

## REPORT TO CITY COUNCIL

**DATE:** JULY 10, 2024

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** NATHAN HAMBURGER, CITY MANAGER

**BY:** DENICE THOMAS, COMMUNITY DEVELOPMENT DIRECTOR  
ROBBY NESOVIC, PRINCIPAL PLANNER

**SUBJECT:** CONDUCT A CONTINUED DE NOVO PUBLIC HEARING TO CONSIDER AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT NUMBER CUP-2023-0026, A REQUEST FOR A TYPE-47 ALCOHOL LICENSE TO ALLOW THE SALE OF DISTILLED SPIRITS, WINE, AND BEER

---

On June 5, 2014, the Planning Commission of the City of Agoura Hills adopted Resolution No. 14-1106, approving Conditional Use Permit (CUP) No. 14-CUP-002 (Attachment 1) to allow a Type-41 alcoholic beverages license for Cronies Sports Grill ("Cronies"). A Type-41 license allows the on-site sale of beer and wine. The conditions of approval for 14-CUP-002 state that the permit is strictly valid for a license Type-41, as defined by the California Department of Alcohol Beverage Control (ABC), and that the approved hours of operation are from 8:00 a.m. to 11:00 p.m. Sunday through Thursday, and from 8:00 a.m. to 12:30 a.m. Friday and Saturday.<sup>1</sup>

In November of 2023, David Foldes (Cronies owner) submitted a CUP application (CUP No. 2023-0026) requesting a Type-47 alcoholic beverages license and extended hours of operation for Cronies. The Planning Commission held a public hearing on April 4, 2024, where evidence, both written and oral, including the staff report dated April 4, 2024 (Attachment 2), as well as supporting documentation, was duly presented to, and considered by the Planning Commission. On April 18, 2024, the Planning Commission of the City of Agoura Hills adopted Resolution No. 24-1290, denying CUP No. 2023-0026 (Attachment 3) based on the findings listed in sections V-VII of the resolution.

Following the adoption of Resolution No. 24-1290, Stephen A. Jamieson ("applicant") filed an appeal application on behalf of Cronies and David Foldes on May 3, 2024. The appeal application was accompanied by an appeal application fee, and a letter stating the reasons for the appeal (Attachment 4), as required by Agoura Hills Municipal Code (AHMC) § 9804.5. The appeal application states that the applicant is no longer requesting extended hours. The appeal hearing was initially scheduled and noticed for May 22, 2024, and at the request of the applicant, the hearing was continued until July 10, 2024.

---

<sup>1</sup> See conditions 14 and 15 for 14-CUP-002, Attachment 1a.

The request before the City Council is to consider the appeal application filed by the applicant, taking into consideration all documents constituting the record and any public testimony. The City Council may affirm, reverse, or modify the decision made by the Planning Commission on April 18, 2024, based on the following findings located in the AHMC:

**AHMC § 9673.2.E. (Required Findings for Conditional Use Permits)**

1. *That the proposed use is consistent with the intent and purpose of this Article IX, the goals and objectives of the general plan and any applicable specific plan, and the purposes of the district in which the use is located;*
2. *That the proposed use is compatible with the surrounding properties, based on the following land use factors:*
  - a. *Whether the proposed use would generate offsite noise louder than ambient noise levels by considering (i) the volume and times of day such noise would be generated; (ii) the proximity to nearby residences, schools and other sensitive uses; (iii) the topography of the surrounding area likely to affect how noise travels; and (iv) the presence of other nearby uses likely to generate offsite noise at similar times;*
  - b. *Whether the proposed use would result in increased vehicular and/or pedestrian traffic;*
  - c. *Whether access and off-street parking, including parking for guests, can be adequately provided such that available on-street parking for neighboring properties is not negatively impacted;*
  - d. *Whether the proposed building and site design elements, including without limitation, structures, fences, walls, lighting, landscaping, and signage, comport with the City's architectural design standards or otherwise achieve the City's goals in harmonizing development with the natural environment;*
3. *That the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, based on the following land use factors:*
  - a. *Whether public and private roads and driveways used to access the property can safely accommodate all vehicular traffic associated with the proposed use, including emergency vehicles, and meet all applicable requirements of the Los Angeles County Fire Code;*
  - b. *Whether the proposed use could create harmful secondary nuisances that cannot be controlled through reasonable mitigation measures, including, without limitation: (i) littering on adjacent properties or public rights-of-way;*



- G. The requested use will not contribute to an undue concentration of alcoholic beverage establishments in the area;*
- H. The requested use is not located in what has been determined to be a high-crime area, or where a disproportionate number of police calls occur;*
- I. If the sale of alcohol is proposed at an establishment that also offers live entertainment, said conditional use permit request shall be reviewed in conjunction with the conditional use permit for live entertainment.*

The aforementioned findings to be made by the City Council following the public hearing should be based on the updated project description, which no longer includes extended hours of operation. The updated project description is a request for a Type-47 alcoholic beverages license to sell distilled spirits in addition to beer and wine. Cronies currently has a Type-41 alcoholic beverages license, which allows the sale of beer and wine, but not distilled spirits.

## **FISCAL IMPACT**

This appeal application will have no impact on the City's Fiscal Year 2024-25 Budget as the applicant has paid all applicable fees, which covers staff's time processing the case and public notification fees.

## **RECOMMENDATION**

Staff recommends the City Council conduct a continued de novo public hearing to consider the appeal of the Planning Commission's denial of CUP-2023-0026, taking into consideration all documents constituting the record and any public testimony, and direct staff to draft a resolution affirming, reversing, or modifying the decision made by the Planning Commission, based on the findings made by the City Council following the public hearing.

### Attachments:

1. Resolution No. 14-1106 dated June 5, 2014
  - a. Conditions of Approval for 14-CUP-002
2. Staff Report dated April 4, 2024
  - a. Draft resolution dated April 4, 2024, with draft Conditions of Approval
  - b. Vicinity Map
  - c. Alcohol License Map
  - d. Project Plans
  - e. Site Photos
3. Planning Commission Resolution No. 24-1290 dated April 18, 2024, denying CUP-2023-0026
4. Appeal application filed by Stephen A. Jamieson
5. Public Comments



**Attachment 1:**  
**Resolution No. 14-1106 dated June 5, 2014**

RESOLUTION NO. 14-1106

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, APPROVING CONDITIONAL USE PERMIT CASE NO. 14-CUP-002 TO ALLOW THE ON-SITE SALE OF ALCOHOLIC BEVERAGES (TYPE 41 ABC LICENSE) FOR A NEW RESTAURANT (CRONIES SPORTS GRILL); AND APPROVING OUTDOOR DINING PERMIT CASE NO. 14-ODP-001 TO ALLOW AN OUTDOOR DINING AREA FOR THE RESTAURANT LOCATED AT 5687 KANAN ROAD

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 David Foldes, with respect to real property located at 5687 Kanan Road, (Assessor's Parcel No. 2053-007-030), requesting approval of a Conditional Use Permit (Case No. 14-CUP-002) to allow the on-site sale of alcoholic beverages (Type 41 ABC license) for an new restaurant (Cronies Sports Grill); and an Outdoor Dining Permit (Case No. 14-ODP-001) to allow an outdoor dining area in the Agoura Meadows Shopping Center, adjacent to the restaurant. A public hearing to consider Case Nos. 14-CUP-002 and 14-ODP-001 was duly held on June 5, 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 Commercial Shopping Center-Mixed Use (CS-MU) zone. The CS-MU 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, office 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. In addition to the on-sale of alcoholic beverages within the restaurant, pursuant to this Conditional Use

Permit, alcoholic beverages will be served within a new outdoor dining area adjacent to the tenant space. The California Department of Alcoholic Beverage Control regulates the sales and dispensing of alcohol inside as well as outside and enforces its own public safety regulations.

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 outdoor dining area. The restaurant is a permitted use in CS-MU zone, and the on-site sale of alcohol is allowed pursuant to this Conditional Use Permit and CS-MU 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 these types of uses are located 1,223 feet and 1,260 feet away respectively.

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 230-foot of separation exists between the shopping center and the nearest residential neighborhood to the west. The restaurant and this residential neighborhood are separated by a Los Angeles County Flood Control Channel easement.

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 and defined outdoor area, which will remain compatible with the City's Architectural and Design Standards and Guidelines and as conditioned, will comply with the provisions of the City's outdoor dining design and operational standards (Section 9395.1 of the Zoning Ordinance).

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.

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 8:00 a.m. to 12:30 a.m. Friday and Saturday and from 8:00 a.m. to 11:00 p.m. Sunday through Thursday, 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 commercial multi-tenant center. Although other restaurants with ABC licenses exist in the retail center, the number of establishments in the shopping center has not changed and ABC is responsible for determining whether the type of requests is within acceptable levels of licenses concentration.

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

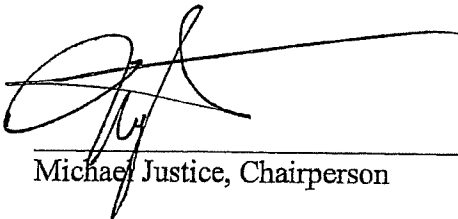
Section 5. The project is exempt from the California Environmental Quality Act, as defined in CEQA Guidelines Section 15301 (Class 1) and does not require the adoption of an environmental impact report or negative declaration. The project is a request to allow on-site consumption of beer and wine inside a new restaurant and within an outdoor dining area within an existing shopping center without significant expansion of space.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Case Nos. 14-CUP-002 and 14-ODP-001, subject to the attached conditions, with respect to the property described in Section 1 hereof.

