

P93-171 - Select Wine and Spirits

REQUEST: A. Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store located within the 140,000 square foot Promenade Shopping Center on 11.6± acres in the Shopping Center Review (SC-R) zone.

LOCATION: North of Pocket Road, at 7485 Rush River Drive #730  
APN: #031-0900-061  
Pocket Community Plan Area  
Sacramento Unified School District  
Council District 7

APPLICANT:	Ed Shehadeh (916) 483-3953 4005 Manzanita Avenue #51, Carmichael, CA 95608
OWNER:	MIG Promenade Corporation 2880 Sunrise Blvd #108, Rancho Cordova, CA 95742
PLANS BY:	
APPLICATION FILED:	11/19/93
STAFF CONTACT:	Colleen Carollo, 264-5691

SUMMARY/RECOMMENDATION:

On October 8, 1992, the City Planning Commission approved a Special Permit to allow alcohol sales for off-site consumption in the 2,800 square foot suite of the Promenade Shopping Center. The applicant is now requesting a Special Permit Modification to this existing Special Permit. The applicant is proposing an on-site beer and wine tasting area to allow the sale of "samples" (1 oz.) and "tastes" (3 oz.) in order to promote featured beers and wines. The applicant also intends to form a "wine club" made up of residents living within the immediate area. Some activities of the wine club will include special tastings at the proposed location.

The proposed "tasting" area will be located in the southwest corner of the existing Select Wine and Spirits establishment. The physical "tasting" bar is proposed to be 36 inches in height, 81 inches in width, and 32 inches in depth. In order to meet the applicant's

objectives, the project requires the discretionary entitlement described above. In evaluating the project, the main issue is that on-site consumption could lead to the eventual creation of a "bar" at this establishment. A second issue is neighborhood safety related to the proximity of public schools to on-site consumption of alcoholic beverages.

**Staff recommends approval of the project.** This recommendation is made based upon principles of planning and upon the conditions of approval, suggested by the Department of Planning and Development and the Police Department, which have been placed upon the project.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Community Plan Designation:	Commercial/Shopping
Existing Land Use of Site:	Promenade Shopping Center
Existing Zoning of Site:	SC-R

Surrounding Land Use and Zoning:

North:	Multiple Family; R-2A-R
South:	Multiple Family; R-2B-R
East:	Multiple Family; R-2B-R
West:	Multiple Family; R-2A-R

Property Dimensions:	Irregular
Property Area:	11.6± acres
Density of Development:	n/a
Square Footage of Suite:	2,800 square feet
Height of Building:	n/a
Parking Provided:	636 spaces (based upon 1:250 s.f.)
Parking Required:	636 spaces (based upon 1:250 s.f.)
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlement requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Type 42 On Sale Beer & Wine Public Premises (Bar)	Alcohol Beverage Control Board

BACKGROUND INFORMATION:

On July 23, 1987, the Planning Commission approved a Plan Review (P87-273) for a 141,600 square foot shopping center. On August 9, 1989, the Planning Director approved a modification which removed square footage for building pads and increased the square footage for Thrifty Drugs. In March of 1991, the Planning Director approved an additional modification to allow a satellite dish antenna on the shopping center above Thrifty Drugs. The total area of the shopping center is 139,797 square feet (136,040 square feet of leasable area, and 3,757 square feet of breezeway area). On March 27, 1992, the Planning Director approved a modification (P92-051) of the design of the atrium area in the freestanding building. The existing wine and spirits shop is within this atrium area. On October 8, 1992, the Planning Commission approved a Special Permit (P92-216) to allow alcohol sales for off-site consumption in this 2,800 square foot suite of the Promenade Shopping Center.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The project site is located at the Promenade Shopping Center within the Pocket Community Plan area. The applicant is not requesting approval of on-site consumption for operation as a bar. The applicant is requesting approval for on-site consumption for the sale of samples for wine and beer tasting to promote feature products. California State Law does not have a license category for beer/wine tasting. Therefore, in order to allow this use, a Public Premise (bar) license is required.

The project must comply with all of the conditions of approval imposed by the City of Sacramento and with all of the conditions and restrictions of the Promenade Shopping Center. One of the original such conditions states that no bar or a business containing a dance floor shall be permitted. A bar may be incorporated as an ancillary use with a restaurant. In addition, in order to obtain the on-sale type "42" license, the project must comply with all rules and regulations required by the Alcoholic Beverage Control Board. If approved, the on-sale license obtained from the Alcohol Beverage Control Board would result in the presence of the third on-sale license within the Promenade Shopping Center (Crickets and Thee's Upper Crust). Although there is concern that the Special Permit Modification will result in an undue concentration of establishments that dispense alcoholic beverages, the proposed project, as conditioned by the City of Sacramento and in compliance with all rules and regulations of the Alcoholic Beverage Control Board, should not result in the creation of a recreational drinking establishment (such as Crickets and Thee's Upper Crust).

