

DEPARTMENT: Planning

By: Jean Clark, Assistant Planner

Phone: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION:

(Policy Item: Yes___ No X)

The Planning Commission recommends that the Board deny the appeal, and uphold the Commission's approval of Variance #99-1.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES:

- 1) Grant the appeal and reverse the Planning Commission's action by denying the variance (the signs would have to comply with all of the standards of the CN-2 zone);
- 2) Grant the appeal and modify the Planning Commission's action by approving only a portion of the variance (allowing the pole sign, but not allowing any increase in square footage of sign area allowed by the CN-2 Zone) (the pole sign would be allowed, but the maximum signing allowed for the business would only be 48 square feet)

NEGATIVE ACTION, to Deny the appeal, would mean the Planning Commission's approval of the variance is upheld (the pole sign and the canopy signs would be allowed, and the business would be allowed 167.5 square feet of advertising signing).

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated Costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

COSTS: () 4/5th Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve Contingencies, If Approved: \$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

Memorandum to Board with Attachments:

- 1. Notice of Appeal – page 8
- 2. Approval letter to applicant, July 14, 1999 - page 15
- 3. Planning Commission Minutes, July 9, 1999 – page 19
- 4. Staff Report to Plng Commission, July 9, 1999 – page 22
- 5. Correspondence – page 36

CLERK'S USE ONLY

Res. No.: 99-285 Ord. No.: _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
ATTEST: _____
MARGIE WILLIAMS, Clerk of the Board

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted for Comment

Returned for Further Action

Comment: _____

A.O. Initials: _____

**MARIPOSA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 99-285**

**A RESOLUTION DENYING APPEAL # 99-5 AND MODIFYING THE PLANNING
COMMISSION'S APPROVAL OF VARIANCE APPLICATION # 99-1**

**BOB WILLIS, APPLICANT; MARIPOSANS FOR ENVIRONMENTALLY
RESPONSIBLE GROWTH AND RICHARD W. KUNSTMAN, APPELLANTS**

WHEREAS, Variance Application # 99-1 was submitted to the Mariposa County Planning Department by Bob R. Wills, dba Woodland Market Co., proposing a 40-foot tall free-standing sign for internally-lit signs of 80 square feet and internally-lit signs of 87.5 square feet on a gas pump canopy; and

WHEREAS, Woodland Market is located in the Neighborhood Commercial-2 (CN-2) Zone and has frontage on both Highway 49 South and Woodland Drive; and

WHEREAS, the CN-2 Zone sign standard allows a maximum sign area of forty-eight (48) square feet for a business within a building having frontage on more than one (1) public right-of-way, consisting of thirty-two (32) square feet on one frontage and sixteen (16) square feet on the second frontage; and

WHEREAS, the sign standard for height in the CN-2 Zone requires the sign to be incorporated into the building design and not extend above the peak of the roof of the building upon which the sign is located and allows a monument sign not to exceed six (6) feet in height as an alternative or addition to a building; and

WHEREAS, Chapter 17.120 of County Code charges the Planning Commission with the responsibility of rendering a decision on the variance and reciting the findings upon which the Planning Commission bases its decision; and

WHEREAS, the Mariposa County Planning Commission held a duly noticed public hearing on the variance application in accordance with State Law and County Code and considered all input, written and verbal, delivered to the Commission; and

WHEREAS, the Mariposa County Planning Commission approved Variance # 99-1 on July 9, 1999 and made an environmental determination on the variance in accordance with the California Environmental Quality Act and the County Environmental Review Policies and Procedures; and

WHEREAS, the Planning Commission's approval of Variance # 99-1 was appealed to the Board of Supervisors by Mariposans for Environmentally Responsible Growth and Richard W. Kunstman (Appeal # 99-5); and

WHEREAS, Chapter 17.136 of County Code charges the Board of Supervisors with the responsibility of acting on such appeals; and

WHEREAS, the Board of Supervisors has held a duly noticed public hearing on the appeal in accordance with State Law and County Code and considered all input, written and verbal, delivered to the Board.

NOW THEREFORE BE IT RESOLVED, the Board of Supervisors hereby denies Appeal # 99-5, but modifies the Planning Commission's approval of Variance # 99-1 subject to modified conditions contained in Exhibit A. The modified variance allows for a 40-foot tall free-standing sign standard for internally-lit signs of 80 square feet on both sides of the sign, but does not permit internally-lit signs on a gas pump canopy . The property is located at 3441 Woodland Drive, on Assessor's Parcel Number 014-430-032,

BE IT FURTHER RESOLVED, the approval of this variance is based on the findings and supporting evidence contained in Exhibit B attached hereto and

incorporated herein as required by Section 17.120.050 of the Mariposa County Zoning Ordinance and Section 65906 of California Government Code, together with the evidence presented at the hearing of this matter,

BE IT FINALLY RESOLVED, the Board of Supervisors hereby determines the project is exempt from the requirements of the California Environmental Quality Act under categorical exemptions (Section 15311; CEQA Guidelines) and directs the Mariposa County Planning Department to file a Notice of Exemption for the project.

