

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE:

July 16, 2009

TO:

Planning Commission

APPLICANT:

Paul Berkovitz

24400 Highlander Road West Hills, CA 91307

CASE NO.:

09-CUP-002

LOCATION:

29348 Roadside Drive

REQUEST:

Request for the Planning Commission to conduct a public hearing for a Conditional Use Permit to allow daytime dog care, including overnight care, in an existing industrial

facility.

ENVIRONMENTAL

DETERMINATION:

Exempt from CEQA under Section 15301

RECOMMENDATION:

Staff recommends that the Planning

Commission adopt a motion to approve a Case

No. 09-CUP-002, subject to conditions.

ZONING DESIGNATION:

BP-M-FC (Business Park - Manufacturing -

Freeway Corridor Overlay District)

GENERAL PLAN DESIGNATION:

Business Park-Manufacturing

BACKGROUND I.

Mr. Paul Berkovitz is requesting to operate commercial daytime dog care (Monday through Friday) and overnight dog care (Monday through Sunday) in an existing industrial building located at 29348 Roadside Drive. The site is occupied by a recently constructed, 11,600 square-foot, single-story industrial/retail building. The applicant is proposing to occupy 5,625 square feet in the rear of the building and 1,400 square feet of outdoor area. The lot is located between a car-wash/lube services facility and the Fence Factory, and is within the Business Park-Manufacturing (BP-M) and the Freeway Corridor Overlay (FC) zones. The proposed dog care business would allow dog owners to bring their dogs to the facility for care and indoor recreation during daytime hours and overnight stay while the owners are away.

The City Council recently added the use to the City Zoning Ordinance Commercial Land Use Table as being permitted in the Business-Park-Manufacturing, Freeway Corridor Overlay zone south of the 101 Freeway, subject to the issuance of a Conditional Use Permit. This use would be the first permitted private kenneling facility in the City. Other uses related to the care of dogs include animal hospitals, veterinarians, pet stores and dog grooming businesses. The animal shelter use, on Agoura Road, which is owned and operated by the County of Los Angeles acts as a rescue agency.

Due to the unusual or special characteristics, conditioned uses require special consideration so that they may be located properly with respect to their effects on surrounding properties. In order to achieve these purposes, the Planning Commission is empowered to grant or deny applications for Conditional Use Permits for such conditional uses, and to impose reasonable conditions upon the granting of Conditional Use Permits.

II. STAFF ANALYSIS

The proposed business would be licensed under the franchise "Camp Bow Wow". Other existing Camp Bow Wow facilities are located near freeways for convenience to their customers. This particular facility would serve Calabasas, Malibu and Agoura Hills. According to the applicant, both customers and dogs would be screened to establish the dog's behavior specifically in an environment where other dogs are present in order to control barking.

The business is proposed to operate between the hours of 7:00 am and 7:00 pm for daytime users Monday through Friday, and the overnight use starts immediately after 7:00 pm until the following morning; business staff would visit the site between 10:00 and 11:00 a.m. on Saturdays, Sundays and Holidays and again from 4:00 p.m. to 7:00 p.m. to care for the plans. Owners would be able to retrieve their dog during those hours. The operator is prepared to accept up to 102 dogs based on a franchise provided formula which requires 55 square feet per dog. This number is expected to be reached during the holiday season and the applicant expects an average of 62 during the rest of the year. The dogs are to be dropped-off to socialize with other dogs and supervised by trained staff in a climate-controlled warehouse environment. The facility would also offer accessory products and services, such as grooming. The franchise does not allow the employees to walk the dogs off-site, but rather within the confines of the tenant space.

The following table summarizes the development standards for this application:

	Approved	Proposed	Required
Lot Size	38,000 sqft	N/A	130,680 sqft.
	.87 acres		3 acres
Building Size	11,636 sqft.	N/A	N/A
Tenant Space			
Tenant 1	N/A	6,011 sqft.	N/A
Tenant 2	5,625 sqft.	N/A	N/A
Outdoor Space	N/A	1,400 sqft.	N/A
Parking			
The Whole Building	1/500 = 23	23	
Tenant 1: CBW	1/500 = 11	11+4=15*	1/500
Tenant 2: Carpet	1/750 = 8	8	1/750

Note:

When the Zoning Ordinance was amended to allow the use, no development standards were specified. When parking for a specific use is not available in the Code, staff is required to apply the demand of an equivalent operation. The applicant has chosen to locate in an industrial facility which was developed based on an industrial parking requirement of one space for every 500 square feet of gross floor area. According to the franchise module, the facility allows for a limited use of the facility by dog owners (i.e. retail shopping) and emphasizes the "drive-through" approach for drop-off and pick-up. According to the applicant, the largest-existing Camp Bow Wow facility does not provide any more than 11 spaces. Currently, the building is occupied by one carpet business which is designated to have 8 on-site parking spaces whereas Camp Bow Wow indoor space would require 11 spaces. The result is a surplus of 4 spaces which allows the business to use these 4 parking spaces area for the outdoor activities which can be considered to be ancillary areas and would not be subject to additional parking requirements. As proposed, the use could coexist without the need of a Modification or Variance request. The project has been conditioned accordingly. The facility is expected to employ 2 to 3 full time and 4 to 8 part time employees. The kennel does not use personnel during for night time care but rather monitors the animals with the use of cameras; as such, staff feels that the provided parking would be adequate.

With respect to the improvements, the structure would be modified only with 2 new man doors on the rear elevation and minor tenant improvements will also be required. Half of the facility would be occupied by 45 enclosures (referred to as cabins on the plans) with a quarter of the remaining space (approximately 1,200 square feet) occupied by 3 activity areas and the other half is divided into a reception area, office, retail, interview, grooming and prep areas.

The majority of the activities would be conducted indoors at the exception of one to two hours of outdoor relieving time. The outdoor activity area is an important component of the

^{*} The outdoor space would eliminate access to 4 parking spaces

franchise which requires a minimum square footage. The outdoor area is proposed to be located in the rear of the property and attached to the building so the dogs have direct access to the outdoor space. The area is proposed to be enclosed with a vinyl fence and would have a pit-gravel as a base and play equipment. Dogs are accompanied and supervised while outside of the building and are kept in the enclosure at all time. The fences are solid to eliminate risks for distraction that would cause the dogs to bark. The waste is handled the same as any other commercially generated waste. The dogs are kept on the property at all times. Outdoor commercial uses are highly regulated in the City and staff encourages the Planning Commission to consider potential impacts of the outdoor activity proposed for this business on neighboring businesses.

The amount of traffic that would be generated from the dog day care facility would be minimal and surrounding uses would not be as noise sensitive. Compatibility of uses would be most successfully accomplished by locating these types of use in an industrial zone.

The proposed use would be compatible with the General Plan Land Use Element Goal No. 1 by providing a mix of land uses which meets the diverse needs of the Agoura Hills residents, and offering a variety of employment opportunities.

Staff finds the proposed use to be categorically exempt from the requirements of the California Environmental Quality Act, per Section 15301, in that the project involves the operation of a kennel by leasing an existing facility which requires minor alteration of the interior space and minor use of the outdoor area.

III. RECOMMENDATION

Based on the foregoing review and analysis, staff recommends that the Planning Commission adopt the attached draft resolution and conditions of approval.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval for the CUP
- Exhibit A: Applicant's Description of the Business/Burden of Proof/Findings
- Exhibit B: Notice of Exemption
- Exhibit C: Vicinity/Zoning Map
- Exhibit D: Reduced Copy of the Site and Floor Plans
- Exhibit E: Photographs of the Site

Case Planner: Valerie Darbouze, Associate Planner

DRAFT RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS APPROVING CONDITIONAL USE PERMIT CASE NO. 09-CUP-002

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

Section I. An application was duly filed by Paul Berkovitz with respect to the real property located at 29348 Roadside Drive (Assessor's Parcel Nos. 2061-004-023) requesting approval of a Conditional Use Permit to operate a dog day care with night time care. A public hearing was duly held on July 16, 2009, at 6:30 p.m. in the City Hall Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

<u>Section II.</u> Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearings.