**B. Site Plan Design/Zoning Requirements**

The subject site consists of 11.6± acres developed with a 140,000± square foot shopping center in the Shopping Center-Review (SC-R) zone. The General Plan designates the site as Community/Neighborhood Commercial & Offices, and the Pocket Community Plan designates the site as Commercial/Shopping. The surrounding land use includes multi-family residential. The proposed project is consistent with the land use designations listed above.

**PROJECT REVIEW PROCESS:****A. Environmental Determination**

The proposed project is exempt from environmental review pursuant to the California Environmental Quality Act, Categorical Exemption Section 15303.

**B. Public/Neighborhood/Business Association Comments**

The project site is located within the defined areas of interest for the following neighborhood and merchants groups: Riverlake Community Association; Charter Point Neighborhood Association; GP Residents for Neighborhood Schools; West Pocket Neighborhood Association; and Zephyr/Rivergate Homeowners Association. Copies of the project application and plans were sent to these organizations. The Zephyr/Rivergate Homeowners Association verbally expressed opposition to the project. As of the date of this staff report, one written comment has been received from a neighbor. This comment states the concern that by allowing this particular use on the project site, increased criminal activities and increased traffic accidents will result. This comment has been included as Attachment E.

**C. Summary of Agency Comments**

The project has been reviewed by several City Departments and other agencies. The section following summarizes the comments received to date:

1. Engineering Development Services/Traffic Engineering/Utilities Department/Building Inspections/Fire Department

No comment.

2. Police Department

The Police Department protests the change in use of the existing establishment to on-sale. In order for the applicant to implement the proposed request, either a type "48" On Sale General public premises or

type "42" On Sale Beer and Wine Public Premises license must be obtained. The Police Department will adamantly oppose the issuance of a type "48" license.

In order to prevent the licensee from changing the intent of the business from wine and beer tasting and sales to a bar, the Police Department is requesting specific conditions of approval for the project. In addition, conditions placed on the original Special Permit for off-site alcohol sales are also requested to be carried forward to this project. The specific conditions requested by the Police Department are included as conditions of approval in the Special Permit Modification Resolution.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the Special Permit Modification. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions :

- A. Adopt the attached Resolution approving the Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store located within the 140,000 square foot Promenade Shopping Center on 11.6± acres in the Shopping Center Review (SC-R) zone.

Report Prepared By,

Colleen Carollo  
Colleen Carollo  
Assistant Planner

Report Reviewed By,

Barbara Wendt  
Barbara Wendt  
Senior Planner

Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Staff Report P92-216
Attachment D	Resolution approving the Special Permit Modification
Exhibit D-1	Site Plan
Exhibit D-2	Floor Plan
Attachment E	Neighbor Letter

