1. CALL TO ORDER:

2. ROLL CALL:

   Commissioners: Jimenez, Perez, Hernandez, Vice Chair Hammond, Chair Shively

3. INVOCATION:

4. PLEDGE OF ALLEGIANCE: Commissioner Jimenez

5. PRESENTATION:

6. CONSENT CALENDAR:

   A. Planning Commission Minutes for August 20, 2019
   B. Planning Commission Minutes for August 21, 2019

7. PUBLIC HEARING:

   A. Public Hearing Request 19-05142 – A request to delete Planning Condition of Approval No. 3g and h. from Conditional Use Permit 17-05066, removing the requirement that beer and wine be sold in multi-packs and establishing a minimum size for individual bottles of wine for an existing Shell minimart located at 1765 Ethanac Road Street. Applicant: Elizabeth Alabbasi/Emarra, Inc.

      REQUESTED ACTION: Adopt Resolution 19-18 upholding the Planning Commission’s approval of CUP 17-05066, as conditioned, leaving in place Condition No. 3g and h., requiring that beer and wine be sold in multi-packs and establishing a minimum size for individual bottles of wine.

8. BUSINESS ITEM:

9. PUBLIC COMMENTS:
Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.

10. COMMISION MEMBERS ANNOUNCEMENTS OR REPORTS:

11. DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:

12. ADJOURNMENT
Planning Commission Agenda

CITY OF PERRIS
September 04, 2019

Item

6A

Planning Commission Minutes for
August 20, 2019
CITY OF PERRIS

MINUTES:

Date of Meeting: August 20, 2019
04:06 PM

Place of Meeting: City Council Chambers

Commission Members Present: Commissioner Jimenez, Commissioner Perez, and Vice Chair Hammond.

1. CALL TO ORDER:

2. ROLL CALL: Commissioners: Hernandez, Jimenez, Perez, Vice-Chair Hammond, Chair Shively.

Commission Members Present: Commissioner Jimenez, Commissioner Perez, and Vice Chair Hammond.

3. PUBLIC COMMENTS:

4. BUSINESS/WORKSHOP:

A. Tour of City of Perris, Development Services Department.

B. Tour of City of Perris development projects.

Commissioner Hernandez, arrived approximately 25 minutes after the meeting began at 4:00 p.m.

The Tour ended at approximately 6:00 p.m.

5. ADJOURNMENT:
Planning Commission Agenda

CITY OF PERRIS
September 04, 2019

Item

6B

Planning Commission Minutes for
August 21, 2019
CITY OF PERRIS

MINUTES:

Date of Meeting: August 21, 2019
06:15 PM

Place of Meeting: City Council Chambers

Commission Members Present: Commissioner Hernandez, Commissioner Jimenez, Commissioner Perez, Vice Chairman Hammond, and Chair Shively.

1. CALL TO ORDER:

2. ROLL CALL: Commissioners: Hernandez, Jimenez, Perez, Vice Chair Hammond, Chair Shively

Commission Members Present: Commissioner Hernandez, Commissioner Jimenez, Commissioner Perez, Vice Chairman Hammond, and Chair Shively.

3. INVOCATION:

4. PLEDGE OF ALLEGIANCE: Commissioner Hernandez

5. PRESENTATION:

6. CONSENT CALENDAR:

A. Planning Commission Minutes for August 7, 2019

The Chair called for a motion.

M/S/C: Moved by Commissioner Perez, seconded by Commissioner Jimenez to Approve A. Planning Commission Minutes for August 7, 2019
AYES: Commissioner Hernandez, Commissioner Jimenez, Commissioner Perez, Vice Chairman Hammond, Chair Shively.

NOES:
ABSENT:
ABSTAIN:

7. PUBLIC HEARING:

8. BUSINESS ITEM:

A. Presentation on Planning Applications and Entitlement Process

Planning Manager Phung, presented to the Commission.
Commissioner Perez, asked for clarification on the mechanisms utilized to control circulation.

Commissioner Hernandez, requested clarification on the role of various agencies comments and conditions.