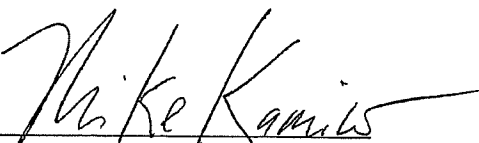
Section 7. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 5<sup>th</sup> day of June 2014, by the following vote to wit:

AYES: (5) Justice, Northrup, Anstead, O'Meara, and Zacuto  
NOES: (0)  
ABSENT: (0)  
ABSTAIN: (0)



Michael Justice, Chairperson



Mike Kamino, Secretary

**Attachment 1a:**  
**Conditions of Approval for 14-CUP-002**

**CONDITIONS OF APPROVAL**  
**(Case Nos. 14-CUP-002 and 14-ODP-001)**

**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.
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 Nos. 14-CUP-002 and Case No. 14-ODP-001 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.

**BUILDING AND SAFETY DEPARTMENT CONDITIONS**

7. All new exterior materials used for eaves, sidings, porch, patio, carport and other similar structures shall meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 2 of Article VIII in the Agoura Hills Municipal Code (AHMC).
8. The project must comply with Federal, State and Local accessibility requirements.
9. As part of the permitting process and prior to permit issuance, two (2) full sets of construction plans shall be submitted to the Building Department for plan review and approval.
10. The applicant shall provide detail information and dimensions for areas related to accessibility requirements to assure code compliance. Some of these areas include: accessible table and sitting space for indoor and outdoor dining areas, men and women bathrooms, finished surfaces and signage.

11. The applicant shall provide an accessible path of travel from the public right of way and the parking stall to the project entrance. The parking stall shown on the plan is not currently an accessible stall. If proposed as an accessible stall, the applicant shall identify and include the design of the parking and the curb cut ramp on the plan.
12. The applicant shall provide, at time of submittal, an existing floor plan and unreasonable hardship form for accessibility.

**SPECIAL CONDITIONS**

13. The applicant shall comply with all requirements of the California Department of Alcohol Beverage Control.
14. This permit shall be valid strictly for license type 41 as defined by the California Department of Alcohol Beverage Control.
15. The approved hours of operation are from 8:00 a.m. to 11:00 p.m. Sunday through Thursday, and from 8:00 a.m. to 12:30 a.m. Friday and Saturday.
16. Business signage shall be in compliance with the City Municipal Code.
17. Live entertainment is not permitted as part of this approval.
18. The service of alcoholic beverages outside of the restaurant is subject to the California Department of Alcoholic Beverage Control's approval.
19. The outdoor dining area shall be enhanced with landscaping, such as potted plants, to screen the area and provide additional visual separation, subject to the review and approval by the Director of Planning and Community Development.
20. 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.
21. 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

**Attachment 2:**  
**Staff Report Dated April 4, 2024**



**REPORT TO PLANNING COMMISSION**

**DATE:** APRIL 4, 2024

**TO:** HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DENICE THOMAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR

**BY:** VALERIE DARBOUZE, ASSOCIATE PLANNER

**REQUEST:** 1) APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A TYPE 47 LICENSE FOR ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES AT AN EXISTING RESTAURANT AND TO REVISE THE FACILITY'S HOURS OF OPERATION, AND 2) TO MAKE A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

---

<b>APPLICANT:</b>	Dave Foldes for Cronies Sports Grill
<b>CASE NO:</b>	CUP-2023-0026
<b>LOCATION:</b>	5687 Kanan Road (AIN: 2053-007-030)
<b>ENVIRONMENTAL DETERMINATION:</b>	Exempt from the California Environmental Quality Act (CEQA) per §15061(b)(3)
<b>ZONING DESIGNATION:</b>	Commercial Shopping Center – Mixed Use- Affordable Housing Overlay (CS-MU-AH)
<b>GENERAL PLAN DESIGNATION:</b>	Commercial Shopping Center – Mixed Use (CS-MU)
<b><u>RECOMMENDATION:</u></b>	Staff recommends the Planning Commission approve Conditional Use Permit, Case No. CUP-2023-0026, subject to conditions, based on the findings of the attached Draft Resolution.

## **I. PROJECT BACKGROUND AND DESCRIPTION**

David Foldes for Cronies Sports Grill (the Applicant), on June 5, 2014, received the approval of a CUP for a Type 41 license and an Outdoor Dining Permit for an 8-table outdoor dining area in the front of the restaurant (Case Nos. 14-CUP-002 and 14-ODP-001).

The Applicant has now submitted a Conditional Use Permit (CUP) application, Case No. CUP-2023-0026, to upgrade his alcoholic beverage license from a Type 41 (On-Sale Beer and Wine – Eating Place) to a Type 47 (On-Sale General – Eating Place), as defined by the California Department of Alcoholic Beverages (ABC), on the premises of an existing restaurant located at 5687 Kanan Road. A Type 47 license would allow the sale and consumption of distilled spirits in addition to beer and wine inside the restaurant and within the permitted outdoor dining area.

The request also includes extending the hours of operation. Currently, the business is conditioned by 14-CUP-002 to operate between the hours of 8:00 a.m. and 11:00 p.m. Sunday through Thursday and 8:00 a.m. to 12:30 a.m. on Fridays and Saturdays. If approved, the restaurant would operate from 7:00 a.m. to 12:00 a.m. Sunday through Thursday and 7:00 a.m. to 1:00 a.m. on Friday and Saturday. Collectively, this is considered (“the Project”). The Applicant is concurrently seeking approval from ABC for the Type 47 license, however, ABC will not approve the license until the Applicant is granted a CUP from the City.

The restaurant is located at in the Agoura Meadows shopping center on the southwest corner of the intersection of Kanan Road and Thousand Oaks Boulevard. The property is zoned Commercial Shopping Center – Mixed Use (CS-MU) with an Affordable Housing Overlay (AH).

The 4,070-square-foot restaurant space has 2,442 square feet of interior dining area and 400 square feet of outdoor dining, and is the corner unit of the L-shaped building adjacent to Thousand Oaks Boulevard with its front door facing east toward the shopping center’s parking lot. The shopping center can be accessed by two driveways from the boulevard immediately adjacent to the unit as shown in the vicinity map (Attachment 2). One driveway is used by customers in the front of the building and another one, at the rear of the building, is used by delivery vehicles and employees.

## **II. STAFF ANALYSIS**

The California Department of Alcoholic Beverage Control (ABC) assesses whether requests for an alcohol license would result in “undue concentration” within the census tract where the property is located. Currently, three (3) sit-down restaurants operate in the shopping center, two with an ABC License Type 41 (Cronies and Parma) and one with a License Type 47 (Latigo Kid). Other licenses at the shopping center include a Type 21 (“Off-Sale General”) issued to the supermarket and drugstore, and a License Type 20

("Off-Sale Beer and Wine") issued to the deli/market; Types 20 and 21 are licenses that allow the retail sale of both beer and wine, and distilled spirits to be consumed off-site. A map of existing facilities in the shopping center with an ABC issued license and City issued CUP for Alcohol is attached to this report for the Planning Commission's reference (Attachment 3). Should ABC identify a high concentration, the agency defers the authority to the City to determine that the issuance of a license would serve a public convenience or necessity. Per the proposed conditions of approval, the Planning Director would have the authority to make a determination of public convenience or necessity if required.

To date, ABC has issued and renewed the licenses to all establishments in the shopping center in addition to the Applicant's current Type 41 license. As part of the licensing process, ABC requires that employees of establishments with a Type 47 license be subject to Responsible Beverage Service (RBS) requirements and requires alcohol servers and managers of alcohol servers to be RBS certified. The mandatory program educates servers and managers on the dangers of serving alcohol to minors and over-serving patrons.

The Project is buffered from residential neighborhoods by public improvements in the form of a flood control channel to the west, two major arterials to the north and east, and a parking lot and driveways along its front and rear. The flood control channel is fenced and does not allow crossing either by foot or by car. The restaurant's entrance faces away from the closest residential property and is separated by about 285 feet which is adequate to mitigate traffic and noise concerns.

The Applicant seeks to extend the service hours to accommodate special events. The Project site is adequately buffered from residents which helps to alleviate nuisance concerns. Additionally, the business is conditioned and is required to comply with all performance and operational standards located in the Agoura Hills Municipal Code (AHMC), which includes decibel limits for exterior noise levels, as well as standards for the loading and unloading of merchandise or trash (must occur between 7:00 a.m. and 10:00 p.m.). The restaurant is also not allowed to use amplified noise outdoors.

The proposal for alcohol service was submitted to the Los Angeles County Sheriff's Department for comments. The Sheriff's Department stated that no recent incidents in the vicinity related to the consumption of alcoholic beverages were reported, and that the use would not require additional police protection resources.

The Los Angeles County Fire Department, upon completing a site inspection, verified that the restaurant operates in accordance with the agency's code including maximum occupancy, required posting of occupancy, and exiting requirements.

While Cronies is currently operating in accordance with all applicable local, state, and federal laws and regulations, it is worth noting that during the Covid-19 pandemic, the restaurant knowingly operated in violation of public health mandates. Condition of approval no. 8 requires that the facility operate in compliance with all applicable local,

state and federal laws and regulations. Failure to abide by all applicable laws and regulations in the future could result in permit suspension, provided that the applicant is given written notice to cease such violation and has failed to do so within 30 days.

### **Legislative Review**

Pursuant to AHMC §9396.2 (Conditional uses), all on-site (“on-sale”) and off-site (“off-sale”) alcoholic beverage establishments are subject to the Planning Commission’s approval of a CUP. Alongside the typical requirements for CUP approval located in AHMC §9673.2.E, the AHMC mandates additional findings regarding alcohol beverage sales and service detailed in §9396.3 and in Section III of this report.

## **III. FINDINGS**

### **A. Conditional Use Permit. AHMC §9673.2(E)**

*Finding 1. That the proposed use is consistent with the intent and purpose of this Article IX, the goals and objectives of the general plan and any applicable specific plan, and the purpose of the district in which the use is located.*

**Analysis:** The on-site consumption of alcoholic beverages at a restaurant is permitted in, and consistent with the intent and purpose of, the Commercial Service – Mixed Use – Affordable Housing (CS-MU-AH) district with a CUP. The Project is consistent with General Plan Goals LU-2 (City of Diverse Uses) and LU-27 (Community-serving Shopping Centers) in that the Type 47 license and extended operating hours will increase the services and options provided to the community residents and visitors and will help to improve the economic vitality of the shopping center. **The Project complies with the finding.**

*Finding 2. That the proposed use is compatible with the surrounding properties, based on the following land use factors:*

- a. Whether the proposed use would generate offsite noise louder than ambient noise levels by considering (i) the volume and times of day such noise would be generated; (ii) the proximity to nearby residences schools and other sensitive uses; (iii) the topography of the surrounding area likely to affect how noise travels; and (iv) the presence of other nearby uses likely to generate offsite noise at similar times;*
- b. Whether the proposed use would result in increased vehicular and/or pedestrian traffic;*
- c. Whether access and off-street parking, including parking for guests, can be adequately provided such that available on-street parking for neighboring properties is not negatively impacted;*
- d. Whether the proposed building and site design elements, including without limitation, structures, fences, walls, lighting, landscaping, and signage, comport with the City’s architectural design standards or otherwise achieve the City’s goals in harmonizing development with the natural environment.*

**Analysis:** The entry to the restaurant faces east, away from the adjoining residential development to the west, which is further separated from the project site by a drainage channel. A large parking lot and Kanan Road separates the business from the residential development to the east thereby limiting impacts on the peaceful enjoyment of residential properties. Due to the location of the business in the shopping center, the Project would not have the potential to generate significant offsite noise because the front of the business faces a large parking lot and two major arterials which would reduce offsite noise impacts. A change in license type to a Type 47 and the slight increase in the hours of operation would not significantly increase vehicular or pedestrian traffic, and the proposed use does not require any additional parking spaces compared to the currently permitted use. No physical changes to the site are proposed. **The Project complies with the finding.**

*Finding 3. That the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, based on the following factors:*

- a. Whether public and private roads and driveways used to access the property can safely accommodate all vehicular traffic associated with the proposed use, including emergency vehicles, and meet all applicable requirements of the Los Angeles County Fire Code;*
- b. Whether the proposed use could create harmful secondary nuisances that cannot be controlled through reasonable mitigation measures, including, without limitation: (i) littering on adjacent properties or public rights-of-way; (ii) public intoxication on adjacent properties or public rights-of-way; or (iii) increased risk of trespass, vandalism, or other unlawful activity on adjacent properties or public rights-of-way;*
- c. Whether the proposed use will involve activities that would increase the likelihood, spread, or intensity of fire or other life-safety emergency;*
- d. Whether the proposed use involves or would result in the alteration or modification of existing drainage patterns, or increased erosion that cannot be controlled through reasonable mitigation measures;*

**Analysis:** The Project does not physically alter the site and would not impact public and private roads used to access the property, which are currently adequate to accommodate emergency vehicles. The site is adequately buffered from adjacent properties, limiting the potential for the project to result in littering or public intoxication on adjacent properties. Additionally, a Type 47 license requires alcohol servers and managers to be Responsible Beverage Service (RBS) certified by the California Department of Alcoholic Beverage Control (ABC) by undergoing training to ensure on-premises servers of alcoholic beverages and their managers are educated on the dangers of serving alcohol to minors and over-serving patrons. The Project would not involve activities that would increase the likelihood of fire or other lifesaving emergencies, and would have no impact on the drainage of the site since no construction is proposed. **The Project complies with the finding.**

*Finding 4. That the proposed use will comply with all applicable provisions of this Article IX, except for approved variances or modifications;*

**Analysis:** The Zoning Ordinance permits the on-site consumption of alcoholic beverages with a CUP at a sit-down restaurant in the CS-MU-AH district. The tenant space exists within a permitted structure that operates within the confines of the current zoning code and the request will not require any modification or variance to the building or the site. Serving alcohol under a Type 47 license requires the business to be a bona fide eating facility wherein a substantial amount of the sales are for food and the restaurant will continue to operate in this manner. **The Project complies with the finding.**

*Finding 5. That the proposed use shall not be in violation of applicable provisions of this Code or of federal, state, or local law.*

**Analysis:** The on-sale alcohol service use is conditionally allowed in the CS-MU-AH zoning district. The sale of alcohol will be restricted to the approved floor plan and any changes to the location of sales (i.e., expansion to outdoor dining) will require a modified CUP and/or Outdoor Dining Permit, subject to the approval of the Planning Commission. The restaurant will operate with a Type 47 license, which requires all alcohol servers and their managers to be RBS certified as part of ABC licensing process. The new license will comply with all local, state and federal law. **The Project complies with the finding.**

### **B. Alcohol Beverage Sales AHMC §9396.3**

*Finding 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.*

**Analysis:** The restaurant is adjacent to the Kumon Math and Reading Center of Agoura, however, the restaurant is existing and has operated without any reported impacts to the learning center. The learning center closes at 6:30 p.m., so the extension of Cronies' operating hours would not cause an adverse effect for the learning center. The nearest school is located to the north of the Project site outside of the 500-foot boundary and is buffered by two other shopping centers. **The Project complies with the finding.**

*Finding B. The requested use at the proposed location is sufficiently buffered by topographic conditions or public or private improvements from residentially zoned areas within the immediate vicinity so as not to adversely affect said areas.*

**Analysis:** A fully enclosed, 100-foot-wide flood control channel separates the shopping center from residentially zoned areas on the west and south sides of the center and a major arterial road from residentially zoned areas on the east side of the center. Customers can only enter the business from the main parking lot, which ensures control of unintended public gatherings. **The Project complies with the finding.**

*Finding C. The exterior appearance of the structure will not be inconsistent with the external appearance of commercial structures already constructed or under construction within the immediate neighborhood to cause blight or property deterioration, or to substantially diminish or impair property values within the neighborhood.*

**Analysis:** No changes are proposed to the interior and/or the exterior of the tenant space. The exterior improvements are like and similar to other restaurants in the shopping center. **The Project complies with the finding.**

*Finding 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.*

**Analysis:** The restaurant has normal operating hours for a sports bar and serves alcohol with meals, similar to other restaurants in the shopping center. Pedestrian and vehicular access to the restaurant is provided from the interior parking lot of the shopping center, and will not disturb the residential neighborhoods across Kanan Road, or those across the flood control channel in the rear of the shopping center. **The Project complies with the finding.**

*Finding E. The sale of alcohol beverages may be restricted to certain hours of each day of the week as necessary to ensure that activities related to the project are compatible with the quiet enjoyment of the neighborhood.*

**Analysis:** The restaurant will operate within the permitted hours of 7:00 a.m. and 12:00 a.m. Sunday through Thursday and until 1:00 am on Friday and Saturday. The site is adequately buffered from residential areas which ensures that activities related to the Project are compatible with the quiet enjoyment of the neighborhood. **The Project complies with the finding.**

*Finding F. If an off-sale alcohol beverage establishment, the requested use is not located in the freeway overlay land use district, unless it is a supermarket/food store larger than ten thousand (10,000) square feet of the floor area.*

**Analysis:** The Project is not an off-sale license, and, therefore, is not required to abide by the type, location and size limitation imposed by the finding. **This finding is not applicable to the Project.**

*Finding G. The requested use will not contribute to an undue concentration of alcoholic beverage establishments in the area.*

**Analysis:** Various types of alcoholic beverage licenses have been issued to businesses in the shopping center and they have not resulted in a nuisance to the adjacent residential neighborhoods and/or caused undue burden on City staff and enforcement agencies in order to preserve the public peace. **The Project complies with the finding.**

*Finding H. The requested use is not located in what has been determined to be a high-crime area, or where a disproportionate number of police calls occur.*

**Analysis:** The Los Angeles County Sheriff's Department has confirmed that the requested use is not located in a high-crime area, or where a disproportionate number of police calls occur. The Sheriff's Department does not anticipate increases in service calls because of the requested license. **The Project complies with the finding.**

*Finding I. If the sale of alcohol is proposed at an establishment that also offers live entertainment, said conditional use permit request shall be reviewed in conjunction with the conditional use permit for live entertainment.*

**Analysis:** The restaurant owners are not requesting, and will not be providing, live entertainment to patrons as part of this Project. Therefore, the request for live entertainment is not being reviewed in conjunction with the CUP for the on-site consumption of alcohol. **This finding is not applicable to the Project.**

#### **IV. ENVIRONMENTAL REVIEW**

The Project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and has been determined to be Categorical Exempt from the CEQA Guidelines per §15061(b)(3) because it can be seen with certainty that the proposed project will not have a significant effect on the environment. The Project site is adequately buffered from nearby residential areas, so switching from a Type 41 to a Type 47 ABC license and extending the hours of operation would not impact nearby sensitive uses. The Project does not modify the shopping center's existing physical improvements, and the Los Angeles County Sheriff has stated that no recent incidents in the vicinity related to the consumption of alcoholic beverages were reported. No exception to this categorical exemption applies as set forth in §15300.2 of the CEQA Guidelines, including, but not limited to, subsection (c) which relates to unusual circumstances that could have a significant effect on the environment.