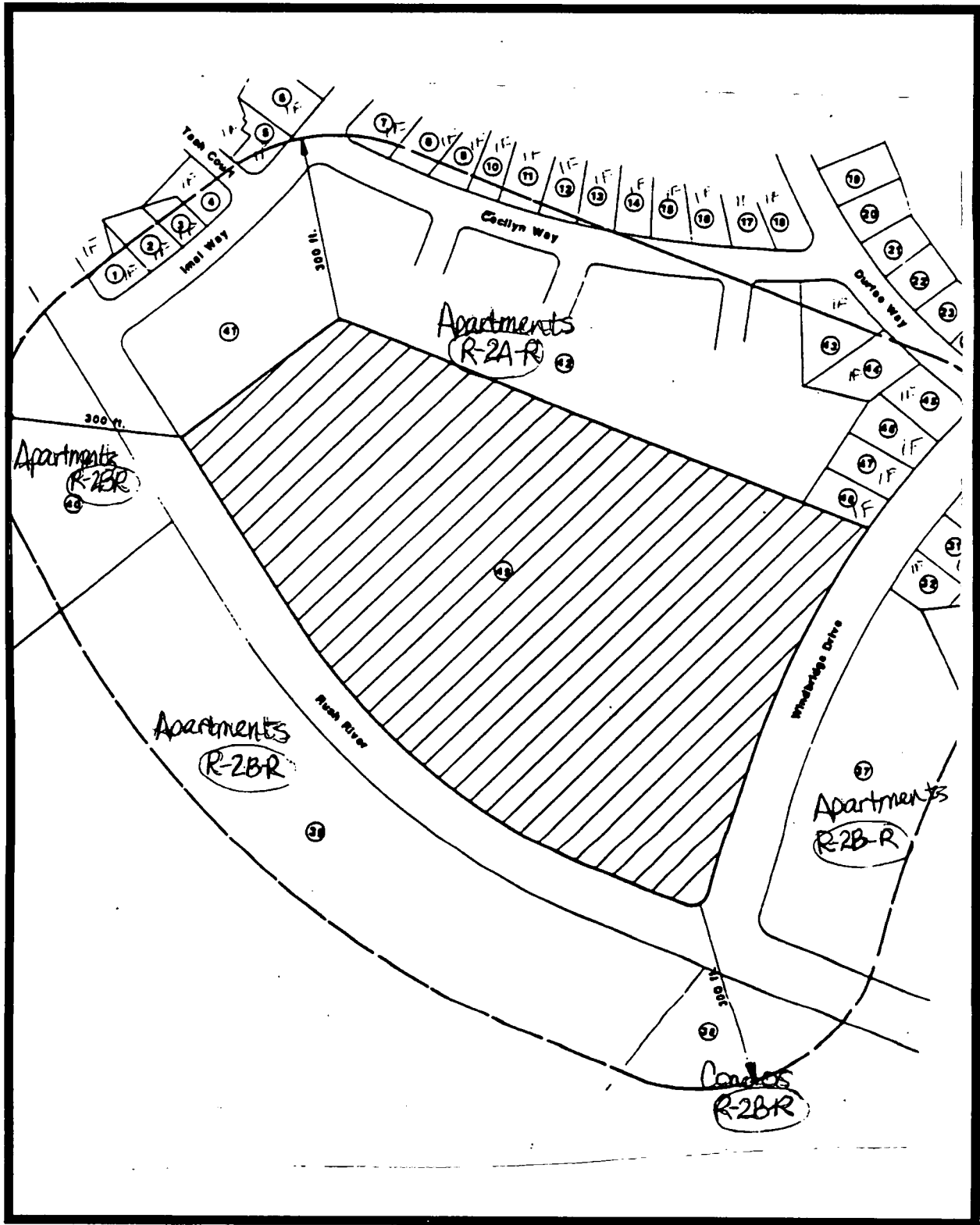


ATTACHMENT B

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LAND USE AND ZONING MAP



ATTACHMENT - C

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REPORT AMENDED BY CPC 10-8-92  
REPORT AMENDED BY STAFF 10-8-92  
CITY PLANNING COMMISSION  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Ed Shebadeh, 4005 Manzanita Avenue #51, Carmichael, California 95608		
OWNER	MIG Promenade Corporation, 2880 Sunrise Boulevard #108, Rancho Cordova, California 95742		
PLANS BY	Chinn-Busconi Architects, 201 Lathrop Way, Suite C, Sacramento, California 95815		
FILING DATE	August 3, 1992	ENVIR. DEF. Exempt 15301(a)	REPORT BY Cindy Gos
ASSESSOR'S PCL. NO.	031-0900-061		

**APPLICATION:** Special Permit to allow alcohol sales in a 2,800 square foot suite of the 139,797 square foot Promenade Shopping Center on 11.6± developed acres in the Shopping Center - Review (SC-R) zone.

**LOCATION:** 7485 Rush River Drive #730  
(Council District 7)

**PROPOSAL:** The applicant is requesting the necessary entitlements in order to allow the sale of alcohol for off-site consumption in a wine and spirits shop within the existing Promenade Shopping Center.

**PROJECT INFORMATION:**

General Plan Designation:	Community/Neighborhood Commercial & Offices -
Pocket Community Plan Designation:	Commercial/Shopping
Existing Zoning of Site:	SC-R
Existing Land Use of Site:	Promenade Shopping Center

**Surrounding Land Use and Zoning:**

North:	Multiple Family; R-2A-R
South:	Multiple Family; R-2B-R
East:	Multiple Family; R-2B-R
West:	Multiple Family; R-2A-R

Property Dimensions:	Irregular
Property Area:	11.6± acres
Parking Required:	636 spaces
Parking Provided:	636 spaces
Square Footage of Building:	139,797 square feet
Square Footage of Suite:	2,800 square feet
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

APPLC. NO. P92-216

MEETING DATE October 8, 1992

ITEM NO. 1

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**BACKGROUND INFORMATION:** On July 23, 1987, the Planning Commission approved a Plan Review (P87-273) for a 141,600 square foot shopping center. On August 9, 1989, the Planning Director approved a modification which removed square footage for building pads and increased square footage for Thrifty Drugs. In March of 1991, the Planning Director approved an additional modification to allow a satellite dish antenna on the shopping center above Thrifty Drugs. The total area of the shopping center is 139,797 square feet (136,040 square feet of leasable area, and 3,757 square feet of breezeway area). On March 27, 1992, the Planning Director approved a modification (P92-051) of the design of the atrium area in the freestanding building. The proposed wine and spirits shop is within this remodeled atrium area.

**PROJECT EVALUATION:** Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 11.6± acres developed with a 139,797 square foot shopping center in the Shopping Center - Review (SC-R) zone. The General Plan designates the site Community/Neighborhood Commercial & Offices. The Pocket Community Plan designates the site Commercial/Shopping. The surrounding land use includes multiple family residential. The surrounding zoning includes R-2B-R, to the south and east; and R-2A-R, to the north and west.

B. Applicant's Proposal

The applicant is requesting a special permit to allow alcohol sales for off-site consumption in a 2,800 square foot suite of the Promenade Shopping Center. The shop will include an assortment of specialty liquor, international wines, domestic and imported beers, imported cheeses, and dried fruits, all for individual sale and in decorative gift baskets.