Vice Chair Hammond, commented on Public Works comments from past projects.

Chair Shively, asked Staff about the process of approving CC&R's.

Assistant City Attorney Khuu, discussed the role of the Commission on cannabis uses.

Commissioner Jimenez, asked about voicing concerns on behalf of the community.

Chair Shively, spoke on the land uses allowed within the City.

Vice Chair Hammond, discussed the primary impacts highlighted in previous EIR's.

Chair Shively, thanked Staff for the presentation.

9. **PUBLIC COMMENTS:** Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.

10. **COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:**

    Commissioner Perez, appreciated the presentation by Staff and expressed his interest in reviewing reference material in the future.

    Commissioner Jimenez, thanked Staff for the presentation and requested information on the tree committee.

    Commissioner Hernandez, thanked Staff for the presentation and requested an electronic copy of the presentation.

    Commissioner Hammond, appreciated the City Tour and Staff's presentation.

    Chair Shively, requested additional information on the Adhoc Committee during the next meeting.

11. **DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:**

    Planning Manager Phung, discussed training for the Brown Act and sexual harassment, and spoke on the next Planning Commission meeting being September 4th.

12. **ADJOURNMENT**
Planning Commission Agenda

CITY OF PERRIS
September 04, 2019

Item

7A

Public Hearing Request 19-05142
MEETING DATE: September 4, 2019

SUBJECT: Public Hearing Request 19-05142 – A request to delete Conditions of Approval No. 3g and h from Conditional Use Permit 17-05066, removing the requirement that beer and wine be sold in multi-packs and establishing a minimum size for individual bottles of wine for an existing Shell minimart located at 1765 Ethanac Road Street. Applicant: Elizabeth Alabbasi/Emarra, Inc.

REQUESTED ACTION: Adopt Resolution No. 19-18 upholding the Planning Commission’s approval of CUP 17-05066, as conditioned, leaving in place Condition No. 3g and h, requiring that beer and wine be sold in multi-packs and establishing a minimum size for individual bottles of wine.

CONTACT: Kenneth Phung, Planning Manager

BACKGROUND/DISCUSSION:

The Shell minimart located at 1765 Ethanac Road opened in 2019, following approval of the development by the Planning Commission in 2017. Also in 2017, the Planning Commission approved Conditional Use Permit 17-05066, allowing the sale of beer and wine. At the same meeting, the Planning Commission approved a Letter of Public Convenience and Necessity to allow the state of California to issue a liquor license despite the existence of a higher-than-desired number of liquor sales locations in the area. (The Planning Commission staff report for the approval of the CUP and PCN is attached for the Commission’s reference.)

The applicant, Emarra Inc., began selling alcoholic beverages for off-site consumption at this location earlier this year under the terms of CUP-17-05066, which among other conditions requires that beer and wine be sold in multipacks (3 containers for beer, 4 containers for wine), and requiring that wine be sold in bottles of 750ml or more.

APPLICATION TO AMEND CONDITIONS:

At this time, the applicant is requesting that the Planning Commission consider the removal of Conditions of Approval No. 3g and h to allow containers of beer and wine to be sold individually and to allow wine to be sold in bottles smaller than 750ml (the typical size of a regular wine bottle).

The requested change is shown below:

"3. Alcohol Sales. The following shall apply at all times:

  g. No beer may be sold in single containers. Beer shall be sold in quantities of 3 pack or greater. Wine or wine coolers shall be sold in 4 packs or greater.
  h. Sale of wine shall not be in containers less than 750 ml."


The Commission should note that, because the applicant’s request was filed as a Public Hearing Request to modify conditions of approval, the Commission has the authority to:

- Deny the requested change (leaving conditions of approval 3g and h in place);
- Approve the proposed change (removing conditions of approval 3g and h); or
- Approve the change and make other changes to the conditions of approval as deemed necessary by the Commission.

RECOMMENDATION:

Conditions prohibiting the sale of individual containers of beer and wine, and wine shall not be in containers less than 750 ml have been routinely imposed on the sale of alcohol for off-site consumption at other mini-mart stores in Perris since 2010. Per the City’s standard practice, staff is recommending that the Planning Commission deny the applicant’s request and leave in place Planning Conditions 3g and 3h.

