

# **Findings Submitted By Applicant**

## **File No. CUP-2023-002**

### FINDINGS

23669 Calabasas Rd CA 91302 APN# 2205-021-003

#### GENERAL CONDITIONAL USE:

Section 17.62.060 Calabasas Municipal Code allows the review Authority to approve a Conditional Use Permit provided that the following are made:

1. The proposed use is conditionally permitted within the subject zoning district and complies with all the applicable provisions of this development code.

The sale of Beer & Wine beverages in conjunction with the operation of restaurant with alcohol sales is allowed in the Commercial zoning district with a Conditional Use Permit, per Section 17.11.010 of the Land Use and Development Code. Additionally, per Section 17.12.035 (B), The applicant is proposing a Sushi restaurant, therefore, the proposed project meets the findings.

2. The proposed use is consistent with the General Plan and any applicable specific plan or master plan.

The proposed Sushi Restaurant and the Beer & Wine sales in conjunction with the operation of existing establishments is consistent with the City of Calabasas General Plan because it contributes to the commercial, offices and Business Park areas and the Calabasas Citizens for a good Sushi Restaurant it also contributes to a sound local economic base (Policy II-11). Additionally, the subject Site is located within the West Calabasas Road Master Plan Area. The West Calabasas Road Planning Guidelines provide mainly design guidelines and traffic/ transportation guidelines and includes an analysis of allowable/appropriate land uses.

The exterior of the existing Building is not changing in layout or design, nor is the primary restaurant use changing, and is therefore consistent with Master Plan. For this reason, the request for a Conditional Use Permit for Beer & Wine sales meets this finding.

3. The Approval of the conditional use permit for the proposed use is following the California Environmental Quality Act (CEQA).

The project is Categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the California CEQA Guidelines, which exempts licensing of existing public or private structures. The project is also exempt per Section 15061

(B)(3) because the extent of the alteration is only for interior use and will not influence the environment, therefore, the proposed project meets this finding.

4. The location and operation characteristics of the proposed use are compatible with the existing and anticipated future land use in the vicinity.

The location and operating characteristics of the requested conditional use permit, with the limitations described in the conditions attached, are compatible with the existing and anticipated future land uses in the City. All activities associated with the operation of the existing restaurant including the sale of beer & wine type 4 I license issued by the State Department of Alcoholic Beverages Control (ABC), will take place entirely within the interior tenant space of an existing structure. The existing site is currently operated as a restaurant facility, which was approved by the City Council in 2003, and is required to adhere to all requirements of the State ABC type 4 I License.

Furthermore, the subject site is located within a commercial corridor along Calabasas RD, which contains several different types of commercial type 4 I liquor license. Since surrounding land uses includes different retail stores the same shopping center, the location and operating characteristics of the existing restaurant including the sales of beer & wine beverages for offsite consumption, are compatible with existing and future land uses of commercial retail uses in the vicinity. Therefore, the proposed project meets this finding.