C. Staff Analysis

Staff has no objection to the applicant's request for alcohol sales. The applicant is proposing a specialty store which is not the typical liquor store. There is not an over concentration of alcohol sales in the area. Only Bel Air Market and Thrifty Drugs in the center sell alcohol. The nearest location to the Promenade that alcohol can be purchased is the Lakecrest Village Shopping Center at Florin Road, over a mile away. The restrictions upon the Promenade Shopping Center require businesses to close at 11 p.m., with restaurants allowed to serve until 12 a.m. The shopping center currently has on-site security between 5 p.m. and 12 p.m. The proposed wine and spirits shop will comply with the hours of operation by closing at 11 p.m.

D. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development Services, Building Inspections, and the Police Department. The following comments were received from the Police Department:

The Police Department will not object to the special permit for alcohol sales provided the following conditions are satisfied:

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1. The property shall be clearly posted as follows: "It is unlawful to enter or remain on these premises adjacent parking lots or sidewalks with an open container of alcoholic beverages. (P.C. 647e)"
2. No coin or token operated entertainment machines shall be allowed.
3. Business shall close at 11:00 p.m. as described in the environmental questionnaire.

E. Neighborhood Comments

There have been no comments received from the neighborhood, however, at the request of Councilmember Terry Kastanis a neighborhood meeting is being held on October 6, 1992. The results of this meeting will be presented at the Planning Commission hearing.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301(a)).

RECOMMENDATION: Staff recommends the Planning Commission approve the special permit to allow alcohol sales subject to conditions and based upon findings of fact which follow.

Conditions

1. The property shall be clearly posted as follows: "It is unlawful to enter or remain on these premises adjacent parking lots or sidewalks with an open container of alcoholic beverages. (P.C. 647e)"
2. No coin or token operated entertainment machines shall be allowed.
3. The business shall close at 11:00 p.m.
4. *The business shall not sell or display adult-related magazines. (Staff added 10-7-92)*
5. *The business shall not sell fortified wines. (Staff added 10-8-92)*
6. *The ratio of hard liquor to other stock shall not exceed 20 percent. (CPC added 10-8-92)*

Findings of Fact - Special Permit

1. The project, as conditioned, is based upon sound principles of land use in that the proposed sale of alcohol for off-site consumption is compatible with the surrounding shopping center and residential uses.
2. The project, as conditioned, will not adversely affect the peace or general welfare of the surrounding area in that it will close at 11 p.m. and will be patrolled by the existing security of the shopping center.

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3. The project, as conditioned, will not result in undue concentration of establishments dispensing alcoholic beverages.
4. The project, as conditioned, will not enlarge or encourage the development of a skid row or blighted area in that the store will meet all the restrictions currently placed upon the shopping center.
5. The proposed use will not be contrary to or adversely affect any program of redevelopment or neighborhood conservation in that no program exists in the area.
6. The project is consistent with the General Plan and Pocket Community Plan which both designate the site for commercial uses. Alcohol sales are allowed in commercial zones with special permit approval.

ATTACHMENT - D

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*see amended resolution*

**RESOLUTION NO.**

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF JANUARY 27, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT  
AND APPROVING A SPECIAL PERMIT  
MODIFICATION FOR PROPERTY LOCATED AT  
7485 RUSH RIVER DRIVE #730  
(P93-171) (APN:031-0900-061)

WHEREAS, the City Planning Commission on January 27, 1994, held a public hearing on the request for approval of a Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store located within the 140,000 square foot Promenade Shopping Center at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to the California Environmental Quality Act, Categorical Exemption Section 15303;

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store is hereby approved based upon the following findings of fact:
  - A. The project, as conditioned, is based upon sound principles of land use in that the proposed establishment is compatible with the surrounding retail uses.
  - B. The project, as conditioned, will not be detrimental to the public welfare and would not result in the creation of a public nuisance in that the proposed site is within an existing commercial shopping center.

- C. The proposed project will not result in an undue concentration of establishments dispensing alcoholic beverages in that there will only be, at most, three such locations within the Promenade Shopping Center.
- D. The proposed project will not enlarge or encourage the development of a skid row or blighted area in that the conditions of approval should prevent the use from becoming a "bar" and discourage alcohol-related crime in the immediate area.
- E. The project is consistent with the General Plan and Pocket Community Plan which designate the site for Community/Neighborhood Commercial & Offices and Commercial/Shopping, respectively. The proposed project conforms to these designations.

