

Findings Submitted By Applicant

File No(s) CUP-2024-002

The findings the Planning Commission would have to make to approve the project or not make to disapprove the requested Conditional Use Permit are stated in Section 17.62.060 of the Calabasas Municipal Code as follows:

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

The location falls under zone CT in the Old Town Calabasas Master Plan. The Old Town Calabasas Master Plan designates the property as a CT Zone for "Community Old Town" land uses. The subject property is planned and zoned for commercial uses. The boutique bottle shop will be located within an existing two-story commercial retail building that contains multiple tenant spaces and will occupy one tenant space located in the central part of the building, at 23504 Calabasas Rd. Unit 3 Calabasas CA 91302. The predominant immediately surrounding land use pattern within the Old Town Calabasas Master Plan is mainly commercial uses. The Master Plan lists issues expressed from the community such as the desire for quality and vitality of commercial area as well as planned land use and zoning that permits the appropriate type of development and mix of uses desirable for and characteristic of the Plan area's urban neighborhoods. Maintaining and expanding existing commercial amenities is intrinsic to the conservation, development, and success of a vibrant neighborhood. As conditioned, the sale of beer, wine, and spirits for off-site consumption will not adversely affect the welfare of the pertinent community. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring deterrents against loitering and responsible management. Employees will undergo training in the sale of beer, wine, and spirits including training provided by the Alcohol Beverage Control. Other conditions related to excessive noise, litter and noise prevention safeguard the residential community. Therefore, with the imposition of such conditions the continued sale of alcoholic beverages for off-site consumption at this location will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and issues. The majority of the policies derived from these Elements are in the form of Code Requirements of the Calabasas Municipal Code. Except for the entitlement

described herein, the project does not propose to deviate from any of the requirements of the CMC. The project is located in the CT Zone, in the Old Town Calabasas Master Plan. The subject use is in an established commercial corridor along Calabasas Rd and El Canon Rd. The property is not subject to any specific plans or overlays that would otherwise impact on the requested action. The Old Town Calabasas Master Plan designates the property as a CT Zone for "Community Old Town" land uses. The subject property is planned and zoned for commercial uses. The boutique bottle shop will be located within an existing two-story commercial retail building that contains multiple tenant spaces and will occupy one tenant spaces located in the central part of the building, at 23504 Calabasas Rd. Unit 3 Calabasas CA 91302. The conditional authorization for the sale of alcoholic beverages off-site is allowed through the approval of the Planning Commission subject to certain findings. The required findings in support have been made herein.

3. The approval of the conditional use permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and

This project has been determined to be categorically exempt from environmental review in accordance with Section 15301 (existing facilities) of the California Environmental Quality Act (CEQA).

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

The project is located in the CT Zone, in the Old Town Calabasas Master Plan. The subject use is located in an established commercial corridor along Calabasas Rd. The bottle shop will be located within an existing block retail area containing multiple commercial tenants.

The project will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is essential or beneficial to the community, city, or region. The boutique bottle shop will be well established within the community. A new conditional use permit is being requested for an approval for off-site consumption of beer, wine, and liquor for the bottle shop. The location is in a prime area that represents a neighborhood commercial corridor within the Old Town Calabasas area. A mix of commercial, offices, restaurant uses, and retail stores are located in the vicinity. The project will be compatible with current and future land use in the vicinity.

The findings the Planning Commission would have to make to approve the project or not make to disapprove the requested Determination of Similar Use are stated in Section 17.11.020(C) of the Calabasas Municipal Code as follows:

1. *The proposed use meets the intent of, and is consistent with, the goals, objectives and policies of the adopted General Plan;*

The proposed use is a wine, beer, and liquor retail store, similar to a wine/beer retail store, and therefore is consistent with the goals and objectives of the general plan because the location falls under zone CT in the Old Town Calabasas Master Plan. The Old Town Calabasas Master Plan designates the property as a CT Zone for "Community Old Town" land uses.

2. *The proposed use meets the stated purpose and general intent of the zoning district in which the use is proposed to be located;*

The proposed use of wine, beer, and liquor retail store operation meets the stated purpose and general intent of the zoning district. The subject property is planned and zoned for commercial uses. The proposed use does not deviate from any of the requirements of the CMC (Calabasas Municipal Code) and CT zone.

3. *The proposed use will not adversely impact the public health, safety or general welfare of the city's residents; and*

The proposed use of wine, beer and liquor retail store for the project is unlikely to have any significant adverse impacts. Nonetheless, negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. Employees will undergo training on the sale of alcoholic beverages, including training provided by the Alcohol Beverage Control. Other conditions related to excessive noise, noise prevention, and litter will safeguard nearby residential communities. Therefore, with the imposition of such conditions, the sale and dispensing of full line of alcohol for off-site sales at this location will not adversely affect the welfare of the surrounding community.

4. *The proposed use shares characteristics common with, and is not of a greater intensity, density or generate more environmental impact than, those listed in the zoning district in which it is to be located.*

The proposed use of a wine, beer and liquor retail store is in a prime area that represents a neighborhood commercial corridor within the Old Town Calabasas area. The boutique bottle shop will be located within an existing two-story commercial retail building that contains multiple tenant spaces and will occupy one tenant spaces located in the central part of the building, at 23504 Calabasas Rd. Unit 3 Calabasas CA 91302. A mix of commercial, offices, restaurant uses,

and retail stores are located in the vicinity. The project will be compatible with current and future land use in the vicinity. The proposed use will not intensify or generate an environmental impact as the usage is allowed within the zoning district. The project will enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is essential or beneficial to the community, city, or region.