#### **V. FISCAL IMPACT**

The Project has no impact on the budget for Fiscal Year 2023-24 as all fees have been paid by the applicant.

#### **VI. RECOMMENDATION**

Based on the foregoing analysis, staff recommends that the Planning Commission approve CUP-2023-0026 to allow a type 47 license for on-site consumption of alcoholic beverages at an existing restaurant and to revise the facility's hours of operation, subject to the Conditions of Approval and based on the findings of the attached Draft Resolution.



## **VII. ATTACHMENTS**

1. Draft Resolution
  - a. Conditions of Approval
2. Vicinity Map
3. Alcohol Licenses Map
4. Project Plans
5. Photographs of the Building

Case Planner: Valerie Darbouze, Associate Planner

# **ATTACHMENT 2b.**

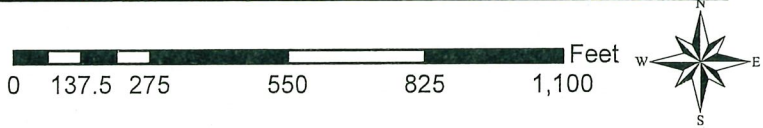
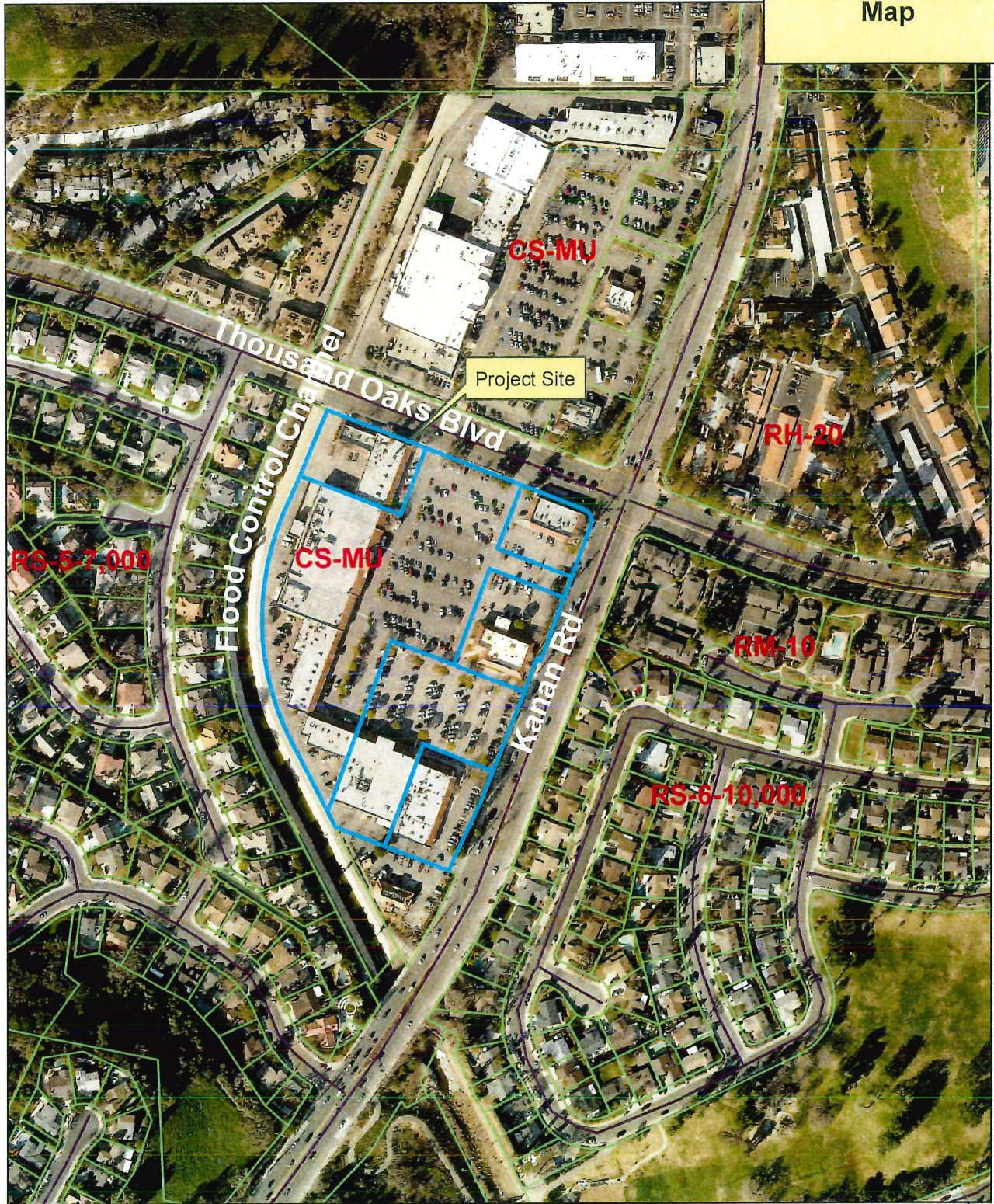
Vicinity Map



# City of Agoura Hills

Conditional Use Permit Case No. CUP-2023-0026

Vicinity/Zoning Map

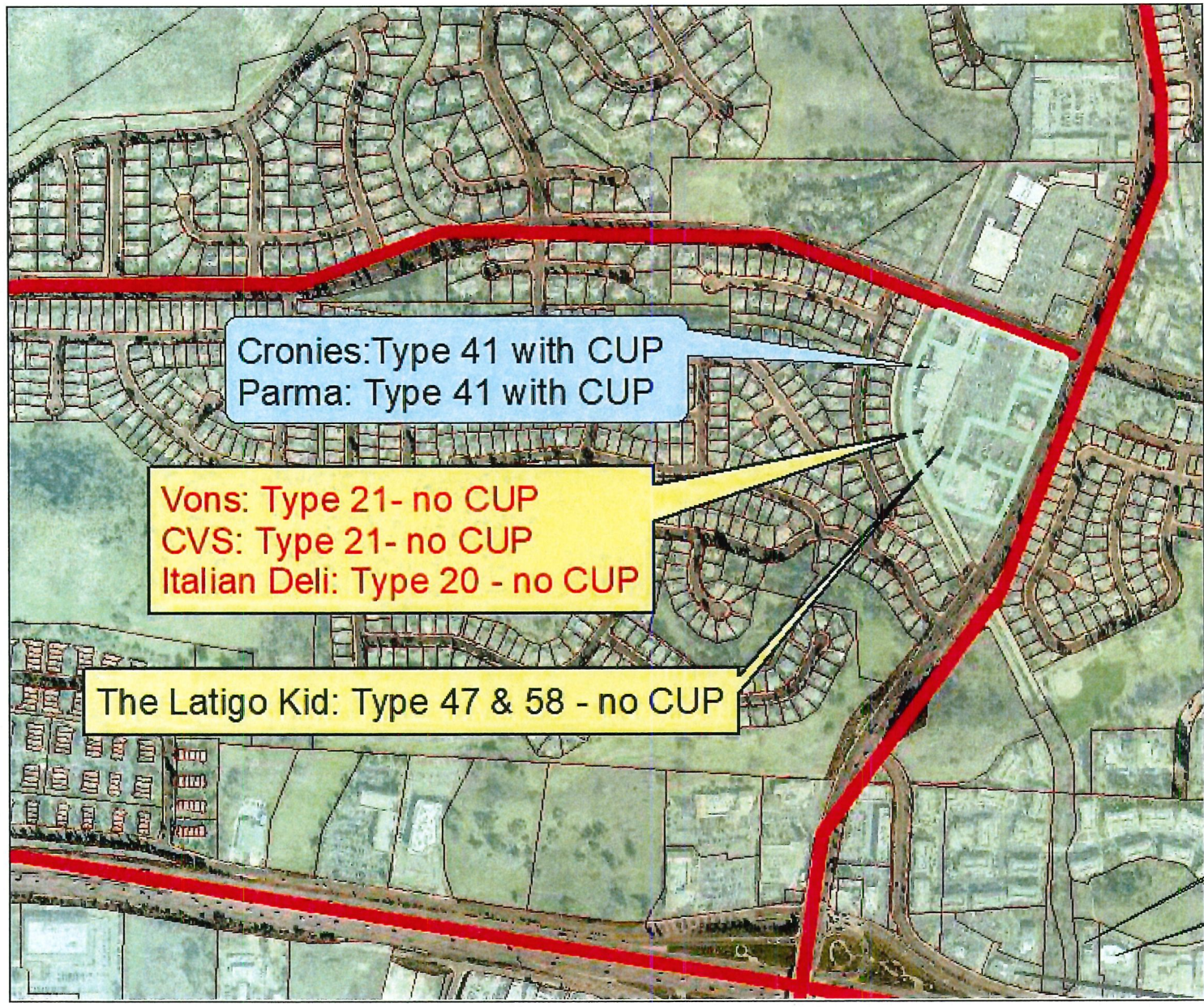




## **ATTACHMENT 2c.**

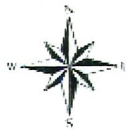
**Alcohol Licenses Map**

City of Agoura Hills  
ABC Issued Licenses  
City Issued CUPs as of February 2024 (Per 7/09 Ordinance)



Census Tract Number/Boundary

- WITH CUPs
  - On-Sale Licenses
  - Off-Sale Licenses
- WITHOUT CUPs
  - On-Sale Licenses
  - Off-Sale Licenses



# **ATTACHMENT 2d.**

**Project Plans**





# **ATTACHMENT 2e**

**Photographs**





**DINING AREA**



**COUNTER BEER TAP AREA**





**COUNTER FOOD WINDOW AREA**



**FRONT DOOR VIEW FROM EAST**





**SIDE VIEW FROM THE NORTH FROM  
THOUSAND OAKS BLVD.**



**REAR DELIVERY ACCESS DOOR**





**SIDE / FRONT VIEW FROM THE WEST**



**REAR ALLEY DELIVERY ACCESS AND  
FLOOD CONTROL AREA**





**REAR ALLEY FLOOD CONTROL WALL  
AND FENCE BARRIER**



**REAR VIEW OF CLOSEST RESIDENCE  
THAT IS SEPERATED BY THE FLOOD  
CONTROL AREA AND THE TWO WALL  
AND FENCE BARRIERS**



**REAR FLOOD CONTROL AREA**

**Attachment 3:**

**Planning Commission Resolution No. 24-1290 dated April 18, 2024,  
denying CUP-2023-0026**

RESOLUTION NO. 24-1290

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, DENYING CONDITIONAL USE PERMIT CASE NO. CUP-2023-0026 TO ALLOW A TYPE 47 LICENSE FOR ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES AND TO REVISE THE FACILITY'S HOURS OF OPERATION; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section I. An application was duly filed by Dave Foldes for Cronies Sports Grill (Croag Inc.), for the real property located at 5687 Kanan Road (Assessor's Identification Number 2053-007-030), requesting the approval of a Conditional Use Permit (Case No. CUP-2023-0026) to allow a Type 47 license for on-site consumption of alcoholic beverages at an existing restaurant and to revise the facility's hours of operation ("Project").

Section II. The Planning Commission's approval of this resolution and denial of the Project application is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15270 as a disapproved project.

Section III. The Planning Commission of the City of Agoura Hills considered the Project application at a public hearing held on April 4, 2024, at 6:30 p.m. in the City Council Chambers located at 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, means of participation in, and purpose of the aforesaid hearing was duly given and published as required by state law.

Section IV. 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 V. Conditional Use Permit. Pursuant to the Agoura Hills Municipal Code (AHMC) §9673.2.E, and based upon the evidence presented at the hearing, including the staff report and oral and written testimony, for the following reasons the Planning Commission cannot make the required findings for the Conditional Use Permit:

1. The proposed use is not consistent with the intent and purpose of Article IX of the AHMC, the goals and objectives of the general plan and any applicable specific plan, and the purposes of the district in which the use is located. General plan policy LU-7.8 requires that residential neighborhoods be preserved and enhanced through enforcement of land use and property standards that ensure that adjacent nonresidential uses are buffered from residences in



harmonious and attractive ways, and policy LU-7.11 requires that residential areas be protected from the encroachment of incompatible nonresidential uses. Although the on-site consumption of alcoholic beverages at a restaurant is permitted in the Commercial Service – Mixed Use – Affordable Housing (CS-MU-AH) district with a CUP, the Project would result in potential impacts of increased noise associated with the use and the extended hours, based on the written comments received from nearby property owners and the comments given by the speakers during the public comment period of the public hearing. Due to the Project's proximity to sensitive uses, such as the residential areas to the West, Agoura High School to the East, and Kumon Math and Reading Center in the same shopping center, the Planning Commission finds the Project would be incompatible with residential areas and other sensitive uses, which does not meet the intent and purpose of general plan goals LU-7.8 and LU-7.11.

2. The proposed use is not compatible with the surrounding properties based on the factors set forth in AHMC §9673.2.E.2. The Planning Commission received several public comments stating existing noise levels from the Project site already impact nearby residences, even with shorter operating hours and without on-site consumption of alcoholic beverages under a Type 47 license. The Planning Commission found that the wash separating the Project site from the nearby residential neighborhood is not a sufficient buffer in light of the noise levels associated with music, outdoor dining, and late-hour alcohol consumption if the Project were approved. Additionally, the allowance of a Type 47 license would increase the likelihood of intoxicated individuals on the premises at later hours, thereby increasing potential noise and secondary nuisance impacts. There is insufficient separation between the nearby residential development and the commercial development where the Project would operate to mitigate for the noise generated during the additional hours of operation. The noise levels permitted by the AHMC between the hours of 10:00 p.m. to 7:00 a.m. are the quietest of noise levels. The intent of these regulations is to mitigate noise impacts on adjacent properties. The Planning Commission finds the project will increase offsite noise levels at later hours than other similar nearby uses and therefore is incompatible with the nearby residential neighborhood.

3. The purpose and the conditions under which the business would be operated or maintained will be detrimental to the public health, safety, or welfare based on the factors set forth in AHMC §9673.2.E.3. The Project has the potential to result in harmful secondary nuisances that cannot be controlled through reasonable mitigation measures. Allowing on-site consumption of alcohol under a Type 47 License, and expanding operating hours beyond the allowed hours of a restaurant would increase risk of public intoxication on adjacent properties or public rights-of-way, which could also result in increased risk of trespass or vandalism.

Section VI. Alcoholic Beverage Sales. Based upon the evidence presented at the hearing, including the staff report and oral and written testimony, for the following reasons the Planning Commission cannot make the required findings under AHMC §9396.3:

A. The requested use at the proposed location will adversely affect the use of a school, park, playground, or similar use within a 500-foot radius, particularly two children tutoring facilities, the Kumon Math and Reading Center of Agoura, and Lexit Robotics Academy, both of which are within 500 feet of the Project's location. Both establishments provide academic and educational services to minors during the daytime and evening hours and can therefore be considered similar uses to schools. Allowing the sale of distilled spirits, in addition to beer and wine, under a Type 47 license will increase the risk of harmful secondary nuisances, such as an increased risk of public intoxication on adjacent properties or public rights-of-way, including an increased risk of intoxicated drivers, which could negatively impact the nearby sensitive uses.

B. The requested use at the proposed location is not sufficiently buffered by public and private improvements or natural topography from residentially zoned areas within the immediate vicinity so as not to adversely affect said areas. The Project is located adjacent to a residential neighborhood to the west, separated only by a wash. This is not a sufficient buffer between the Project and the residential areas to protect against adverse effects that can reasonably be expected to result from the Project, including heightened noise and the risk of public intoxication and intoxicated drivers on surrounding public rights-of-way. The Planning Commission received written testimony from members of the public stating that the current use is already adversely affecting the nearby residential areas. Allowing the sale of distilled spirits, in addition to beer and wine, under a Type 47 license and increasing the hours of operation would increase the likelihood that the facility would adversely affect the nearby residences.

C. The proposed operating characteristics of the business are not compatible, and would adversely affect, the abutting properties and the surrounding neighborhood. The Planning Commission received public testimony stating that the business is already impacting the surrounding neighborhood with noise impacts, therefore extending the hours of operation and serving distilled spirits in addition to beer and wine would worsen the impact compared to existing conditions.

D. The sale of alcoholic beverages may be restricted to certain hours of each day of the week as necessary to ensure that activities related to the project are compatible with the quiet enjoyment of the neighborhood. However, the request would extend the permitted hours to 7:00 a.m. to 12:00 a.m. Sunday through Thursday and until 1:00 am on Friday and Saturday. These hours are not compatible with the quiet enjoyment of the nearby residential neighborhood, as no

other similar businesses in the vicinity are allowed to operate as late into the evening and midnight on the weekdays and 1 a.m. on the weekends is unreasonably late for this type of use.

Section VII. After due consideration, and based on the aforementioned findings, and all the evidence in the record of the proceeding, the Planning Commission hereby denies Conditional Use Permit Case No. CUP-2023-0026, with respect to the property described in Section I hereof. The Planning Commission makes this decision because the following AHMC findings, explained in Sections V and VI above, cannot be met:

1. §9673.2.E.1
2. §9673.2.E.2
3. §9673.2.E.3
4. §9396.3.A
5. §9396.3.B
6. §9396.3.D
7. §9396.3.E

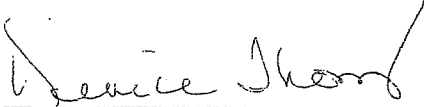
Section VIII. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Section IX. Any interested party may appeal this decision to the City Council pursuant to Sections 9804.5 and 9804.6. of the Agoura Hills Municipal Code. Section 1094.6 of the Code of Civil Procedure of the California Code governs the time within which judicial review, if available, of the Planning Commission's decision must be sought, unless a shorter time is provided by other applicable law.

PASSED, APPROVED and ADOPTED this 18<sup>th</sup> day of April, 2024, by the following vote to wit:

AYES: (3) Anderson, Roth, Sharon  
NOES: (0)  
ABSENT: (1) Reinhardt  
ABSTAIN: (0)

ATTEST:

  
\_\_\_\_\_  
Denice Thomas, Secretary



Kate Anderson, Chair

Morgan Roth, Vice Chair  
On behalf of Chair  
Kate Anderson

**Attachment 4:**  
**Appeal Application Filed by Stephen A. Jamieson**



**AGOURA HILLS**

**Planning Department**

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

CITY OF AGOURA HILLS

2024 MAY -3 AM 11:41

CITY CLERK'S OFFICE

**APPEAL APPLICATION**

NAME David Foldes and CROAG, Inc., dba "Cronies Sports Grill" c/o Solomon, Saltsman & Jamieson

ADDRESS 5687 Kanan Road, Agoura Hills, CA 91301

PHONE NO (310) 822-9848 c/o Solomon, Saltsman & Jamieson, counsel for appellant

CASE NO. CUP-2023-0026

**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 Attached letter from Solomon, Saltsman & Jamieson, counsel for Applicant/Appellant,  
supporting this appeal and which is set forth and incorporated herein by this reference.

.....  
.....  
.....