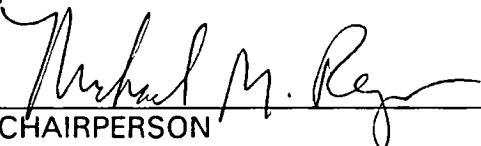
NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store is hereby approved, subject to the following conditions:
  - a. As consistent with the conditions of the original Promenade Shopping Center (P87-273), no bar or a business containing a dance floor shall be permitted. A bar may only be incorporated as an ancillary use with a restaurant.
  - b. A new type "42" on-sale beer and wine public premise license shall be obtained from the Alcoholic Beverage Control Board for the proposed tasting area only (200 square foot area).
  - c. Methods for sale and dispensing of sample wines and beers shall be subject to and in compliance with all rules and regulations of the Alcoholic Beverage Control Board for a type "42" on-sale beer and wine public premise license.
  - d. No alcoholic beverages shall be consumed on any property/area adjacent to the licensed premises (200 square foot area) under the control of the licenses.
  - e. Wine and beer consumption will be limited to the tasting area only.

- f. The tasting area will be clearly marked, "No one under the age of 21 allowed" and subject to all applicable rules and requirements as regulated by the Alcoholic Beverage Control Board for the license granted.
- g. The wine tasting area shall be limited to a maximum of 200 square feet.
- h. No seating will be provided in the tasting area.
- i. Any events of a "wine club" to be held on the premises related to the promotion of featured wines and beers shall be conducted in compliance with all rules and regulations of the licenses granted to Select Wine and Spirits by the Alcoholic Beverage Control Board.
- j. Any events of a "wine club" to be held on the premises shall be limited to no more than one event per month.
- k. Any events of a "wine club" to be held on the premises shall be limited to attendance of a maximum of 50 persons (including vendors and club members).
- l. Any events of a "wine club" to be held on the premises shall not include serving of "hot" food items. All food items served shall be prepared off-site.
- m. There shall be no live entertainment, mechanically reproduced or amplified music or dancing permitted on the premises at any time.
- n. Sales and delivery of alcoholic beverages shall be permitted only between the hours of 6:00 a.m. and 11:00 p.m. each day of the week.
- o. No wine shall be sold with an alcoholic content greater than 15% by volume. The business shall not sell fortified wines.
- p. The ratio of hard liquor to other stock shall not exceed 20 percent.
- q. There shall be no coin or token operated amusement devices maintained upon the premises at any time.
- r. The business shall close at 11:00 p.m.

- s. The business shall not sell or display adult-related magazines.
- t. Licensee shall post and maintain on the premises and in the parking lot used in conjunction therewith notices clearly visible to the patrons of the licensee and parking lot and to persons on the public sidewalk stating, in block lettering, the following:

UNLAWFUL TO ENTER, BE OR REMAIN ON  
ADJACENT PARKING LOT OR ADJACENT PUBLIC  
SIDEWALK WITH AN OPEN ALCOHOLIC BEVERAGE  
CONTAINER. C.P.C 647(A); S.C.C. 26.01.024(c)

  
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO PLANNING COMMISSION

P93-171



*Amended by Commission 1/27/94*

*Amended by Staff 1/27/94*

**RESOLUTION NO. 1533**

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF JANUARY 27, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT  
AND APPROVING A SPECIAL PERMIT  
MODIFICATION FOR PROPERTY LOCATED AT  
7485 RUSH RIVER DRIVE #730  
(P93-171) (APN:031-0900-061)

WHEREAS, the City Planning Commission on January 27, 1994, held a public hearing on the request for approval of a Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store located within the 140,000 square foot Promenade Shopping Center at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to the California Environmental Quality Act, Categorical Exemption Section 15303;

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

- 1. The Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store is hereby approved based upon the following findings of fact:
  - A. The project, as conditioned, is based upon sound principles of land use in that the proposed establishment is compatible with the surrounding retail uses.
  - B. The project, as conditioned, will not be detrimental to the public welfare and would not result in the creation of a public nuisance in that the proposed site is within an existing commercial shopping center.

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- C. The proposed project will not result in an undue concentration of establishments dispensing alcoholic beverages in that there will only be, at most, three such locations within the Promenade Shopping Center.
- D. The proposed project will not enlarge or encourage the development of a skid row or blighted area in that the conditions of approval should prevent the use from becoming a "bar" and discourage alcohol-related crime in the immediate area.
- E. The project is consistent with the General Plan and Pocket Community Plan which designate the site for Community/Neighborhood Commercial & Offices and Commercial/Shopping, respectively. The proposed project conforms to these designations.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit Modification to allow an on-site beer and wine tasting area within an existing 2,800 square foot liquor store is hereby approved, subject to the following conditions:
- As consistent with the conditions of the original Promenade Shopping Center (P87-273), no bar or a business containing a dance floor shall be permitted. A bar may only be incorporated as an ancillary use with a restaurant. (*Amended by Staff*)
  - A new type "42" on-sale beer and wine public premise license shall be obtained from the Alcoholic Beverage Control Board for the proposed tasting area only (200 square foot area).
  - Methods for sale and dispensing of sample wines and beers shall be subject to and in compliance with all rules and regulations of the Alcoholic Beverage Control Board for a type "42" on-sale beer and wine public premise license.
  - No alcoholic beverages shall be consumed on any property/area adjacent to the licensed premises (200 square foot area) under the control of the licenses.

