



**STAFF REPORT**  
**2/7/2024**

**TO:** Planning Commission Chair and Commissioners

**FROM:** Adrian Moreno, Associate Planner

**SUBJECT:** Family Dollar – Type 20 ABC License

**SPECIFICS:** Conditional Use Permit No. 373 to allow liquor sales (ABC Type 20, Off-Sale Beer & Wine) within a 8,213 SF dollar store located at 52226 Cesar Chavez Street. Applicant: Family Dollar LLC

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**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission adopt Resolution No. PC2024-01 approving Conditional Use Permit (CUP) No. 373 to allow a liquor sales license (Type 20, Off-Sale Beer & Wine) at the Family Dollar store at 52226 Cesar Chavez St., pursuant to the findings and conditions in the attached resolution.

**BACKGROUND:**

Family Dollar is an existing store within an existing commercial building located at the Coachella Shopping Center at 49647 Cesar Chavez Street (APN 778-242-024). The construction of this building was approved through AR 12-09 (Family Dollar), which was approved by the Planning Commission on October 17, 2012.

**DISCUSSION/ANALYSIS:**

The applicant, Family Dollar LLC, submitted a request for a CUP to allow the Type 20 license (Off-Sale Beer & Wine) at the existing Family Dollar store. The zoning designation of the property is within the C-N (Neighborhood Commercial) zone and allows liquor sales with approval of a CUP. In December of 2016, the City adopted an ordinance requiring a conditional use permit for any off-sale and on-sale alcohol sales establishment, with additional land use regulations contained in Section 17.74.015 of the Zoning Code. The CUP findings are required to be made by the Planning Commission.

The subject site is located within Census Tract 457.04 with a population of 3,135 persons, where ABC concentration standards allow a maximum of 1 off-sale licenses, where 6 active off-sale licenses exist. The applicant is not applying for an on-sale license, however there are 21 active on-sale licenses where ABC concentration standards allow a maximum of 5 on-sale licenses.

**Table 1 – Off-Sale Alcohol Licenses**

| <b>Off-Sale Alcohol License within Census Tract 457.04</b> |                          |                       |                           |
|--|--------------------------|-----------------------|---------------------------|
| <b>Business Name</b>                                       |                          | <b>Address</b>        | <b>License Type</b>       |
| 1  | CHIHUAHUA MARKET         | 52579 CESAR CHAVEZ ST | 20 (Off-Sale Beer & Wine) |
| 2  | FASTRIP 652              | 51893 CESAR CHAVEZ ST | 21 (Off-Sale General)     |
| 3  | ARCO                     | 52138 CESAR CHAVEZ ST | 21 (Off-Sale General)     |
| 4  | BEERTOWN MARKET INC      | 85101 AVENUE 52       | 20 (Off-Sale Beer & Wine) |
| 5  | Carniceria Rancho Grande | 51508 CESAR CHAVEZ ST | 21 (Off-Sale General)     |

Additionally, off-sale establishments may not fall within 700 feet of a church, school, park, playground, residence or another existing off-sale use as measured from property line to property line. The subject site is within 700 feet of the following off-sale liquor uses; Chihuahua Market (163 foot distance), Arco (398 foot distance), Fastrip (660 foot distance), and Beertown Market (664 foot distance). The subject site is within 700 feet of residential property. The subject site is within 700 feet of the Primera Iglesia Bautista church (523 foot distance) and Valley View Elementary School (651 foot distance).

Staff contacted Lieutenant Vasquez with the Riverside County Sheriff regarding any concerns for the proposed business that the Planning Commission may want to consider when making findings or including conditions of approval for the CUP. Lieutenant Vasquez identified a concern to avoid a direct route from alcohol to entry or exit doors. The applicant provided a revised floor plan that implemented the sheriff's comments, and Lieutenant Vasquez approved of the changes to the revised floor plan. Lieutenant Vasquez did not provide any further concerns with the proposed use and does not recommend any conditions of approval. No comments have been received from the public with any concerns regarding the approval of the proposed conditional use permit for Type 20 (Off-Sale Beer & Wine) alcohol sales.

The floor plan for the Family Dollar store includes a sales floor area of 6,905 SF. Alcohol is proposed to be within 32 SF of the sales floor area, within coolers and a gondala merchandiser more than 25 feet from the store entrance. This project does not exceed the 5% maximum sales floor area (345.25 SF) that may be dedicated to alcohol.

Hours of Operation:

The hours of operation for Family Dollar are Monday through Sunday from 8 a.m. to 10 p.m.

Environmental Setting:

The subject business at 52226 Cesar Chavez Street is along the Cesar Chavez Street commercial corridor surrounded by commercial and residential single-family uses, with adjoining zoning and land uses as follows:

North: Family Furniture / (C-N, Neighborhood Commercial)

Northwest: Chihuahua Market / (C-N, Neighborhood Commercial)

South: vacant parcel / (C-G, General Commercial)

East: Single family residential / (C-G, General Commercial)

West: Dekoralo & Leonis Boutique clothing store and Un Pedacito De Cielo Libreria Catolica religious goods store / (C-G, General Commercial)

**Parking:**

In commercial districts, one parking space is required for each 250 square feet of gross floor area. The subject site has a gross floor area of 7,847 SF, which would require the subject site to provide 32 parking spaces. The subject site provides 33 parking spaces, which is adequate parking for this use.

**Landscape/Graffiti**

During a staff site visit to the Family Dollar site staff observed the store has not been maintained to the standards of the conceptual landscape plan approved under AR No. 12-09 (Family Dollar). There are missing plants, trees, and other landscape materials on site, including some examples of graffiti on site. To ensure that landscaping and graffiti abatement is maintained to a high standard on-site, staff is recommending conditions of approval for a final landscape plan and to require landscaping and graffiti to be replaced and cleaned up to the satisfaction of the Code Enforcement and Planning Departments. Once these improvements are made to the satisfaction of Code Enforcement and Planning Departments, Staff will reach out to California Alcohol Beverage Control that CUP 373 is considered affective.

**ENVIRONMENTAL REVIEW:**

Staff has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “Existing Facilities” (CEQA Guidelines, Section 15301). The proposed project consists of the operation, licensing and minor alteration of an existing private commercial structure involving negligible or no expansion of existing or former commercial use on the property. The subject site has been used for commercial retail establishments and no expansions of floor area are proposed.

**ALTERNATIVES:**

- 1) Adopt Resolution No. PC2024-01 recommending that the City Council approve CUP No. 373 with the findings and conditions as recommended by Staff.
- 2) Adopt Resolution No. PC2024-01 with the findings and conditions as recommended by Staff with modifications as proposed by the Planning Commission.
- 3) Not approve Resolution No. PC 2024-01 and request that staff prepare a Planning Commission Resolution for denial of CUP No. 373.
- 3) Continue this item and provide staff and the applicant with direction.

## **CONCLUSIONS AND RECOMMENDATIONS**

Based on the analysis contained herein and the findings listed below, staff is recommending that the Planning Commission approve CUP No. 373 with the findings and conditions listed in Resolution No. PC2024-01. Staff recommends that the Planning Commission makes the finding that the public convenience or necessity is justified to issue the Type 20 license (Off-Sale Beer & Wine). Furthermore, the Sherriff's Department has not raised concerns about granting the CUP for Type 20 alcohol sales.

### Attachments:

1. Resolution No. PC2024-01
2. Vicinity Map
3. Family Dollar Floor Plan
4. Site Photos
5. Conceptual Landscape Plan (2012)