

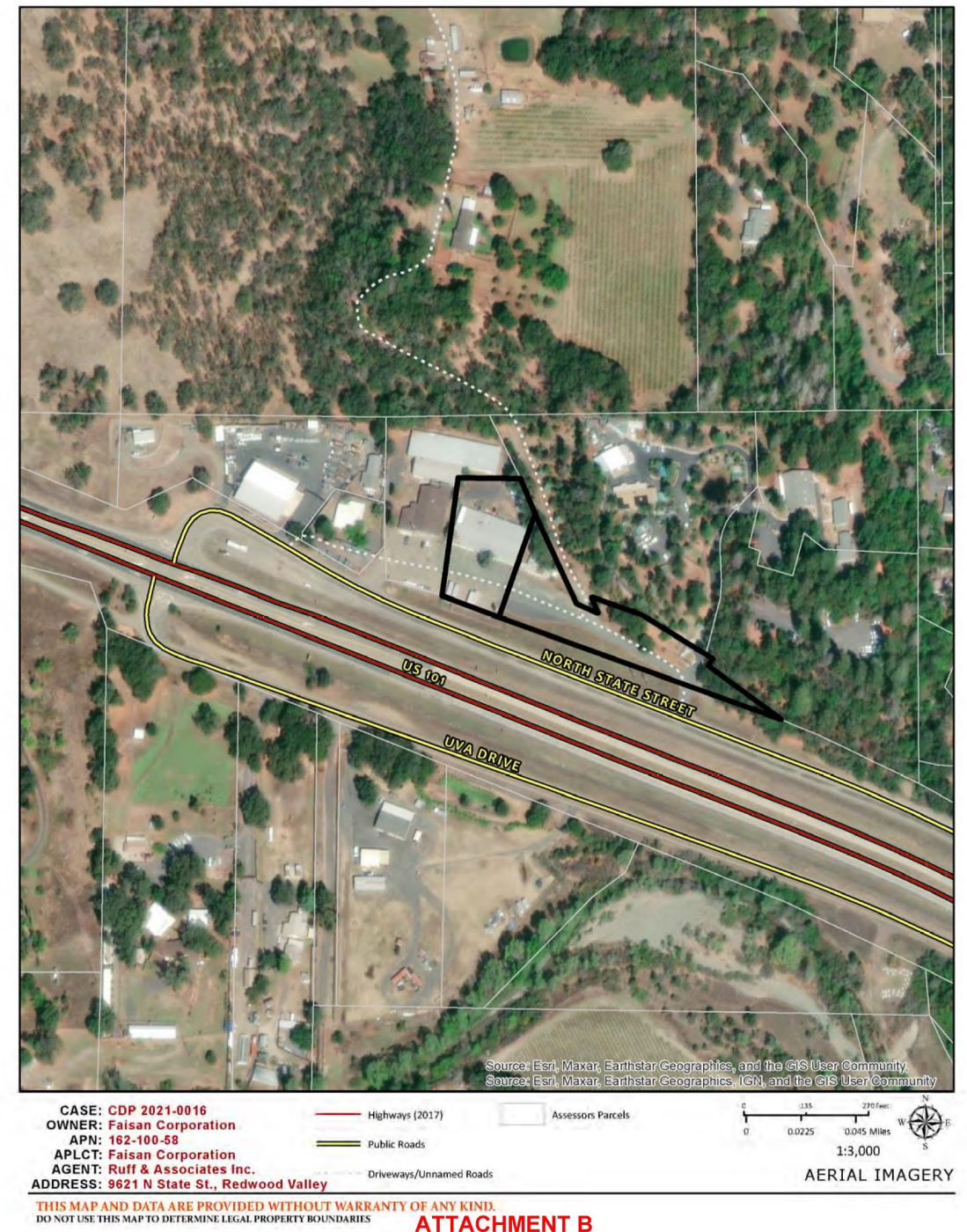
# Appeal of Minor Use Permit U\_2021-0016 & Variance V\_2021-0005