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Approved by Res 04  
CPC 1533  
1-27-94

- e. Wine and beer consumption will be limited to the tasting area only.
- f. The tasting area will be clearly marked, "No one under the age of 21 allowed" and subject to all applicable rules and requirements as regulated by the Alcoholic Beverage Control Board for the license granted.
- g. The wine tasting area shall be limited to a maximum of 200 square feet.
- h. No seating will be provided in the tasting area.
- i. Any events of a "wine club" to be held on the premises related to the promotion of featured wines and beers shall be conducted in compliance with all rules and regulations of the licenses granted to Select Wine and Spirits by the Alcoholic Beverage Control Board.
- j. Any events of a "wine club" to be held on the premises shall be limited to no more than one event per month.
- k. Any events of a "wine club" to be held on the premises shall be limited to attendance of a maximum of 50 persons (including vendors and club members).
- l. Any events of a "wine club" to be held on the premises shall not include serving of "hot" food items. All food items served shall be prepared off-site.
- m. There shall be no live entertainment, mechanically reproduced or amplified music or dancing permitted on the premises at any time.
- n. Sales and delivery of alcoholic beverages shall be permitted only between the hours of 6:00 a.m. and 11:00 p.m. each day of the week.
- o. No wine shall be sold with an alcoholic content greater than 15% by volume. The business shall not sell fortified wines.
- p. The ratio of hard liquor to other stock shall not exceed 20 percent.

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approved  
CPC Resolution 1533  
1-27-94

- q. There shall be no coin or token operated amusement devices maintained upon the premises at any time.
- r. The business shall close at 11:00 p.m.
- s. The business shall not sell or display adult-related magazines.
- t. Licensee shall post and maintain on the premises and in the parking lot used in conjunction therewith notices clearly visible to the patrons of the licensee and parking lot and to persons on the public sidewalk stating, in block lettering, the following:

UNLAWFUL TO ENTER, BE OR REMAIN ON  
ADJACENT PARKING LOT OR ADJACENT PUBLIC  
SIDEWALK WITH AN OPEN ALCOHOLIC BEVERAGE  
CONTAINER. C.P.C 647(A); S.C.C. 26.01.024(c)

- u. *Samplings/tastings shall be limited to four per customer per visit. (Added by Commission)*
- v. *Public wine and beer tasting shall occur during a maximum of 5 hours per day, not occurring prior to 11:00 a.m. This does not include wine and beer tasting for private wine club events. Private tasting events of the wine club shall not serve tastings after 10:30 p.m. (Added by Commission)*
- w. *There shall be no sale of food during/in conjunction with the beer and wine tasting. (Added by Commission)*

*Vivie Rita Donahue*  
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

*Suzanne Elmsted*  
\_\_\_\_\_  
SECRETARY TO PLANNING COMMISSION

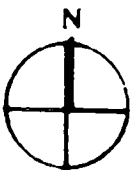
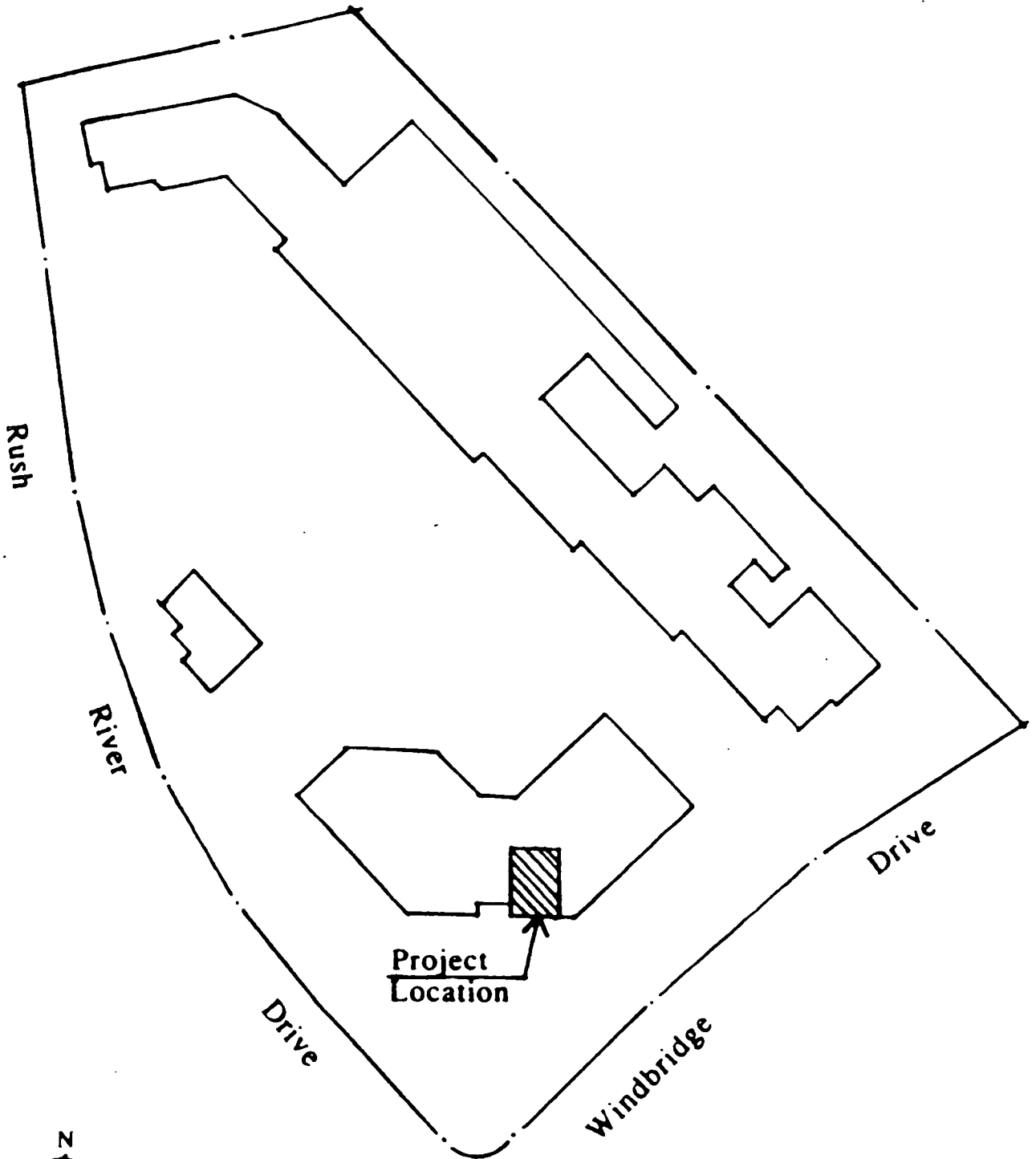
*approved*  
*CJC Resolution 1533*  
*1-29-94*

