



Legislation Details (With Text)

File #: 21-1382 **Version:** 1 **Name:**
Type: Public Hearing **Status:** Agenda Ready
File created: 5/2/2022 **In control:** Planning Commission
On agenda: 9/20/2022 **Final action:**
Title: Master Case No. 22-034 and Conditional Use Permit 22-011- a request to operate a smoke, tobacco and vape shop in an approximate 1,500 square foot tenant space in the South Sierra shopping center.

RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022-____; and,

1. Determine that the proposed project is exempt pursuant to Section 15301 Class 1, (Existing Facilities) of the California Environmental Quality Act (CEQA) and Section 3.22 of the 2019 Local Guidelines for implementing CEQA, and direct staff to file a Notice of Exemption; and,
2. Approve Conditional Use Permit No. 22-011.

APPLICANT:

Farid Elias
1513 Massaro Lane
San Bernardino, CA 92411

LOCATION:

10650 Sierra Avenue, Suite A (APN: 0255-191-35.)

PROJECT PLANNER:

George Velarde, Assistant Planner

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment No. 1 - Vicinity Map, 2. Attachment No. 2 - Floor Plan, 3. Attachment No. 3 - Resolution, Findings and Conditions of Approval, 4. Attachment No. 4 - Notice of Exemption, 5. Attachment No. 5 - Notice of Public Hearing

Date	Ver.	Action By	Action	Result
9/20/2022	1	Planning Commission		

FROM:

Planning Department

TITLE:

Master Case No. 22-034 and Conditional Use Permit 22-011- a request to operate a smoke, tobacco and vape shop in an approximate 1,500 square foot tenant space in the South Sierra shopping center.

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APPLICANT:

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LOCATION:

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REQUEST:

Conditional Use Permit No. 22-011 - a request to operate a smoke, tobacco and vape shop in an approximate 1,500 square foot tenant space in the South Sierra shopping center.

PROJECT PLANNER:

George Velarde, Assistant Planner

ANALYSIS:

Land Use Designation:

	<u>General Plan</u>	<u>Zoning /Overlay</u>	<u>Existing Land Use</u>
Site:	Community Commercial (C-C)	Community Commercial (C-1)	South Sierra Shopping Center
North:	General Commercial (C-G)	General Commercial (C-2)	Sierra Square Shopping Center
South:	Community Commercial (C-C)	Community Commercial (C-1)	South Sierra Shopping Center
West:	Residential Planned Community (R-PC)	Residential Planned Community (R-PC)	Existing Residential

East:	Walkable Mixed Use and Corridor (WMXU-1)	Form Based Code (FBC) Transitional subdistrict	Vacant
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PROJECT DESCRIPTION:

Request for Planning Commission review and approval of a Conditional Use Permit (CUP) No. 22-011 for a new smoke shop. If approved, the shop will operate out of the existing tenant space located at 10650 Sierra Avenue, Suite A within the South Sierra Shopping Center.

ANALYSIS:

The applicant is requesting to occupy the existing vacant space of approximately 1,500 square feet. As depicted on Attachments Nos. 1 and 2, the site is existing and there will be no additional square footage or expansion of the tenant space to accommodate this use.

Conditional Use Permit No. 22-011:

The applicant is proposing a smoke, tobacco and vape shop (smoke shop) which will operate in an existing tenant space totaling approximately 1,500 square feet specializing in the sale of smoke, tobacco, and vape products and their accessories. This includes cigarettes, pipe products and lighters. The hours of operation will be between 9 a.m. to 10 p.m., seven days a week and the proposed commercial use will not increase the number of required parking spaces within the complex.

The existing shopping center is developed and offers a variety of retail and service type uses. Adjacent and nearby uses include sit down and fast food restaurants, an Urgent Care/DOT Clinic, staffing services, armed forces career center, tattoo shop, nail salon, and other uses. Smoke and tobacco shops located in the Community Commercial zoning district are a conditionally permitted use. The premise of all Conditional Use Permits is that projects are reviewed to ensure the compatibility of adjacent uses and the separation of potential nuisance activities. The proposed smoke, tobacco and vape shop will meet the City's requirements and applicable Municipal Code regulations as well as special provisions outlined within the Community Commercial zoning district. Conditions of approval have been included to ensure compatibility and to address any security concerns associated with the proposed use.

MOTION:

Approve staff recommendation

ATTACHMENTS:

1. Vicinity Map
2. Floor Plan
3. Planning Commission Resolution, Findings and Conditions of Approval
4. Notice of Exemption
5. Notice of Public Hearing