

**STAFF ANALYSIS**  
**PROJECT NUMBER 95140-(5)**  
**CONDITIONAL USE PERMIT 200700136**

**ENTITLEMENT REQUEST**

The applicant, The Von's Company is requesting a conditional use permit to authorize the continued sales of a full line of alcohol for off-site consumption in conjunction with an existing supermarket.

**PROJECT DESCRIPTION**

The proposed project consists of the continued sales of a full line of alcohol for off-site consumption in conjunction with an existing supermarket. No new construction is proposed.

**LOCATION**

The proposed project is located at 25850 The Old Road in the Newhall Zoned District and community of Santa Clarity Valley.

**SITE PLAN DESCRIPTION**

The site plan depicts a 56,526 square foot supermarket located within a developed 6.64 acre shopping center with shared parking. A grove of oak trees is located in the southern portion of the subject property.

**ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning has determined that a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

**LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

**PREVIOUS CASES/ZONING HISTORY**

- Conditional Use Permit 92075 for a shopping center was approved on August 23, 1994.
- General Plan Amendment SP92075 for a shopping center was approved on August 23, 1994.
- Zone Change 92075 for a shopping center was approved on August 23, 1994.
- Oak Tree Permit 92075 for the removal of 105 oak trees was approved on August 23, 2004.
- Conditional Use Permit 95140 for the sale of a full line alcohol for off-site consumption in conjunction with a supermarket was approved on August 14, 1996. The approved site plan depicts the existing deli, Starbucks kiosk and outdoor seating.

## **STAFF EVALUATION**

### **General Plan Consistency**

The Santa Clarita Valley Area Plan land use designation for the subject property is C (Commercial). The Commercial land use designation has two classifications, Community Commercial and Regional Commercial. Community Commercial serves several adjoining neighborhoods and includes supermarkets. Regional Commercial serves a market area of many square miles and serves a population of 150,000 to 250,000 persons. Such commercial centers would typically include department stores, clothing stores, other retail stores, an automobile center and a hotel or motel. It is Staff's opinion that the proposed use is consistent with The Santa Clarita Valley Area Plan's goals and policies.

### **Zoning Ordinance and Development Standards Compliance**

The subject property is zoned C-3-DP (Unlimited Commercial). Grocery stores are a permitted use in the C-3 zone. The development standards of the C-3 zone regulate lot coverage, parking and outside. There are no open zoning violations on the subject property. The existing facility is in compliance with these standards as approved by Conditional Use Permit 92075.

### **Neighborhood Impact/Land Use Compatibility**

The subject property is surrounded by commercial (shopping center) uses, a golf course and single-family residences. There are eight establishments that sell alcohol within 600 feet of the subject property. There is a bar at the golf course but no liquor stores or convenience stores within the 600 foot radius. The requested use at the proposed location will result in an undue concentration of similar premises but public convenience outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages. Conditions, such as limiting shelf space for alcohol have been proposed by Staff to reduce the impact that the establishment might have on the surrounding neighborhood.

There were 45 crimes reported at the subject property during the period of January 1, 2004 through November 30, 2008.

It is staff's opinion that the proposed use should be compatible with neighborhood if properly conditioned.

### **Burden of Proof**

The applicant is required to substantiate all facts identified by Sections 22.56.040 and 22.56.195 of the Los Angeles County Code. The Burden of Proofs with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The Fire Department submitted a letter (attached) dated October 3, 2007 stating they had no comments on this case.

The Department of Public Works submitted a letter (attached) dated October 23, 2007 recommending approval of the project.

**PUBLIC COMMENTS**

No comments from the public have been submitted.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

**STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Conditional Use Permit 200700136, subject to the attached conditions.

Prepared by Dean Edwards, Senior Regional Planning Assistant  
Reviewed by Mark Child, Supervising Regional Planner, Zoning Permits 1 Section

Attachments:

Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Environmental Document  
Site Photographs  
Site Plan  
Land Use Map