



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: November 20, 2014

TO: Planning Commission

APPLICANT: Inessa Gilman
4366 Forman Avenue
North Hollywood, CA 91602

CASE NO.: CUP-01013-2014

LOCATION: 29020 Agoura Road, Suite A10 (Agoura Village Shopping Center)

REQUEST: Request for Planning Commission to approve a Conditional Use Permit to allow the on-site sale of alcoholic beverages (Alcoholic Beverage Control license type 47) for a new restaurant (Revolution).

ENVIRONMENTAL ANALYSIS: Exempt from the California Environmental Quality Act (CEQA) per Section 15301 of the CEQA Guidelines.

RECOMMENDATION: Staff recommends that the Planning Commission approve Conditional Use Permit Case No. CUP-01013-2014, subject to conditions, based on the findings of the attached draft Resolution.

ZONING DESIGNATION: PD (Planned Development -Agoura Village Specific Plan)

GENERAL PLAN DESIGNATION: PD (Planned Development)

I. PROJECT DESCRIPTION AND BACKGROUND

On July 8, 2009, the City Council adopted an ordinance that requires an approval of a Conditional Use Permit from the Planning Commission for new on-sale and off-sale alcoholic beverage establishments, and changes to existing California Alcoholic Beverage Control (ABC) licenses.

ABC defines on-sale alcoholic beverage establishments as “any establishment where in alcoholic beverages are sold, served, or given away to be consumed on the premises, and which has obtained or intends to obtain an Alcoholic Beverage Control license type 40, 41, 42, 47, 48, 51, 52, 61, and/or 75. References to an on-sale alcoholic beverage establishment shall include any immediately adjacent area that is owned, leased, or rented, or controlled by the permittee. It shall also include any facility, inclusive of a portion thereof, which is rented out for special event functions wherein alcoholic beverages are sold or given away on the premises and are to be consumed on the premises.”

The applicant, Inessa Gilman of Revolution restaurant, is requesting the Planning Commission’s approval of a Conditional Use Permit to obtain a license type 47 from ABC for the sale and consumption of beer and wine and distilled spirits inside a new eating establishment (Revolution restaurant) located at 29020 Agoura Road, in the Agoura Village Shopping Center. The parcel is zoned Planned Development/Agoura Village Specific Plan (PD-AVSP).

The retail center, which was built in 1991, is located at the southwest corner of Agoura Road and Cornell Road. The new Revolution restaurant will occupy 2,092 square feet of existing restaurant space that was previously occupied by Isabella restaurant. Isabella restaurant had a type 41 ABC licenses to sell beer and wine for on-site consumption. Prime Steak House in the same shopping center, Padri Restaurant (directly north of the shopping center), Adobe Cantina (west of the shopping center), Hugos and Plata Taqueria and Cantina and Wood Ranch (in the Whizin Market Square) have the same Type 47 ABC license. Several other restaurants in the Regency Shopping Center and Whizin Center (both located on the north side of Agoura Road) have type 41 ABC licenses for the on-site sale of beer and wine, including Agoura Sushi, Exotic Thai Bistro, Boar Dough, Blue Table and Numero Uno.

The applicant is proposing to remodel the inside of the restaurant, which includes using previous seating and waiting areas for the installation of a sit-down bar area, a wait station area, and to increase the circulation area. The seating and waiting floor area will remain relatively unchanged from the previous restaurant that occupied the tenant space (from 1,036 square feet to 891 square feet). The parking requirement is based on the seating and waiting area of the restaurant. Therefore, no additional parking is required by for the use.

Proposed hours of operation of Resolution restaurant are 11:30 a.m. to 3:00 p.m. on Monday, and 11:30 a.m. to 1:00 a.m. Tuesday through Sunday.

