

# City of Hesperia

## STAFF REPORT



**DATE:** April 8, 2021  
**TO:** Planning Commission  
**FROM:** Chris Borchert, Principal Planner  
**BY:** Chris Borchert, Principal Planner  
**SUBJECT:** Conditional Use Permit CUP21-00002; Applicant: Martinez Meats Inc.;  
APN: 0413-091-10

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### RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2021-05, approving CUP21-00002 to allow the on-site sales of alcohol (beer & wine) in conjunction with an existing restaurant/meat market.

### BACKGROUND

**Proposal:** A Conditional Use Permit (CUP) to allow the on-site sale of alcoholic beverages (beer and wine) for on-site consumption within a restaurant.

**Location:** 16069 Main Street

### Current General, Plan, Zoning and Land Uses:

The site is within the Neighborhood Commercial (NC) zone. The surrounding land is designated as noted on Attachment 1. The surrounding properties all consist of commercial and multi-tenant commercial buildings as shown on the aerial as Attachment 2.

**Land Use:** The Martinez Meats restaurant has operated in the City at this location since 2010. The applicant has applied for a Type 41 license with the California Department of Alcoholic Beverage Control (ABC) for on-sale consumption of beer and wine. The Municipal Code requires approval of a conditional use permit to allow for the sale of alcohol.

The restaurant is situated within Census Tract 100.19, which is roughly bounded by Main Street to the north, 7<sup>th</sup> Avenue to the west, Hesperia Road to the east, and Ranchero Road to the south (Attachment 3).

ABC considers over four on-sale licenses within Census Tract 100.19 to be over concentrated based on population. As shown in Table 1 below, seven on-sale licenses currently exist within this census tract.

**Table 1: Existing On-Sale Licenses in Census Tract 100.19**

Status	Business Name	Business Address	Type of License
Active	China Palace	15555 Main Street	41- Beer & Wine
Active	D6 Pizza	15555 Main Street	41- Beer & Wine
Active	Los Domingos	15717 Main Street	47- Beer, Wine, Liquor
Active	Spice of India	15751 Main Street	41- Beer & Wine

Active	Spring House	16441 Main Street	41- Beer & Wine
Active	Fraternal Order of Eagles	16193-97 Main Street	51 - Club
Active	Gator's Sports Bar & Grill	15918 Walnut Street	48 - Bar, Night Club

Therefore, the Planning Commission is required to make a finding of public convenience and necessity. As noted previously by the Commission, Main Street serves a population much larger than that of the individual census tracts that border it. Also, the Commission and Council have both agreed that restaurants have not been an issue in terms of alcohol impacts on the community. The finding for the public convenience and necessity is included in the resolution.

**Schools and Parks:** The project site at 16069 Main Street is located approximately 1/2 mile northwest of Mesa Grande Elementary School and approximately 1/2 mile southwest of Civic Park.

**Environmental:** This project is exempt from the California Environmental Quality Act (CEQA) per Section 15301, Existing Facilities.

**Conclusion:** Approval of this alcoholic beverage license will allow the restaurant to be competitive with similar businesses and is consistent with previous Commission and Council discussions.

## ALTERNATIVE

1. Provide alternative direction to staff.

## ATTACHMENTS

1. General Plan/Zoning
2. Aerial photo
3. Census Tract Map
4. Resolution No. PC-2021-05
5. List of Conditions