<u>Section III.</u> Pursuant to Section 9673.2.E of the Agoura Hills Zoning Ordinance, the Planning Commission finds that:

- A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located, and will comply with each of the applicable provisions of the Zoning Ordinance. The property designation now allows for kennels and the proposal meets the development standards for the BP-M-FC zone relative to parking, traffic, noise and compatibility with existing surrounding uses in that the operation will take place inside an existing space. The use does not require expansion of the building. The outdoors activities will not be visible from the public right-of-way and will not negatively impact adjacent parcels.
- B. The proposed use, as conditioned, is compatible with the surrounding properties. The building was designed to be accessible to the patrons from the rear only. The use is contained inside the building at the exception of the temporary use of an enclosed, screened outdoor activity area where the dogs are supervised. Neighboring parcels operate in the same manner in that they operate partially inside and outside. The parcels are fenced and landscaped in the same manner. The hours of operation will extend beyond those of the neighboring businesses which will minimize the impacts of peak-hour traffic.
- C. The proposed use, as conditioned, and the manner in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. The use is contained indoor and when the outdoor space is used, the activity area is fenced with a solid 6-foot high fence and supervised at all times. The property as well as the adjacent ones is fenced at the exception of the front. The western wall of the building although built on the property line is insulated to minimize noise contamination. The access to the building is in the rear of the property through a roll-up door away from the traffic.

Draft Resolution No.___ Page 2 of 2

- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance except for approved modifications and variances. It will not unreasonably interfere with the use and enjoyment of existing or proposed developments in the vicinity thereof and that will not create traffic hazards or congestion or excessive noise. Access to the site and the tenant space is via a driveway leading to the rear of the parcel away from the front tenant main entry and the street and therefore the use would not increase safety issues for egress/ingress traffic.
- E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. There are no other kennels approved by the City within the city boundaries or in proximity to the city boundaries other than an animal rescue shelter operated by the County of Los Angeles.
- F. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan. The business will provide a mix of uses to the community, provide employment opportunities and encourage non-residents to buy goods and services. The proposed use is located in an existing industrial building and will not operate with more impacts than an industrial use. The business has proven to be a successful operation with respect to the need of the users as well as their compliance with local codes throughout California.

Section IV. The Planning Commission finds that the proposed Conditional Use Permit application to be categorically exempt from the requirements of the California Environmental Quality Act, per Section 15301, in that the project involves the operation of a kennel by leasing an existing facility which requires minor alteration of the interior space, and minor use of an outdoor area.

<u>Section V.</u> Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 09-CUP-002, subject to the attached conditions, with respect to the property described in Section I hereof.

PASSED, APPROVED, and ADOPTED this 16th day of July, 2009, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

John O'Meara, Chairperson

CONDITIONS OF APPROVAL

Case No. 09-CUP-002

PLANNING CONDITIONS

Entitlement Requirements

- 1. This decision, or any aspect of this 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. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of these Permits with the Department of Planning and Community Development.
- 3. 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.
- 4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
- 5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
- 6. 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 filed to do so for a period of thirty (30) days.
- 7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Permit or on the approved Site Plan.
- 8. No occupancy shall be granted for any building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
- 9. Unless this permit is used within two (2) years from the date of City approval, Case No. 09-CUP-002 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
- 10. The applicant shall comply with all applicable Public Health Statutes, Ordinances, and Regulations related to the disposal of sewage and waste.
- 11. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.

ENGINEERING CONDITIONS

- 12. Prior to the approval of the Improvement Plans and issuance of Building Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
 - Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.
- 13. Prior to the approval of the Improvement Plans and issuance of Building Permits, a completed Standard Urban Stormwater Mitigation Plan (SUSMP) shall be submitted to and approved by the Engineering Department. The SUSMP shall be prepared per the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) design guidelines. SUSMP shall identify, among other things, all Post-Construction, Site Design, Source Control and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.
- 14. The property owner shall record a covenant for continued stormwater maintenance, using City-approved forms, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.

BUILDING AND SAFETY

- 15. The project shall meet all the "B" occupancy requirements.
- 16. The project shall provide truncated domes where required by the Building Official. (i.e. when the public could enter onto a vehicular path without any elevation changes "Zero curb" locations).

- 17. All exterior materials used for eaves, sidings, porch, patio, carport and other similar structures need to meet the Very High Fire Hazard Severity Zone (VHFHSZ) as outlined in Chapter 2 of Article VIII in the AHMC.
- 18. The new 2008 California Energy Code and portion of the Green Building Code will go into affect on August 1, 2009, thus if the plans are to be submitted to the Building Department after that date, the plans must comply with the new codes and standards.

