



City of Escondido Zoning Administrator

RECORD OF ACTION

201 North Broadway
City Hall – Parkview Room
April 13, 2022
12:00 p.m.

A. Call to Order: 12:03 p.m.

Zoning Administrator: Sean Nicholas, Principal Planner.

Staff Present: Jasmin Perunovich, Assistant Planner; Angela Windham, Department Assistant.

Public Present: Daniel Maroon, representative of Applicant.

B. Agenda item:

1. **CONDITIONAL USE PERMIT – CASE NO. PL 21-0199:**

A Minor Conditional Use Permit to modify operations at an existing 10,000 square foot liquor store in an 11.2-acre commercial center in the Planned Development – Commercial zoning district. The request would allow online sales and delivery of alcohol between the hours of 9 a.m. and 12 a.m. In-store hours would not change from the existing operations (9 a.m. to 10 p.m. daily).

Location: On the southwest corner of Auto Park Way and West Valley Parkway, addressed as 1346 W. Valley Parkway.

Applicant: Keith Garner, Agent for Gopuff dba BevMo!

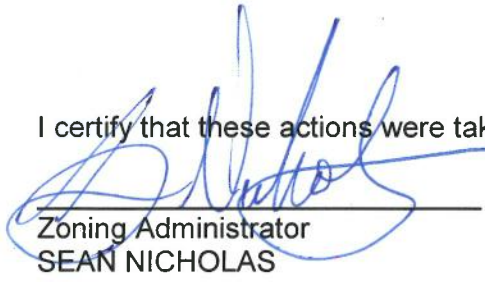
Planner: Jasmin Perunovich

DECISION OF THE ZONING ADMINISTRATOR:


- Approved, as set to form
- Conditionally approved with the attached modifications
- Denied
- Continued to: _____ Date Certain _____ Date Unknown
- Referred to Planning Commission

C. Adjournment: 12:30 p.m.

I certify that these actions were taken at the Zoning Administrator meeting on April 13, 2022.



Zoning Administrator
SEAN NICHOLAS



Witness
ANGELA WINDHAM

- a. Prior to building permit issuance, or prior to 5 p.m. on Thursday, May 23, 2022, if no building permit is required, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Community Development. *(Underlined text added by the Zoning Administrator at the April 13, 2022, public hearing.)*
 - b. The Applicant shall make a copy of the terms conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.
8. **Right to Entry.** The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.
9. **Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.
10. **Fees.** The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.

set forth in the premise license issued through the Department of Alcoholic Beverage Control and Police Department.

4. The side entrance/receiving door, located on the east elevation, shall be kept closed at all times except in the case of emergency and normal ingress and egress and shall be accessed by BevMo! employees and delivery drivers only during business hours.
5. All delivery driver partners shall use the side entrance/receiving door at all times to pick up items for delivery, even when the storefront is open.
6. Delivery driver partners shall be directed to use the designated parking spaces closest to the side entrance/receiving door. Delivery driver partners may use any parking spaces in the shopping center if the designated parking spaces are not available.
7. Informational signs shall be posted on the side entrance/receiving door accordingly, stating that the door is to be used by BevMo! employees and delivery driver partners only, and shall direct customers to use the main entrance doors.
8. There shall be no exterior advertising or sign of any kind, including advertising specifically directed to the exterior from within, promoting or indicating availability of alcoholic beverages.
9. No signage is approved as part of this permit. All proposed signage associated with the project shall comply with Article 66 of the Escondido Zoning Code.
10. A valid City of Escondido Business License shall be maintained at all times.
11. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning, Engineering, and Building Divisions have been completed.
12. The plans submitted for building permit shall include notes or details containing the necessary work involved in complying with these project conditions.

F. General Building Division Conditions: Building plans must be submitted for this project if building permits are required. These conditions are preliminary and a comprehensive plancheck will be completed prior to permit issuance. Additional technical code requirements may be identified and changes to the plans included as Exhibit "C" to Zoning Administrator Resolution No. 2022-02 may be required. *(Underlined text added by the Zoning Administrator at the April 13, 2022, public hearing.)*

1. The applicant shall submit a complete set of construction plans to the Development Services Department for building permit plancheck processing.