

ATTACHMENT 4

RESOLUTION NO. PC-2021-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, TO ALLOW ONSITE ALCOHOLIC BEVERAGE SALES (BEER AND WINE), WITH A FINDING OF PUBLIC CONVENIENCE AND NECESSITY, AT AN EXISTING MEAT MARKET AND RESTAURANT AT 16069 MAIN STREET (CUP21-00002)

WHEREAS, Martinez Meats Inc. has filed an application requesting approval of Conditional Use Permit CUP21-00002 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to an existing meat market and restaurant at 16069 Main Street and consists of Assessor's Parcel Number 0413-091-10; and

WHEREAS, the Application, as contemplated, proposes to allow the sale of alcoholic beverages of beer and wine (Type 41) for on-site consumption within the existing restaurant; and

WHEREAS, the subject site is presently occupied by an existing 1,600 square foot building which houses the meat market and restaurant. The properties on all sides consist of multi-tenant retail and office buildings; and

WHEREAS, the subject property as well as all surrounding properties are within the Neighborhood Commercial (NC) zone; and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act by Section 15301, Existing Facilities; and

WHEREAS, on April 8, 2021 the Planning Commission of the City of Hesperia conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced April 8, 2021 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The proposed expansion of on-sale sales of beer and wine (Type 41) in conjunction with the existing restaurant is a conditionally allowed use within the Neighborhood Commercial (NC) zone and complies with all applicable provisions of the Development Code with approval of Conditional Use Permit CUP21-00002. The proposed use would not impair the integrity and character of the surrounding neighborhood and the site is suitable for the type and intensity of the use that is proposed.
- (b) The proposed use would not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other allowed uses in the vicinity or be adverse to the public convenience, health, safety or general welfare. The proposed on-sale alcohol sales of beer and

wine as part of the restaurant will not have a detrimental impact on adjacent properties.

- (c) The proposed use is consistent with the objectives, policies, land uses and programs of the General Plan and Development Code. The proposed use will take place within an existing restaurant. The sale of beer and wine is consistent with the allowable uses within the Neighborhood Commercial (NC) zone with approval of this conditional use permit.
- (d) There are adequate provisions for sanitation, public utilities and general services to ensure the public convenience, health, safety and general welfare. The proposed use will occur within an existing building with adequate infrastructure. The existing transportation infrastructure is adequate to support the type and quantity of traffic that will be generated by the proposed use, considering the expansion of the on-sale alcoholic beverage license to include liquor.
- (e) The finding for the Public Convenience and Necessity is hereby made based on Main Street being an arterial street that serves as access and provides services for many more residents and non-residents than those only residing in Census Tract 100.19

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP21-00002, subject to the conditions of approval as shown in Attachment 'A'.

Section 4. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 8th day of April 2021.

Cody Leis, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission