

REPORT TO PLANNING COMMISSION

DATE: FEBRUARY 1, 2024

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: DENICE THOMAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR

BY: VALERIE DARBOUZE, ASSOCIATE PLANNER

REQUEST: REQUEST TO CONSIDER AN APPEAL OF THE COMMUNITY DEVELOPMENT DIRECTOR'S DECISION REGARDING SPECIALTY STORES IN THE AGOURA VILLAGE SPECIFIC PLAN AREA

PROJECT BACKGROUND AND DESCRIPTION

In August 2023, Kanan Properties West, LLC, and New Rugs and Furniture, (collectively, the "Applicant") submitted a request to operate a rug and furniture store in a vacant, 1,500-square-foot retail suite (the "Premises") located at 5019 Kanan Road in the Kanan Village Shopping Center. The shopping center is one of the properties zoned Planned Development (PD) in Sub Zone D West in the Agoura Village Specific Plan (AVSP).

The Allowable Use Table (Table 4.1) lists "Specialty Store" and "Home Decorator Shop" but does not include new furniture stores.

Pursuant to AVSP Chapter 9, Plan Administration, where a specific use is not listed, the Community Development Director (Director) has the discretion to allow the use if found to be similar and compatible to a listed use. Upon review of the applicant's proposed use of the Premises, the Director could not make the required findings to allow use of the Premises as a furniture store. The required findings (as set forth on Page 9-121 of the AVSP) are as follows:

1. The characteristics of and activities associated with candidate uses are similar to one or more of the allowed uses and will not involve substantially greater intensity than the uses listed for that sub district.

Staff Analysis:

The use of the Premises as a furniture store is not similar to any of the allowable uses listed in Table 4.1, and would involve greater intensity than the uses listed for Sub Zone D in the AVSP.

2. The candidate uses will be consistent with the purpose and vision of the applicable sub district.

Staff Analysis:

As set forth in the AVSP, Sub Zone D was envisioned to contain a broad range of uses and activities including specialty retail, life-style entertainment, offices, commercial services, restaurants, and movie theatres. A furniture store does not meet the purpose and vision of a specialty retail store, or any other allowed use in Sub Zone D, therefore it is not consistent with the purpose and vision of Zone D.

3. The candidate uses will be otherwise consistent with the intent of the specific plan.

Staff Analysis:

The vision of the AVSP is to provide for a pedestrian-oriented village environment and provide for a narrow selection of goods and services within a relatively small footprint. More intensive uses, such as furniture stores, are not listed as allowable uses and would not be consistent with the intent of the specific plan.

4. The candidate uses will be compatible with the other uses listed for the applicable sub district.

Staff Analysis:

Sub Zone D was envisioned to contain a broad range of uses and activities including specialty retail, life-style entertainment, offices, commercial services, restaurants, and movie theatres. A furniture store does not meet the purpose and vision of a specialty retail store, or any other allowed use in Sub Zone D, therefore it is not compatible with the other uses listed for Sub Zone D.

Following the Director's review of the above findings, City staff was directed to notify the applicant that the City could not allow a furniture store within the AVSP.

Subsequently, on August 31, 2023, the applicant submitted a Planning Commission Interpretation application to override staff's decision not to issue a business license for a furniture store. The City and the applicant worked out a temporary solution where only rugs could be sold at the property as a "specialty store" while the application was processed, and a business license was issued on October 1, 2023 allowing the applicant to only sell rugs--and not furniture--at the Premises. The business is still in operation.

During staff's processing of the Planning Commission Interpretation application and upon further review of Chapter 9 of the AVSP, staff realized that the appropriate

administrative pathway for the applicant would be to obtain an interpretation from the Director, which could then be appealed to the Planning Commission. A Director interpretation letter was sent to the applicant on December 19, 2023, which offered the applicant a refund for their previously submitted application and provided a path for appeal to the Planning Commission.

The Director interpretation led the applicant to file an appeal (Case No. APPC-2024-0001) of the Director's decision to the Planning Commission on January 2, 2024, pursuant to AVSP Chapter 9 and AHMC §9804.5, which allows a process for the Planning Commission to hear appeals of the decision of the Director.

The applicant is requesting that the Planning Commission reverse the Director's decision. In the appeal application (Attachment 2), the applicant states that there are two grounds of their appeal as follows (in pertinent part):

1. The Director based her decision on a purported request for an "intensive retail use[...] furniture store," but that is not the business model at issue here. Instead of a "furniture store" akin to an Ikea or Living Spaces, applicant's business (New Rugs and Furniture) is a small, locally owned 1,500-square-foot boutique that plans to sell a thoughtful and well-curated selection of decorative rugs and a limited number of accompanying home furnishings.
2. New Rugs and Furniture is a business that falls squarely within the allowed uses as prescribed by the AVSP. New Rugs and Furniture is both a "Home Decorator Shop" and a "Specialty Retail Store" that – as evidenced in part by other, similar-yet-complementary nearby businesses – is consistent with the purpose of the AVSP and compatible with the vision of the village.

It is worth noting that in the original application, the sale of furniture was intended to be a primary use for the building, along with the sale of rugs. The Director made her decision based on representations in the original application that the applicant would operate a rug and furniture store. With the applicant's current representation of the proposed business model as described in the appeal letter, the Director would be able to classify the use as a specialty store, which is consistent with the intent of the AVSP.

In summary, staff believes the applicant's characterization of the business model has changed since the original business license application was submitted and the Director issued her interpretation. If the Planning Commission decides to uphold the Director's decision, the applicant would still be allowed to submit a revised business license application with an updated project description which explicitly states that only a limited number of accessory home furnishings would be sold at the property. The business license would be processed by staff.

Alternatively, if the Planning Commission decides to overturn the Director's decision, it would deem furniture stores "similar and compatible" to other allowed uses, specifically as "Specialty Stores" or "Home Decorator's Shops". This could potentially allow furniture

stores to operate within any retail space in the AVSP, regardless of size. To overturn the Director's determination, the Planning Commission would be required to make the findings listed in Chapter 9 of the AVSP (Attachment 3, AVSP Page 9-121).

RECOMMENDATION

Staff respectfully recommends, pursuant to Agoura Hills Municipal Code §9804.5-9, that the Planning Commission conduct a hearing in connection with the appeal and consider one of the following options:

1. Uphold the Director's decision and reject the applicant's appeal by resolution. The applicant would still be able to submit a revised business license application to the Community Development Department clarifying the type and extent of home furnishings to be sold on the premises.
2. Overturn the Director's decision and allow the applicant to operate a furniture store under the land use category of "Specialty Store" and/or "Home Decorator's Shop." In this instance, the applicant's business license would be updated to allow for the sale of both rugs and furniture. To overturn the Director's decision and to classify a furniture store as "similar and compatible" to a "Specialty Store" and/or "Home Decorator's Shop", the Planning Commission would be required to make the findings listed in Attachment 3, as follows:
 - a. The characteristics of and activities associated with candidate uses are similar to one or more of the allowed uses and will not involve substantially greater intensity than the uses listed for that sub district.
 - b. The candidate uses will be consistent with the purpose and vision of the applicable sub district.
 - c. The candidate uses will be otherwise consistent with the intent of the specific plan.
 - d. The candidate uses will be compatible with the other uses listed for the applicable sub district.

