



Agenda Item No.: 41.

Agenda Item No.: 41.

AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 9, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-3353 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JING YAO LI
OWNER: DAVIDAS NORTH RICHMOND PLAZA LLC - Request for a Special Use Permit FOR A
PROPOSED 1382 SQUARE FOOT MESSAGE ESTABLISHMENT WITH A WAIVER TO
ALLOW THE MESSAGE ESTABLISHMENT APPROXIMATELY 360 FEET FROM
RESIDENTIALLY ZONED PROPERTY WHERE 400 FEET IS REQUIRED at 3900 North
Rancho Drive, Suite 110-012 (12-110-012), C-2 (General Commercial) Zone, Ward 6 (Ross)

CC: 05/06/2009

IF DENIED, F.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted after Final Agenda Protest Postcard

Motion made by RICHARD TRUESDELL to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

MICHAEL E. BUCKLEY, VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE,
RICHARD TRUESDELL, BYRON GOYNES; (Against-None); (Abstain-None); (Did Not Vote
-None); (Excused-KEEN ELLSWORTH)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

PLANNING COMMISSION MEETING OF: APRIL 9, 2009

DOUG RANKIN, Planning and Development, stated staff could not support the proposed use, as it is not compatible with the surrounding uses and recommended denial.

DuWAYNE STACY, 7652 West Diablo Drive, appeared on behalf of the applicant and indicated the building was previously a massage establishment. The applicant was informed three times that the permit was due to expire in December and upon application for a business license, he was informed that the Special Use Permit had expired. The applicant has already secured a tenant.

COMMISSIONER GOYNES could not support the proposal, as it is situated adjacent to the Enterprise development, which has experienced some interesting activities. MR. STACY pointed out that the applicant has no ties with the previous business.

CHAIR TROWBRIDGE declared the Public Hearing closed.