

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

808 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 12, 2004

SUBJECT: APPEAL OF CONDITIONAL USE PERMIT NO. 3408 - EA EXEMPT FROM CEQA
- Appellant: Kamaljit Singh Sandho - Third Supervisorial District - Sun City Zoning District - .35 acres - C-P-S zoning - Located in the Bradley Business Center in Sun City; south of Rio Vista Drive, west of I-215, east of Bradley Road and north of Newport Road - CUP3408 proposes to establish a mini-market and convenience store with beer, wine and liquor sales within an existing structure.

CONTROVERSIAL ISSUES:

Project not compatible with surrounding business district and adjacent residential area.

RECOMMENDED MOTION:

THE PLANNING DEPARTMENT RECOMMENDS:

CONSIDERATION of the above referenced appeal of the Planning Commission decision received on November 19, 2003.

THE PLANNING COMMISSION took the following actions on November 19, 2003.

DENIED a Finding of Public Convenience and Necessity, based on the findings incorporated in the staff report; and,

DENIED Conditional Use Permit No. 3408, based upon the findings and conclusions incorporated in the staff report.

Robert C. Johnson
Planning Director

RCJ:ar

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

[Handwritten signature]
DATE 1/14/04

- Dept't Recomm.: Policy
- Per Exec. Ofc.: Policy
- Consent
- Consent

COUNTY OF RIVERSIDE
OFFICE EXECUTIVE
JAN 13 5 11 PM '04

Prev. Agn. Ref. | District: Third | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

16.3



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Planning Department

Richard K. Lashbrook
Agency Director

Aleta J. Laurence
Director of Planning

APPLICATION FOR APPEAL

RE: CASE NO(S): 03408 Conditional Use Permit
 LIST ALL RELATED CASE NO(S): PLOT PLAN # 15111
 APPELLANT'S NAME: KAMALJIT SINGH SANDHU
 ADDRESS: 7891 SILVER HILLS DR.
 CITY: RIVERSIDE STATE: CA ZIP: 92506
 TELEPHONE NUMBER: (909) 789-1209 / (909) 387-7936

PLEASE COMPLETE REVERSE SIDE OF THIS FORM STATING REASON(S) FOR APPEAL. THIS APPLICATION MUST BE ACCOMPANIED BY APPROPRIATE FILING FEES AND SURROUNDING PROPERTY OWNER'S LABELS. OBTAIN LABEL PACKAGE INSTRUCTIONS FROM INFORMATION SERVICES CENTER.

HEARING BODY WHOSE ACTION IS BEING APPEALED	HEARING BODY TO WHICH APPEAL IS BEING MADE	APPEAL TO BE FILED WITH:
Planning Director	East Area Planning Council for: Parcel Maps, Plot Plans, Accessory WECS, 18.45 Plot Plan (Kennels and Catteries), Temporary Use Permits, and Certificates of Historic Appropriateness in Eastern Riverside County. Board of Supervisors for: Temporary Outdoor Events and Substantial Conformance Determinations for WECS. Planning Commission for all other decisions.	Planning Department for appeals before the East Area Planning Council and the Planning Commission. Clerk of the Board of Supervisors for appeals before the Board of Supervisors.
East Area Planning Council	Board of Supervisors	Clerk of the Board of Supervisors
Planning Commission	Board of Supervisors	Clerk of the Board of Supervisors