ATTACHMENTS:

1. Community Development Director's Decision Letter
2. Appeal Application
3. Required Findings for Similar and Compatible Uses

Case Planner: Valerie Darbouze, Associate Planner

ATTACHMENT 1

Community Development Director's Decision Letter



"Gateway to the Santa Monica Mountains National Recreation Area"

December 19, 2023

Shahryar Pazooki Sharif
5019 Kanan Road
Agoura Hills, CA 91301
Sent via email to: shahrgar@hotmail.com

**SUBJECT: DIRECTOR INTERPRETATION REGARDING SPECIALTY STORES IN
THE AGOURA VILLAGE SPECIFIC PLAN (AVSP) AREA**
PROPERTY ADDRESS: 5019 KANAN ROAD
ZONING: PLANNED DEVELOPMENT (PD) ZONE D WEST, AVSP

Dear Mr. Pazooki Sharif,

You recently submitted an application proposing a furniture store at the subject property. Table 4.1 in the AVSP (found on page 4-40) lists the allowable uses within the specific plan. Any land use not listed is prohibited unless the Community Development Director determines in writing that the proposed use is similar and compatible to another allowable use, is consistent with the vision of the specific plan, and if the required findings can be made.

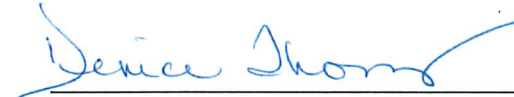
The vision of the AVSP is to transform the Agoura Road corridor into a pedestrian-oriented center with retail shops, restaurants, theatres, and entertainment uses that offer a unique experience. Specialty retail and grocery stores are allowable uses within the AVSP because they are conducive to a pedestrian-oriented village environment and provide for a narrow selection of goods and services within a relatively small footprint. More intensive retail uses, such as big box retailers or furniture stores, are not listed as allowable uses and would not fit into the vision of the specific plan.

For this reason, I cannot make the findings required to allow a furniture store in the AVSP. If you would like to withdraw your application, we are able to refund your application fees.

Pursuant to Agoura Hills Municipal Code (AHMC) §9804.5 through §9804.9, you may appeal a decision made by the zoning administrator or planning commission. The appeal shall be made within 15 days of the date of this decision (**January 3, 2024**) and shall state in writing the reasons for the appeal. Within 15 days of receipt of the appeal, copies of the application and all other papers and documents constituting the record upon which

I have made my decision will be transferred to the city clerk. The appeal shall be accompanied by a fee established by resolution of the city council to cover the cost of processing the appeal. Within 40 days of the appeal, the planning commission or city council shall hold at least one public hearing on the appealed decision, and the time and place of the hearing shall be set by notice as prescribed in AHMC §9804.4. The planning commission may affirm, reverse, or modify a decision which has been appealed. The decision of the city council shall be final.

Sincerely,



Denice Thomas, AICP
Community Development Director

ATTACHMENT 2

Kanan Properties West, LLC/New Rugs and Furniture Appeal Application 1-2-2024



AGGURA HILLS CITY OF AGOURA HILLS

Planning Department

2024 JAN -2 AM 10:08

30001 Ladyface Court, Agoura Hills, CA 91301 Phone (818) 597-7339 / Fax (818) 597-7352 www.ci.agoura-hills.ca.us

CITY CLERK'S OFFICE

APPEAL APPLICATION

NAME Kanan Properties West, LLC and New Rugs and Furniture

ADDRESS 116 S. Catalina Ave, Suite 108, Redondo Beach, CA 90277

PHONE NO (714) 493-3379

CASE NO. PCI-2023-0001

APPEAL TO:

- PLANNING COMMISSION
- CITY COUNCIL

Applications for appeals must be filed within fifteen (15) days from the date of the Planning Director's or Planning Commission's decision. This application, along with the appropriate filing fee, should be submitted to the Planning Department. As part of the appeal, applicants should be prepared to provide the department with additional sets of project plans and other pertinent materials.

Below, please explain the reasons for the appeal or attach a letter to the application

Please see the attached letter

Signature of the Appellant(s):

Remy McHamara on behalf of Kanan Properties West, LLC

RECEIVED DATE: _____



Yablonka Law, APC

Katie Yablonka, Esq. (CA Bar # 295015)

Phone: (714) 325-6585

Email: katieyablonka@gmail.com

December 29, 2023

VIA FEDERAL EXPRESS

VIA EMAIL

PLANNING COMMISSION

City of Agoura Hills

30001 Ladyface Court

Agoura Hills, CA 91301

vdarbouze@agourahillscity.org

dthomas@agourahillscity.org

Re: Appeal to Planning Commission in Planning Interpretation Case No. PCI-2023-0001

Dear Planning Commission,

I write to submit the below letter in support of the appeal filed by my clients, Kanan Properties West, LLC ("KPW") and New Rugs and Furniture, in Planning Interpretation Case No. PCI-2023-0001.

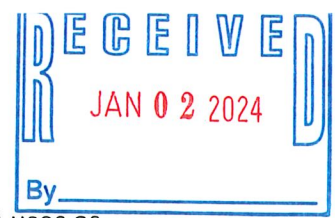
I. Introduction

KPW and its tenant, New Rugs and Furniture, respectfully submit to the Planning Commission this appeal of the Community Development Director's December 19, 2023 decision to disallow the sale of any home furnishings to accompany the decorative rugs already offered for sale at New Rugs and Furniture. *See* Exhibit 1 (hereinafter "the Decision").

There are two grounds for this appeal:

- (1) The Community Development Director based her decision on a purported request for an "intensive retail use[...furniture store," *see* Exhibit 1, Decision at 1, but that is not the business model at issue here. Instead of a "furniture store" akin to an Ikea or Living Spaces, and as explained in KPW's Application for Planning Commission Interpretation of the Agoura Village Specific Plan, New Rugs and Furniture is a small, locally owned 1500 square foot boutique that planned to sell a thoughtful and well-curated selection of decorative rugs and a limited number of accompanying home furnishings. *See* Exhibit 2 (hereinafter "the Application") at 1.¹

¹ KPW and New Rugs and Furniture incorporates the arguments made in the Application in full here.



(2) New Rugs and Furniture is a business that falls squarely within the allowed uses as prescribed by the Agoura Village Specific Plan (“AVSP”). As explained in the Application, New Rugs and Furniture is both a “Home Decorator Shop” and a “Specialty Retail Store” that—as evidenced in part by other, similar-yet-complementary nearby businesses—is “consistent with the purpose” of the Specific Plan” and “compatible with the Vision of the Village.” See Exhibit 2, Application at 2.

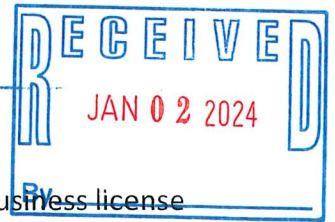
On these grounds, KPW and New Rugs and Furniture respectfully request that the Planning Commission reverse the Decision and permit New Rugs and Furniture to sell to customers a small number of home furnishings that will be used to display and highlight the rugs that are already for sale.

II. Facts

New Rugs and Furniture—a locally owned and operated small boutique—signed a lease in August 2023 to become a tenant at Kanan Village. As a specialty retail shop with a business model akin to others in this District—here, highlighting expertly-selected decorative rugs and home furnishings that would accompany those rugs—New Rugs and Furniture was surprised to learn on August 29, 2023 that the Community Development Department had denied its application for a business license. See Exhibit 3 (email correspondence). KPW acted quickly in support of its new tenant and submitted on August 31, 2023 an application for a Planning Commission interpretation of the Agoura Village Specific Plan. See Exhibit 2, the Application. In the Application, KPW requested findings that New Rugs and Furniture was a “home decorator shop” and/or “specialty retail store” that was “compatible with the vision of the Village.” See *id.*

On September 5, 2023, the Community Development Department acknowledged receipt of the Application and stated that KPW would receive a case planner and notification of a meeting date at which a staff report would be presented to the Planning Commission. See Exhibit 4 (email correspondence). However, neither happened: KPW never received a case planner, and as far as we have been made aware, no meeting ever occurred.