The Police Department (see attached memo) investigated calls for service at the location of the Shell minimart for a one-year period from July 1, 2018, to July 1, 2019, and found no “unusual or problematic use of police services at the location.” However, based on the City’s long-standing practice, the Police Department recommended against the sale of individual containers of beer or wine, and wine containers being less than 750 ml.

The applicant has not provided specific information supporting their application. However, staff notes that the same operator has been selling alcohol (in multipacks) at another mini-mart store/gas station located at 796 Ramona Expressway, Perris, California without incident.

Resolutions supporting both staff’s recommendation and the applicant’s request are attached to this report. Should the Planning Commission wish to further modify the conditions of approval, a new Resolution may be needed; this would be brought back for Planning Commission approval at a future meeting.

The amendment of Conditions, if approved does not trigger changes to the previously adopted MND; as such, no further CEQA action is required for the proposed Modification.

A public hearing notice was mailed to adjacent property owners within 300’ feet of the subject site. As of the writing of this report, staff has not received any comments from the public.

BUDGET (or FISCAL) IMPACT: Costs for staff preparation of this item are borne by the applicant.
Consent:
Public Hearing: x
Business Item:
Presentation:
CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

CONDITIONS OF APPROVAL

PUBLIC HEARING REQUEST
CONDITIONAL USE PERMIT/PCN 17-05066

PROJECT: Public Hearing Request to modify Conditions of Approval for CUP/PCN 17-05066 and determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at a recently entitled gas station/convenience store located at the southwest corner of Ethanac Road and Trumble Road. Applicant: Elizabeth Alabassi/Emarra, Inc.

Planning Commission
September 4, 2019

General Requirements:

1. Type 21 Off-Sale General. This approval is for the sale of alcoholic beverages for off-site consumption (Type 21 Off-Sale General) at gas station/convenience store.

2. Maximum Floor Area for Alcohol Sales. Alcohol sales shall not exceed 10% of the total sales floor area.

3. Alcohol Sales. The following shall apply at all times:
   a. The owner and management shall educate the public regarding driving under the influence of intoxicating beverages, driving with open containers and the penalties associated with the violation of each of these laws. This educational requirement may be met by posting prominent signs, decals and/or brochures at points of purchase.
   b. No displays of beer, wine or other alcoholic beverages shall be located within 10 feet of any building entrance or checkout counter.
   c. No exterior advertising or signage of any kind or type promoting or indicating the availability of alcoholic beverages shall be placed in windows or doors facing the exterior of the store.
   d. Cold beer or wine shall be sold from or displayed in the main, permanently affixed electrical cooler only.
   e. No beer, wine or other alcoholic beverage advertising shall be located on gasoline islands; and no lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of the buildings or within the window areas.
   f. No sale of alcoholic beverages shall be made from a drive-through window.
   g. No beer may be sold in single containers. Beer shall be sold in quantities of 3-pack or greater. Wine or wine coolers shall be sold in 4-packs or greater.
   h. Sale of wine shall not be in containers less than 750 ml.
   i. The licensee shall regularly police the area under its control to prevent the loitering of persons about the premises.
   j. The licensee shall post signs in the area under its control with regard to prohibiting open containers and loitering at the location.
   k. No display of alcohol shall be made from an ice tub, barrel, or similar container.
   l. Employees selling alcohol must be at least 18 years of age.
   m. Purchased alcohol shall be bagged prior to leaving store, as appropriate.
   n. Digital security cameras shall be installed to monitor the interior and exterior parking

EXHIBIT A
areas of the business. Surveillance footage shall be maintained for a minimum of 30 days.

4. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning CUP/PCN 17-05066. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

5. **City Ordinances.** The applicant shall maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license. *(Added by Planning Commission)*
DATE:       July 15, 2019

TO:        Planning Department
           Attention: Kenneth Phung

FROM:      Deputy Donnis Crawford
           (951) 210-1132

SUBJECT:   CUP/PCN 17-05-05066

The police department has reviewed the transmitted documents regarding CUP 17-05-05066. The police department requests that the CUP contain a condition that the applicant install video surveillance with appropriate digital video recording capability for the interior and exterior parking areas of the business.