II. STAFF ANALYSIS

The City Council’s decision to initiate and approve the Alcoholic Beverage Establishment Ordinance was to achieve greater control over potential nuisance-type issues related to alcoholic beverage establishments, such as noise, particularly related to the proximity to residential areas, as well as overall safety issues, and any impacts related to the concentration of such businesses. The Conditional Use Permit allows for review by the Planning Commission and any appropriate conditions included on a case-by-case basis, following a public hearing. Accordingly, in addition to the findings currently required for approval of a Conditional Use Permit, the Zoning

Ordinance also requires the Planning Commission to make additional findings relative to alcohol beverage sales and service.

Staff finds the proposed use to be consistent with the intent of the ordinance and with the findings. The proposed on-sale of alcoholic beverages will occur inside a new restaurant that is allowed within the Planned Development (PD) zone (Agoura Village Specific Plan Area). The nearest residential property is located approximately 400 feet to the east of the retail center, and a caretaker unit in the storage facility west of the Regency Center on the north side of Agoura Road is located approximately 188 feet from the retail center. The nearest residential street is Vejar Drive, located 1,600 feet east of the restaurant. In addition, there is no school or park located within 500 feet of the site. According to the Los Angeles County Sheriff Department, they have not experienced recent problems in the Agoura Village Shopping Center related to the consumption of alcoholic beverages.

Based on the above analysis, staff finds the proposed request to allow on-site sale of alcoholic beverages (Type 47 ABC license) will not negatively impact surrounding properties or neighborhoods and will be compatible with neighboring restaurants that sell alcohol on-site.

The proposed project consists of adding a type 47 ABC license to a new restaurant and no building addition is proposed. Also, no additional seating capacity is proposed and the existing on-site parking capacity has been determined to be adequate for the proposed project. As such, staff finds the proposed project to be exempt from the California Environmental Quality Act, per CEQA Guidelines Section 15301, and no negative declaration or environmental impact report is required.

III. RECOMMENDATION

Staff recommends that the Planning Commission approve Conditional Use Permit Case No. CUP-01013-2014, subject to conditions.

IV. ATTACHMENTS

- Exhibit A: Draft Resolution and Conditions of Approval
- Exhibit B: Vicinity Map
- Exhibit C: Reduced Copy of Site and Floor Plan
- Exhibit D: Businesses with Approved Alcohol Beverage Licenses Map
- Exhibit E: Photographs

Case Planner: Renee Madrigal, Associate Planner

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-01013-2014 TO ALLOW THE ON-SITE SALE OF ALCOHOLIC BEVERAGES (ABC LICENSE TYPE 47) FOR A NEW RESTAURANT (REVOLUTION) LOCATED AT 29020 AGOURA ROAD, SUITE A10, AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. An application was duly filed by Inessa Gilman, with respect to real property located at 29020 Agoura Road, Suite A10, (Assessor's Parcel No. 2061-031-023), requesting approval of a Conditional Use Permit (Case No. CUP-01013-2014) to allow the on-site sale of alcoholic beverages (ABC license Type 47) for a new restaurant (Revolution) in the Agoura Village Shopping Center. A public hearing to consider Case No. CUP-01013-2014 was duly held on November 20, 2014, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid meeting was duly given and published as required by state law.

Section 2. Evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9673.2.E of the Agoura Hills Municipal Code, that:

A. The proposed use, as conditioned, is consistent with the objectives of the Zoning Ordinance and the purposes of the district in which the use is located. The on-sale of alcoholic beverages will occur on-site in a tenant space occupied by a restaurant, within a retail center located in the Planned Development (Agoura Village Specific Plan) zone. The Planned Development zone allows for restaurant uses, and the on-site sale of alcoholic beverages is allowed pursuant to the approval of this Conditional Use Permit.

B. The proposed use, as conditioned, is compatible with the surrounding properties, and with the other uses in the shopping center. The restaurant shares tenant spaces with other retail and restaurant uses in the center. No sensitive use exists in the shopping center or in the vicinity of the site.

