



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**(AMENDED)
MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
March 20, 2008**

CALL TO ORDER: Chair O'Meara called the meeting to order at 6:31 p.m.

FLAG SALUTE Commissioner Nouzille

ROLL CALL: Chair John O'Meara, Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber, Cyrena Nouzille and Steve Rishoff.

Also present were Assistant Community Development Director Doug Hooper, Associate Planner Valerie Darbouze, Planning Technician Britteny Tang, Assistant Engineer Kelly Fisher, and Oak Tree and Landscape Consultant Kay Greeley.

1. **APPROVAL OF MINUTES:** March 6, 2008 Planning Commission Meeting

On a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to approve the Minutes of the March 6, 2008 Planning Commission Meeting. Motion carried 4-0-1. Commissioner Buckley Weber abstained.

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

None

NEW PUBLIC HEARING ITEM NO. 3 WAS MOVED TO THE FIRST ITEM ON AGENDA

NEW PUBLIC HEARINGS

3. REQUEST: Request for approval of a Conditional Use Permit to construct a 4,880 square foot, two-story, single-family residence a 463 square foot attached two-car garage, a 100 square-foot patio cover and a 125 square-foot balcony/deck; and a request for an Oak Tree Permit to remove one (1) oak tree and encroach in the protected zone of nine (9) oak trees for the proposed construction.

APPLICANT: Sean Ben-Menahem
5000 N. Parkway Calabasas, Suite 106
Calabasas, CA 91302

CASE NOS.: 03-CUP-016 & 03-OTP-017

LOCATION: 6149 Palo Comado Drive
(A.P.N. 2055-023-073)

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA per Section 15303.

RECOMMENDATION: Staff recommended approval of Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, subject to conditions, based on the findings of the attached draft Resolution.

PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing

The following person spoke on this agenda item.

Sean Ben-Menahem, Applicant

The following persons spoke in opposition of the project.

Mike Kaye, Resident

Kevin Austin, Resident

Mark Dixon, Resident

Robyn Britton, Old Agoura Homeowners Association

The following person spoke neither for nor against the project

Robert Michitsch – Resident

RECESS: Chair O’Meara called for a recess at 8:30 p.m.

RECONVENE: Chair O’Meara reconvened the meeting at 8:44 p.m.

REBUTTAL: Sean Ben-Menahem, Applicant gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Chair O’Meara closed the hearing.

ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Buckley Weber, the Planning Commission moved to continue Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 to the June 19, 2008 Planning Commission meeting. Motioned carried 5-0.

COMMISSIONER RISHOFF RECUSED HIMSELF FROM ITEM 2 ON THE AGENDA DUE TO HIS RESIDENCE BEING LESS THAN 500 FEET FROM THE PROJECT.

2. REQUEST: Request approval of a Site Plan/Architectural Review to construct a 1,399 square foot single-story addition with a 500 square foot patio cover to an existing 916 square foot, single-story residence, and to convert and 806 square foot detached accessory structure to a garage; a request for an Oak Tree Permit to remove one (1) oak tree and encroach within the protected zone of one (1) oak tree for the proposed construction; and a request for a Variance from the Zoning Ordinance Section 9233.2.B to construct the room addition 7.75 feet from the south side property line, instead of at least 12 feet from the side property line.

APPLICANTS: Mike and Darin Millett
5446 Fairview Place
Agoura Hills, Ca 91301

CASE NOS.: 06-SPR-011; 06-OTP-031; and 08-VAR-001

LOCATION: 5446 Fairview Place
(A.P.N. 2055-014-018)

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA per Section 15303.

RECOMMENDATION: Staff recommended approval of Site Plan/Architectural Review Case No. 06-SPR-011, Oak Tree Permit Case No. 06-OTP-031, and Variance Case No. 08-VAR-001, subject to conditions, based on the findings of the draft Resolutions.

PUBLIC COMMENTS: Chair O’Meara opened the public hearing.

The following persons spoke in favor of the project.

Michael Silva, Architect representing the applicant.

Darin Millett, Applicant

Robyn Britton, Old Agoura Home Owners Association

REBUTTAL: Applicant chose not to give rebuttal

Chair O’Meara closed the hearing.

ACTION: On a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto, the Planning Commission moved to adopt Resolution No. 929, approving Variance Case No. 08-VAR-001. Motion carried 4-0-1. Commissioner Rishoff recused.

On a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto, the Planning Commission moved to adopt Resolution No. 930, approving Site Plan/Architectural Review Case No. 06-SPR-011, Oak Tree Permit Case No. 06-OTP-031, subject to amended conditions. Motion carried 4-0-1. Commissioner Rishoff recused.

NEW PUBLIC HEARING – CHANGE IN ORDER OF AGENDA

3. This item was moved to the first Public Hearing on the Agenda (preceding Item 2)

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

(Planning Commission and Staff)

Commissioner Nouzille announced she would be absent at the April 3, 2008 Planning Commission meeting.

ADJOURNMENT

At 10:10 p.m., on a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille; the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday April 3, 2008, at 6:30 p.m.