

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING CONDITIONAL USE PERMIT
CASE NO. 06-CUP-002

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

Section 1. An application was duly filed by Todd Ryzow for Kava Dume, with respect to the real property located at 5653 Kanan Road, Assessor's Parcel Number 2053-007 and 026, requesting approval of a Conditional Use Permit for Live Entertainment as an ancillary use in an existing coffee shop. A Public Hearing was duly held on May 18, 2006 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 CS (Commercial Shopping Center) zone, subject to approval of a Conditional Use Permit.
- B. The proposed use, as conditioned, is compatible with the surrounding area in that residential uses are located more than 130 feet from the tenant space and will not be impacted by the interior noise and patrons of the business cannot directly access residential lots from the shopping center. The hours of operation and the parking demand for the use will not conflict with other business located in the same shopping center.
- 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. The daily hours of live entertainment shall be limited from 8:00 p.m. to 10:00 p.m. on Wednesday nights, 8:30 p.m. to 11:00 p.m. on Friday nights and Saturday nights and on Saturday mornings from 10:00 a.m. to 1:00 p.m. The live entertainment will consist of only poetry reading, acoustic guitar, art display and other social gatherings not requiring the use of music.
- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance in that the live entertainment will be located in a delineated area of an existing restaurant with no entertainment proposed

outdoors. Enough on-site parking is available. The proposed hours of live entertainment will not necessitate the demand for customers to park off-site.

- 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 Conditional Use Permit to be categorically exempt from the requirements of the California Environmental Quality Act, per Section 15303, in that the project involves ancillary live entertainment within an existing cafe.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 06-CUP-002, with respect to the property described in Section 1.

PASSED, APPROVED and ADOPTED this 18th day of May, 2006, by the following vote to wit:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Phil Ramuno, Chairperson

ATTEST:

Doug Hooper, Secretary