

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

825B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
July 2, 2009

SUBJECT: CONDITIONAL USE PERMIT NO. 3355, REVISED PERMIT NO. 1 / VARIANCE NO. 1851 – EA No. 42018 - Applicant: Bhatti Enterprises, LLC – Engineer/ Representative: Civil Trans, Inc. – Fourth Supervisorial District – Pass and Desert Zoning District – Western Coachella Valley Area Plan: Community Development: Commercial Retail (CR) – Location: Southerly of Dillon Road, easterly of Corkill Road, westerly of Langlois Road at 70041 Dillon Road - 1.28 Acres - Zoning: Scenic Highway Commercial (C-P-S) - **REQUEST:** A revised conditional use permit proposes to extend the life from existing expiration date of 7/1/2009 for a previously non-conforming shopping center containing a convenience store with vehicle fuel sales and off-premises consumption sale of liquor with retail shops and restaurant with a variance to the terms of Section 18.48 of Zoning Ordinance No. 348 (Alcoholic Beverage Sales) to allow the combined sale for off-premises consumption of liquor and vehicle fuel sales within the existing convenience store.

RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Commission in La Quinta on April 29, 2009.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION:

ADOPTED a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42018**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVED VARIANCE NO. 1851, subject to the attached conditions of approval, and based

Ron Goldman
Planning Director

RG.jo/dm

RM

REVIEWED BY EXECUTIVE OFFICE
DATE 7/30/09
Aina Grande
Departmental Concurrence

- Policy
- Policy
- Consent
- Consent
- Dept's Recomm.:
- Per Exec. Ofc.:

Prev. Agn. Ref.

District: Fourth

Agenda Number:

1.7

The Honorable Board of Supervisors

RE: Conditional Use Permit No. 3355 Revised Permit No. 1 / Variance No. 1851

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upon the findings and conclusions incorporated in the staff report; and,

APPROVED CONDITIONAL USE PERMIT NO. 3355, REVISED PERMIT NO. 1, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

The revised conditional use permit was filed in August 2008 with variance application filed in January 2009. The key area of concern is the lack of completed road improvements such as curbs, gutters, and sidewalks along Dillon Road and Corkill Road. Road improvements were conditioned with the prior CUP03355 in 2002 and have not been completed by the permit holder. This issue was addressed by the Planning Commission to require the road improvements to be completed by the permit holder within one year by July 1, 2010 and the conditions have been amended accordingly. The permit holder will be required to file a further revised permit in one year's time if the intent of the road improvement conditions cannot be met.