A review of calls for service at the location from July 1, 2018 to July 1, 2019, found that there was not an unusual or problematic use of police services at the location. Based on the request to sale single cans of beer (instead of a minimum 3-pack) and to sell wine in smaller quantities than 750 ml. and/or smaller than a 4-pack of wine coolers cans of beer we will deny based on our agreement with the City not to sell single cans.
PLANNING COMMISSION
AGENDA SUBMITTAL

Meeting Date: May 17, 2017

SUBJECT:  Conditional Use Permit 17-05066 & Letter of Public Convenience or Necessity – Request for a Conditional Use Permit and determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption at a recently entitled gas station/convenience store located at the southwest corner of Ethanac Road and Trumble Road. Applicant: Marwan Alabassi, MAMCO Inc.

REQUESTED ACTION:  ADOPT Resolution No. 17-11 to approve Conditional Use Permit/Public Convenience or Necessity 17-05066 for the sale of alcoholic beverages for off-site at a recently entitled gas station/convenience store located at the southwest corner of Ethanac Road and Trumble Road, based on the findings and subject to the Conditions of Approval.

CONTACT: Clara Miramontes, Director of Development Services

BACKGROUND/DISCUSSION:

The proposal is a request for a Conditional Use Permit and determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption (Type 21 Off-Sale General) at a recently entitled gas station/convenience store. The store is located at the southwest corner of Ethanac Road and Trumble Road within a commercial retail center approved by the Planning Commission on March 17, 2017 (aka CUP 16-05168). The commercial center consists of a 4,846 sq. ft. convenience store with retail/restaurant space, an 18-pump fueling station, an automated drive-through carwash and a 5,138 sq. ft. retail shop/restaurant building with a drive-through lane.

A letter of Public Convenience or Necessity (PCN) is necessary in this case due to an over-concentration of alcohol licenses within the project’s census tract. According to the State Department of Alcohol Beverage Control (ABC), only one off-site alcohol license is allowed in the census tract where the census tract is located, and one license already exists. The proposal, if approved, would create an “undue concentration” for off-site alcohol sales, therefore the City is required to make findings in support of the proposed project, demonstrating that is in the interest of the City to approve the use for Public Convenience. Staff supports the proposed sale of alcoholic beverages as being in the interest of Public Convenience or Necessity as it will: (1) allow customers to conveniently purchase alcoholic beverages when getting gas, (2) the site is not located near sensitive uses – i.e. parks, schools and churches -- (3) the applicant will limit alcohol sales to no more than 10% of the floor area, and (4) the operation is not anticipated to create a public health and safety concern for the City.

As of the writing of this report, no comments in opposition have been received from the neighboring property owners or the City of Menifee which borders the site to the east. In addition, the Sheriff Department has no objection to this proposal other than requesting a condition that the applicant install video surveillance with appropriate digital video recording capability for the interior and exterior parking areas of the business. The request has been incorporated into the Conditions of Approval. Detailed project information is provided in the attached staff report and conditions of approval.

BUDGET (or FISCAL) IMPACT: All costs associated with this project are borne by the applicant.

Prepared by: Kenneth Phung, Project Planner
City Attorney: N/A
Finance Director: N/A
Public Hearing: May 17, 2017
CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PROJECT REPORT

CASE NUMBER: Conditional Use Permit (CUP) and Letter of Public Convenience or Necessity (PCN) 17-05066

Date: May 17, 2017 - Planning Commission

Project Planner: Kenneth Phung, Project Planner

Project Description: Request for Conditional Use Permit and determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption (Type 21 Off-Sale General) at a recently entitled gas station/convenience store located within a commercial retail center (aka CUP 16-05168).