On September 26, 2023, the Community Development Director informed KPW’s agent that she had met with the owner of New Rugs and Furniture the week before and that she had approved a business license for the sale of rugs, but not of the accompanying home furnishings. See Exhibit 5 (email correspondence). While KPW was grateful that New Rugs and Furniture could conduct business in some capacity, KPW kept the case open so as to get a decision on the entirety of New Rugs and Furniture’s intended business model, that is, one that included the sale of select, small amounts of home furnishings to accompany the sale of decorative rugs. See Exhibit 5. In response, the Community Development Department said that because KPW would like to proceed with the case, New Rugs and Furniture’s “use has changed” and that the business license would be “placed on hold.” See *id.* KPW then clarified that although it would still like to be heard in the next Planning Commission meeting, New Rugs and Furniture would sell only rugs pending a Commission decision and that, therefore, there was no change in use.



See id. The Community Development Department ultimately did not place the business license “on hold,” and in early October 2023, New Rugs and Furniture opened its doors to the public.

Two and a half months later, on the afternoon of December 19, 2023, the Community Development Department issued the one-page Decision subject to this appeal. *See* Exhibit 1, Decision. In that Decision, the Community Development Director explained that she “cannot make the findings required to allow a furniture store in the AVSP” because “more intensive uses, such as big box retailers or furniture stores,” as opposed to “specialty retail and grocery stores,” are not listed as allowable uses and would not fit into the vision of the specific plan.” *See* Exhibit 1, Decision at 1.

In the Decision, the Community Development Department explained that KPW and New Rugs and Furniture had 15 days to appeal the Decision, and that as a result, any appeal must be filed on or before January 3, 2024. On December 29, 2023, KPW and New Rugs and Furniture filed this Appeal.

III. Argument

a. **The Planning Commission Should Reverse the Decision Because New Rugs and Furniture is Not a “Furniture Store” Akin to Ikea or Living Spaces, It is a Small, Locally Owned Specialty Retail Boutique.**

The Planning Commission should reverse the Decision because its single paragraph of analysis is expressly based on the incorrect characterization that the Application proposed a “furniture store” with a business model akin to a “big box retailer” rather than a “specialty retail” store. *See* Exhibit 1, Decision at 1. But the Application proposed no such thing. Instead, the Application explained that New Rugs and Furniture, a locally owned and operated store at just 1500 square feet, “is a small boutique that will sell a thoughtful and well-curated selection of decorative rugs and other home furnishings.” *See* Exhibit 2, Application at 1. Indeed, New Rugs and Furniture is already operating a recently-licensed business in the AVSP with regard to the sale of rugs; this alone demonstrates that New Rugs and Furniture is not a “furniture store” in the “big box” sense disallowed by the AVSP.

New Rugs and Furniture’s intended business model is to display a small number of home furnishings to accompany and highlight the decorative rugs, and to sell those home furnishings to those customers who enjoy the look of the furnishings and rugs together. The intent was never—and will never be—to store large amounts of bulky, cookie-cutter furniture in the boutique (or anywhere in Kanan Village). Given the small footprint of the store, that type of business model would be physically impossible in any event. Rather, the concept is that a customer perusing the shops at Kanan Village may love the look of an end table with a lamp with a unique rug underneath it—that customer would be happy for the opportunity to buy the table and lamp alongside the rug. Further to this point, New Rugs and Furniture has already had customers inquire as to whether home furnishings to accompany the rugs on display would



be available; that is, Agoura Hills residents want the opportunity to purchase high-quality home furnishings from New Rugs and Furniture.

On this ground, then, KPW and New Rugs and Furniture respectfully request that the Planning Commission reverse the Decision and allow this specialty retail boutique to sell to customers the small number of home furnishings that will be on display to accentuate and give more life to the decorative rugs already on offer.

b. The Planning Commission Should Reverse the Decision Because New Rugs and Furniture Fits Squarely Within the AVSP's Allowed Retail Uses and is "Compatible with the Vision of the Village."

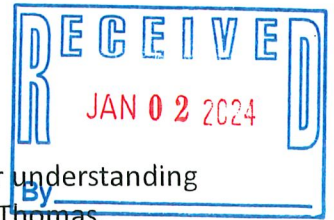
As a related but separate ground, the Planning Commission should reverse the Decision because New Rugs and Furniture's business model fits squarely within the AVSP's allowed retail uses. As explained in greater detail in the Application, New Rugs and Furniture is both a "Home Decorator Shop" and a "Specialty Retail" store. See Exhibit 2, Application at 1-3.

Further, and as also explained in part in the Application, New Rugs and Furniture is "compatible with the vision of the Village." See Exhibit 2, Application at 2. KPW shares in the City's vision to "transform the Agoura Road corridor into a pedestrian-oriented center with retail shops, restaurants, theaters, and entertainment uses." See Exhibit 1, Decision at 1. To this end, KPW has invested heavily in Kanan Village over the past few years, both in terms of aesthetic and environmental improvements such as drought-tolerant landscaping, and in terms of tenant improvements and modernization of individual units.

By necessity and in light of the aftermath of the COVID-19 pandemic, KPW's investment in Kanan Village has also centered on health and safety basics related to the realities of increased homelessness and property crime in the area, such as continued close coordination with the Homeless Outreach Coordinator, improved trash service, and increased graffiti removal. These issues are not unique to KPW, but KPW strongly believes that increased occupancy at Kanan Village—both in terms of businesses occupancy and in terms of residents patronizing the shops—will help mitigate these issues. For this reason as well, then, the success of New Rugs and Furniture brings Kanan Village closer to the city's vision than would the empty space that was there beforehand.

Further, and as explained in the Application, New Rugs and Furniture is similar-but-complementary to other businesses in the same AVSP district. See Exhibit 2, Application at 2. For example, two stores in the Whizins Market Square—Backyard Sanctuary and Chandelier and Tulips—include in their inventory home furnishings of all shapes and sizes. See *id.* If these stores are permitted to sell home furnishings, there is no reason New Rugs and Furniture should not be able to, as well.

Yablonka Law, APC



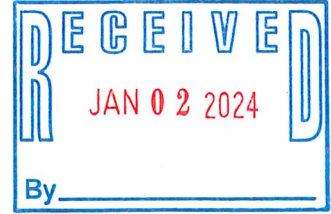
We very much appreciate your time and attention with regard to this appeal. Our understanding based on the Agoura Hills Municipal Code and correspondence from Ms. Denice Thomas, Community Development Director, is that there will be at least one public hearing pertaining to this case. We look forward to participating in that hearing and engaging in constructive dialogue with you about this matter. In the interim, please do not hesitate to reach out directly to me with any questions. I am available by phone at (714) 325-6585 or by email at katieyablonka@gmail.com.

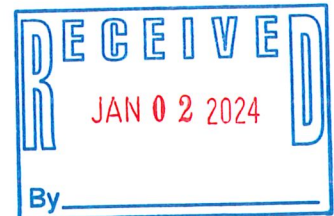
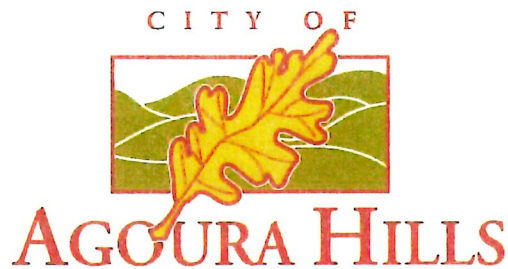
Respectfully Submitted,

A handwritten signature in black ink that reads "Katie Yablonka".

Katie Yablonka, Esq.

Exhibit 1





"Gateway to the Santa Monica Mountains National Recreation Area"

December 19, 2023

Shahryar Pazooki Sharif
5019 Kanan Road
Agoura Hills, CA 91301
Sent via email to: shahrgar@hotmail.com

SUBJECT: DIRECTOR INTERPRETATION REGARDING SPECIALTY STORES IN THE AGOURA VILLAGE SPECIFIC PLAN (AVSP) AREA
PROPERTY ADDRESS: 5019 KANAN ROAD
ZONING: PLANNED DEVELOPMENT (PD) ZONE D WEST, AVSP

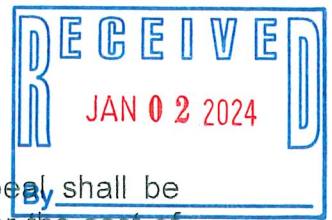
Dear Mr. Pazooki Sharif,

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The vision of the AVSP is to transform the Agoura Road corridor into a pedestrian-oriented center with retail shops, restaurants, theatres, and entertainment uses that offer a unique experience. Specialty retail and grocery stores are allowable uses within the AVSP because they are conducive to a pedestrian-oriented village environment and provide for a narrow selection of goods and services within a relatively small footprint. More intensive retail uses, such as big box retailers or furniture stores, are not listed as allowable uses and would not fit into the vision of the specific plan.

For this reason, I cannot make the findings required to allow a furniture store in the AVSP. If you would like to withdraw your application, we are able to refund your application fees.

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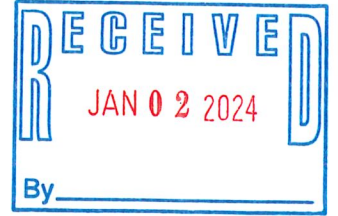
I have made my decision will be transferred to the city clerk. The appeal shall be accompanied by a fee established by resolution of the city council to cover the cost of processing the appeal. Within 40 days of the appeal, the planning commission or city council shall hold at least one public hearing on the appealed decision, and the time and place of the hearing shall be set by notice as prescribed in AHMC §9804.4. The planning commission may affirm, reverse, or modify a decision which has been appealed. The decision of the city council shall be final.

Sincerely,

A handwritten signature in blue ink, appearing to read "Denice Thomas", written over a horizontal line.

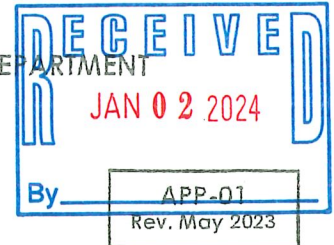
Denice Thomas, AICP
Community Development Director

Exhibit 2





PLANNING DIVISION | COMMUNITY DEVELOPMENT DEPARTMENT
 30001 Ladyface Court, Agoura Hills, CA 91301
 (818) 597-7339
 www.agourahillscity.org



MASTER PLANNING APPLICATION

TYPE OF PERMIT (Check all that apply.)

- | | |
|---|---|
| <input type="checkbox"/> Amendment to Approved Application (AMEND) | <input type="checkbox"/> Parade Run Bike (PRBR)* |
| <input type="checkbox"/> Agoura Village Development Permit (AVDP) | <input type="checkbox"/> Planning Commission Interpretation (INT) |
| <input type="checkbox"/> Conditional Use Permit (CUP)* | <input type="checkbox"/> Pre-Application (PAR) ¹ |
| <input type="checkbox"/> Density Bonus* | <input type="checkbox"/> Pre-Screen |
| <input type="checkbox"/> General Plan/Specific Plan Amendment (GPA/SPA) | <input type="checkbox"/> Sign Permit/Program (SIGN)* |
| <input type="checkbox"/> Landscape Review (LPC) | <input type="checkbox"/> Site Plan/Architectural Review (SPR) |
| <input type="checkbox"/> Lot Line Adjustment (LOT)* | <input type="checkbox"/> Tentative Map/Parcel Map (TRM/PMAP) |
| <input type="checkbox"/> Modification (MOD) | <input checked="" type="checkbox"/> Temporary Use Permit (TUP) |
| <input type="checkbox"/> Outdoor Dining Permit (DINE) | <input type="checkbox"/> Variance (VAR)* |
| <input type="checkbox"/> Oak Tree Permit (OAK)* | <input type="checkbox"/> Zone Change (ZONE) |
| | <input type="checkbox"/> Zoning Ordinance Amendment (ZOA) |
- * Denotes permit requires a supplemental application
¹ Complete a separate pre-application form for SB330 projects

PROJECT DESCRIPTION

PROJECT LOCATION

<p><i>Please see attached</i></p> <p><small>(Attach additional sheets if necessary)</small></p>	ADDRESS OR LOCATION OF PROPERTY <i>5019 Ranan Rd. Agoura Hills, CA</i>
	ASSESSOR'S PARCEL/IDENTIFICATION NO. <i>91301</i> <i>2061004032</i>
	CURRENT ZONING
	PROPOSED ZONING (if applicable)

APPLICANT

PROPERTY OWNER

NAME <i>Shawn Pazooki</i>	NAME <i>Patricia L. Ranan</i>
COMPANY <i>New Rugs & Furniture</i>	ADDRESS <i>116 S. Catalina Ave Suite 108</i>
ADDRESS	<i>Redondo Beach, CA 90277</i>
PHONE NO. <i>818-448-0596</i>	PHONE NO. <i>805-794-7037</i>
EMAIL <i>Shahrgare@hotmail.com</i>	EMAIL <i>Tortlund@comcast.net</i>

OWNER'S AUTHORIZATION

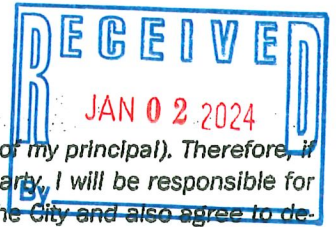
DESIGN PROFESSIONAL

NAME OF AGENT <i>Jack Dwyer</i>	NAME
COMPANY <i>NAI Capital</i>	COMPANY
ADDRESS <i>jdwyer@naicapital.com</i>	ADDRESS
PHONE NO. <i>805-446-2400</i>	PHONE NO.
EMAIL	PHONE NO.
By signing below, you authorize the listed agent to represent you for all matters pertaining to this project application including all correspondence.	EMAIL
	By signing below, you have read and understood the statements below
OWNER SIGNATURE <i>Patricia L. Ranan</i>	SIGNATURE

DESIGN PROFESSIONAL AUTHORIZATION (Pursuant to Gov. Code §65103.5, select ONE option below)

Yes, I authorize reproduction of the submitted architectural drawings for use within the agenda packet and posting on the internet, and further acknowledge that members of the public will have access to view these drawings.

No, I do not authorize the reproduction of the architectural drawings for use within the agenda packet or the internet. As an alternative, I am providing a separate site plan and massing diagram. I understand that failure or refusal to provide an alternative grants the City permission to post and reproduce the submitted architectural drawings.



INDEMNIFICATION

I understand that the requested approvals sought through this application are for my benefit (or that of my principal). Therefore, if the City grants the approval(s), with or without conditions, and that action is challenged by a third party, I will be responsible for defending against this challenge. I agree to accept this responsibility for defense at the request of the City and also agree to defend and indemnify (with counsel of the City's choosing), and hold the City harmless from any costs, claims, demand, financial loss, penalties, fines, judgments, or liabilities arising from the approvals, with or without conditions, including without limitation, any award or attorney's fees that might result from the third party challenge, excepting only liability arising from the sole negligence, gross negligence, or intentional misconduct of City. For the purpose of this indemnity, the term "City" shall include the City of Agoura Hills, its officers, officials, employees, agents, and representatives. For the purpose of this indemnity, the term "challenge" means any legal or administrative action to dispute, contest, attack, set aside, limit, or modify the approval, project conditions, or any act upon which the approval is based, including, but not limited to, any action alleging a failure to comply with the California Environmental Quality Act or other laws.

