



City of Camarillo

Planning Commission AGENDA REPORT COVER

DATE: June 6, 2023
TO: Planning Commission
FROM: Joseph R. Vacca, AICP, Director of Community Development
SUBMITTED BY: Paul McClaren, Senior Planner
SUBJECT: CUP-371M(1), Village Greens Market

PROJECT INFORMATION SUMMARY

Request: The applicant requests a modification of a previously approved Conditional Use Permit 371 (CUP-371) related to the off-sale of alcoholic beverages.

Applicant: Village Greens Market, Inc.

Property Owner: K. T. Enterprises, 1227 Flynn Road Suite 301, Camarillo, CA 93012

Decision-Making Authority: Pursuant to Camarillo Municipal Code (CMC) Sections 19.62.190 and 19.26.040(S) (Alcohol beverage establishments, off-sale), the Planning Commission is the decision-maker for the requested CUP modification.

General Plan Land Use Designation: General Commercial

Zoning Designation: Commercial Planned Development (CPD)

Project Site Size, Location, and Parcel Number: The 1,250-square-foot commercial suite is in Suite F of a 0.91-acre shopping center located at 795 Camarillo Springs Road in the Commercial Planned Development (CPD) Zone. The Tax Assessor's Parcel Number for the property is 234-0-220-105.



Location Map

PUBLIC NOTICE

A Notice of Public Hearing has been advertised for the Planning Commission meeting of June 6, 2023, with notices mailed to all property owners within a 600-foot radius and two homeowners associations (Camarillo Springs and Miramonte). Additionally, the subject site has been posted with a sign, the notice has been posted at Camarillo City Hall and on the City's website (www.cityofcamarillo.org). Finally, the notice was published in a newspaper of general circulation within the area (Camarillo Acorn).

DISCUSSION

Environmental Review

The project was reviewed in accordance with the California Environmental Quality Act (CEQA) and the State CEQA guidelines, as well as the City's environmental guidelines, and was determined to be categorically exempt from the provisions of CEQA under a Class 1 exemption for Existing Facilities (CEQA Guidelines section 15301) because the proposed modification involves alterations to the use and layout of the interior of the suite within an existing building. Therefore, no additional review is necessary.

Parcel and Area Characteristics

The subject 0.91-acre site is located at the northwest corner of Camarillo Springs Road and Ridge View Street, south of the U.S. Highway 101/Ventura Freeway. The property is developed with an existing 5,440-square-foot, multi-tenant, commercial building that was constructed in 1998. Currently, the tenants in the shopping center are Hidden Café, Star Nail, Le Tress Couture, 5th Avenue Cleaners, The Local, VC Arena, and Village Greens Market, Inc.

Vehicular access to the site is provided by a driveway on Camarillo Springs Road and a driveway on Ridge View Street from the adjacent property to the north. Fifty-two (52) on-site parking spaces are provided along the front of the existing building.



View of the project site from the easterly side looking southwest.

The project site is located within the Camarillo Springs Neighborhood and is surrounded by the following land uses:

	GENERAL PLAN LAND USE DESIGNATION	ZONING DESIGNATION	CURRENT LAND USE
PROJECT SITE	General Commercial	Commercial Planned Development (CPD)	Market
NORTH	General Commercial	Commercial Planned Development (CPD)	Private Soccer Field
SOUTH	Low Medium Density, 5.1-10 Dwelling Units Per Acre	Residential Planned Development (RPD)	Miramonte Condominiums
WEST	Low Medium Density, 5.1-10 Dwelling Units Per Acre	Residential Planned Development, 10 Dwelling Units Per Acre Maximum (RPD-10U)	The Courtyards Single Family Residential
EAST	General Commercial	Commercial Planned Development (CPD)	Office Complex

Background

Village Greens Market, Inc. has been in business at the same location for approximately 21 years with a legal, non-conforming Type 20, off-sale beer and wine license. They requested to upgrade their license to a Type 21, off-sale beer, wine, and distilled spirits license which required that they become conforming by obtaining a CUP. On March 15, 2016, the Planning Commission adopted Resolution No. PC 2016-04 (Attachment 2) approving CUP-371 which authorized the off-sales of beer, wine, and distilled spirits for consumption off the premises under a Type 21 ABC license. Conditions were imposed on CUP-371 limiting the display area for alcohol to 38 percent of the shelving space dedicated to the sale of alcohol products, limiting alcohol sales to a maximum of 10 percent of the gross floor area, and placing restrictions on the location and size of storage for distilled spirits.

General Plan

The Camarillo General Plan Land Use Map designates the property for General Commercial uses. The proposed interior modifications to increase the allowable square footage of alcohol areas within the Village Greens Market are consistent with the Commercial Uses Principles of the General Plan Land Use element to include maintaining a proper balance of retail and service needs as well as a diversity of commercial activities, alleviating traffic congestion, and grouping convenience shopping to serve the needs of the adjacent residential areas.

Zoning

The subject property is located within the Commercial Planned Development (CPD) Zone. The proposed modifications to the existing use are permitted in the CPD Zone, subject to the approval of a CUP in accordance with CMC section 19.26.040.S.

