

# City of Hesperia STAFF REPORT



**DATE:** October 5, 2021

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager

**BY:** Chris Borchert, Principal Planner  
Ryan Leonard, Senior Planner

**SUBJECT:** Conditional Use Permit CUP20-00003 and Minor Exception ME20-00003;  
Applicant: George Mikhail; APNs: 0357-304-01 & 02

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## RECOMMENDED ACTION

The Planning Commission recommends that the City Council adopt Resolution No. 2021-48 approving CUP20-00003 and Minor Exception ME20-00003.

## PROJECT SUMMARY

**Proposal:** 4,464 square foot convenience store that includes the sale of beer, wine and liquor for off-site consumption, a 2,040 square foot drive-thru restaurant attached to the convenience store, a 4,620 square foot fueling canopy with 6 fuel islands, and a 960 square foot diesel fueling canopy with 1 fuel island on 1.4 gross acres. A Minor Exception (ME20-00003) to allow a reduction of one parking space has also been filed.

The project is located within a census tract that is allowed to have 10 off-sale alcohol licenses and there are 11 active licenses currently in place. Therefore, approval of CUP20-00003 will exceed the maximum limitation of off-sale alcohol licenses within the census tract and the City will be required to make a finding of public convenience and necessity.

**Location:** On the southwest corner of Mariposa Road and Oak Hill Road.

**Planning Commission Review:** On September 9, 2021 the Planning Commission voted 3-1 (Commissioner Burke voted against the project; Commissioner Steeno recused herself) to forward this item to the City Council with a recommendation for approval.

**Conclusion:** The project conforms to the development standards of the Main Street and Freeway Corridor Specific Plan with adoption of Minor Exception ME20-00003 to allow for a reduction of one parking space. Further, on March 3, 2020 the Planning Commission and City Council held a joint workshop to discuss the number of alcohol establishments in the City. Although there were varying opinions, including that Main Street as a whole is over concentrated with alcohol outlets, there was not a clear consensus if additional alcohol establishments should be approved in other parts of the City. It is requested that the City Council review the findings of facts in Resolution 2021-48, and determine if the CUP should be approved.

## ATTACHMENT(S)

1. Resolution No. 2021-48
2. Conditions of Approval

3. Planning Commission Staff Report with attachments