Owner Signature: Patricia L. Hadas Date: 8-31-23

Applicant Signature (if different from owner): _____ Date: _____

CERTIFICATIONS

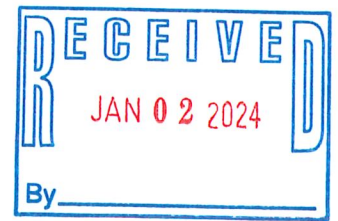
I certify that I am the listed owner-of-record of the property described on this application, and hereby approve the action requested herein.

Owner Signature: Patricia L. Hadas
Date: 8-31-23

FOR OFFICE USE ONLY

Primary Application	P1	\$
Secondary Application	P1	\$
Pre-Application (SB330 only)	P1	\$
Environmental Review (Catex/Initial Study)	P1	\$
Public Hearing & Notification	P1	\$
Geological/Geotechnical Report Review (Admin.)	P1	\$
Geological/Geotechnical Report Review Deposit (Consultant)	2105	\$
Landscape Plan Review (Admin.)	P1	\$
Landscape Plan Review Deposit (Consultant)	2105	\$
Oak Tree Report Review (Admin.)	P1	\$
Oak Tree Report Review Deposit (Consultant)	2105	\$
Consultant Site Inspection/Other Consultant Services Fee	2105	\$
Building & Safety Review	23	\$
Engineering/Public Works Department Review	55200	\$
Traffic Engineering Deposit	210512	\$
Other Review Fees		\$
Total		\$

Date Received:	Primary Case No. & Related Case No(s)	Method of Payment:
Received By:		Trust Account:



Introduction

Kanan Properties West, LLC ("KPW") respectfully submits this written request in support of its application for a Planning Commission interpretation of the Agoura Village Specific Plan. Specifically, KPW respectfully requests that the Planning Commission find that KPW's tenant, New Rugs and Furniture, has a business well within the Agoura Village Specific Plan's allowed retail uses.

The Planning Commission should grant a business license to New Rugs and Furniture for any one of the three following reasons, each of which are individually sufficient. First, New Rugs and Furniture falls squarely within the allowable use category of "home decorator shop." See *Agoura Village Specific Plan* (hereafter "AVSP"), 4-40. Second, New Rugs and Furniture also falls under the allowable use category of "specialty retail store." *Id.* Third, the Director of Planning and Community Development should exercise its discretion to grant a business license because New Rugs and Furniture's business is "compatible with the vision of the Village." See *AVSP*, 4-39.

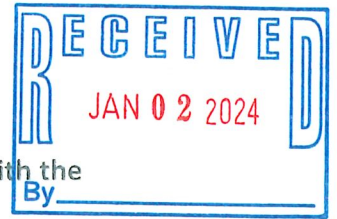
I. New Rugs and Furniture is a "Home Decorator Shop"

New Rugs and Furniture is a "home decorator shop." It is not a carpet store, a flooring showroom, or a bulk/industrial rug warehouse. Instead, at just 1500 square feet, it is a small boutique that will sell a thoughtful and well-curated selection of decorative rugs and other home furnishings. The rugs' only purpose is delight and decoration; they are aesthetic accessories as opposed to purely functional items such as walls, flooring, or ceiling fans. A commonsense, plain reading of "home décor" would therefore include these decorative rugs.

That decorative rugs are "home décor" is also supported by the language that several other business use to advertise their sales of decorative rugs. Examples, screenshots of each provided as Exhibit A to this letter, include:

- Décor Market, which invites customers to "give your space an upgraded appearance with new rugs";
- Recherche Décor, with its "exquisite handmade rugs personally selected by our designers";
- Home Décor Fine Rugs, which explains that "choosing the perfect area rug enhances your home's décor";
- Vintage Home, with its rug selection clearly under the "Home Décor" category on its website; and
- Food 52, which invites customers to "look to the rugs, baskets, and other décor for the finishing touches."

See Exhibit A.



II. New Rugs and Furniture is a “Specialty Retail Store” that is “Consistent with the Purpose” of the Agoura Village Specific Plan

New Rugs and Furniture is also a “Specialty Retail Store.” A specialty retail store is a “retail store that focuses on specific product categories, as opposed to retailers who sell a large number of consumer goods categories.” See <https://www.iqmetrix.com/blog/what-is-specialty-retail>. New Rugs and Furniture, with its dedicated focus on decorative rugs and accompanying home furnishings, has clearly honed its expertise on a narrow product line.

The sale of decorative rugs and home furnishings is also “consistent with the purpose” of the Specific Plan. See AVSP, 4-40. The purpose of the Specific Plan for this District is to “ensure that a destination quality environment evolves with the critical mass of uses necessary to attract people and remain economically viable,” see AVSP 4-38, and New Rugs and Furniture does exactly that. As you are undoubtedly aware, the COVID-19 pandemic inflicted brutal losses on commercial retail in the Agoura area for both landlords and tenants; the District is very much still recovering. At its most fundamental then, New Rugs and Furniture—a good, clean specialty retail store—will attract people and improve the economic viability of the greater Village because it will be filling a unit that has been empty for many years. That is, increased occupancy at KPW will attract more customers to the area just by virtue of having more high-quality shopping options than it would if New Rugs and Furniture were denied a business license.

More specifically, the expertly selected, refined selection of decorative rugs and home furnishings will beautifully complement other successful businesses in the District, and for this reason as well will attract more people to the area. For example, Backyard Sanctuary and Chandelier and Tulips—both located in the Whizin Market Square in this District—also sell home furnishings, but neither sells rugs. People who are already seeking out this District in search of home furnishings will not only be delighted to find another high-quality furniture option in New Rugs and Furniture, they will also have the option of pairing their purchases from Backyard Sanctuary or Chandelier and Tulips with a well-curated rug from New Rugs and Furniture.

III. The Director of Planning and Community Development Should Exercise Its Discretion to Grant a Business License to New Rugs and Furniture

Even if the Planning Commission does not find that New Rugs and Furniture’s business is listed in the land use table, the Director of Planning and Community Development should, in their discretion, grant the business license as “compatible with the Vision of the Village.” See AVSP, 4-39. The reasons for this are the same as those enumerated in Section II, *supra*. That is, New Rugs and Furniture is an expert-run specialty business whose focused, well-curated selection of decorative rugs and home furnishings will attract customers to the District because it complements successful, pre-existing business in the area, and will increase the District’s economic viability by increasing retail occupancy in Agoura Village.



Conclusion

While KPW hopes that the Planning Commission will grant a business license without further delay to New Rugs and Furniture, KPW is happy to discuss any further questions the Planning Commission may have. KPW welcomes the opportunity to be in continued dialogue with the City about this or any other issue.