Request

The applicant is requesting to modify the previously approved floor plan for CUP-371 to increase the dedicated space for beer, wine, and distilled spirits. The applicant proposes to increase the shelving and display area dedicated to the off-sale of alcoholic beverages from 38 to 48 percent and increase the overall percentage of gross floor area dedicated to the sale of alcohol from 10 to 18 percent. In addition, the applicant is requesting to increase the square footage of hard liquor from 8 square feet to 25.5 square feet.

CUP-371 existing Conditions of Approval 27 and 28 read as follows:

- Condition No. 27: Overall sales shelving and display area dedicated to saleable products of alcohol shall be restricted to 38 percent of all saleable products in the store and shall be restricted to 10 percent of the gross floor area. This shall be demonstrated in a plan to be reviewed and approved by the Director of Community Development prior to zone clearance for inauguration of the use.
- Condition No. 28: The sale of hard liquor shall be restricted to the eight-square-foot liquor cabinet located behind the cashier register counter, as shown on the plans submitted and approved by the Planning Commission and shall be locked at all times and may only be accessed by employees who have completed training with the State Department of Alcoholic Beverage Control.

The proposed modified Conditions of Approval would read as follows:

- Condition No. 27: Overall sales shelving and display area dedicated to saleable products of alcohol must be restricted to 48 percent of all saleable products in the store and must be restricted to 18 percent of the gross floor area. This must be demonstrated in a plan to be reviewed and approved by the Director of Community Development prior to zone clearance for the inauguration of the use.
- Condition No. 28: The sale of hard liquor must be restricted to a 25.5-square-foot area of shelving located behind the cashier register counter and accessible to staff only, as shown on the plans submitted and approved by the Planning Commission.

In addition to the changes detailed above, minor modifications to the conditions were made to add clarity and align them with current standard conditions for alcohol CUPs. Additionally, conditions 6, 18 through 21, 25, and 26 are conditions added by the Camarillo Sheriff's Department as new standard conditions. Other than the addition of these conditions the Sheriff had no objections to the proposed modifications. The Conditions of Approval attached to the proposed Resolution will supersede the original Conditions of Approval for CUP-371.

The Applicant is not proposing any exterior or structural changes. The interior improvements consist of the following:

- Replacement of the customer counter.
- Three new, 8-square-foot by 6-foot-high, wine display shelves.
- A new, 81-square-foot, beer walk-in display area.
- Replacement of an existing 8-square-foot cabinet with a 25.5-square-foot by 9-foot-high hard liquor display area behind the counter.
- Relocation of three, 3-foot-high, freezers against the interior of the front windows.
- Increase in square footage of alcoholic beverages from 119 to 196 square feet.
- Reduction in square footage of sundry items from 249 to 211 square feet.

The hours of operations would remain as previously approved, 7 a.m. to 10 p.m., Monday through Saturday, and 7 a.m. to 9 p.m. on Sundays.

STAFF REVIEW AND RECOMMENDATION

A CUP is required in the CPD Zone, pursuant to CMC section 19.26.040(S) for the off-sales of beer, wine, and distilled spirits. The market continues to sell sundry items such as dry goods, dairy products, pre-packaged food, and soft drinks and the alcohol sales are ancillary to the market use. Per the applicant, the increased alcohol sales are necessary to continue providing

the business's market aspect. The CUP modification ensures the proposed modifications to the existing market are appropriately located and operated; that conditions be placed on the business to protect the public health, safety, peace, and welfare; and allow the City to monitor and verify whether the operations are in accordance with the terms of its CUP.

The project site is located within Census Tract 56.02 and currently operates under a Type 21 ABC License, which authorizes the sale of beer, wine, and distilled spirits for consumption off the premises. Census Tract 56.02 encompasses the entire area between the easterly and westerly City boundaries, on the south side of U.S. 101 Highway/Ventura Freeway. The Alcohol Beverage Control guidelines recommend five on-sale and three off-sale licenses for Census Tract 56.02. The census tract has 36 licenses total, 25 on-sale, nine off-sale, and two bars which exceed the allocated number of alcohol licenses as recommended by ABC. However, approval of the CUP will not increase the number of ABC licenses, as the existing Type 21 license will remain unchanged. A finding of Public Convenience or Necessity (PCN) is not required, as no changes are necessary to the existing Type 21 ABC license and would not change the number of licenses within the Census Tract.

If approved, the proposed modification would increase the shelving and display areas dedicated to the off-sale of alcoholic beverages from 38 to 48 percent of all sellable products in the store; would increase the overall percentage of gross floor area dedicated to alcoholic beverage sales from 10 to 18 percent; and would increase the area available for hard alcohol from an 8-square-foot cabinet to 25.5 square feet.

SUGGESTED ACTION

1. Find the modification of CUP-371 to be categorically exempt.
2. Adopt a resolution approving CUP-371M(1), Village Greens Market. The action of the Planning Commission is final unless an appeal is filed within ten (10) days of the date of their action.

ATTACHMENTS

1. Resolution
2. Resolution No. PC 2016-04
3. Location Map
4. Public Hearing Notice