

PUBLIC HEARING

3. **CONSIDERATION OF CONDITIONAL USE PERMIT 15-02** – A Request to Upgrade an Existing Type 20 Alcoholic Beverage Control license for the sale of beer and wine for off-site consumption to a Type 21 Alcoholic Beverage Control license for the sale of beer, wine, and distilled spirits for off-site consumption at 105 W. Arrow Highway (Highland Food Market) in the Creative Growth Zone, Area 3, Subarea A (CG-3A). (APN: 8390-019-035)

Staff report presented by *Associate Planner Jennifer Williams* who stated this is a request by the owner of Highland Food Market, and that last month the Commission approved the Classification of Use to allow stand-alone convenience stores in the CG-3A zone. Business license records show this use has been operating at least since 1992. The owner currently has a Type 20 license for off-site sale of beer and wine but wants to upgrade to a Type 21 license to allow the sale of distilled spirits as well. She described the required findings of approval for the Conditional Use Permit, and stated neither the Sheriff's Department or ABC have ever had any issues with alcohol sales from the market and are not opposed to the request.

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Commissioner Ensberg arrived at 7:04 p.m.

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She outlined the issues regarding concentration of licenses within the census tract, and the City has advised the applicant and ABC that they will not make a finding of public convenience or necessity, but if the Conditional Use Permit is approved, the City will not object to ABC making the necessary finding for the license. The Applicant would also like to expand their hours to 10:00 p.m. at night, and she pointed out the conditions that limit the area of alcohol sales to be accessory to the convenience store and address security and concerns. The hearing was noticed to property owners within 300 feet and there have been no letters or calls received regarding this item. Staff is recommending approval.

Commissioner Rahi asked why the Applicant submitted a site plan and floor plan if they are not making any changes to the building.

Associate Planner Williams stated the plan was to show where the beer, wine and distilled spirits will be located within the store and that the amount is accessory to the convenience store.

Chairman Schoonover opened the meeting for public hearing. Addressing the Commission was:

Dick Evitt, 5905 Winncliff Drive, Riverside, representing the Applicant, stated the owner is in concurrence with all the conditions.

Commissioner Rahi asked what benefit the owner expected to have by selling distilled spirits.

Dick Evitt, Applicant Representative, stated it will provide more sales and profit, but that also residents in the area have asked that he expand his sales for their convenience.

There being no further comments, the public hearing was closed.

RESOLUTION PC-1537

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 15-02, A REQUEST TO UPGRADE AN EXISTING TYPE 20 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION TO A TYPE 21 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR THE SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT 105 W. ARROW HIGHWAY 9(HIGHLAND FOOD MARKET) IN THE CREATIVE GROWTH ZONE, AREA 3, SUB AREA A (CG-3A); APN: 8390-019-035

Commissioner Bratt stated in light of the action taken at the prior meeting the use seems appropriate and he does not see any issues with approving the application.

Commissioner Rahi stated he felt it would benefit the surrounding neighborhood and has been requested by the residents.

MOTION: Moved by Bratt, seconded by Schoonover to adopt Resolution PC-1537 approving Conditional Use Permit 15-02. Motion carried 4-0-1 (Davis absent).

ORAL COMMUNICATION

4. Community Development Department

Associate Planner Williams stated Staff is preparing an update to the Wireless Communication Facilities ordinance based on recent FCC orders in response to the Job Creation Act of 2012 but did not have an exact date on when that would be coming to the Commission.

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Commissioner Davis arrived at 7:13 p.m.

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5. Members of the Audience

No communications were made.

6. Planning Commission

Commissioner Rahi inquired about the status of the Azusa Pacific expansion on Overland Court.

Senior Planner Espinoza stated it may be in plan check; he has not heard that there are any issues with it.

Commissioner Davis stated he will be out of town for the March 5th meeting.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Davis to adjourn. Motion carried unanimously, 5-0. The meeting adjourned at 7:16 p.m. to the regular Planning Commission meeting scheduled for Thursday, March 5, 2015, at 7:00 p.m.

David Bratt, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: April 16, 2015