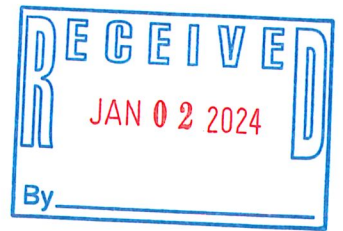


Exhibit A



decormarket.com

DECOR MARKET

NEW RUGS LIGHTING COUTURE LIVING ROOM DINING & BAR BED & BATH OFFICE DECOR OUTDOOR FRAGRANCE KIDS & PETS CLEARANCE

Account Wishlist Cart 0
FREE Design Services Contact Us

Update



outdoor arrivals
Create your own outdoor oasis with our curated selection of outdoor furniture. [shop outdoor](#)

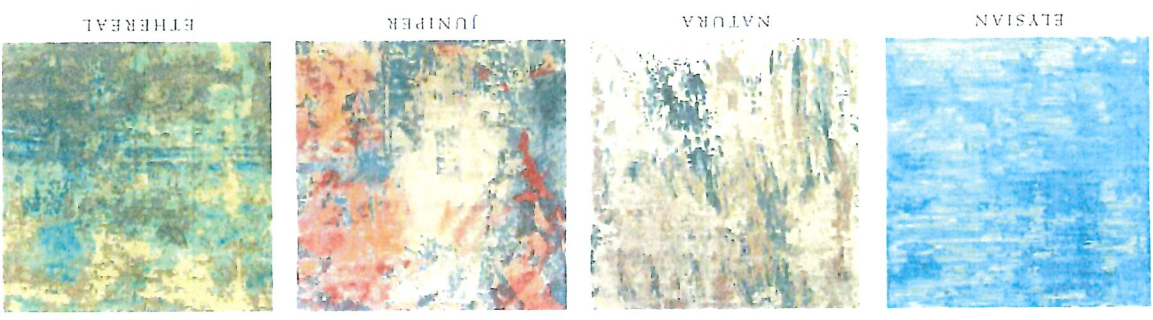


spring textures
Bring your space to life with our curated selection of patterned rugs. [shop rugs](#)



refresh the mood
Elevate your outdoor space with our curated selection of modern lighting. [shop lighting](#)

RECEIVED
JAN 02 2024
By _____



Curated Perfection: Explore Exquisite Handmade Rugs Personally Selected by Our Designers

reetherdecor.com | reetherdecor.com



HOME DÉCOR FINE RUGS

14460 Wilshire Blvd, Suite 1000, Beverly Hills, CA 90210 | Tel: 310.347.9972

HOME DÉCOR FINE RUGS

Home Décor Fine Rugs is a leading provider of high-quality, hand-knotted Persian and Oriental rugs. We are committed to providing our customers with the finest quality rugs at the most competitive prices.

Our collection includes a wide variety of styles, colors, and patterns, all made from the finest materials. We offer a wide range of sizes and shapes to suit any room in your home.

At Home Décor Fine Rugs, we pride ourselves on our exceptional customer service. We are committed to providing our customers with the highest quality rugs and the most competitive prices. Whether you are looking for a new rug for your living room or a replacement for a worn-out rug, we have the perfect solution for you.





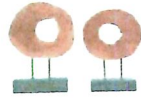
Home Decor > Home Decorations > Home Decor

VINTAGE HOME

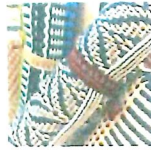
Home Decor > Wall Art > Canvas Art > Home Decor

BUY NOW

- Home Decor
- Wall Art
- Decorative
- Home Decor
- Home Decor
- Home Decor
- Home Decor
- Home Decor



Two Wooden Wall Art
Set of 2
\$24.99



Colorful Abstract
Wall Art
\$19.99

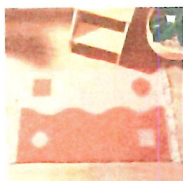
Home

- [New Arrivals](#)
- [Cookbooks](#)
- [Apparel](#)
- [Ebooks](#)
- [Tote Bags](#)
- [Books](#)
- [Quilts](#)
- [Party](#)
- [Gifts](#)
- [Tees](#)
- [DVDs](#)
- [TWEET](#)
- [SCHOOLHOUSE](#)

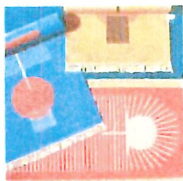
Home

Discover the latest in home decor, kitchenware, and more. Shop now!

Featured



HEAVENLY HOME
 \$120.00



HEAVENLY HOME
 \$120.00



HEAVENLY HOME
 \$120.00



HEAVENLY HOME
 \$120.00

RECEIVED
 JAN 02 2024
 By _____

From: Kelly kmcnamara@kananproperties.com
Subject: Fed Ex
Date: September 1, 2023 at 11:27 AM
To: Shane syablonk@gmail.com

<https://www.fedex.com/c81b3154-c292-4c4e-9e285-457cd03af3d>

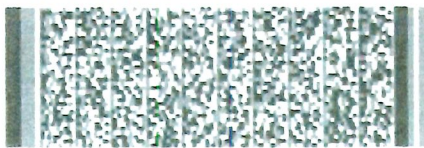


ORIGIN ID:HRFA (310) 541 2369
KELLY MCMNAMARA
116 S. CATALINA AVE
SUITE 106
REDONDO BEACH, CA 90271
UNITED STATES US
SHIP DATE: 01SEP23
ACTWT: 0.50 LB
DIM: 25408005:PIET4135
BILL SCHEER

VALERIE DARBOUZE
CITY OF AGOURA HILLS
30001 LADYFACE COURT

AGOURA HILLS CA 91301

(310) 587-7129 REP
RAZ REP
PO

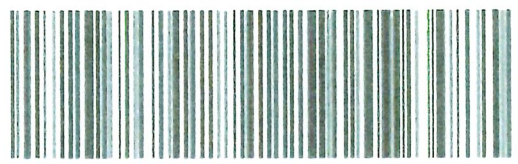


TUE - 05 SEP 5:00P
STANDARD OVERNIGHT

TRK 7732 8577 6183
0226

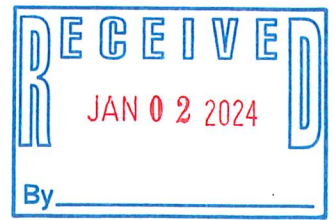
92 JSNA

91301
CA-US BUR



1. The sender's name, address, and phone number must be legible and in English. The recipient's name, address, and phone number must also be legible and in English. The sender's name and address must be on the front of the package. The recipient's name and address must be on the back of the package. The sender's phone number must be on the front of the package. The recipient's phone number must be on the back of the package. The sender's name and address must be in bold, black, uppercase letters. The recipient's name and address must be in bold, black, uppercase letters. The sender's phone number must be in bold, black, uppercase letters. The recipient's phone number must be in bold, black, uppercase letters. The sender's name and address must be on the front of the package. The recipient's name and address must be on the back of the package. The sender's phone number must be on the front of the package. The recipient's phone number must be on the back of the package. The sender's name and address must be in bold, black, uppercase letters. The recipient's name and address must be in bold, black, uppercase letters. The sender's phone number must be in bold, black, uppercase letters. The recipient's phone number must be in bold, black, uppercase letters.

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FedEx® Tracking

[Track Another Shipme](#)

DELIVERED

DELIVERY STATUS

TRACK

Tuesday

Delivered 

77328

9/5/23 at 2:47 PM

Signed for by: S.KAREN

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Want updates on this shipment? Enter your email and we will do the rest!