EXHIBIT - D1

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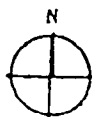
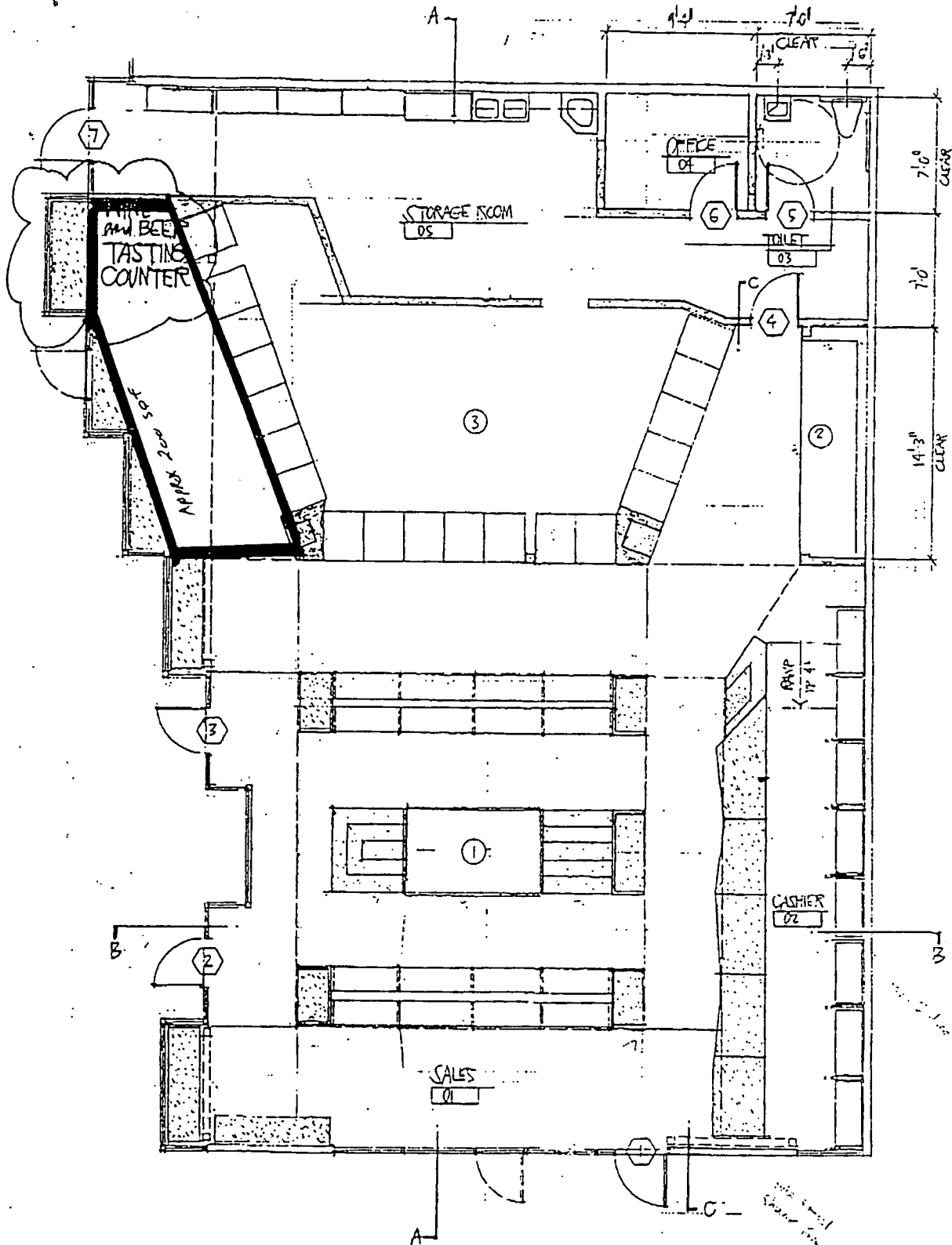
Site Plan  
No Scale