SPECIAL CONDITIONS

- 19. Any proposed outdoor fencing shall require the review and approval of the Director of Planning and Community Development.
- 20. Outdoor lighting for the use is prohibited.
- 21. The existing landscaping shall be maintained as per the Landscape Plan approved with Case No. 04-SPR-010 indefinitely.
- 22. A minimum of 18 spaces shall be kept unobstructed for the use.
- 23. No temporary structure is permitted to be erected on the site as part of this approval.
- 24. There shall be no off-site parking of customer or employee.
- 25. No dog shall be kept outside after approved operational hours.
- 26. All dogs shall be kept within the approved tenant space.
- 27. A Monitoring Report shall be presented to the Planning Commission 6 months following the first day of operation.
- 28. The owner(s) of the parcel shall be informed of this requirement: in order for Camp Bow Wow to be approved as proposed using four (4) parking spaces for the outdoor activity area, without the need for a Modification for a reduction in parking, the remaining building space shall only be occupied by tenants with a parking demand of 1 space for every 750 square feet of floor area or greater.



Exhibit A Applicant's Description of the Business/ Burden of Proof/ Findings

Description of the Proposed Project:

The subject site is located at 29348 Roadside Drive within the Business Park-Manufacturing (BP-M) zoning designation. The site is currently developed with an 11,600 square-foot multi-tenant retail/manufacturing building on a 38,000 square-foot lot. We are seeking to utilize a 6,000 square-foot unit within the existing building for an upscale dog hotel (kennel). Because the current zoning designation does not permit kennels, we are requesting that the City approve a zoning ordinance amendment to allow kennels within the BP-M zoning designation.

Findings for Conditional Use Permit

1. That the proposed use is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located;

The proposed use of a premium day and overnight dog care facility in the BP-M zone is consistent with the objectives and provisions of the Zoning Ordinance in that the use is permitted as approved by city council. Furthermore, the uses surrounding the subject sight are a combination of industrial and commercial, and that said use, which is commonly found in commercial zones in other cities within the region, is well suited for the land use district and the subject area.

2. That the proposed use is compatible with the surrounding property;

The proposed use is compatible with the surrounding property in that the businesses in the area are a combination of commercial and industrial uses. The surrounding properties are primarily comprised of day-time businesses that would be unaffected by any night time activity that accompanies the addition of the proposed use, which would be inconsequential if at all noticeable. Furthermore the property is adjacent to the 101 Freeway, which creates a constant and expected noise level for all properties in the area.

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;

The proposed use would be operated and maintained by a reputable franchise that adheres to strict regulations regarding the operation of its business. These regulations are adhered to for the purpose of creating a safe environment for the dogs, which they take care of, and the surrounding community. Part of the franchise's program is strict supervision of the dogs during all phases of their stay, as well as the maintenance of an exceedingly clean site.

4. That the proposed use will comply with each of the applicable provisions of the Zoning Ordinance, except for approved Variances or Modifications;

The proposed site has been developed with an 11,000 square foot building, which meets or exceeds the provisions of the BP-M zone, of which requirements are found in the zoning code. Therefore the project is in compliance with the provisions of the zoning ordinance.

5. That the distance from other similar and like uses is sufficient to maintain the diversity of the community; and

There are no uses of this particular type found in the surrounding properties. The addition of a premium dog day and night care facility would effectively diversify the community and offer a valuable service to the residents of Agoura and neighboring communities.

6. That the proposed use is consistent with the goals, objectives, and policies of the General Plan.

The goals and objectives of the general plan are to provide a mix of different types of uses, such as residential, commercial, and industrial. Therefore certain districts have been set aside to achieve those goals. The BP-M zone is suited for this type of use and will benefit the community in many ways as intended by the general plan in that it will increase the tax base, increase employment, and will bring individuals from surrounding communities into Agoura which will likely bring additional revenue to the city and its other businesses.

CONDITIONAL USE PERMIT BURDEN OF PROOF FORM

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Planning Commission, the following facts;

- A. That the requested use at the location proposed will not:
- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because;

The proposed use would be operated and maintained by a reputable franchise that adheres to strict regulations regarding the operation of its business. These regulations are adhered to for the purpose of creating a safe environment for the dogs, which they take care of, and the surrounding community. Part of the franchise's program is strict supervision of the dogs during all phases of their stay, as well as the maintenance of an exceedingly clean site. The requested use will not be detrimental to the use, enjoyment, or valuation of property of other person's located in the vicinity of the site because it is similar to the industrial nature of uses in adjacent sites. Furthermore, in prior public testimony concerning the appropriateness of this use in this zone, neighboring businesses voiced an overwhelmingly positive reaction to the proposed business as they believed it would have a beneficial impact on the current tenants surrounding the subject site. Lastly, the requested use will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because of the rigorously safe and clean nature of how business will be conducted on the subject site.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Ordinance, or as is otherwise required in order to integrate said use with the uses in the surrounding area because:

The site in question is already developed with a relatively new existing building that has already been determined by staff to be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Ordinance. The proposed use will be a tenant improvement only, and will result in no physical alterations to the exterior of the building.

- C. That the proposed site is adequately served:
- 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
- 2. By other public or private service facilities as are required because:

The roadways in place are of sufficient width to serve this site as they are currently serving the existing uses of: a self service car wash, a storage facility, and a granite yard.

The newly constructed building has already met the initial requirements to be built. This use falls within the original intended uses of the site and is therefore adequately served by the existing roadways. All services including but not limited to police, fire and ambulances can access the site on existing roadways with no complications.

Master Franchisee List 03-29-06

	В	C	D	E	F
1	Franchise Location		Number of Cabins	Indoor Sq Ft	Parking Spaces
2	Moore	OK	60	7,950	10
3	DIA Airport	СО	72	10,000	10
4	Littleton	CO	48	5,500	5
5	Northglenn	CO	50	8,300	6
6	Pittsburgh	PA	66	10,300	12
7	Temecula	CA	47	6,266	4
8	El Cajon	CA	53	6,000	6
9					



Exhibit B
Notice of Exemption

Notice of Exemption

To: []		ing and Research reet, Room 121 Ca 95814	From:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, California 9130		
[]	County Clerk County of Los Los Angeles 0 12400 E. Impe Norwalk, CA 9	County Clerk erial Hwy.				
Project Title	e: Dog day care	with night time care in an exi	isting inc	lustrial facility		
Project Location-Specific:		The project is located south of Roadside Drive and west of Kanan Road, near the Roadside Drive Terminus at: 29348 Roadside Drive Agoura Hills, California APN: 2061-004-023				
Project Loc	ation-City:	City of Agoura Hills				
Project Location-County:		Los Angeles				
Use Permit facility is disparcel is z anticipated.	to operate a dog vided into two te oned Business-F The applicant ha	day care with night time care nant spaces, one of which Park Manufacturing (BP-M)	e in an e will be . No utdoor s	t: A request for a Conditional xisting industrial building. The occupied by the kennel. The expansion of the building is pace for temporary use by the swell.		
Name of Public Agency Approving Project:			City of Agoura Hills			
Name of Person or Agency Carrying Out Project:		Carrying Out Project:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, California 91301			
Exempt Sta	itus: (Check One)				
[] Statı	utory Exemption (14 Cal. Code of Regs. Sect	ions 152	:60 et seq.);		
[] No Possibility of physical impact. (14 Cal Code of Regs. Section 15061 (b)(3));						
[] Ministerial (14 Cal Code of Regs. Sec. 15268);						
[] Declared Emergency (14 Cal Code of Regs. Sec. 15269(a);						
[] Eme	[] Emergency Project (14 Cal Code of Regs Sec. 15269(b),(c), (d) and (e));					
[$\sqrt{\ }$] Categorical Exemption (14 Cal Code of Regs. Sections 15300 <u>et seq.)</u> State of California CEQA Guidelines Section <u>15301</u>						

Notice of Exemption Camp Bow Wow Page 2 of 2

Reasons why project is exempt: This exemption is based on the finding that the action which will result in the permitting of a new use is not more intense than the existing uses on adjacent parcels. No expansion of an existing structure and only minor modifications to the interior of the structure are expected which falls in the confines of exemptions contained in Section 15300 of the list of permitted exemptions in CEQA Guidelines, Class 1. Review of the Site and Floor Plans shows that the request demonstrates that the project meets these criteria. Therefore, the undertaking is exempt from further CEQA review. Planning and engineering conditions have been incorporated into the Conditional Use Permit's Conditions of Approval. Therefore, this project will not have a significant impact on the environment.

