

**MINUTES OF A SPECIAL MEETING OF THE  
PLANNING COMMISSION OF THE CITY OF CALABASAS  
CALIFORNIA, HELD THURSDAY, AUGUST 14, 2008**

Note: The following are Action Minutes; citizens may view the full discussion on the Granicus System.

**Opening Matters**

**Call to Order / Roll Call of Commission Members**

Chair Sikand called the meeting to order at 6:03 p.m. in City Hall Council Chambers, 100 Civic Center Way, Calabasas, California.

Present: Chair Sikand, Commissioners Fritz, and Brown, and Alternate Commissioner Shumacher.

Excused Absence: Vice Chair Mueller and Commissioner Klein.

Staff Present: Community Development Director Tamuri, City Planner Bartlett, Public Works Director/City Engineer Yalda, Assistant City Attorney Ballin, Senior Planner Michitsch, Associate Planner Klein, Senior Civil Engineer Seferian, Associate Engineer Davidoo, and Recording Secretary Goor.

**Pledge of Allegiance**

The Pledge of Allegiance was led by Community Development Director Tamuri.

**Approval of Agenda**

Motion by Commissioner Brown, seconded by Commissioner Fritz, to approve the August 14, 2008 Planning Commission Agenda, carried 4-0.

**Announcements and Introductions**

Chair Sikand congratulated staff and City Council for getting the new City Hall building ready and commented that they are very impressed with the new facility.

**Oral Communications - Public Comment**

No one expressed a desire to speak.

**1. Approval of Minutes: June 12, 2008 and June 26, 2008**

Motion by Commissioner Fritz, seconded by Commissioner Brown, to approve the Planning Commission Minutes of June 12, 2008, carried 4-0.

It was noted that the Planning Commission Minutes of June 26, 2008 would be held until the other Commissioners are present.

Motion by Commissioner Brown, seconded by Commissioner Fritz, to continue the

Planning Commission Minutes of June 26, 2008 to the next meeting, carried 4-0.

**2. File No; General Plan Amendment No. 006-006, Zone Change No. 007-000, Development Plan No. 007-000, Tentative Tract Map No. 006-004, Development Agreement No. 007-000, Conditional Use Permit No. 600-054, Site Plan Review No. 006-054, and Oak Tree Permit No. 007-004. A request to demolish the existing Calabasas Inn banquet facility and develop the site with a 174,413 (.7447 FAR) square-foot mixed-use project. The project more specifically consists of 79 residential condominium units along with 13,135 square feet of retail and restaurant uses. Restaurants will have an added amenity of outdoor seating, totaling about 2,000 sq. ft. for all restaurants. The three and four story complex will have a maximum height of 44.3 feet with the retail component at the ground level (on the north side of the parcel) and residential condominiums on levels one through four. The project will include 302 total parking spaces, with 57 on grade spaces and the remaining 245 spaces located in a one level subterranean structure. The project will include associated driveways, walkways, retaining walls and landscaping. Additional proposed amenities include construction of a footpath along the east side of McCoy Canyon Creek that can be used in the future as a pedestrian linkage between the Civic Center area and Old Town Calabasas should the City choose to link these areas. Applicants have also proposed that the entire complex (residential and commercial components) be smoke-free. The project includes requests for the following: (1) to amend the General Plan Land Use Designation from Business-Professional Office (B-PO) to Mixed Use (MU), (2) to amend the zoning designation from Commercial Office (CO) to Commercial Mixed Use (CMU), (3) a development agreement to request compliance with City's inclusionary housing ordinance by purchasing four (5%) off-site market rate residential units and converting them to very low income units, (4) a vesting tentative tract map (TM#66208) for the subdivision of the parcel for 79 residential condominium units, (5) a conditional use permit for the development of 79 multi-family units, (6) a site plan review for development of restaurant and retail uses, (7) an oak tree permit for the removal of four non-heritage coast live oak trees and the encroachment into the protected zone of twenty four/or twenty eight coast live oak trees, and (8) a development plan for an increase in the allowed floor area ratio from 0.2 to 0.7447. The location is at 23500 Park Sorrento.**

Senior Planner Michitsch provided the report on the Village at Calabasas project. It was noted that following the preparation of the Agenda Packet, additional project-related items were added to the report via an addendum distributed this evening in addition to new public correspondence.

