



Conditional Development Permit No. 2021-0006
Environmental Assessment Review No. 2021-0010

Project Site

- One (1) parcel – 0.45 acres
- At the 718 E. Foothill Boulevard approximately 191 feet east of N Eucalyptus Avenue
- Commercial-Pedestrian (C-P) – Foothill Boulevard Specific Plan



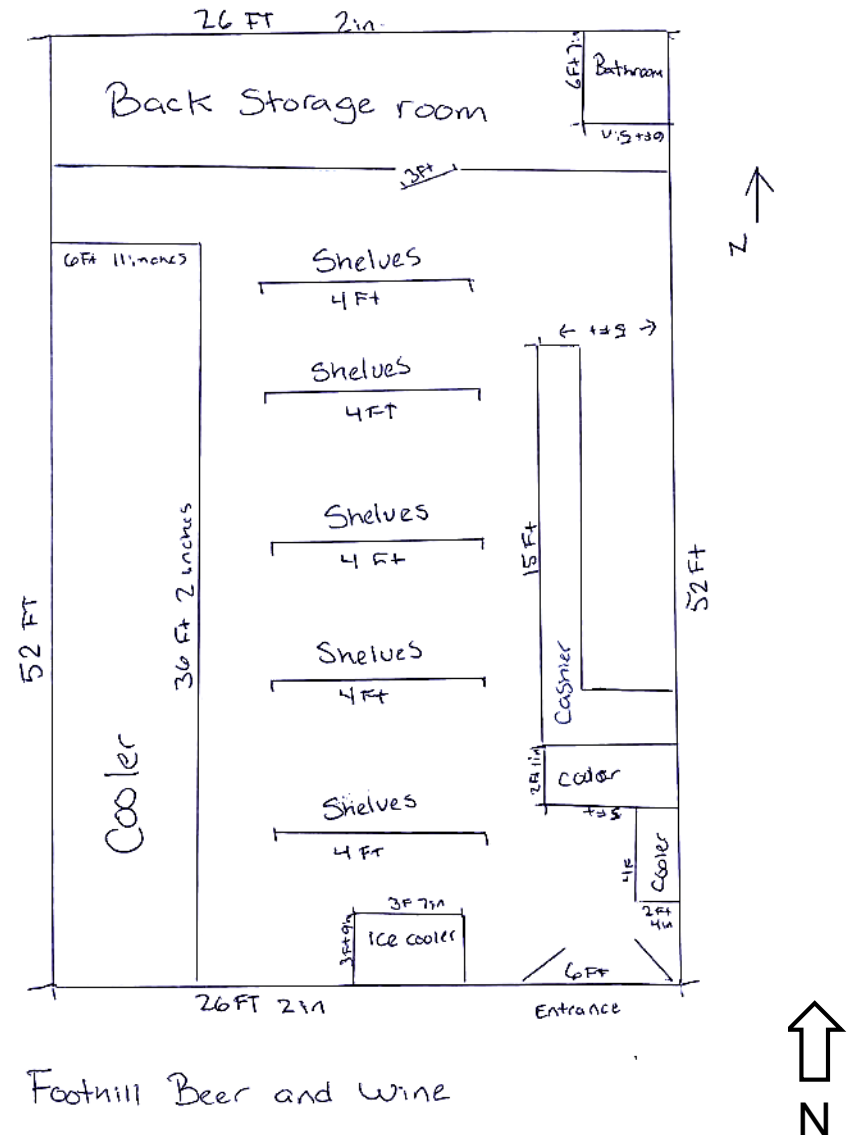
Project Proposal

- **Establish the following:**
 - **Upgrade of a Type 20 Beer and Wine License to a Type 21 Beer, Wine and Distilled Spirits.**
- **The Foothill Boulevard Specific Plan and the Rialto Municipal Code requires a CDP for a Liquor Store use (Type 21).**



Floor Plan/Operations

- The existing operation consists of the sale of typical convenience goods, such as snacks, drinks, sundry items, cigarettes, lottery, etc., and also includes the sale of beer and wine for off-site consumption.
- The sale of beer and wine from the convenience market is currently licensed by the California Department of Alcoholic Beverage Control (ABC) via a Type 20 (Off-Sale Beer & Wine) license.
- Hours of Operation: 8 a.m. to 10 p.m.
7 days/week
- 2 employees fulltime and 1 part-time employee



Compatibility & Consistency

- **The proposed use is consistent with the Commercial Pedestrian (C-P) zone.**
- **The project complies with all of the required development standards of the Commercial Pedestrian (C-P) zone and the City's Design Guidelines.**
- **The project is consistent with the following goals of the General Plan**
 - **Goal 3-1: Strengthen and diversify the economic base and employment opportunities and maintain a positive business climate.**
 - **Goal 3-3: Attract, expand, and retain commercial and industrial businesses to reduce blighted conditions and encourage job growth.**
 - **Goal 3-4: Revitalize aging and underperforming commercial and industrial areas.**

Planning Commission Action

- **September 8, 2021 – Planning Commission considered the project Conditional Development Permit No. 2021-0006 at a public hearing**
 - **Planning Division recommended approval of the project and concluded:**
 - **The project is consistent with the project site's land use and zoning designations**
 - **The project is consistent with the existing commercial uses to the east, west, and south**
 - **Categorically Exempt from CEQA (Class 1 – Existing Facilities Projects)**
 - **Planning Commission voted 7-0 to approve the project and adopt Planning Commission Resolution No. 2021-39.**

Appeal

- **September 22, 2021 – Appellant filed an Appeal with the City Clerk’s Office:**
 - **Appellant seeks to have the City Council overturn the Planning Commission’s approval.**
 - **Appellant is concerned that competition from the applicant will negatively affect the viability of his business and his livelihood.**
 - **The appellant currently owns and operates Brownie’s Liquor located at 845 E. Foothill Boulevard .**
- **The Planning Department believes the project satisfies all the required findings for the following reasons:**
 - **The applicant’s request to allow the sale of distilled spirits for off-site consumption, in addition to existing sales of beer and wine for off-site consumption, complies with all of the required criteria contained within Chapter 18.110 (Regulation of the Off-Sale of Alcoholic Beverages).**
 - **The Planning Division concurs with the Planning Commission’s previous decision and recommends that the City Council uphold the Planning Commission’s decision to approve Conditional Development Permit No. 2021-0006.**

Recommendation

In accordance with the Appeal process provided in Section 18.68.050 of the Rialto Municipal Code, Staff recommends that the City Council conduct a Public Hearing to consider the appellant's appeal, and either:

- Uphold the decision of the Planning Commission and Adopt the attached Resolution (Exhibit G) approving Conditional Development Permit No. 2021-0006; or**
- Overturn the decision of the Planning Commission and direct staff to prepare a Resolution denying Conditional Development Permit No. 2021-0006; or**
- Uphold the decision of the Planning Commission subject to modifications.**