YOUR EMAIL

MORE OPTIONS


Manage Delivery 




Shipping 

Tracking 

Design & Print 

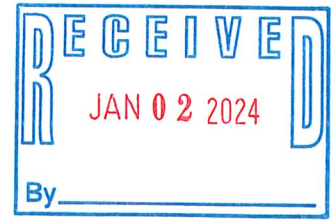
Locations 

Support 

Shipment facts

Shipment overview

TRACKING NUMBER	773285776183
DELIVERED TO	Receptionist/Front Desk
SHIP DATE 	9/1/23
STANDARD TRANSIT 	9/5/23 before 5:00 PM
ACTUAL DELIVERY	9/5/23 at 2:47 PM



Services

SERVICE	FedEx Standard Overnight
TERMS	Shipper
SPECIAL HANDLING SECTION	Deliver Weekday

Package details

WEIGHT	1 lbs / 0.45 kgs
TOTAL PIECES	1
TOTAL SHIPMENT WEIGHT	1 lbs / 0.45 kgs
PACKAGING	Your Packaging

Travel history

SORT BY DATE/TIME

Ascending

TIM

Lc

Friday, 9/1/23	1:23 PM	•	Shipment information sent to FedEx
	1:19 PM	•	Shipment arriving On-Time
	1:19 PM	•	Picked up Tendered at FedEx Office
	3:20 PM	•	Picked up

8:09 PM • Left FedEx origin facility

11:20 PM • Arrived at FedEx hub

Saturday, 9/2/23

2:50 AM • Departed FedEx hub

8:55 AM • At local FedEx facility
Package not due for delivery

10:16 AM • At local FedEx facility
Package not due for delivery

10:17 AM • At local FedEx facility

Tuesday, 9/5/23

7:43 AM • Shipment arriving On-Time

7:43 AM • At local FedEx facility

8:34 AM • On FedEx vehicle for delivery

2:47 PM ☺ Delivered



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ORIGIN ID:HHRA (310) 545-2398
KELLY MMCNAMARA
116 S. CATALINA AVE
SUITE 108
REDONDO BEACH, CA 90277
UNITED STATES US

SHIP DATE: 29DEC23
ACTWGT: 0.05 LB
CAD: 254080005/NET4535
BILL SENDER

TO DENICE THOMAS
CITY OF AGOURA HILLS
30001 LADYFACE COURT

AGOURA HILLS CA 91301

(618) 597-7328
INV: REF:
PO: DEPT:



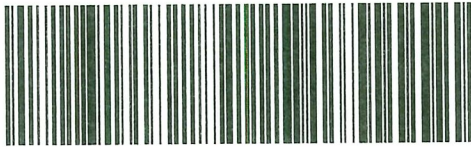
583U42BE19AEX

TUE - 02 JAN 12:00P
PRIORITY OVERNIGHT

TRK# 7746 4084 5454
0201

92 JSNA

91301
CA-US BUR

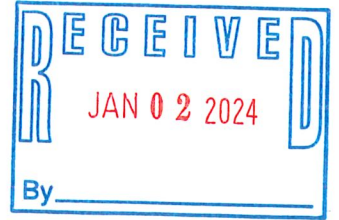


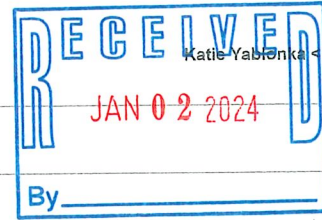
After printing this label:
CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH
1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.



Exhibit 3





Katie Yablonka <katieyablonka@gmail.com>

rugs and furniture in CRS zone.
1 message

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



[Redacted]

From: Valerie Darbouze <VDarbouze@agourahillscity.org>
Sent: Tuesday, August 29, 2023 5:00 PM
To: Jack Dwyer <jdwyer@naicapital.com>
Subject: RE: rugs and furniture in CRS zone.

Jack,
[See the Agoura Village Specific Plan on pages 4-40 and 4-41 of the document or 46 of the PDF and let me know if you see an equivalent use.](https://www.agourahillscity.org/home/showpublisheddocument/13167/637829549487730000)
<https://www.agourahillscity.org/home/showpublisheddocument/13167/637829549487730000>



VALERIE DARBOUZE
Associate Planner
Community Development
City of Agoura Hills
30001 Ladyface Court, Agoura Hills, CA 91301
T: 818.597-7328 | vdarbouze@agourahillscity.org
[Website](#) | [Facebook](#) | [Instagram](#) | [Twitter](#) | [LinkedIn](#)

From: Jack Dwyer <jdwyer@naicapital.com>
Sent: Tuesday, August 29, 2023 3:49 PM
To: Valerie Darbouze <VDarbouze@agourahillscity.org>
Cc: Nathan Hamburger <NHamburger@agourahillscity.org>; kmcamera@kananproperties.com
Subject: rugs and furniture in CRS zone.

Valery,

We signed a lease with this individual a week ago. Is this because of the Agoura Village Overlay Zone? Carpet and furniture is allowed in most commercial retail zones that I am aware of and usually with a lower parking requirement. This is a first time user who has spent a considerable amount of \$ to purchase his inventory . Can this decision be appealed? I am really taken back by this decision. It does not make any sense to me. It is a good clean retail use. He was an employee of the former NW rugs.

He just received a memo that his use is not allowed in Kanan Village .

12/29/23, 10:32 AM

Gmail - rugs and furniture in CRS zone.

Sent from [Mail](#) for Windows

Jack Dwyer, CCIM | Senior Vice President
2555 Townsgate Rd., #320 Westlake Village, CA 91361
jdwyer@naicapital.com | Cal DRE Lic # 00468626

Office 805-446-2400 x4014
Fax [805-446-2401](tel:805-446-2401)

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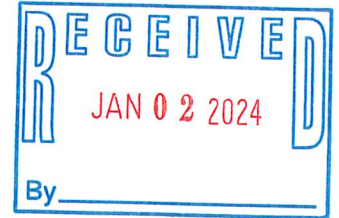


Exhibit 4





Katie Yablonka <katieyablonka@gmail.com>



City of Agoura Hills Receipt for Planning Interpretation Case No. PCI-2023-0001

[Redacted]

[Redacted]

[Redacted]



[Redacted]

[Redacted]

[Redacted]

[Redacted]

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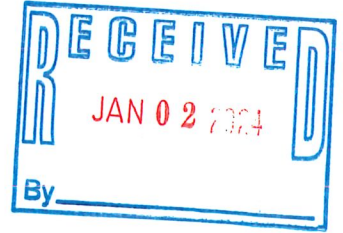
[Redacted]

From: Valerie Darbouze <VDarbouze@agourahillscity.org>
Sent: Thursday, September 7, 2023 2:32 PM
To: Jack Dwyer <jack.dwyer@outlook.com>

Cc: Patty Kanan (torlundy@comcast.net) <torlundy@comcast.net>; kmcnamara@kananproperties.com

Subject: RE: City of Agoura Hills Receipt for Planning Interpretation Case No. PCI-2023-0001

Hello,
The date of the hearing has not been determined.
One of the planners will let you know.
Thank you.



VALERIE DARBOUZE

Associate Planner

Community Development

City of Agoura Hills

30001 Ladyface Court, Agoura Hills, CA 91301

T: 818.597-7328 | vdarbouze@agourahillscity.org

[Website](#) | [Facebook](#) | [Instagram](#) | [Twitter](#) | [LinkedIn](#)

<[image002.jpg](#)>

From: Jack Dwyer <jack.dwyer@outlook.com>

Sent: Thursday, September 7, 2023 11:48 AM

To: Valerie Darbouze <VDarbouze@agourahillscity.org>

Cc: Patty Kanan (torlundy@comcast.net) <torlundy@comcast.net>; kmcnamara@kananproperties.com

Subject: RE: City of Agoura Hills Receipt for Planning Interpretation Case No. PCI-2023-0001

Thank you, Valerie. When will the report and agenda be available for my review? Patty Kanan has requested my attendance and presentation at the September 21st meeting.

Jack Dwyer, CCIM

President

Dwyer and Associates, Inc.