Owner/Applicant: Faizan Corporation & Main Street LLC

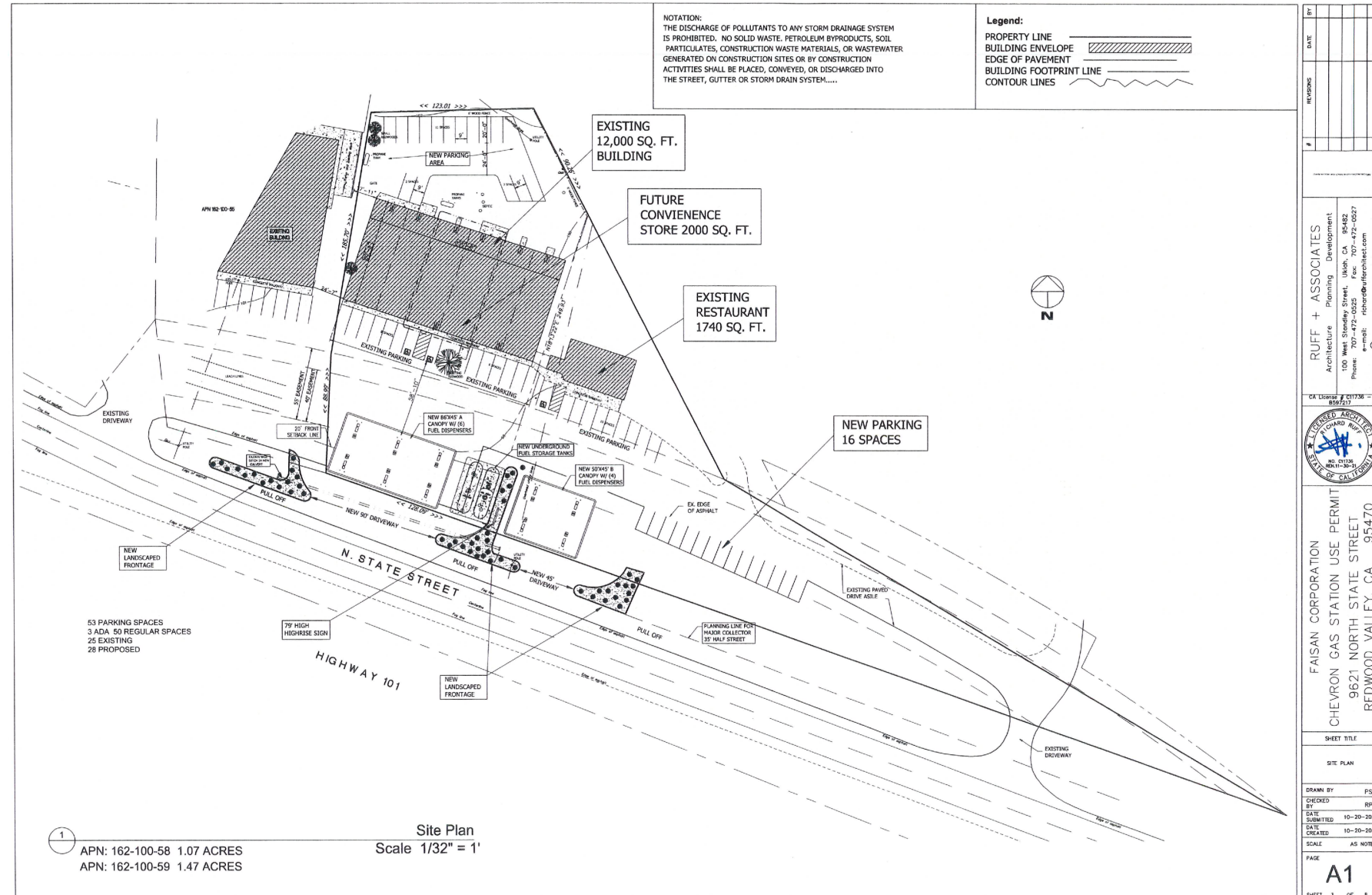
Staff Planner: Liam Crowley

# Summary

- Applicant requested Minor Use Permit to establish and operate gas station, and Variance to allow increased sign height/area and reduced setbacks.
- Project denied by Planning Commission 01/04/2024.
- Denial appealed to BOS 01/05/2024.
- Staff recommends denying appeal and upholding PC's decision.



- 10-pump gas station
- 2 separate illuminated canopies
- 28 new parking spaces
- Landscaping
- Convenience store conversion
- 2 freestanding signs
- Underground fuel storage tanks
- Driveways





# Response to Appeal

- Reason for PC Denial
  - Necessary mitigation of transportation impacts
  - Mitigation limits circulation options
  - Limited options constitute a detriment to welfare
  - Failure to make finding (C)
- Issues Raised by Appeal
  - Lack of evidence that proposed project would be nuisance
  - Lack of evidence related to interference with easement
  - Mitigation of environmental impacts
  - Freeway conditions are exactions





# Issues to Consider

- Use Permit Findings
- Substantial Evidence to Support Findings
- Additional Review
- Continue or Remand



# Recommended Action

Adopt resolution denying appeal, upholding PC's denial of U\_2021-0016/V\_2021-0005 for the Project and authorize chair to sign same.

