

FINDINGS OF FACT FOR P86-310

CITY PLANNING COMMISSION

DECEMBER 4, 1986

NOTICE OF DECISION

AND

FINDINGS OF FACT

In the matter of the decision of the)
City Planning Commission on an)
application for a variance and)
special permit modification to waive)
eight required parking spaces and to)
allow extended hours of operation,)
a trellis and an enlarged patio area)
in the Shopping Center - Planned Unit)
Development (SC-PUD) zone located at)
7225 Greenhaven Drive (P86-310))

On November 13, 1986, the Planning Commission indicated an intent to approve the request, subject to conditions and based upon Findings of Fact due December 4, 1986. Based upon documentary and oral evidence, the Planning Commission approved the variance/special permit modification subject to conditions and hereby finds:

Condition

1. The business hours of operation shall not extend past 12:00 midnight.

Findings of Fact - Special Permit/Variance

1. The proposal is based upon sound principles of land use in that adequate on-site parking is provided on the Shopping Center site.
2. The proposal would not constitute a special privilege extended to one property owner in that available off-site parking is available, and similar requests have been approved for individuals facing similar circumstances.
3. The proposal will not be injurious to the public welfare or to other property owners in the vicinity in that:
 - a. traffic and noise will not increase during the late evening hours; and
 - b. adequate parking is available.
4. The proposed project is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for shopping use by the 1974 General Plan and the 1976 South Pocket Community Plan and the restaurant conforms with the plan designation.

Approved by Planning Commission
November 13, 1986 for the December 4,
1986 City Planning Commission meeting

CHAIR