



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**MINUTES OF THE REGULAR SCHEDULED MEETING OF  
THE PLANNING COMMISSION  
November 19, 2009**

**CALL TO ORDER:**

Chair O'Meara called the meeting to order at 6:35 p.m.

**FLAG SALUTE:**

Commissioner Rishoff

**ROLL CALL:**

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

Also, present were Director of Planning and Community Development Mike Kamino, Associate Planner Valerie Darbouze, Senior Civil Engineer Jay Patel, Traffic Consultant Sri Chakravarthy, City Oak Tree and Landscape Consultant Ann Burroughs, Consultant Sean Wazlaw with Rincon Consultants, Inc., Consultant Tom Crouthers with Envicom Corporation, and Recording Secretary Sheila Keckhut.

Chair O'Meara stated that the Commissioners had received notification of Vice Chair Zacuto's request for excused absence from the meeting due to conflicts of interest on items on the agenda. There were no objections to excusing the absence.

**APPROVAL OF AGENDA**

On a motion by Commissioner Buckley Weber, seconded by Commissioner Rishoff, the Planning Commission moved to approve the Agenda of the November 19, 2009 Planning Commission Meeting. Motion carried 3-0. Vice Chair Zacuto was absent.

**APPROVAL OF MINUTES**

1. Minutes – November 5, 2009 Planning Commission Meeting

On a motion by Commissioner Buckley Weber, seconded by Commissioner Rishoff, the Planning Commission moved to approve the Minutes of the November 5, 2009 Planning Commission Meeting. Motion carried 3-0. Vice Chair Zacuto was absent.

**PUBLIC HEARINGS**

2.     **REQUEST:**                     Request for the Planning Commission to provide a recommendation of approval to the City Council regarding a proposed Site Plan/Architectural Review to construct a 40,700 square foot medical building with underground parking; an Oak Tree Permit to encroach in the protected zone of an off-site oak tree for the proposed construction; a Tentative Parcel Map to merge seven (7) parcels into one (1) parcel; a General Plan Amendment to change the land use designation of approximately one acre of the property from Commercial-Retail/Service (CG) to Business Park-Office/Retail (BP-OR); a Zone Change to change the zoning designation of approximately one acre of the property from Commercial Retail/Service-Freeway Corridor-Old Agoura Design Overlay (CRS-FC-OA) to Business Park-Office/Retail-Freeway Corridor-Old Agoura Design Overlay (BP-OR-FC-OA); a Variance from Section 9553.1 to provide a building lot coverage of 58% instead of 50% maximum; and the adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program.
- APPLICANT:**                     Heathcote for Agoura Medical Partners, LLC.  
23945 Calabasas Road, Suite 111  
Calabasas, CA 91302
- CASE NO.:**                     07-GPA-002, 07-ZC-002, 07-SPR-015, 09-OTP-019, TPM  
70096, & 09-VAR-002
- LOCATION:**                     Northwest Corner of Agoura Road and Chesebro Road  
(A.P.Ns. 2061-012-012, 014, 015, 018, & 047-049)
- ENVIRONMENTAL  
DETERMINATION:**             Mitigated Negative Declaration and Mitigation Monitoring  
Plan
- RECOMMENDATION:**         Staff recommended the Planning Commission recommend approval of General Plan Amendment Case No. 07-GPA-002, Zone Change Case No. 07-ZC-002, Site Plan/Architectural Review Case No. 07-SPR-015, Tentative Parcel Map No. 70096, Oak Tree Permit Case No. 09-OTP-019, & Variance Case No. 09-VAR-002, subject to Conditions.

PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing.

The following persons spoke on this agenda item:

Gary Heathcote, architect representing the applicant.

Dr. Dan Smith - applicant

Robyn Britton – Old Agoura HOA

Dan Motta, resident

The following persons turned in speaker cards but did not speak

Andy Willpodt, Agoura Medical Partners

Richard W. Campbell, Agoura Medical Partners

Ed Gripp, EG Cal Landscape Architects, representing the applicant

REBUTTAL: Gary Heathcote, the architect and Dr. Dan Smith, 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 Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to approve Resolution No. 992, recommending approval of General Plan Amendment Case No. 07-GPA-002, Resolution No. 993, recommending approval of Zone Change Case No. 07-ZC-002, Resolution No. 994, recommending approval of Site Plan/Architectural Review Case No. 07-SPR-015, and Oak Tree Permit Case No. 09-OTP-019, Resolution No. 995, recommending approval of Tentative Parcel Map No. 70096 and Resolution No. 996 recommending approval of Variance Case No. 09-VAR-002, subject to amended conditions. Motion carried 3-0. Vice Chair Zacuto was absent.

3. REQUEST: Request for approval of a Site Plan/Architectural Review to allow the development of five, two and three-story office buildings totaling 100,634 square feet; an Oak Tree Permit to remove four (4) on-site oak trees, and three (3) off-site oak trees and encroach in the protected zone of nine (9) on-site oak trees and two (2) off-site oak trees for the construction; a Sign Permit to establish a sign program; a Vesting Tentative Tract Map for subdivision purposes; and a Variance from the development standards of the BP-M-FC zones in Sections 9383.1 (lot size), 9383.2 (building coverage), 9383.4 (yards), 9383.5 (landscaping), 9383.6 (walls), 9383.7 (access) and 9654.6 (parking); and a request to adopt an Addendum to an approved Mitigated Negative Declaration and Mitigation Monitoring Program.
- APPLICANT: Agoura Landmark, L.P.  
569 Constitution Avenue, Suite H  
Camarillo, CA 93012
- CASE NOS.: 08-SPR-011, 08-OTP-021, 08-SP-036, VTTM 70707, &  
09-VAR-003
- LOCATION: 29621 Agoura Road (A.P.N. 2061-013-027)
- RECOMMENDATION: Staff recommended approval of Site Plan/Architectural Review Case No. 08-SPR-011; Oak Tree Permit No. 08-OTP-021, Vesting Tentative Tract Map No. 70707, Sign Permit Case No. 08-SP-036, and Variance Case No. 09-VAR-003, subject to Conditions.
- PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing.  
  
The following persons spoke on this agenda item  
  
Ken Kahan, Agoura Landmark, L. P., Applicant  
  
Martin Teitelbaum, Agoura Landmark, L.P., Applicant  
  
Brett Shaw, Lanet-Shaw Architects, architect representing the applicant.  
  
Chair O'Meara closed the Public Hearing.
- RECESS: Chair O'Meara called for a recess at 8:35 p.m.
- RECONVENE: Chair O'Meara reconvened the meeting at 8:48 p.m.

**ACTION:** On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to approve Resolution No. 997, approving Site Plan/Architectural Review Case No. 08-SPR-011 and Oak Tree Permit No. 08-OTP-021, Resolution No. 998, approving Sign Permit Case No. 08-SP-036, Resolution No. 999, approving Vesting Tentative Tract Map No. 70707, and Resolution No. 1000 approving Variance Case No. 09-VAR-003, subject to amended conditions. Motion carried 3-0. Vice Chair Zacuto was absent.

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

None

**ADJOURNMENT**

At 8:56 p.m., on a motion by Commissioner Buckley Weber, seconded by Commissioner Rishoff, the Planning Commission moved to adjourn the meeting to the next scheduled Planning Commission meeting on Thursday, December 3, 2009, at 6:30 p.m. Motion carried 3-0, with Vice Chair Zacuto absent.