805-208-8905

Jack.dwyer@outlook.com

From: Valerie Darbouze <VDarbouze@agourahillscity.org>

Sent: Tuesday, September 5, 2023 5:29 PM

To: shahrgar@hotmail.com; Jack Dwyer <jdwyer@naicapital.com>

Subject: City of Agoura Hills Receipt for Planning Interpretation Case No. PCI-2023-0001

Hello,

We have received your plans and check. Attached is a receipt for your records.

We will process a Planning Interpretation Case, which requires a staff report to be presented to the Planning Commission. Your case planner will inform you of the date of the meeting.

Planning Commission meetings are on the first and third Thursday of every month at 6:30 pm.

The description and plans will be attached to the report so I would ask for a site plan of the property per my email on 8/30/2023. You can email it to me and I will add it to your file.

Thank you.

VALERIE DARBOUZE

Associate Planner

Community Development

City of Agoura Hills

30001 Ladyface Court, Agoura Hills, CA 91301

T: 818.597-7328 | vdarbouze@agourahillscity.org

[Website](#) | [Facebook](#) | [Instagram](#) | [Twitter](#) | [LinkedIn](#)

<[image003.jpg](#)>

Kelly McNamara

Kanan Properties West, LLC

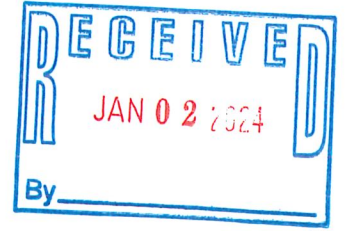
116 S. Catalina Ave. Suite 108

Redondo Beach, CA 90277

12/29/23, 10:38 AM

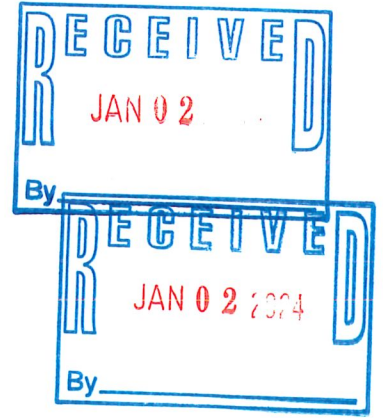
Gmail - City of Agoura Hills Receipt for Planning Interpretation Case No. PCI-2023-0001

Office: 310-545-2398

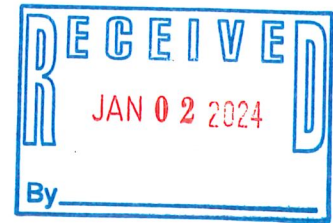


 **City of Agoura Hills Receipt for Planning Interpretation Case No. PCI-2023-0001.eml**
35K

Exhibit 5



Subject: Planning Commission Interpretation



Begin forwarded message:

From: Kelly <kmcnamara@kananproperties.com>
Subject: Planning Commission Interpretation
Date: September 27, 2023 at 2:11:27 PM PDT
To: Denice Thomas <DThomas@agourahillscity.org>
Cc: Valerie Darbouze <VDarbouze@agourahillscity.org>, Lukas Quach <LQuach@agourahillscity.org>

Hello Denice,

I am so sorry to have caused any confusion regarding the business license that was issued for Mr. Pazooki. As you have outlined below, in his meeting with you last week, it was agreed upon that a business license would be issued for Mr. Pazooki to sell specialty rugs only. Selling small furniture items would not be permitted at this time. He agreed to this and has been working extremely hard on the preparations to open his store. Relying on the business license that the City has already provided to Mr. Pazooki—a license that neither Mr. Pazooki nor Kanan Village had any reason to expect would or could be revoked—inventory (rugs only) has been ordered, potential employees have been interviewed, and all the “general” undertakings required to open a speciality store to the public are in progress. Stopping this process will be financially devastating to Mr. Pazooki as well as distressing to neighboring tenants within Kanan Village.

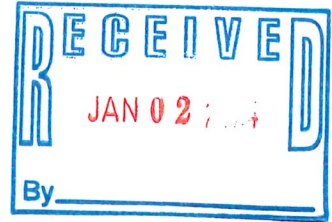
The business license was issued to sell speciality rugs only and that use has not been changed. Mr. Pazooki will meticulously follow the guidelines set out by the City. We simply asked to be included in the October Planning meeting to discuss the possibility of including the sale of small furniture items in the future. We did not intend to hinder, negate, or supersede his current business license issued to sell only specialty rugs, and do not see how our participation in the October Planning meeting would do so. May I assume with this explanation that Mr. Pazooki will be retaining his current business license?

Again, my apologies if my request to stay on the October Planning Commission meeting lead anyone to believe that his use has changed. It has not changed and will not change until approved by the City.

I can be reached directly on my cell at: 714-493-3379 to answer any questions you may have and would be happy to set-up a time that works best for you to discuss further.

Best,

Kelly



Kelly McNamara
Kanan Properties West, LLC
116 S. Catalina Ave. Suite 108
Redondo Beach, CA 90277

On Sep 26, 2023, at 5:23 PM, Denice Thomas
<DThomas@agourahillscity.org> wrote:

Hello,

My name is Denice Thomas. I am the Community Development Director here in the City. Last week, I met with the business owner wishing to open a specialty rug store in the Agoura Village Specific Plan. We were able to agree on a use that would allow him to open with a business license. After the meeting I spoke with Mr. Dwyer to advise him the business license was issued and the gentlemen would be able to proceed with opening his business.

Valerie advised me you/he would like to sell furniture and proceed with the interpretation at the Planning Commission. Given we issued the business license under the condition the suite would be used as a Specialty Retail store for specialty rugs and now the use has changed, there is an issue with the business license we issued. We will reach out to the business owner to advise him his business license will be placed on hold until the Planning Commission has had an opportunity to deliberate and make their determination. Please be advised that until the use for the leasehold is resolved, we will hold off on issuing a Certificate of Occupancy as well.

As you have requested, we will not return the check and we will prepare the project for the Planning Commission's decision.

If you have any questions or comments or wish to discuss this further, please feel free to reach out to me.

Regards,

<Outlook-wyxyzkcvj.png>

DENICE THOMAS, AICP

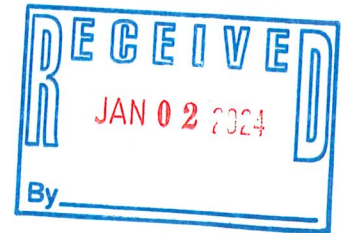
Community Development Director

City of Agoura Hills

30001 Ladyface Court, Agoura Hills, CA 91301

T: 818.597.7311 | dthomas@agourahillscity.org

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ATTACHMENT 3

Required Findings for Similar and Compatible Uses

Allowable land Uses

A land use that is not listed in the Table 4.1 or is not shown on the corresponding district zoning plates for Zone A through F (and OS – Open Space District regulations for Zone G) is not allowed except as follows:

1. Required Findings: The Director may determine in writing that a proposed use is similar and compatible to a listed use and may be allowed upon making one or more of the following findings:
 - a. The characteristics of and activities associated with candidate uses are similar to one or more of the allowed uses and will not involve substantially greater intensity than the uses listed for that sub district;
 - b. The candidate uses will be consistent with the purpose and vision of the applicable sub district;
 - c. The candidate uses will be otherwise consistent with the intent of the specific plan;
 - d. The candidate uses will be compatible with the other uses listed for the applicable sub district.
2. The Director may refer the question of whether a proposed use is allowable directly to the Planning Commission or City Council for a determination at a public hearing.
3. A determination of the Director or Planning Commission may be appealed in compliance with the appeals procedure set forth in the City of Agoura Hills Municipal Code.