

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT
CASE NO. 05-CUP-001

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

Section 1. An application was duly filed by Brian Norris for Chapter 8, with respect to the real property located at 29020 Agoura Road, Assessor's Parcel Numbers 2061-031-023 and 024, requesting approval of an amendment to an approved Conditional Use Permit for live band performance in conjunction with an existing restaurant. A public hearing was duly held on September 6, 2007 at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission of the aforesaid Public Hearing.

Section 3. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance, 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 in that live entertainment is permitted in the CRS Zone, subject to approval of a Conditional Use Permit.
- B. The proposed use as conditioned, is compatible with the surrounding area in that there are no residential uses in the immediate surrounding area and live entertainment is currently permitted in neighboring restaurants within the Agoura Village Overlay District.
- C. The proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health and safety, or welfare in that the daily hours of the additional entertainment shall be limited to 5:00 p.m. to 10:00 p.m. Tuesday through Friday. The entertainment will consist of a three-piece live band providing ambience music during the dining hours.
- D. The proposed use as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance in that the entertainment will be located in a delineated area which is approximately 700 square feet located inside the restaurant with no entertainment proposed outdoors. The sound level is expected to be lower than the sound level of the entertainment provided after 10:00 p.m.
- E. The proposed use, as conditioned, is consistent with the goals, objectives, and policies of the General Plan in that the live entertainment offers a land use which

meets the diverse need of the Agoura Hills residents, as called for in the Land Use Element of the City's General Plan.

Section 4. The Planning Commission finds that the proposed amendment to be categorically exempt from the requirements of the California Environmental Quality Act, per Section 15303, in that the project involves live entertainment inside an existing insulated structure.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves the amendment to Conditional Use Permit Case No. 05-CUP-001, with respect to the property described in Section 1.

PASSED, APPROVED and ADOPTED this 6th day of September 2007 by the following vote to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Steve Rishoff, Chairperson

ATTEST:

Doug Hooper, Secretary