C. The proposed use, as conditioned, and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare. The alcoholic beverages are to be consumed inside the restaurant.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. This permit allows for the on-site sale of alcoholic

beverages in a restaurant and no additional parking is required for this request. The restaurant is a permitted use in the PD (Agoura Village Specific Plan) zone, and the on-site sale of alcohol is allowed pursuant to this Conditional Use Permit and the PD zone. No Variance request is considered as part of this application. Thus, the proposed use will comply with the Zoning Code.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. In this case, diversity of restaurants rather than the number of restaurants increase the viability of these businesses. The request is subject to the Alcoholic Beverage Control agency's final determination for concentration of licenses.

F. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan. The proposed use meets the Goal No. LU-2.2 of the General Plan Land Use and Community Form Element, which is to provide for and encourage the development of a broad range of uses in Agoura Hills' commercial centers that reduce the need to travel to adjoining communities and that capture a greater share of local spending.

Section 4. Based on the evidence presented at the public hearing, including the staff report and oral and written testimony, the Planning Commission finds, pursuant to Section 9396.3 of the Agoura Hills Municipal Code, that:

A. The requested use at the proposed location will not adversely affect the use of a school, park, playground or similar use within a 500-foot radius as the restaurant is located within an established shopping center and is not immediately adjacent to these uses and is screened by structures and separated by a parking lot and streets.

B. The requested use, as conditioned, at the proposed location is sufficiently buffered by private improvements from residentially zoned areas within the immediate vicinity so as not to adversely affect said areas. A minimum 400-foot of separation exists between the retail center and the nearest residential property to the east and 188-foot of separation exists between the retail center and the caretaker unit in the storage facility on the north side of Agoura Road, west of the Regency Center. The nearest residential street is Vejar Drive, located 1,600 feet east of the restaurant.

C. No improvements are proposed to the exterior of the structure, therefore, no visual impacts are expected on the immediate neighborhood and the project will not cause blight or property deterioration, or substantially diminish or impair property values within the neighborhood. The sale of alcoholic beverages will occur within an existing restaurant.

D. The upkeep and operating characteristics are compatible with and will not adversely affect the livability or appropriate development and use of abutting properties and the surrounding neighborhood. No physical changes to the site are proposed with this application. No consumption of alcohol within areas outside of the establishment is approved with this permit.

E. The proposed hours of alcohol beverage sales, as conditioned, ensure that activities related to the project are compatible with the quiet enjoyment of the neighborhood. The on-site sale of alcoholic beverages in the restaurant is only permitted between the hours of

11:30 a.m. to 1:00 a.m. Tuesday through Sunday, and from 11:30 a.m. to 3:00 p.m. on Monday, which will minimize the potential for impacts on the quiet enjoyment of the neighborhood beyond the normal business operations.

F. The requested use will not contribute to an undue concentration of alcoholic beverage establishments in the area. The restaurant is within a multi-tenant retail center with only one other restaurant (Prime Steak House) in the center that is permitted for the on-site sale of alcoholic beverages and the Department of Alcoholic Beverage Control (ABC) is responsible for determining whether the type of request is within the acceptable levels of license concentration.

G. The requested use is not located in a high-crime area, or where a disproportionate number of police calls occur.

Section 5. The project is exempt from the California Environmental Quality Act, as defined in CEQA Guidelines Section 15301 (Class 1) and does not require the adoption of an environmental impact report or negative declaration. The project is a request to allow on-site consumption of beer and wine and distilled spirits inside a new restaurant.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Case No. CUP-01013-2014, subject to the attached conditions, with respect to the property described in Section 1 hereof.

Section 7. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 20th day of November 2014, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

Michael Justice, Chairperson

Doug Hooper, Secretary

CONDITIONS OF APPROVAL
(Case No. CUP-01013-2014)

STANDARD CONDITIONS

1. This decision, or any aspect of the decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved labeled exhibits: Site plan and Floor Plan.
3. The approval of this permit shall not be effective for any purpose until the applicant and property owner have agreed in writing that they are aware of, and accept all Conditions of this Permit with the Department of Planning and Community Development. Any conditions on such acceptance or challenges, including the filing of legal action, relating to the permit or the conditions shall be treated as a failure to meet this Condition and shall nullify and void this permit.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. Unless this permit is used within two (2) years from the date of City approval, Case No. CUP-01013-2014 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.

SPECIAL CONDITIONS

7. The applicant shall comply with all requirements of the California Department of Alcohol Beverage Control.
8. This permit shall be valid strictly for license type 47 as defined by the California Department of Alcohol Beverage Control.
9. The approved hours of operation are from 11:30 a.m. to 1:00 a.m. on Tuesday through Sunday, and from 11:30 a.m. to 3:00 p.m. on Monday.
10. Live entertainment is not permitted as part of this approval.
11. The Director of Planning and Community Development is authorized to prepare a letter of Public Necessity for this approval, if required by the California Alcohol Beverage Control.

12. In accordance with Zoning Ordinance Section 9710, reconsideration of the Conditional Use Permit by the City shall be required when any of the following conditions of the business apply:
 - A. The establishment changes its type of retail liquor license with the Department of Alcoholic Beverage Control;
 - B. There is substantial modification to the mode or character of operation, including, but not limited to, any increase of 20% or more in the floor area.
 - C. The alcoholic beverage license has either been revoked or suspended for any period by ABC.

END

Conditional Use Permit Case No. CUP-01013-2014



OCCUPANCY LOAD			
Area	Code	Occupancy	Per Sq. Ft.
Bar	B	Bar	1
Dining	D	Dining	1
Office	O	Office	1

NOTE: 1:20 RATIO FOR ACCESSIBLE SEATING
MIN = 7

NUMBER OF PLACES PER PLACE			
Area	Code	Occupancy	Per Sq. Ft.
Bar	B	Bar	1
Dining	D	Dining	1
Office	O	Office	1

AREA:

SERVICEABLE AREA:

BAR/ DINING ROOM: 891 SF

SUPPORT AREA:

BAR: 124 SF

KITCHEN: 596 SF

BATHROOMS: 125 SF

OFFICE AND CIRCULATION: 356 SF

TOTAL SF: 2,092 SF

PATH OF EGRESS

PROVIDE LOW LEVEL EXIT SIGNS OR PATH MARKINGS IN GROUP A, E, I, R-1, R-2, AND R-4 OCCUPANCIES (101.7, 101.8 CBC)

PROVIDE PERMANENT SIGN STATING THE FOLLOWING: "THIS DOOR TO REMAIN UNLOCKED AND UNLATCHED DURING BUSINESS HOURS"

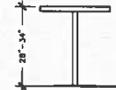
SIGN SHOWING MAX. OCCUPANT LOAD TO BE POSTED BY FRONT DOOR

TACTILE DOT SIGN 60" A.F.F.

ACCESSIBLE SEATING

WHERE FOOD AND DRINK IS SERVED FOR CONSUMPTION AT A COUNTER EXCEEDING 34" IN HEIGHT, A PORTION OF THE MAIN COUNTER SHALL BE 28" IN HEIGHT MINIMUM AND 34" MAXIMUM AND SHALL BE PROVIDED FOR 80" IN LENGTH MINIMUM.

WHERE FOOD AND DRINK IS SERVED FOR CONSUMPTION THE DINING SURFACE SHALL BE 28" IN HEIGHT MINIMUM AND 34" MAXIMUM.



ACCESSIBLE TABLE HEIGHT

EQUIPMENT SCHEDULE

Item	Description	Manufacturer	Model Number	Quantity	Notes
1	Bar	...	...	...	...
2	Back Bar	...	...	...	...
3	Main Dining Area	...	...	...	...
4	Kitchen	...	...	...	...
5	Office	...	...	...	...
6	Bathrooms	...	...	...	...
7	Bathroom Corridor	...	...	...	...

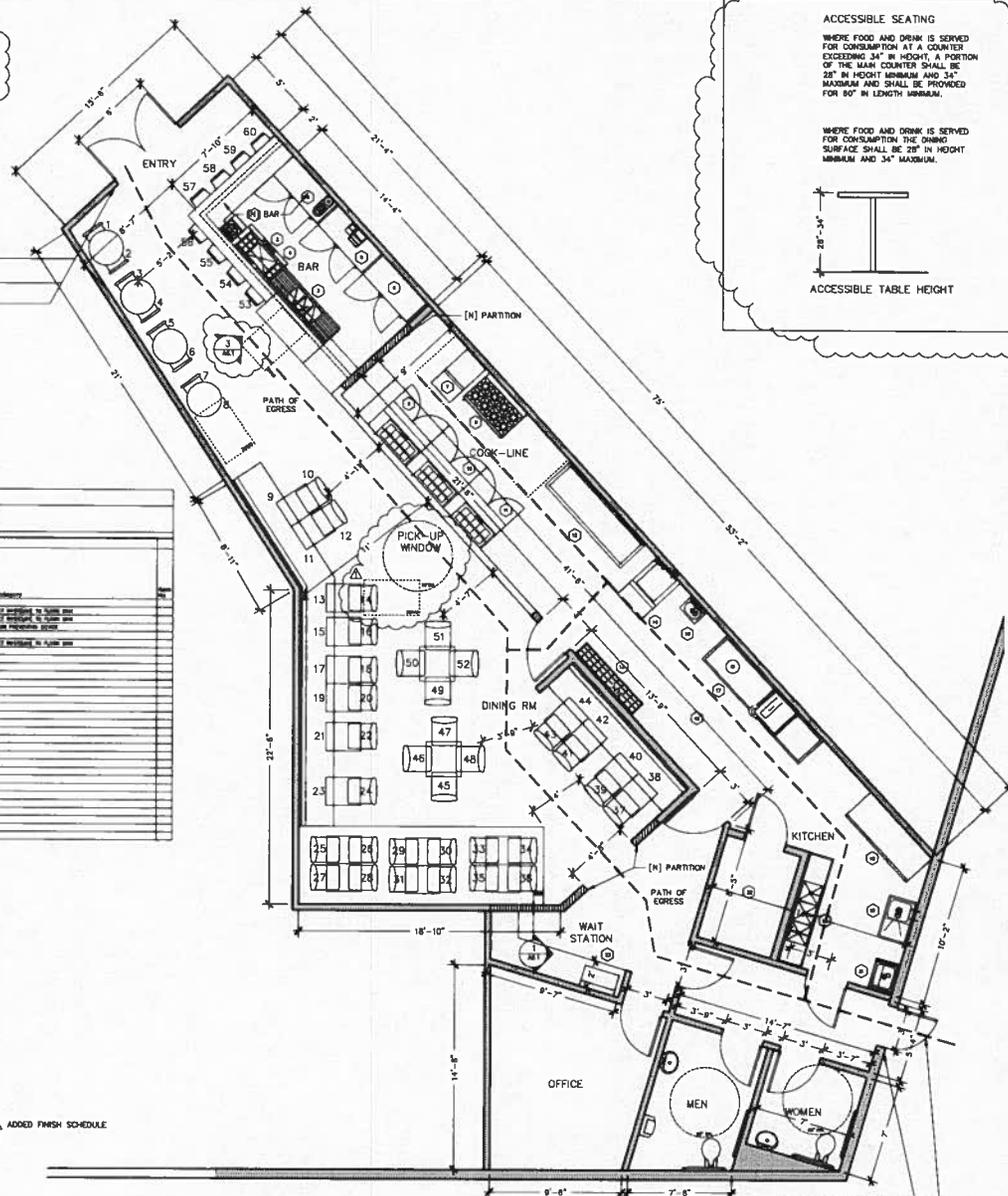
FINISH SCHEDULE

AREA	FLOOR	DOVE / BASE	WALLS	CEILING
BAR DINING AREA	VD FLOORING	VS BASE BOARD	PAINTED DRYWALL	F-001 VV VARIABLE ACoustical, TILE
BACK BAR	QUARRY TILE	VS BASE BOARD	PAINTED DRYWALL	F-001 VV VARIABLE ACoustical, TILE
MAIN DINING AREA	VD FLOORING	VS BASE BOARD	PAINTED DRYWALL	F-001 VV VARIABLE ACoustical, TILE
KITCHEN	QUARRY TILE	VS BASE BOARD	PAINTED DRYWALL	F-001 VV VARIABLE ACoustical, TILE
OFFICE	VD FLOORING	VS BASE BOARD	PAINTED DRYWALL	F-001 VV VARIABLE ACoustical, TILE
BATHROOMS	CERAMIC TILE	VS BASE BOARD	PAINTED DRYWALL	F-001 VV VARIABLE ACoustical, TILE
BATHROOM CORRIDOR	VD FLOORING	VS BASE BOARD	PAINTED DRYWALL	F-001 VV VARIABLE ACoustical, TILE

SCHEDULE NOTES:

- ALL WALLS AND CEILINGS IN THE SERVICE, PREPARATION, STORAGE, AND RESTROOM ARE LIGHT AND TO HAVE A MINIMUM 70% LIGHT REFLECTION VALUE (LRV)
- FLOOR SEALER TO BE HEALTH DEPT. APPROVED AQUA MAX PENETRATING SEALER
- BASE COVE TO BE HEALTH DEPARTMENT APPROVED B 7 W TILE CO. # 350101/A
- FLOOR SURFACES SHALL BE SLOPED 1:50 APPROXIMATELY 1/4" PER FOOT TOWARDS THE FLOOR DRAIN IN A 2' SURROUNDING AREA
- FLOORS TO HAVE A SMOOTH SURFACE
- EXTERIOR WINDOWS TO BE FIXED AND NON-OPENING

▲ ADDED FINISH SCHEDULE



1 NEW FLOOR PLAN
SCALE: 1/4" = 1'-0"

▲ ADDED NOTES

TACTILE EXIT SIGN 60" A.F.F. @ LATON SIDE OF DOOR
REAR EXIT IS 3' x 6'-8" AND IS EQUIPPED WITH PLANK HANDRAIL



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stev@franklinstudiosarch.com

REVOLUTION

29020 AODURA RD.
AODURA HILLS, CA 91301

RESTAURANT T.I.

All drawings and specifications remain the property of FRANKLIN STUDIOS, INC. All copies of these drawings and specifications retained by the client may be utilized only by the client for the project for which they were prepared, and not for the construction of any other projects.