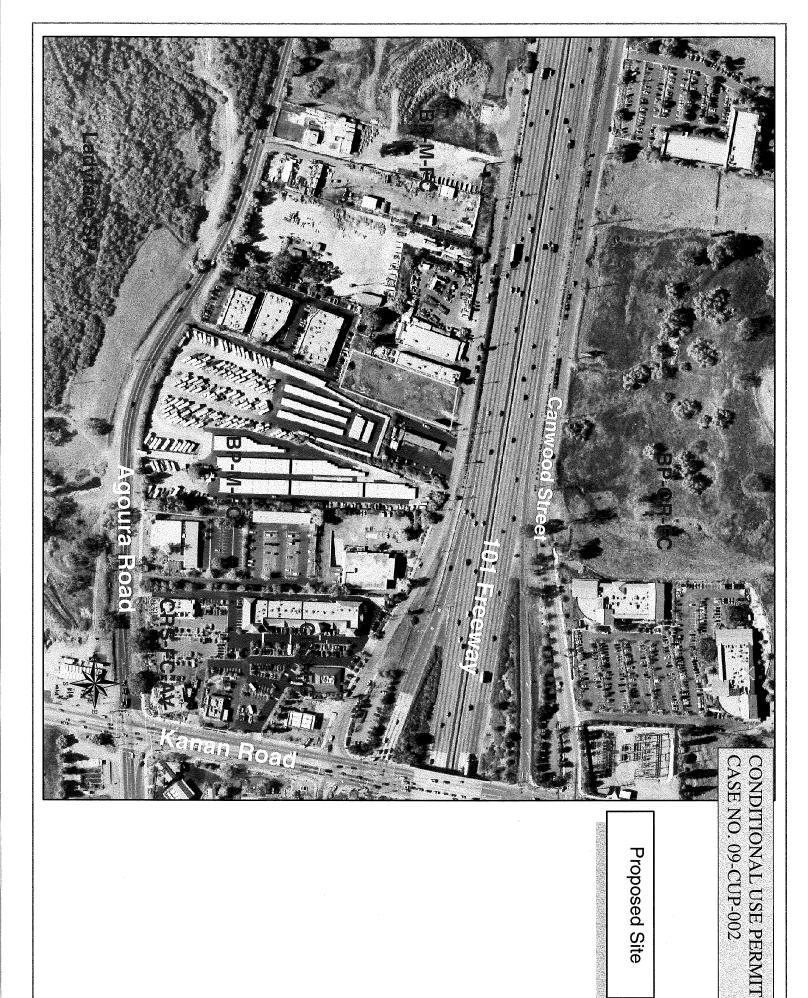
Lead Agency Contact Person: Valerie Darbouze, Associate Planner

