



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
July 17, 2008**

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:33 p.m.

FLAG SALUTE

Commissioner Buckley Weber

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, Senior Planner Allison Cook, Associate Planner Valerie Darbouze, Senior Engineer Jay Patel, Oak Tree and Landscape Consultant Kay Greeley, and Recording Secretary Sheila Keckhut.

1. **APPROVAL OF MINUTES:**

July 17, 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 July 17, 2008 Planning Commission Meeting with amended changes. Motion carried 3-0-2. Commissioner Buckley Weber and Commissioner Rishoff abstained.

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

None

CONTINUED PUBLIC HEARING ITEM 2 WAS MOVED TO THE END OF AGENDA AFTER ITEM 7 DUE TO COMMISSIONER NOUZILLE NEEDING TO BE RECUSED FROM THIS ITEM.

CONTINUED 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 the continued public hearing for Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, be continued to the August 7, 2008 Planning Commission meeting.
- ACTION:** On a motion by Commissioner Buckley Weber, and seconded by Vice Chair Zacuto, the Planning Commission moved to continue Conditional Use Permit No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 to the August 7, 2008 Planning Commission meeting. Motioned carried 5-0.
4. **REQUEST:** A request for a Conditional Use Permit to convert a single-family residence into an office building and add 916 square feet of building area; a request for a Variance from Zoning Ordinance Sections 9373.7 and 9373.5 to reduce the landscaping from 20 to 10 feet in width along the front property line and to maintain a reduced, combined side yard setback of 20 feet instead of a minimum of 70 feet; and a request for an Oak Tree Permit to encroach into the protected zone of two oak trees for the construction of the project.

APPLICANT: Joseph Luithly
28818 Agoura Road
Agoura Hills, CA 91301

CASE NOS.: 07-CUP-008, 07-OTP-005, & 07-VAR-002

LOCATION: 28818 Agoura Road
(A.P.N. 2061-029-002)

ENVIRONMENTAL
DETERMINATION: Exempt from CEQA per Section 15303

RECOMMENDATION: Staff recommended the continued public hearing for Conditional Use Permit, Case No. 07-CUP-008, and Oak tree Permit Case No. 07-OTP-005, and Variance Case No. 07-VAR-002, be continued to the August 7, 2008 Planning Commission meeting.

ACTION: On by Vice Chair Zacuto, and seconded by Commissioner Rishoff the Planning Commission moved to continue Conditional Use Permit, Case No. 07-CUP-008, and Oak tree Permit Case No. 07-OTP-005, and Variance Case No. 07-VAR-002 to the August 7, 2008 Planning Commission meeting. Motioned carried 5-0.

CONTINUED SITE PLAN/ARCHITECTURAL REVIEW

5. REQUEST: Request for approval of a Site Plan/Architectural Review application to construct a first and second-story addition and a garage addition, totaling 1,672 square feet, to an existing two-story residence.

APPLICANT: Robert Mahterian Architects
For Jen and Mitch Hesen
28351 Agoura Road, Suite A
Agoura Hills, CA 91301

CASE NO.: 07-SPR-008

LOCATION: 5575 Micaela Drive
(A.P.N. 2053-024-097)

ENVIRONMENTAL
DETERMINATION: Categorically exempt from CEQA per Section 15303

RECOMMENDATION: The applicant has withdrawn the application, for Site Plan/Architectural Review Case No. 07-SPR-008. This is for information only and no action is required of the Planning Commission meeting.

ACTION: Applicant withdrew his application prior to the meeting no action was required.

NEW PUBLIC HEARINGS

6. REQUEST: A request for the Planning Commission to receive public comments on the Agoura village Specific Plan Updated Revised and Recirculated Draft Environmental Impact Report.

APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NOS.: 06-GPA-001, 06-ZOA-001, 06-ZOA-001, 06-ZC-001, 06-SPA-001

LOCATION: Agoura Village Specific Plan Area

RECOMMENDATION: Staff recommended that the Planning Commission receive public comments on the Agoura Village Specific Plan Updated Revised and Recirculated Draft Environmental Impact Report.

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

There were no speaker cards submitted at this time.

Chair O'Meara closed the public hearing, and no further action was required.

Mary Altmann submitted a speaker card and a letter after this item was heard.

7. REQUEST: A request for the Planning Commission to provide a recommendation to the City Council regarding a proposed Ordinance to amend (add) Title IX, Chapter 6, Part 2, Division 10, Section 9660, of the Agoura Hills Municipal Code to prohibit medical marijuana dispensaries in all zones.

APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NO.: 08-ZOA-005

LOCATION: Citywide

ENVIRONMENTAL
DETERMINATION: Exempt from CEQA, pursuant to Section 15061(b)(3)

RECOMMENDATION: Staff recommended the Planning Commission recommend the City Council approve Zoning Ordinance Amendment Case No. 08-ZOA-005.

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

There were no speaker cards on this item.

Chair O'Meara closed the public hearing.

ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Rishoff, the Planning Commission moved to adopt the Resolution recommending the City Council approve Zoning Ordinance Amendment Case No. 08-ZOA-005. Motion carried 5-0.

CONTINUED PUBLIC HEARING ITEM 2 WAS MOVED TO THE END OF AGENDA AFTER ITEM 7.

COMMISSIONER NOUZILLE RECUSED HERSELF FROM ITEM NO. 2 OF THE AGENDA AT 6:55 P.M. DUE TO A CONFLICT OF INTEREST.

CONTINUED PUBLIC HEARINGS

2. REQUEST: Request for approval of a Conditional Use Permit to construct a 5,647 square-foot, single-story single-family residence with an 895 square-foot attached three-car garage with an attached 103 square feet of covered patio cover and 368 square feet of trellis patio cover; and a request for an Oak Tree Permit to encroach in 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: If it is the Planning Commission's, decision to approve
Conditional Use Permit Case No. 03-CUP-002, and Oak
Tree Permit Case No. 03-OTP-002, staff recommends the
Planning Commission adopt the attached resolution, subject
to the revised conditions of approval.

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

The following persons spoke in favor of the project.

Ron Waters, Applicant

Brent Schneider, Architect representing applicant.

Steve Smith, Engineer representing applicant.

Bob Kazmirski, resident

Robyn Britten, representing Old Agoura HOA

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

Chair O'Meara closed the public hearing.

ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Buckley Weber, the Planning Commission moved to adopt the Resolution, approving Conditional Use Permit Case No. 03-CUP-002, and Oak Tree Permit Case No. 03-OTP-002 subject to conditions. Motion carried 4-0. Commissioner Nouzille was absent.

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

(Planning Commission and Staff)

None

ADJOURNMENT

At 7:50 p.m., on a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday August 7, 2008, at 6:30 p.m.