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FLOOR PLAN

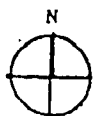
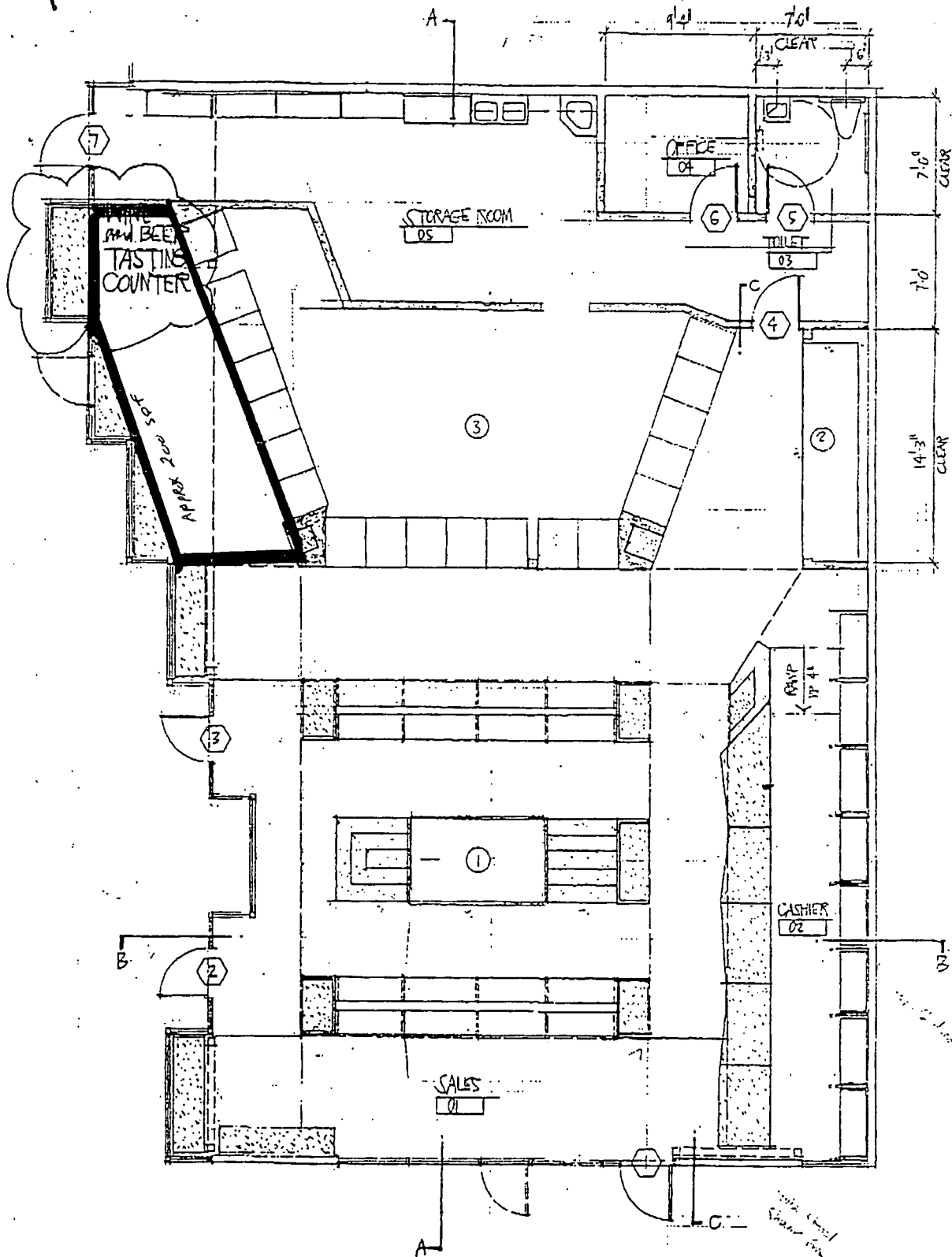
1/4" = 1' 0"

# EXHIBIT - D2

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FLOOR PLAN

1/4" = 1'-0"