Signature of the Appellant(s): 

Case No: APCC-2024-0002

RECEIVED DATE: 5/3/2024



**SOLOMON SALTSMAN & JAMIESON**  
A Partnership of Professional Corporations  
426 Culver Boulevard | Playa Del Rey, CA 90293  
Telephone: 310.822.9848 | Facsimile: 310.822.3512  
Toll Free: 800.405.4222  
www.ssjlaw.com

**Stephen A. Jamieson**  
Partner  
sjamieson@ssjlaw.com

May 3, 2024

**Via Hand Delivery**

Kimberly M. Rodrigues, City Clerk  
The City Council and each Member of the City Council  
City of Agoura Hills  
Civic Center – City Hall  
30001 Ladyface Court  
Agoura Hills, CA 91301

RE: Appeal of Planning Commission Resolution 24-1290 (Denying Case No. CUP-2023-0026)  
Cronies Sports Grill – 5687 Kanan Road – APN (AIN) 2053-007-030 [attached to form]

To Madam Clerk, the City Council, and each Member of the City Council:

David Foldes and CROAG, Inc., dba “Cronies Sports Grill,” Applicant, and hereinafter referred to as “Applicant/Appellant,” hereby appeals the April 18, 2024, decision and Resolution of the Agoura Hills Planning Commission (“Commission”), number 24-1290, denying Applicant/Appellant’s Conditional Use Permit (“CUP”) application for operation of a California Department of Alcoholic Beverage Control (“ABC”) Type-47 on-sale general eating place license (the “Resolution”). Applicant/Appellant requests that the Resolution be reversed, and Applicant/Appellant’s application be approved.

Applicant/Appellant is and shall be represented in this matter by Solomon, Saltsman & Jamieson. This letter is being attached to that Appeal Form provided by the City, and its contents shall be incorporated therein by its, and this, reference. The filing fee for the Appeal is being paid concurrently.

An ABC Type-47 license is issued by the State of California and authorizes the on-site sale, service, and consumption of beer, wine, and distilled spirits in conjunction with the operation of a bona fide public eating place. In this case, that bona fide eating place is a sports-themed restaurant currently licensed by the ABC under an existing Type-41 on-sale beer and wine license<sup>1</sup> and authorized by Agoura Hills Conditional Use Permit 14-CUP-002.<sup>2</sup>

Applicant/Appellant has therefore, been authorized to operate, and has been in operation, as an on-sale alcoholic beverage establishment under the Agoura Hills Municipal Code (“AHMC”)<sup>3</sup>,

<sup>1</sup> License No. 41-544396 issued September 10, 2014, to CROAG Inc., dba Cronies Sports Grill.

<sup>2</sup> Issued by Planning Commission Resolution 14-1106 on June 5, 2014.

<sup>3</sup> AHMC §9312.2 – Commercial Use Table I, line A-5 (Alcoholic Beverage Establishments, On-Sale).

California | Oregon | Washington | Wisconsin | Michigan | Alaska

Litigation | Employment Law | Personal Injury | Gaming | Land Use | Indian Law | Alcohol Licensing

and licensed to sell, serve, and permit consumption of alcoholic beverages by the State ABC, for approximately ten (10) years.

The application at issue in this matter now requests a single, *de minimis* change – the addition of distilled spirits to Applicant/Appellant’s existing alcoholic beverage offerings – which did not, under the Agoura Hills Municipal Code, and thus should not, have required a new CUP application. The AHMC zoning code regulates the land use for this business to the extent that it allows On-sale establishments, i.e. restaurants selling and serving alcoholic beverages. The AHMC does not discern between the types of alcoholic beverages to be served in this zone. Nor should the AHMC regulate the types of alcoholic beverages to be served since regulating the types of alcoholic beverages to be served is solely and exclusively within the jurisdiction of the State ABC – not the City.

Please note that the original request in the application for extended hours is hereby rescinded; the Applicant/Appellant is no longer requesting extended hours.

Applicant/Appellant submits this appeal for the reasons set forth more fully hereinbelow, and including but not limited to: (1) that the Commission’s decision violates applicable municipal codes, state law, and state and federal constitutional provisions; (2) the Commission has proceeded without and/or in excess of its jurisdiction; (3) the Commission has denied Applicant/Appellant a fair hearing, and (4) the Commission has prejudicially abused its discretion by failing to proceed in the manner required by law, making a decision unsupported by the findings, and making findings unsupported by evidence.

### **I. The Commission’s Action Violates State Law and is Pre-empted**

The only difference between the original CUP and this illegally-required CUP application is the addition of distilled spirits to Applicant/Appellant’s menu, which currently only includes beer and wine. Indeed, since the AHMC does not, and cannot, regulate the types of alcohol that can be sold and served in the zone, there should have been no demand by the City for the Applicant/Appellant to obtain a new CUP for this purpose. With the rescission of its request for extended hours there remains no reason for the City to demand a new CUP, and it should reverse the denial of the Planning Commission and now render a decision that the zoning code and existing CUP authorizes On-sale sales and service and/or issue the new CUP for such purpose, notify the ABC that the proper zoning entitlements exist and or are issued that support a Type 47 ABC License (as well as the existing Type 41).

The Constitution of the State of California grants to the California ABC the sole and exclusive power to regulate the sale and of alcoholic beverages.<sup>4</sup> This power expressly pre-empts any municipal action whose purpose and effect is to regulate the manufacture, sale, purchase, possession, or transportation of alcoholic beverages. I The action of the Commission, in denying Appellant’s request to simply change the type of alcoholic beverages sold at its existing restaurant, serves no other purpose than to regulate the sale, purchase, and possession of alcohol and is thus pre-empted.

---

<sup>4</sup> California Constitution Art. XX, § 22.

## **II. The Commission Lacks Jurisdiction To Distinguish Between Types of Alcohol Offered For Sale, as Applicant/Appellant's 2014 CUP Already Approved the On-Site Sale of Alcoholic Beverages, Regardless of Type**

The Commission has no basis under the City of Agoura Hill's General Plan or Zoning Code to require a separate Conditional Use Permit for the on-sale service and consumption of *distilled spirits* when the premises at issue has already been authorized by a duly-issued CUP to operate a restaurant with alcohol sales.

The applicable zoning for Applicant/Appellant's existing restaurant does not distinguish between on-sale alcoholic beverage establishments that are limited to beer and wine, and those which include distilled spirits.<sup>5</sup> The use category "Alcoholic beverage establishments, on-sale" expressly includes both the ABC license types currently held by Appellant (a Type-41 On-Sale Beer & Wine Eating Place license) and the Type-47 license type sought by Appellant in the instant application.<sup>6</sup> Similarly, the Agoura Hills General Plan does not provide any basis for the Commission to discriminate between types of alcohol served at a restaurant or require separate permits for different types of alcohol.

In the absence of any authorization under the General Plan or Zoning Code, the Commission lacks any jurisdictional authority to impose a CUP requirement on Applicant/Appellant's change from a Type-41 beer and wine only ABC license to a Type 47 license which also includes distilled spirits, and any limitation of Applicant/Appellant's premises to only beer and wine is also illegal and unconstitutional under the applicable provisions of the California Constitution, Alcoholic Beverage Control Act,<sup>7</sup> and the AHMC.

## **III. The Commission Has Denied Applicant/Appellant a Fair Hearing**

Even if a CUP was needed in this instance (for purposes of argument only, and without waiving the argument that the City lacked jurisdiction to impose such a requirement in this instance), the Commission has not dealt with Applicant/Appellant's case in a fair manner as required by law. On April 4, 2024, the instant matter was initially presented to the Commission. Trained and expert professional planning staff in the employment of the City presented a staff report and draft resolution which recommended approval of Applicant/Appellant's project.<sup>8</sup> The staff evaluated the proposed project under the standards required by Agoura Hills Municipal Code ("AHMC") sections 9673.2.E (general Conditional Use Permits) and 9396.3 (Alcohol Beverage Sales), and determined that in their professional opinion, based on their expertise based on their education, training and experience, that the project – even with the then request for extended hours of operation which Applicant/Appellant has now rescinded - complied with all required findings based on clear and competent evidence.

The Commission's rejection of this well-reasoned and thorough staff report and the draft of a Resolution with findings to support approval of the Application, and now in contrast the subsequent adoption of a Resolution reaching a contrary conclusion, is based on conjecture,

---

<sup>5</sup> AHMC §9312.2 – Commercial Use Table I, line A-5 (Alcoholic Beverage Establishments, On-Sale)

<sup>6</sup> AHMC §§9120.1.H.2 and 9120.1.H.3.

<sup>7</sup> Business & Professions Code §23000 et. seq.

<sup>8</sup> *Report to Planning Commission* – CUP-2023-0026 – April 4, 2024.



discrimination, unequal protection of the law, and pretext unrelated to the actual merits of the project. The City's Planning Commission has thus denied Applicant/Appellant's right to a fair hearing and requires reversal of the Commission's Resolution by this City Council.

**IV. The Commission Has Abused Its Discretion, and Otherwise Acted Unlawfully, By Issuing a Resolution Unsupported by the Findings, and Findings Unsupported by Substantial Evidence**

Additionally, the Commission's actions and Resolution, violated the law because it was unable to, and does not, point to any actual evidence justifying their decision. The decision-maker must create an analytical connection required to "enable the parties to determine whether and on what basis they should seek review and, in the event of review, to apprise a reviewing court of the basis of the board's action."<sup>9</sup>

Here, the Commission was unable to point to any actual evidence that Appellant's premises did not comply with the requirements for issuance of a municipal Conditional Use Permit. In fact, all available evidence indicated the precise opposite. As the original staff report for this project reflects, and the original draft Resolution states, this project should have been approved.