Location: Southwest corner of Ethanac Road and Trumble Road

Assessor’s Parcel Number: 331-100-027 & 028

Applicant: Marwan Alabassi
MAMCO Inc.
445 S. D Street
Perris, CA 92570

Environmental Determination: Categorically exempt pursuant to Article 19 Section 15301 of CEQA

Related Case(s): CUP 16-05168

EXISTING ZONING AND LAND USE:

Existing Zoning: Community Commercial
Existing Land Use: Vacant Land

PROJECT DESCRIPTION & BACKGROUND

The proposal is a request for a Conditional Use Permit and determination of “Public Convenience or Necessity” for the sale of alcoholic beverages for off-site consumption (Type 21 Off-Sale General) at a recently entitled gas station/convenience store. The store is located at the southwest corner of Ethanac Road and Trumble Road within a commercial retail center approved by the Planning Commission on March 17, 2017 (aka CUP 16-05168). The commercial center consists
of a 4,846 sq. ft. convenience store with retail/restaurant space, an 18-pump fueling station, an automated drive-through carwash and a 5,138 sq. ft. retail shop/restaurant building with a drive-through lane. The convenience store is located at the east building within Unit 2 fronting Trumble Road. The applicant is currently preparing plans to go through the plan check process to be able to start construction.

A letter of Public Convenience or Necessity (PCN) is necessary in this case due to an over-concentration of alcohol licenses within the project’s census tract. According to the State Department of Alcohol Beverage Control (ABC), only one off-site alcohol license is allowed in the census tract where the census tract is located, and one license already exists. The proposal, if approved, would create an “undue concentration” for off-site alcohol sales, therefore the City is required to make findings in support of the proposed project, demonstrating that is in the interest of the City to approve the use for Public Convenience.

**ANALYSIS AND REVIEW**

**GENERAL PLAN CONSISTENCY**

The proposed use is consistent with the Community Commercial land use designation of the General Plan. The Community Commercial zoning designation allows for the off-site sale of alcohol, subject to a Conditional Use Permit and Public Convenience or Necessity (PCN) approval.

**PROXIMITY TO SENSITIVE USES**

A Conditional Use Permit for the sale of alcoholic beverages for off-site consumption requires review and evaluation of its proximity to other sensitive uses such as parks, schools and churches. Staff researched the proximity of sensitive uses. The location of the nearest park is Elder Park in the City of Menifee, located approximately 3,000 feet east of the site on Ethanac Road. The closest school is the Calvary Chapel Christian Academy, located approximately 2,500 feet northeast of the site at the southeast corner of 3rd Street and Adams Avenue in Sun City. The closest church to the site is Romoland Assembly of God Church -- approximately 2,100 feet northeast of the site on Monroe Avenue between 3rd and 4th Streets. Proximity to these sensitive uses is greater than the minimum 1,000-foot separation distance as outlined in Section 19-65-2.D of the Municipal Code.

**PUBLIC CONVENIENCE OR NECESSITY OF THE PROPOSED USE**

ABC is the State agency responsible for issuing alcohol licenses to restaurants and retail establishments. ABC monitors all existing alcohol licenses and reviews all pending alcohol licenses by census tract. The number of alcoholic beverage licenses allowed within a census tract is derived from population. The *California State Business and Professions Code* Section 23817.5 states “The number of premises for which an off-sale beer and wine license is issued shall be limited to one for each 2,500 (residents), or fraction thereof.” Based on the 2017 census, ABC allows one off-site sale license within Census Tract 0427.28. Currently, there is already one off-site license within the census tract. As a result, ABC would determine that the proposal use would create an “undue concentration.” The existing establishment within the census tract is located at 27132 Shadel Road Menifee, CA92586, approximately 1.25 miles south of the site.
When a Census Tract is determined by the ABC to be within an area of “undue concentration” for off-sale licenses, the City is required to make findings to support the proposed sale of alcoholic beverages as being in the interest of Public Convenience or Necessity. The sale of alcohol at the applicant’s proposed Chevron gas station will be in the interest of the public, as it will allow customers to conveniently purchase alcoholic beverages when getting gas. The proposal also meets the criteria for obtaining an alcohol license: (1) the site is not located near sensitive uses (2) the applicant will limit alcohol sales to no more than 10% of the floor area, and (3) the operation is not anticipated to create a public health and safety concern for the City. And as mentioned previously, the nearest location of the existing alcohol-licensed establishment is 1.25 miles south of the site.

