

DRAFT RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF AGOURA HILLS  
APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT  
CASE NO. 98-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 Joe Bednar with respect to the real property located at 5217 Chesebro Road (Assessor's Parcel Number 2055-007-130), requesting the approval to amend Conditional Use Permit Case No. 98-CUP-001 to increase the number of units designated for special care/Alzheimer's residents from 13 units to 41 units within the 160-unit Agoura Hills Senior Retreat assisted living facility. A public hearing was duly held on April 3, 2008, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. 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 at the aforesaid public hearing.

Section 3. The Planning Commission, pursuant to the Agoura Hills Zoning Ordinance, finds as follows:

A. The proposed use amendment to allow additional units for special care/Alzheimer's residents, 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 homes for the aged are permitted uses in the RH (High Density Residential) zone, as defined in the Zoning Ordinance, subject to approval of a Conditional Use Permit.

B. The proposed use amendment to allow additional units for special care/Alzheimer's residents, as conditioned, is compatible with the surrounding properties in that the property is located in a High Density Residential zone which allows for homes for the aged, and high density residential uses are located to the north and west of the subject parcel.

C. The proposed use amendment to allow additional units for special care/Alzheimer's residents and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, or welfare in that occupancy permits and inspections will be required for compatibility with City's Building Code requirements and proper security will be provided on-site. Adequate parking and circulation will be provided on-site for the residents, employees, and public.

D. The proposed use amendment to allow additional units for special care/Alzheimer's residents, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance relative to the development standards for the project. No exterior building modifications are proposed and the development, as amended, complies with the parking and building standards, building height, lot coverage and building setback requirements of the RH zone, the Old Agoura Design Overlay zone, and the Freeway Corridor Overlay zone.

E. The distance between like and similar uses for housing of special care/Alzheimer's residents is sufficient to maintain the diversity of the community in that no other senior citizen assisted living facility is located in Agoura Hills.

F. The proposed use amendment to allow special care/Alzheimer's residents, as conditioned, is consistent with the goals, objectives, and policies of the General Plan in that the proposed use provides new housing opportunities as called for in the Housing Element of the City's General Plan.

Section 4. In accordance with the California Environmental Quality Act (CEQA), the Planning Commission finds the proposed Conditional Use Permit Amendment is exempt from the CEQA, per Section 15301.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves an Amendment to Conditional Use Permit Case No. 98-CUP-001, with respect to increase the number of units designated for special care/Alzheimer's residents from 13 units to 41 units within the 160-unit senior citizen assisted living facility on property described in Section 1 herein, subject to revised Conditions of Approval attached hereto (revised condition underlined).

PASSED, APPROVED, and ADOPTED this 3<sup>rd</sup> day of April, 2008 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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John O'Meara, Chairperson

ATTEST:

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Doug Hooper, Secretary