- In the process of making its application, Appellant complied with all requirements under the Agoura Hills Municipal Code.
- As found by City staff in the original staff report communicated to the Planning Commission on April 4, 2024, Appellant's property "is currently operating in accordance with all applicable local, state, and federal laws and regulations."<sup>10</sup>
- The addition of distilled spirits to the beer and wine offerings, which have been served at the premises for the past ten years, "is consistent with General Plan goals" because it "will increase the services and options provided to the community residents and visitors and will help improve the economic vitality of the shopping center."<sup>11</sup>
- A change to the type of license used at the facility "would not significantly increase vehicular or pedestrian traffic," as "no physical changes to the site are proposed," and therefore would not have any significant impact on the closest residential and sensitive uses. The nearest residences are over 200 feet away and buffered by either a fully-enclosed flood-control channel or a major arterial road, and the ten-year history of the existing restaurant with alcohol sales to patrons at Cronies "has operated without any reported impacts."<sup>12</sup>
- The addition of distilled spirits "would not be detrimental to the public health, safety or welfare," as the project "does not physically alter the site and would not impact public and private roads," is "adequately buffered from adjacent properties, and "would not involve activities that would increase the likelihood of fire or other lifesaving emergencies."<sup>13</sup>

---

<sup>9</sup> *Id.* at 514.

<sup>10</sup> *Report to Planning Commission*, supra at note 8.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

Further, the Commission's ultimate decision – denial of Applicant/Appellant's application – is unsupported by the bare conclusory findings.

Furthermore, the discretion granted to cities in making land use determinations does not extend to cases, like this, where a determination of denial would be based solely on speculation.<sup>14</sup>

## V. CONCLUSION

As described herein, the Commission has abused its discretion and has failed to proceed in a manner required by law by failing to make a determination supported by the findings and by failing to support its findings with evidence. In fact, the Commission has acted contrary to evidence in order to reach its Resolution, which is a clear abuse of discretion. The Commission has repeatedly ignored facts and evidence presented by Appellant and by City Staff. The Commission's lack of diligence in considering all of the facts which were presented to it, and its haste in reaching its Resolution of Denial, is reflected in the Commission's actions and omissions which violate applicable law. The decision to deny this CUP is a decision to prevent the sale of distilled spirits at this restaurant that already sells beer and wine. The City has no jurisdiction to make such a decision. It violates local and state law, and the Constitution.

Accordingly, for the above-mentioned reasons and others that may be further presented to the City Council at the public hearing or otherwise, the Commission's denial of Applicant/Appellants' application for a Conditional Use Permit for the operation of an ABC Type-47 license at an already-existing on-site alcoholic beverage establishment is illegal, null, void, voidable, and/or otherwise without effect. The Commission's Resolution must be reversed, and either (1) Applicant/Appellant's CUP application to add distilled spirits to a decade-old approved use pursuant to a California Type-47 ABC license approved, or (2) Applicant/Appellant's right under its 2014 CUP to sell all alcoholic beverages permitted to it by state law as an approved Agoura Hills "alcoholic beverage establishment, on-sale" recognized.

Please schedule the hearing on this Appeal.

Please contact the undersigned if the City has any questions or concerns about this appeal or any related matter.

Very Truly Yours,

SOLOMON, SALTSMAN & JAMIESON

  
STEPHEN A. JAMIESON<sub>tab</sub>

Licensed in California and Wisconsin

Attorneys for Applicant/Appellant:

DAVID FOLDES and CROAG Inc., dba: Cronies Sports Grill

---

<sup>14</sup> *Beck Development Co. v. Southern Pac. Trans. Co.* (1996) 44 Cal.App.4th 1160, 1201.

**Attachment 5:**  
**Public Comments**

---

**From:** Mark Walker <walker@la-foods.com>  
**Sent:** Tuesday, June 25, 2024 2:42 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester  
**Cc:** Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Request for Approval of Alcoholic Beverage Expansion at Cronies Restaurant

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council Members,

I am writing to express my support for Cronies restaurant's request to expand their alcoholic beverage offerings to include other beverages in addition to beer and wine. Cronies has been a longstanding establishment in our community, operating safely and successfully at their current location under the same ownership and hours.

The proposed expansion of their alcohol menu is a response to community demand and does not involve any other changes to their 10 years of operation. Cronies has consistently demonstrated responsible management of their existing alcohol service, and expanding their offerings will allow them to better meet the preferences of their patrons without altering the character or nature of their establishment.

I kindly request the City Council to approve this singular request by Cronies restaurant. This decision will not only support a local business in responding to customer needs but also contribute positively to our community's dining options.

Thank you for considering this request. Please feel free to contact me if you require any further information or clarification regarding this matter.

Sincerely,

Thank you,

Mark Walker



**Mark Walker**

Office: 818-587-3757 / Cell 323-369-4658  
5115 Clareton Drive, Suite 200  
Agoura Hills, CA 91301

\*All offers are subject to final confirmation

---

**From:** Christy Pafford [REDACTED]  
**Sent:** Tuesday, June 25, 2024 3:45 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** In support of Cronies Agoura

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

I enjoy the welcoming environment at Cronies, where they've served beer and wine responsibly. They want to add cocktails to their menu, responding directly to customer requests. They've addressed all the Planning Commission's concerns, ensuring continued responsible service. Please approve this request.

Thank you,

Christy Pafford

[REDACTED] Agoura Hills, CA 91301

---

**From:** Danny Paulson [REDACTED]  
**Sent:** Wednesday, June 26, 2024 12:49 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber, Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Cronies Agoura Hills

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

I am writing in favor of Cronies Sports Grill's application for a broader beverage selection. Cronies has a great menu, and the option to pair them with a variety of drink selections would be fantastic. I often prefer going to Cronies over other restaurants, and having more drink options will make my dining experience even better. Please approve their application to help Cronies offer the best possible service to their loyal customers.

Thank you,

Lookout Dr.  
Agoura Hills, CA 91301

Danny Paulson  
[REDACTED]

---

**From:** Jennifer Kloch [REDACTED]  
**Sent:** Wednesday, June 26, 2024 3:42 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Cronies

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

As a regular at Cronies, I appreciate their responsible service and community spirit. They're now seeking to add other alcoholic beverages to their offerings because customers have asked for it. They've taken the Planning Commission's concerns seriously and addressed them all. Please consider approving their straightforward request.

Thank you,

Jennifer Kloch

[REDACTED]  
Agoura Hills, CA

---

**From:** JJ [REDACTED]  
**Sent:** Wednesday, June 26, 2024 4:31 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester, Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Larger sports bar drink menu

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

I love having Cronies as one of the top sports bar/restaurant spots to stop and meet friends and/or just relax with family over a great meal. It's a place where my family and I feel welcome and can enjoy great food in a friendly atmosphere. The addition of more beverage options would only enhance what is already a fantastic local spot. They do a fantastic job keeping the problems out and its always a safe environment to have a drink.

Please support Cronies' request to expand their drink menu, allowing them to continue serving our community in the best possible way.

Thank you,

Jarrood Jensen

[REDACTED], Agoura Hills



---

**From:** cheryl bucher [REDACTED]  
**Sent:** Wednesday, June 26, 2024 8:53 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester, Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Cronies Sports Grill / Agoura

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

I am in full support of Cronies Sports Grill's application for a Type 47 Liquor License. Cronies has proven to be a responsible and valued business, sponsoring local sports teams and hosting community events. The addition of distilled spirits is a minor change that reflects customer preferences and aligns with what other local businesses already offer. Cronies' proactive approach to addressing Planning Commission concerns demonstrates their commitment to being a good neighbor. Please consider approving their application.

Thank you,

Cheryl Bucher

---

**From:** Nanci Insul [REDACTED]  
**Sent:** Thursday, June 27, 2024 1:10 PM  
**To:** Comments  
**Subject:** Cronies Restaurant Agoura Hills -Conditional Use Permit

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Agoura Hills City Council

As a resident of Westlake Village for over 30 years I write in support of Cronies Restaurant in Agoura Hills to be granted a permit to serve alcohol to their patrons. As you know, there is another establishment in the center as well the area in general that have a license to serve alcohol.

I find it unreasonable that the Agoura Hills Planning Commission deny Cronies the opportunity to have the same license. The ABC and City Planning Department both recommended they be approved for the permit.

It is hard for a small business to operate in these times, I don't understand why any agency would make it harder especially in light of the excellent record Cronies has in the community. Please approve the Conditional Use Permit for Cronies to serve alcohol other than wine and beer at their Agoura Hills location.

Respectfully,

---

**From:** William Rea [REDACTED]  
**Sent:** Thursday, June 27, 2024 5:11 AM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Cronies Sports Grill

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

I think it's about time Cronies gets to expand their drink options. They've been a staple in our community and always do a great job. Adding more options is what the customers have been asking for and will make the experience even better. Please support their application!

Thank you,

Leslie S. Rea

---

**From:** brian anderson [REDACTED]  
**Sent:** Thursday, June 27, 2024 6:54 AM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Cronies Sports Grill, Agoura Hills

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

For 10 years, Cronies has been a trusted part of our community, serving beer and wine with meals under consistent management and hours. They're now requesting to add mixed drinks to their offerings solely because their customers want it. Nothing else will change. This straightforward request deserves approval.

Thank you,

Brian Anderson

[REDACTED] Agoura Hills

---

**From:** Christa Jensen [REDACTED]  
**Sent:** Thursday, June 27, 2024 8:54 AM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Cronies

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

Cronies has always been a safe place to enjoy a meal with beer and wine. They're now requesting to include other alcoholic beverages, a change driven by community requests. They've addressed all the Planning Commission's concerns thoroughly, ensuring there's no reason to deny this. Please support their application.