Area Code/Telephone/Extension: (818) 597-7328

Date: 4/10/09 Title: Osociak Pounner



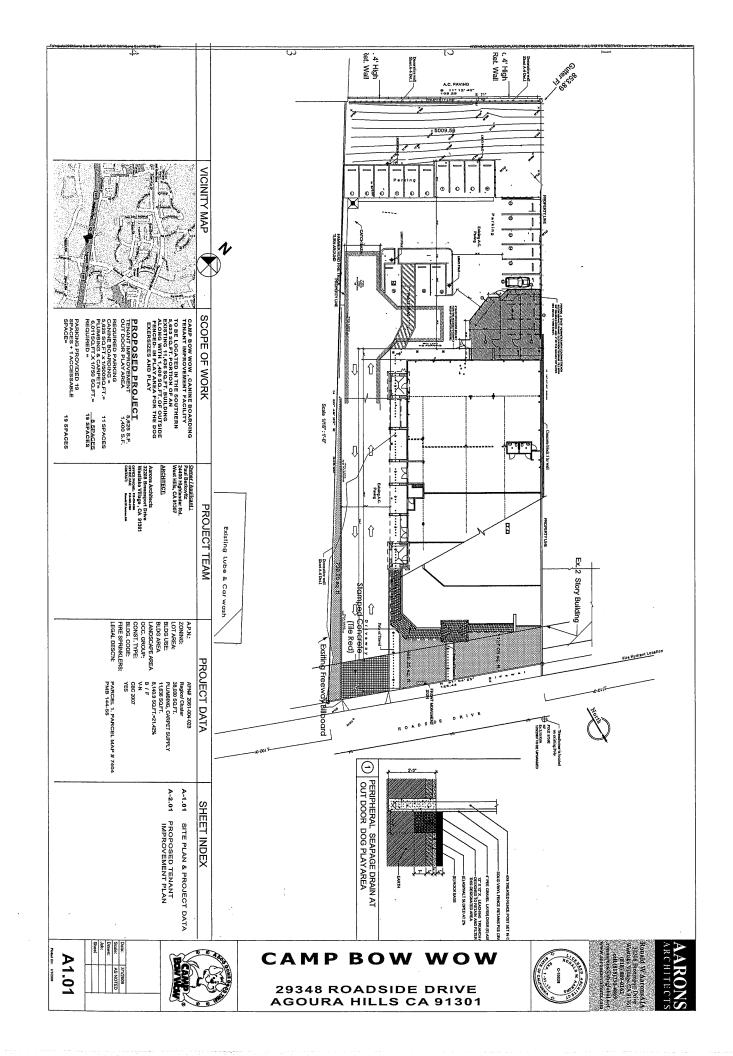
Exhibit C
Vicinity/Zoning Map



Proposed Site



Exhibit D Reduced Copy of the Site and Floor Plans



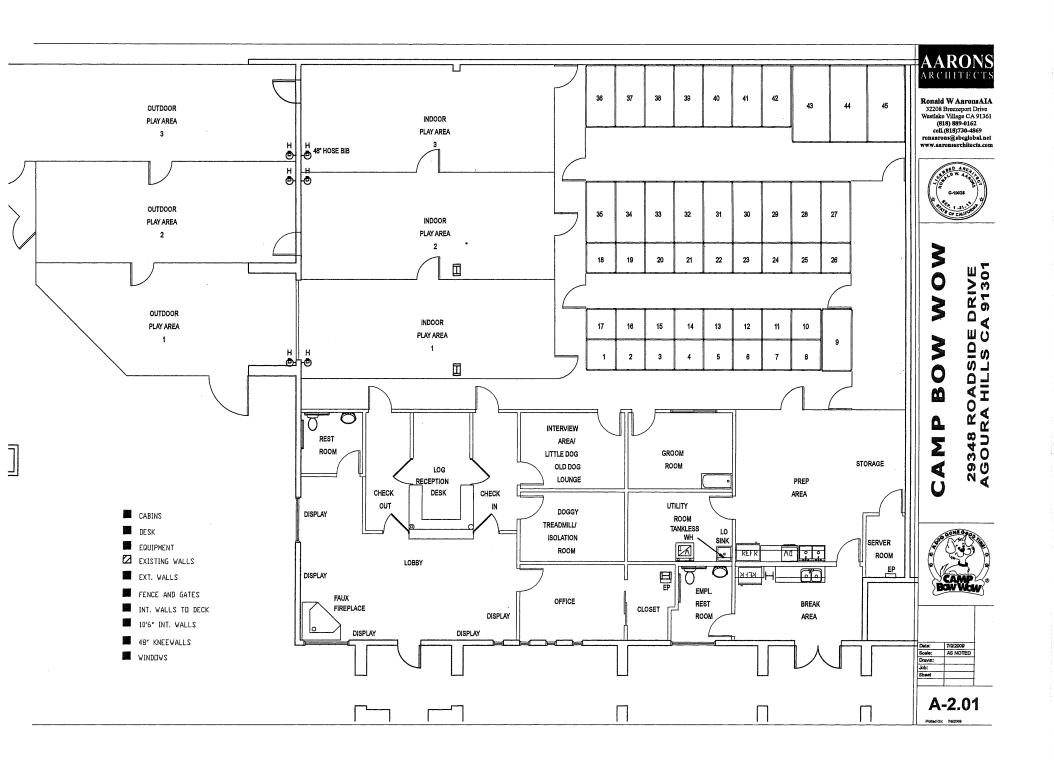




Exhibit E Photographs of the Site

CONDITIONAL USE PERMIT - CASE NO. 09-CUP-002





CONDITIONAL USE PERMIT - CASE NO. 09-CUP-002



