry Gray, Resident

The following persons spoke in opposition of the project.

Marc Schumann, Resident

Mike Colabella, Resident

Robyn Britton, representative of Old Agoura HOA

Beta Ozar, Resident

Vince Vignolle, Resident

The following persons spoke either for or against the project

Robert Michitscm, Resident

Kevin Stitt, Resident

Bob Kazmirski, Resident

Vaughn Fulkerson, Resident

The following person turned in a speaker card but was not present

Julee Harman, Resident

RECESS: Vice Chair Zacuto called for a recess at 10:36 p.m.

RECONVENE: Vice Chair Zacuto reconvened the meeting at 10:50 p.m.

REBUTTAL: Ron Waters, Applicant, gave rebuttal regarding the project and answered additional questions of the Planning Commission.

ACTION: On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to direct staff to prepare a draft Resolution of denial for Conditional Use Permit No. 03-CUP-002 and Oak Tree Permit Case No. 03-OTP-002 for the Planning Commission's consideration at the March 6, 2008 Planning

Commission meeting. Motioned carried 3-0. Commissioner Nouzille recused. Chair O'Meara was absent.

**DISCUSSION ITEM**

5. REQUEST: Request for approval of an exterior lighting plan for a medical office building.

APPLICANT: Roger Meyer  
11 N. Via Los Altos  
Newbury Park, CA 91320

CASE NO.: 04-CUP-010 (Lighting Plan)

LOCATION: 29501 Canwood Street  
(A.P.N. 2053-001-006)

ENVIRONMENTAL DETERMINATION: Exempt from the requirements of the California Environmental Quality Act per Section 15311.

RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve the lighting plan, subject to conditions, based on the findings of the draft Resolution.

PUBLIC COMMENTS: Vice Chair Zacuto opened the Public Hearing

The following persons spoke in favor of the project.

Roger Meyer, Applicant

Vice Chair Zacuto closed the Public Hearing.

ACTION: On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to adopt Resolution No. 925, approving Conditional Use Permit Case No. 04-CUP-010 (Lighting Plan), subject to conditions. Motion carried 4-0. Chair O'Meara was absent.

**ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA**

*(Planning Commission and Staff)*

None

**ADJOURNMENT**

At 11:40 p.m., on a motion by Commissioner Buckley Weber, seconded by Commissioner Rishoff; the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday March 6, 2008, at 6:30 p.m.