Thank you,

Christa Jensen  
[REDACTED]

Agoura Hills

---

**From:** WILLIAM MATLOCK [REDACTED]  
**Sent:** Thursday, June 27, 2024 9:58 AM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Supporting local businesses

Microsoft Word

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

I'm a big fan of Cronies and think they should be able to serve distilled spirits like other local spots. It's a great place to relax and watch the game, and having more drink choices would be a nice addition. Their community involvement and support for local events have been exemplary. Hope you can support them!

Thank you,

Lisa Matlock

Sent from my iPhone



---

**From:** Jim Sholty <sholty.constructionanddesign@gmail.com>  
**Sent:** Friday, June 28, 2024 11:28 AM  
**To:** Comments  
**Subject:** Cronies Conditional Use Permit

Caution! This message was sent from outside your organization.

We are a local agoura family and contributor to the community.

Cronies has been a long standing asset to the community and local families.

The participating adults of this community agree that granting the restaurant an amended conditional use permit is a win for everyone including local families and the city.

Personally as a builder, developer, and local small business, I think it shows poor taste and management on behalf of the city to not grant this due to past history.

We are all recovering from the pandemic financial disasters.

This is politics. It should be about serving the families of this community, and our revenue that keeps your city doors open.

This is a simple easy win for all.

Make it happen  
See you soon

Respectfully submitted  
Jim Sholty

Head hocho Sholty Family.

Sholty Construction and Design Assoc.  
P.O. Box 606  
Topanga, Ca. 90290  
310-497-6243

---

**From:** Jim Dick [REDACTED]  
**Sent:** Friday, June 28, 2024 1:17 PM  
**To:** Comments  
**Subject:** Cronies Permit to serve distilled cocktails

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

This permit should be approved by the City Council on July 10. Cronies is a good place for locals like me and friends to gather for lunch, etc.

The planning commission and the coalition ABC have both recommended approval.

You have no rationale to deny this permit.

Jim Dick  
[REDACTED]  
Agoura Hills, CA

---

**From:** Kelsey Spiroff [REDACTED] on behalf of Kelsey Spiroff  
[REDACTED]  
**Sent:** Friday, June 28, 2024 3:18 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein  
Lopez; Jeremy Wolf  
**Subject:** Cronies Agoura

Caution! This message was sent from outside your organization.

Dear Agoura City Council,  
I am writing to support Cronies Sports Grill's request for a liquor license. Cronies is the one place in Agoura where we can go to watch our favorite teams play on their numerous TVs. It's a fantastic spot for sports fans, and adding distilled spirits to their menu will make game days even better. Please consider approving their application to support a venue that brings so much joy to our community.

Thank you,  
Kelsey  
Agoura Resident

---

**From:** Derek Aitken [REDACTED]  
**Sent:** Saturday, June 29, 2024 3:10 PM  
**To:** Kimberly Rodrigues; Illece Buckley Weber; Penny Sylvester; Chris Anstead; Deborah Klein Lopez; Jeremy Wolf  
**Subject:** Re: Cronies Sports Grill

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Dear Agoura City Council,

I've always enjoyed going to Cronies, knowing they operate safely under the same management and hours. They're now seeking to add additional drink options to their menu because we, the community, have asked for it. No other changes are planned. Please consider approving this straightforward request.

Thank you,

Derek A Aitken

[REDACTED]  
Agoura Hills

---

**From:** Sherry Shoop [REDACTED]  
**Sent:** Saturday, June 29, 2024 10:36 PM  
**To:** Comments  
**Subject:** Cronies Liquor License

Caution! This message was sent from outside your organization.

Dear Council Members,

I'm unsure why one business is allowed a liquor license in the same shopping plaza as Cronies, yet Cronies appears to be "barred" from having one. Very odd since the Cronies in Newbury Park appears to have one. Sure makes one wonder why and calls into question the reasoning for such a decision. Maybe business owners get more freedoms in Newbury Park? I just don't get it and hope it is possible to grant this business the same liquor license opportunity afforded other tax-paying, local businesses in the area.

Cheryl Shoop

Sent from my iPhone

---

**From:** J W [REDACTED]  
**Sent:** Sunday, June 30, 2024 11:38 AM  
**To:** Comments  
**Subject:** cronies liquor license

Caution! This message was sent from outside your organization.

Too many businesses are closing down due to the economy. Cronies is a good restaurant and it's clients are supporting the approval of their liquor license. I am asking that you approve their liquor license.

Thank You! Jacquelyn Wilson



---

**From:** Kimberly Koerner [REDACTED]  
**Sent:** Sunday, June 30, 2024 1:11 PM  
**To:** Comments  
**Subject:** Cronies deserves the license

Caution! This message was sent from outside your organization.

I am writing in support of Cronies. They donate and support all our children's sports in this community. It's a great place for families and friends to gather and socialize. Denying this license is nothing short of certain people carrying out a vendetta. They have shown their dedication to this community and deserve to thrive so they may continue Thank you, Kimberly Koerner- and Koerner family Agoura residents

Kimberly

---

**From:** Henry Vega [REDACTED]  
**Sent:** Monday, July 1, 2024 2:02 PM  
**To:** Comments  
**Subject:** Cronies Liquor License

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hi,  
I frequent Cronies in Agoura Hills, CA for their friendly staff, delicious food, and always cold beer.  
I don't see why they don't serve all alcohol choices.  
There are several other restaurants even in the same plaza that offer additional alcohol choices other than just beer and wine.  
Lets give Cronies the chance to do the same.  
Best regards,

--  
Drawma1  
(Henry Vega)

[REDACTED]  
[REDACTED]

---

**From:** Jennifer McCarthy [REDACTED]  
**Sent:** Monday, July 1, 2024 2:44 PM  
**To:** Comments  
**Subject:** Cronies Liquor License

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

I believe it is entirely appropriate for Cronies to be granted a liquor license. We often go to the Cronies in Agoura, as well as the one in Newbury Park, which has a liquor license. Since my daughter is unable to drink beer or wine (due to allergies), when she is with us, we are forced to go to the one in NP, to allow her to order another type of drink. Please make the sports fans of Agoura happy, by approving Cronies' liquor license. Thank you.  
Jennifer McCarthy

---

**From:** The Reids [REDACTED]  
**Sent:** Monday, July 1, 2024 3:51 PM  
**To:** Comments  
**Subject:** Agoura Cronies

This sender is trusted.

Hello,  
Cronies has been a staple in our community for several years now. When our kids were little and they needed a local place to have a team party after a game, everybody voted for Cronies. To not approve their liquor license makes little to no sense as there has never been any issues or contradictory evidence. Please consider to approve Cronies liquor license, as applied for.  
Thank You for your time and consideration.

Sent from the all new AQL app for iOS

---

**From:** Christine Foldes [REDACTED]  
**Sent:** Monday, July 1, 2024 6:13 PM  
**To:** Comments  
**Subject:** Americans Taste for Beer Is Slowing

Caution! This message was sent from outside your organization.

If you don't allow your local restaurants to serve distilled alcohol, you are putting them at a disadvantage and they will go out of business as many restaurants in Agoura already have in the past.

[https://us-west-2.protection.sophos.com?d=foodandwine.com&u=aHR0cHM6Ly93d3cuZm9vZGFuZHDpbmUuY29tL2FtZXJpY2FzLXRvcC1hbGNvaG9sLWRYaW5rcy03NjQ0MDMy&i=NWZhOWJiMTdmZmYwMDkwZmEyZGI0Y2Mw&t=TkpHVkRoYzJGWTFrV3hoNINncVlJNWFJSHRjTm00bEk1eEFJR0tPTHhwST0=&h=18ef01bb05d447798b0b821a4c07c605&s=AVNPUEhUT0NFTkNSWWBUSVZDHOdYpv0\\_0pni9wfonCb38dCifcc4DFBcut8e0rxGdg](https://us-west-2.protection.sophos.com?d=foodandwine.com&u=aHR0cHM6Ly93d3cuZm9vZGFuZHDpbmUuY29tL2FtZXJpY2FzLXRvcC1hbGNvaG9sLWRYaW5rcy03NjQ0MDMy&i=NWZhOWJiMTdmZmYwMDkwZmEyZGI0Y2Mw&t=TkpHVkRoYzJGWTFrV3hoNINncVlJNWFJSHRjTm00bEk1eEFJR0tPTHhwST0=&h=18ef01bb05d447798b0b821a4c07c605&s=AVNPUEhUT0NFTkNSWWBUSVZDHOdYpv0_0pni9wfonCb38dCifcc4DFBcut8e0rxGdg)

Sent from my iPhone

---

**From:** John Young [REDACTED]  
**Sent:** Monday, July 1, 2024 6:32 PM  
**To:** Comments  
**Subject:** Cronies

Caution! This message was sent from outside your organization.

To whom it may concern,

My family is very disappointed that Agoura Hills has denied a liquor license for Cronies. This is clearly In retaliation for Cronies staying open during Covid.

Despite ABCs and city plannings approval the planning commission denied Cronies request. I worked at the local sheriffs station (sworn personnel) and have only heard one request for service regarding Cronies. The suspect (20 year old male, non patron) struck an older gentleman who was outside on the patio.

While attending college I worked at 3 restaurant / bar establishments and have never seen any customer over served. The clientele is older and very well behaved.

My wife has been in Agoura Hills resident for nearly 50 years. I have lived in Agoura for 12 years. This vindictive action is very petty and I do hope that the planning commission reconsiders.

Thank you,

John Young  
Sent from my iPhone