The addendum includes changes to draft PC Resolution 08-432 (Exhibit A) as briefly outlined below:

LEED - Condition 27 add to last sentence, 'for all non-residential use components.'

Shared Driveway - add a Condition, 'Prior to the issuance of a building or grading permit, the applicant shall submit revised plans to the Community Development Director and City Engineer demonstrating a driveway connection to the adjacent

property to the East that utilizes the existing driveway in its existing configuration.' (\*See motion) Remove existing Conditions 19 and 20.

CEQA/Council Action - Section 5 add as the first sentence, 'In view of the all the evidence and based on the foregoing findings and conclusions, the Planning Commission hereby approves File Nos. CUP 600-054 and SPR 006-054 subject to the agreements and conditions set forth in this Planning Commission Resolution 08-432 and on the condition that the City Council of the City of Calabasas Certify the Environmental Impact Report and approve File Nos. GPA 006-006 and ZCH 007-000, DP 007-000, TTM-006-004, OTP 007-004 and DA 007-000.'

Footpath Easement - add a Condition: 'If the City engages in a future project to develop a public walkway from Old Town Calabasas to the project site, the applicant shall cooperate with the City to allow linkage of the public pathway with the footpath amenity proposed on the project site to form one public walkway system. Cooperation includes dedicating any necessary easements to the City that would allow the pathway to be used as a public walkway.' (\*See motion)

Public Art - add a Condition, 'Prior to the issuance of any Temporary or Final Certificate of Occupancy, the applicant shall either provide public artwork or pay an in-lieu fee in accordance with the provisions of the CMC Chapter 17.24.'

EIR - There is a staff report correction related to the analysis of Alternative 3 in the EIR, Figure VI-2 on p. VI-12 and p. VI-15 of the Transportation/Traffic Section related to the Daily Vehicle Trip (DVT) generation figures which should be 1,515 and the proposed project figure should be 1,510 DVT (not 1,520) with a difference of 5 more trips than the proposed project over a 24 hour period. However, the conclusions in the EIR Alternatives Analysis remain valid; for the record, the EIR Errata Sheet is attached to the Addendum as Exhibit A.

Chair Sikand read into the record a letter from Vice Chair Mueller outlining the reasons he has voluntarily recused himself from the Hearing, notably, advice received from the City Attorney related to his lease of property at 23480 Park Sorrento which is within 500 feet of the project.

The following responded to Commission questions: Public Works Director/City Engineer Yalda, Senior Civil Engineer Seferian, Associate Civil Engineer Davidoo, Senior Planner Michitsch, City Planner Bartlett, Assistant City Attorney Ballin, and Community Development Director Tamuri.

Chair Sikand opened the Public Hearing.

Speakers:

Lawrence Dinovitz, D2 Development Inc., Applicant, pro, responded to Commission questions.

Scott Shell, Associated Transportation Engineers responded to Commission questions and commented regarding left turn lane capacity from Park Sorrento.

Mary Ellen Waller, owner of adjacent business, noting she and Mr. Dinovitz have reached an understanding regarding parking and requested the Commission support their agreement.

Helene Regan, speaking first as a member of the Calabasas Park Homeowners Association (CPHA) for the Board of Directors, read from CPHA October 3, 2007 Minutes to send a letter indicating that, 'CPHA is opposed to the Calabasas Inn allowing any overflow parking on the site or parking for uses other than those specifically for developed on-site, whether said uses are from Old Town overflow or otherwise; and is opposed to establishing a walkway/direct access to Old Town.' Ms. Regan, now speaking not as a member of CPHA, only as an individual, stated they do not want commercial users who are not members of CPHA to have access to the lake. She expressed concern with increased traffic and speeding on Park Sorrento, cut-through traffic and overflow parking. She suggested permit parking only on portions of Park Sorrento and Park Mirasol.

Adrian Goldstein, con, thanked the Commission, staff, and Mr. Dinovitz for their work; however, he discussed traffic and building heights on Calabasas Road, Park Granada, and Park Sorrento, and believes a 4-story building is not acceptable. He commented on the traffic and difficulty in getting to the Freeway during certain hours. He would support a mixed-use or apartment project, but not this density.

Hugh Greenup, part owner of the building immediately adjacent to the Calabasas Inn which is a beneficiary of one of the easements. He asked to confirm that while working on a solution, what is being proposed tonight is not a reconfiguration of their common entry drive. He concurred on the need for streetscape on Park Sorrento and generally supports the project. Mr. Greenup suggested eliminating high trees and installing a flasher or signal at one the crosswalk entries, noting the difficulty turning left out of their driveway.

Henry Cespedes, Calabasas, inquired regarding the caliper of the trunk and canopy of the tree being removed and if it will be relocated. He commented on having 80% green canopy cover over any hardscape parking lot or sidewalk.

Staff responded to questions regarding the easement and parking.

## **Planning Commission Break**

The Planning Commission recessed at 8:20 p.m. and reconvened at 8:45 p.m.

## **2. (cont'd)**

The Planning Commission resumed their questions.

Chair Sikand closed the Public Hearing.

Motion by Commissioner Fritz, seconded by Alternate Commissioner Shumacher, to adopt PC Resolution 08-432 approve File Nos. CUP 600-054 and SPR 006-054 including the addendum received tonight with the amended redline items and recommend that the City Council approve certification of the EIR and that the City

Council approve GPA 006-006, ZCH 007-000, DP 007-000, TTM 006-004, and OTP 007-004 and DA 007-000 approving the project as recommended by staff including the 170 Conditions plus those in the redline version. (Applicant: D2 Development/Location: 23500 Park Sorrento)

With the following amendments by Alternate Commissioner Shumacher:

Resolution Page 13, Exhibit A, Finding 5, 'by covering less than 35% of the lot;' change as corrected by staff to, 'less than 62% of the lot.'

Page 17, Driveway Conditions - The addendum replaces 19 and 20 with a new Condition 19. Wording by City Planner Bartlett was accepted adding, '...utilizes the existing driveway in "general conformance with" its existing configuration.'

Page 17, Condition 24 Landscaping, following Alternate Commissioner Shumacher's concern, City Planner Bartlett shifted wording to read, 'landscaping is to be installed by the applicant within 90 days of occupancy.'

Page 22, Condition 58 replace 'on acre' with 'one acre'.

Page 35, Condition 147 Traffic, that the Public works Director define 'adjacent development' by making it site specific such as 'El Canon' or whatever term is appropriate.

With an amendment by Commissioner Fritz, as reworded following discussion by staff, to defer the matter of shared parking analysis to the Community Development Director for review.

carried 4-0.

### **3. Director's Report and Future Agenda Items**

Community Development Director Tamuri complimented staff for their work over the last 2.5 years on the above project, Chair Sikand concurred.

The 2006/07 annual report was submitted to the Commission and is available to the public at City Hall and on the City's website. Development activity is down 35% from last fiscal year, but is closer to normal levels now that The Oaks and Shea projects are winding down.

There will be a Special Meeting September 4th for the General Plan. The August 28th meeting will most likely be cancelled. On September 11th there will be 2 residential projects and possibly the RV Ordinance. On September 25th there will be a tentative wireless application and one residential project.

### **4. GPAC Report**

The meetings are complete.

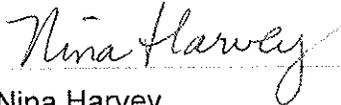
## 5. Reports from the Planning Commission

Commissioner Fritz requested a traffic initiative for the part of town discussed this evening be agendaized. She noted issues outlined in a letter to Community Development Director Tamuri wherein businesses could collaborate with the City to create a parking entity to address the parking needs in Old Town or long-range parking needs. Community Development Director Tamuri stated she will discuss the issue further with Commissioner Fritz.

## ADJOURNMENT

Chair Sikand adjourned the meeting at 10:22 p.m. to the Special Meeting of September 4, 2008 at 7:00 p.m. in City Hall Council Chambers.

Respectfully Submitted:

  
Nina Harvey