

## ZONING ADMINISTRATOR MEETING MINUTES

Garden Grove City Hall  
11222 Acacia Parkway  
Third Floor Training Room

November 9, 2006, 9:00 a.m.

Those present: Susan Emery, Zoning Administrator  
Karl Hill, Planning Services Manager  
Maria Parra, Associate Planner  
Robert Fowler, Police Department  
Nancy Ragen, Department Secretary  
Judith Moore, Recording Secretary

The meeting was called to order at 9:05 a.m. by Susan Emery, Zoning Administrator.

### PUBLIC HEARING ITEM (S)

#### 1.A. CONDITIONAL USE PERMIT NO. CUP-193-06

APPLICANT: David Scales  
LOCATION: 12752 Valley View Street, Suite HJK  
DATE: November 9, 2006

REQUEST: To allow a new retail wine store to operate with an Alcoholic Beverage Control Type "20" (Off-Sale Beer and Wine) License, and a Type "42" (On-Sale Beer and Wine) License to provide ancillary wine tasting. The site is in the Planned Unit Development No. PUD-105-76 zone.

The Zoning Administrator gave a brief explanation of how a Zoning Administrator's meeting was conducted.

Maria Parra reviewed the staff report and approval was recommended with an amendment to Condition No. 8 which shall be modified to read: "The wine tasting shall be restricted to individual's sampling 1-ounce portions of wine for purchase. The total number of 1-ounce wine samples consumed by a customer within a one-hour period shall not exceed a combined total of 14-ounces".

One letter was received, written by Nicholas Dibs, with concerns relating to the quantity of "wine tasting" per person, per visit, and "non-drinking/tasting designated drivers". An additional letter was received, written by Greg and Kathy Ruhl, with concerns relating to the proposed retail wine store as a liquor store, the safety of children, traffic, and aesthetic issues.

Staff stated that Mr. Dibs' first question, with regard to the quantity of "wine tasting", would be addressed with the revised Condition No. 8; that regarding designated drivers, it is not City policy to require that the applicant provide designated drivers or a taxi service for the customers; and that the vehicle code already has sufficient violations with regard to possession of alcohol and drunk driving.

The Zoning Administrator opened the public hearing and asked Mr. David Scales, the applicant, if he has a similar business.

Mr. Scales replied no; that internet sales benefit his business; that 30-60 percent of his sales are via the internet; that for retail, a front area is needed so that clients can sample the products; that only a few people come for wine tasting as their visit is not a social event; that walk-ins are less than five percent of sales, and that those sales tend to be bottles; that wine storage is on the property; and that he works with several wineries.

The Zoning Administrator suggested that staff reply to Mr. Dibs and the Ruhl's letters of concern stating that the amount of alcohol consumed would be limited; that the applicant works with distributors and other companies, such as caterers, to sell wine in bulk; and that the retail wine store would not be a liquor store.

The Zoning Administrator then asked staff if the floor plan needed to be modified.

Staff commented that though internet sales were the applicant's predominant business, a new condition to not allow tables and chairs would help to deter problems; and that a tasting counter would be sufficient.

The applicant asked if high bar tables would be allowed. Staff agreed that a counter and high bar tables would be acceptable; however, chairs would not be allowed, and that this modification would be added as a new Condition No. 37.

The Zoning Administrator advised staff to include in the response letters to Mr. Dibs and the Ruhl's, that the conditions have been revised; that the nature of the applicant's business has been clarified; and that the Police Department has approved the type of wine tasting.

The Zoning Administrator then asked Mr. Scales if he had read and agreed with the Conditions of Approval as amended. Mr. Scales replied yes.

With no further comments or questions, the Zoning Administrator closed the public hearing and approved Conditional Use Permit CUP-193-06, with an amendment to the Conditions of Approval to add Condition No. 37, pursuant to the facts and reasons contained in Decision No. 1504.

#### COMMENTS BY THE PUBLIC

None.

The meeting was adjourned at 9:20 a.m.

Judith Moore  
Recording Secretary