Issue Date: 11/14/14

Revision: 1

P.C. COMMENT # 11.6.14

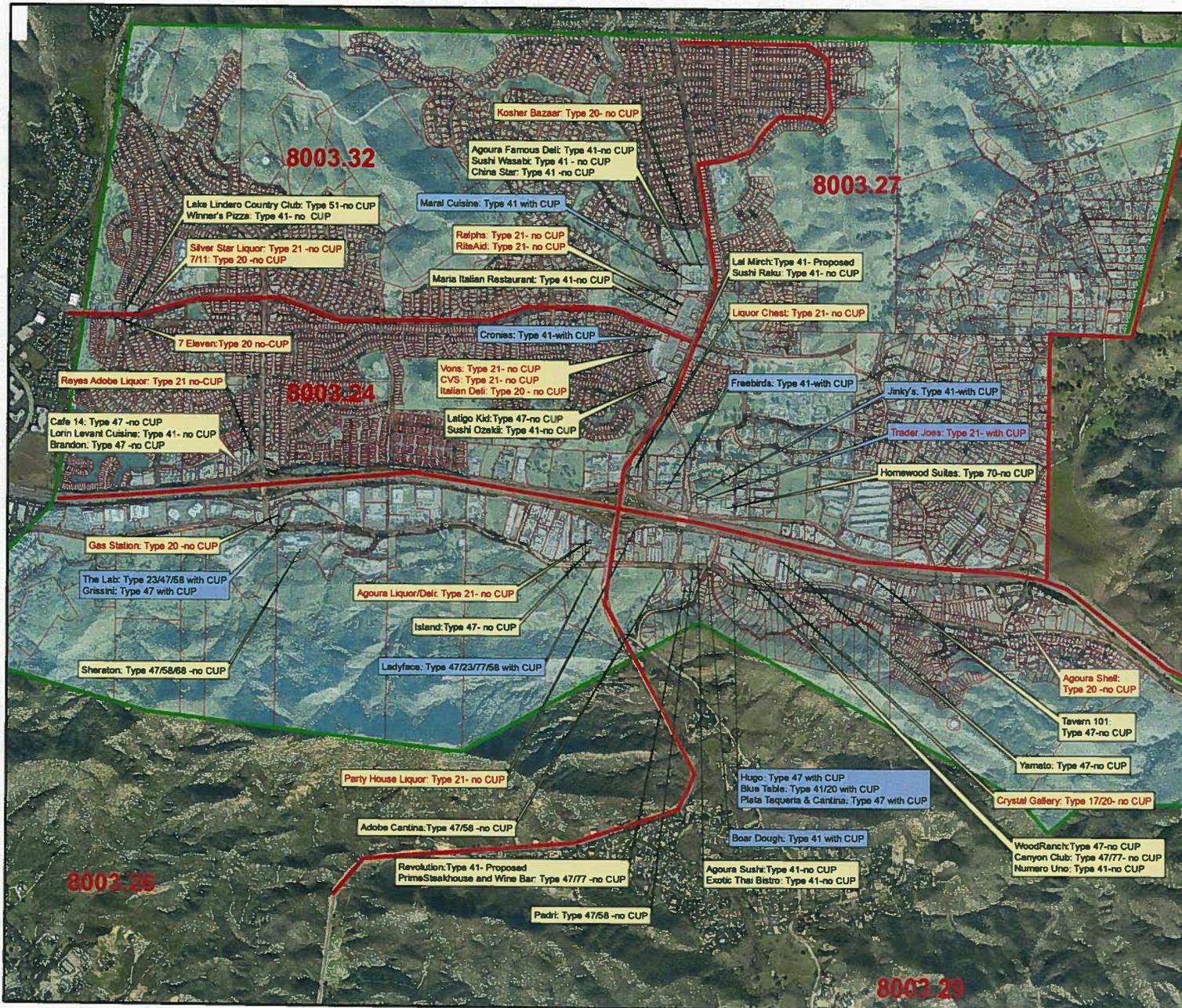
BID SET ISSUE: 12/10/14
REV SET ISSUE: ---

- All measurements to be field verified.
- If applicable, all electrical and plumbing to be verified with subcontractors.
- Liability and cost of construction to verify all conditions and materials.
- Interior design drawings are for design intent only.

NEW FLOOR PLAN

sheet no. A-1.2

City of Agoura Hills ABC Issued Licenses City Issued CUPs as of October 2014 (Per 7/09 Ordinance)



City Issued CUPs:

- Trader Joes: 09-CUP-006
- Ladyface Ale: 09-CUP-008
- Grissini: 09-CUP-009
- Hugo: 10-CUP-005
- Jinky's: 10-CUP-007
- The Lab: 11-CUP-001
- Freebirds: 12-CUP-003
- Rio de Brazil: 12-CUP-004 exp.
- Blue Table: 12-CUP-005
- Maral Cuisine: 13-CUP-001
- Latigo Kid: 13-CUP-006
- Boar Dough: 13-CUP-008
- Cronies: 14-CUP-002

Census Tract Number/Boundary

WITH CUPs

On-Sale Licenses

Off-Sale Licenses

WITHOUT CUPs

On-Sale Licenses

Off-Sale Licenses



revolution

[speakeasy]

29020

SIMON
HAIR - SKIN - N.





revolution
(speakeasy)

29020

SWISSA

SIMONE
HAIR - SKIN - NAILS

NO PARKING

Handicapped Parking Only