In addition, the operator will need to comply with the Municipal Code guidelines for sale of alcoholic beverages identified below, which were incorporated as part of the Conditions of Approval.

1. The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, driving with open containers and the penalties associated with the violation of each of these laws. This educational requirement may be met by posting prominent signs, decals and/or brochures at points of purchase.

2. No displays of beer, wine or other alcoholic beverages shall be located within 10 feet of any building entrance or checkout counter.

3. Cold beer or wine shall be sold from or displayed in the main, permanently affixed electrical cooler only.

4. No beer, wine or other alcoholic beverage advertising shall be located on gasoline islands; and no lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of the buildings or within the window areas.

5. No sale of alcoholic beverages shall be made from a drive-through window.

These requirements will be strictly enforced.

PUBLIC/AGENCY COMMENTS

This proposal was routed to the City of Menifee and Riverside County Sheriff Department for review and comment and a public hearing notice was mailed to adjacent property owners within 300 feet of the subject site. To date, staff has not received any comments from the public or the City of Menifee. In addition, the Sheriff Department has no objection to this proposal other than requesting a condition that the applicant install video surveillance with appropriate digital video recording capability for the interior and exterior parking areas of the business. The request has been incorporated into the Conditions of Approval.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt pursuant to Article 19 Section 15301 of CEQA for a proposed operation out of an entitled commercial complex.
FINDINGS

CUP/PCN 17-05066:

A. The location/use shall not result in adverse impacts on park facilities, school facilities, or existing religious facilities, since the latter are all located at least 2,100 feet away from the proposed use, (exceeding the minimum 1,000-foot distance required per the Municipal Code); neither will the location/use result in adverse impacts on existing residential uses to the south of the site in the City of Menifee, since the layout of the commercial retail center where the convenience center is located appropriately directs traffic away from the residential area, and onto Ethanac Road. Landscaping will be installed along the southerly project boundary to provide privacy for the residences.

B. The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic, as roadway improvements will be made on Trumble Road, Ethanac Road and Encanto Road adjacent to the project site in order to mitigate any potential traffic impacts.

C. The establishment shall not constitute an enforcement problem to the City Police Department.

D. The development conforms to all applicable provisions of the Municipal Code.

RECOMMENDATION

Staff recommends that the Planning Commission:

ADOPT Resolution No. 17-11 to approve Conditional Use Permit/Public Convenience or Necessity 17-05066 for the sale of alcoholic beverages for off-site consumption (Type 21 Off-Sale General) at a recently entitled gas station/convenience store located at the southwest corner of Ethanac Road and Trumble Road within a commercial retail center, based on the findings and subject to the Conditions of Approval.

EXHIBITS:

Exhibit A - Planning Conditions of Approval
Exhibit B - Vicinity and Aerial Map
Exhibit C - General Plan Land Use Map
Exhibit D - Site Plan
Exhibit E - Census Tract Map 0427.20 with Off-site Alcohol Sales Location
Exhibit F - Riverside County Sheriff’s Memo
Exhibit G - Resolution 17-11
RESOLUTION NO. 19-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, CALIFORNIA, DENYING A REQUESTED AMENDMENT TO THE CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 17-05066 LOCATED AT 1765 ETHANAC ROAD.