TYPE OF CASES BEING APPEALED	FILING DEADLINE
Change of Zone Denial by the Planning Commission. Commercial WECS Permit <u>Conditional Use Permit</u> Hazardous Waste Facility Siting Permit Public Use Permit Variance Specific Plan denial by the Planning Commission Substantial Conformance Determination for WECS Surface Mining and Reclamation Permit	<p style="text-align: center;">RIVERSIDE COUNTY CLERK OF SUPERVISORS</p> <p style="text-align: center;">PAID</p> <p>DATE: <u>1-7-04</u> AMOUNT: <u>1,000.00</u> REC'D BY: <u>CUU</u></p> <p>Within 10 days after the notice of decision appears on the Board of Supervisors' agenda.</p>
Land Divisions (Tract Maps and Parcel Maps) Revised Tentative Map Minor Change to Tentative Map Extension of Time for Land Division (Not Vesting Map)	Within 10 days after the notice of decision appears on the Board of Supervisors' agenda.
Extension of Time for Vesting Tentative Map	Within 15 days after the notice of decision appears on the Board of Supervisors' agenda.
Large Family Day Care Home Permits	Within 10 days after the date of the mailing of the decision of the Planning Director or within 10 days after the Planning Commission decision appears on the Board's agenda.
Outdoor Advertising Displays (Off-site signs)	If no public hearing is held: Within 10 days after the notice of decision is mailed to the applicant by the Planning Director. If a public hearing is held: Within 10 days after the notice of decision appears on the Board's agenda.
General Plan or Specific Plan Consistency Determination Temporary Outdoor Event	Within 10 days after date of mailing or hand delivery of decision of the Planning Director.
Environmental Impact Report	Within 10 days of receipt by project sponsor of Planning Director determination, or within 7 days after notice of decision by Planning Commission appears on the Board's agenda.

1.2 1/6/04

TYPE OF CASES BEING APPEALED	FILING DEADLINE
Plot Plan Second Unit Permits Temporary Use Permits Accessory WECS Section 18.45 Plot Plan (Kennels and Catteries)	Within 10 calendar days after the date of mailing of the decision.
Letter of Substantial Conformance for Specific Plan	Within 7 days after the notice of decision appears on the Board of Supervisors' agenda.
Revised Permit	Same appeal deadline as for original permit
Certificate of Compliance	Within 10 calendar days after the date of the decision by Planning Director.
Revocation of Variances and Permits	Within 10 days following the mailing of the notice of revocation by the Director of Building and Safety, or within 10 days after the notice of decision of the Planning Commission or East Area Planning Council appears on the Board of Supervisors' agenda.

Please state the basis for the appeal and include any supporting evidence if applicable. If appealing one or more specific conditions of approval, indicate the number of the specific condition(s) being protested. In addition, please include all actions on related cases which might be affected if the appeal is granted. This will allow all changes to be advertised and modified at the same time. AN APPEAL OF ONE OR MORE CONDITIONS OF APPROVAL SHALL BE DEEMED AS AN APPEAL OF THE ACTION AS A WHOLE, AND THE APPEAL BODY MAY APPROVE OR DENY THE ENTIRE MATTER, AND CHANGE ANY OR ALL OF THE CONDITIONS OF APPROVAL.

Planning Dept assured us when submitted that this was a "SCAN BUNK" we received the loan amount from Planning on this for over 6 months we spent \$100,000 on improvements to Building this Mini Market / Liquor Store. When we submitted the plan to County for this 1 tenant improvement, we clearly indicated liquor sales. Upon approval of plans and issuance of permit we constructed this Mini Market / Liquor Store. Upon your final inspection for Certificate of Occupancy (we were told to file a condition) we permit. This started from first we then met w/ Robert Johnson (Director). He assured us that the C.O.F. would be expedited. We then paid \$10,000 ± and waited while all changed plans as (we could not) make a way out of the project by delay and not understand anything. Finally approved and we put this behind us. Now upon denial we have appealed the action. Please forgive our naive history and note that many failures made by the Planning Dept. Please also note that the Public Necessity findings were also inaccurately represented to the Planning Commission. We are willing to accept the deal on the liquor license in lieu of liquor if all these items are necessary for USE ADDITIONAL SHEETS, IF NECESSARY.

I Survival and to pay the bills - Thank you for your contribution to this matter!

APPELLANT'S SIGNATURE: Bruce P. Peltz Agent for Kandejit Singh Sandhu
 DATE: 1-7-2004

RECEIVED PLANNING BOARD OF SUPERVISORS
 2004 JAN - 7 AM 10:28