WHEREAS, on May 17, 2017, the Planning Commission conducted a duly noticed public hearing on the project and approved Conditional Use Permit 17-05066 to allow the sale of beer, wine, and distilled spirits, subject to conditions of approval; and

WHEREAS, the applicant began operations in 2019, selling beer, wine, and distilled spirits pursuant to a license from the State of California; and

WHEREAS, on June 11, 2019, the Project applicant filed a request to amend the conditions of approval to remove conditions of approval 3g and h in order to allow the sale of individual bottles of beer and wine and to allow wine to be sold in bottles smaller than 750 ml; and

WHEREAS, a duly noticed public hearing was held on September 4, 2019, by the Planning Commission, at which time all interested persons were given full opportunity to be heard and to present evidence in regards to conditions of approval 3g and h; and

WHEREAS, at the duly noticed public hearing on September 4, 2019, the Planning Commission considered all written and oral evidence and testimony, including but not limited to testimony from members of the public and written and oral reports by City staff.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The above recitals are all true and correct and incorporated herein by this reference.

Section 2. The Planning Commission hereby denies the requested amendment to CUP 17-05066, leaving in place all of the conditions of approval imposed through the Planning Commission’s approval of May 17, 2017.

Section 3. Planning Commission Resolution No. 17-11 remains in full force and effect.

Section 4. The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

Section 5. The Chair shall sign this Resolution, and the Secretary shall certify to the passage and adoption of this Resolution.
ADOPTED and SIGNED this 4th day of September 2019.

Chairperson, Planning Commission

ATTEST:

Secretary, Planning Commission

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  §
CITY OF PERRIS

I, Kenneth Phung, SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 19-18 was duly and regularly adopted by the Planning Commission of the City of Perris at a regular meeting held on the 4th day of September 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary, Planning Commission
RESOLUTION NO. 19-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, CALIFORNIA, APPROVING A REQUESTED AMENDMENT TO THE CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 17-05066, LOCATED AT 1765 ETHANAC ROAD.

WHEREAS, on May 17, 2017, the Planning Commission conducted a duly noticed public hearing on the project and approved Conditional Use Permit 17-05066 to allow the sale of beer, wine, and distilled spirits, subject to conditions of approval; and

WHEREAS, the applicant began operations in 2019, selling beer, wine, and distilled spirits pursuant to a license from the State of California; and

WHEREAS, on June 11, 2019, the Project applicant filed a request to amend the conditions of approval to remove conditions of approval 3g and h in order to allow the sale of individual bottles of beer and wine and to allow wine to be sold in bottles smaller than 750 ml; and

WHEREAS, a duly noticed public hearing was held on September 4, 2019, by the Planning Commission, at which time all interested persons were given full opportunity to be heard and to present evidence in regards to condition of approval 3g and h; and

WHEREAS, at the duly noticed public hearing on September 4, 2019, the Planning Commission considered all written and oral evidence and testimony, including but not limited to testimony from members of the public and written and oral reports by City staff.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The above recitals are all true and correct and incorporated herein by this reference.

Section 2. The Planning Commission has reviewed and considered the environmental information discussed in the staff report and accompanying attachments and at the duly public hearing held on September 4, 2019, prior to taking action on the Application and determined that the removal of Condition of Approval No. 3g and h does not trigger changes to the previously adopted determination that the project is exempt from CEQA; as such, no further CEQA action is required for the proposed changes to the Conditions of Approval for this Project.

Section 3. The Planning Commission hereby finds that the removal of conditions of approval 3g and h does not affect any findings made in Planning Commission Resolution No. 17-11, which is incorporated herein by reference, all of which findings remain in full force and effect.

EXHIBIT - G
Section 4. The Planning Commission hereby adopts the attached Amended Conditions of Approval and hereby modifies Planning Commission Resolution No. 17-11 by removing Condition of Approval 3g and h therein.

Section 5. Except as amended as provided in this Resolution, Planning Commission Resolution No. 17-11 remains in full force and effect.

Section 6. The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

Section 7. The Chair shall sign this Resolution, and the Secretary shall certify to the passage and adoption of this Resolution.

ADOPTED and SIGNED this 4th day of September 2019.

Chairperson, Planning Commission

ATTEST:

Secretary, Planning Commission

STATE OF CALIFORNIA  )
COUNTY OF RIVERSIDE  ) §
CITY OF PERRIS  )

I, Kenneth Phung, SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 19-18 was duly and regularly adopted by the Planning Commission of the City of Perris at a regular meeting held on the 4th day of September 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary, Planning Commission