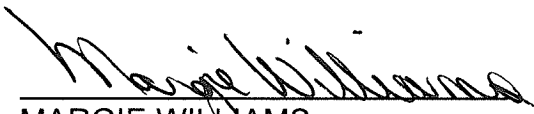
PASSED AND ADOPTED on this 14th day of September, 1999 by the following vote:

AYES: Balmain, Parker, Pickard, Stewart
NOES: Reilly
ABSTAINED: None



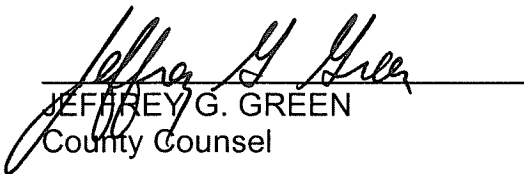
BOB PICKARD, CHAIRMAN
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS
Board of Supervisors Secretary

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN
County Counsel

EXHIBIT A

CONDITIONS

Appeal # 99-5; Variance # 99-1

1. The Variance is approved for a 40-foot tall free-standing sign standard for internally-lit signs with a total of 80 square feet on both sides of the sign:
 - a sign 8' by 8' (64 square feet) (with the Texaco logo)
 - a sign 8' by 2' (16 square feet) (with the wording "Food Mart") to hang below the 64 square foot sign.

Internally lit signs indicating the price of gasoline shall be located on the standard of the free-standing sign.

The location of the free-standing sign standard shall meet County setback standards.

2. The applicant shall remove the existing "Woodland Market" sign (with the Pepsi logo) from the roof of the market building.
3. The free-standing Texaco sign and the "Food Mart" sign shall be electrically wired on separate ballasts so that one or both of the signs can be darkened if the service is not being provided.
4. The free-standing sign shall be located so that it cannot be seen from the existing residence and yard on APN 14-430-036. The applicant shall work with the Planning Department staff prior to installing the sign to ensure compliance with this condition.
5. The internally-lit signs are prohibited from being lit outside of the current hours of operation of the Woodland Market and the gas pumps. The hours of operation are:

Summer (April – September)

Winter (October – March)

Mon – Sat 6:30 am – 10 pm

Mon – Sat 6:30 am – 9 pm

Sun 6:30 am – 9 pm

Sun 6:30 am – 8 pm

Changes in the approved hours of sign lighting may be considered by the Planning Director.

EXHIBIT B

FINDINGS

Appeal # 99-5; Variance # 99-1

- 1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the conditions applicable to the property involved, or to the intended use of the property, that do not generally apply to the property or class of use in the same zone or vicinity.**

The applicant's property lies below highway grade and out of view of highway traffic. Forty-foot tall signs will allow the property owner to notify highway traffic that a food market and gasoline are available on the project site. Based on the location of the applicant's property below highway grade and out of view of highway traffic, exceptional circumstances exist that do not generally apply to other businesses in the CN-2 Zone in Mariposa County.

- 2. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the property is located.**

If the variance is granted for the 64 square foot sign with the Texaco logo and the 16 foot sign for the food mart, both internally lit, a mass of signage 80 square feet in size will rise above the edge of the highway. Because of the location of the property below highway grade, tall signs are necessary to notify highway traffic of the location of services. This change will not be detrimental to the public welfare or other properties in the vicinity of the site because, although large, the signs will be set back approximately 110 feet from the edge of the highway. Additionally, the tall pole will be below highway grade and will not be seen from the highway; the signs will appear at grade with the highway.

- 3. The granting of such variance will not adversely affect the comprehensive General Plan.**

The variance for the Texaco logo sign and the food mart sign will provide for advertising signs that can be seen from many hundreds of feet away on a major road by swiftly-moving traffic for a business which cannot otherwise be easily noticed because of the topography. The granting of the variance to allow for the construction of one 40-foot free-standing sign standard for two signs will not adversely affect the goals, objectives, and standards of the County General Plan.

- 4. There are special circumstances applicable to the property in which the strict application of zoning ordinance regulations will deprive the property of**

privileges enjoyed by other property in the vicinity and under the identical zone.

The applicant's property is located below highway grade and, therefore, is not readily seen from the highway. A tall pole sign is the only legal means of advertising the market and gasoline business. Other businesses throughout the County in the CN-2 Zone enjoy good sight visibility. Based on the topography of the project site, there are special circumstances applicable to the property.

- 5. The granting of such variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.**

Other properties in the CN-2 Zone have good sight visibility and do not need a tall pole sign to help them advertise their businesses. Based on the lack of limitations on advertising at other locations in the CN-2 Zone, the granting of a variance for a tall pole sign will not constitute a grant of special privilege.

- 6. The Planning Commission shall impose any conditions necessary to guarantee compliance with these findings.**
- 7. The project is Categorically Exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15311 of CEQA guidelines, because it consists of construction of an on-premise sign.**



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

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DISTRICT V
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MARIPOSA COUNTY BOARD OF SUPERVISORS

AMENDED MINUTE ORDER

TO: SARAH WILLIAMS, Interim Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Appeal #99-5 (Woodland Market); Res. 99-285

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on September 14, 1999

ACTION AND VOTE:

11:00 a.m. Sarah Williams, Interim Planning Director;
PUBLIC HEARING to Consider Appeal #99-5; Appeal of Planning Commission's Approval of Variance #99-1, a Variance to the Sign Standards of the Neighborhood Commercial-2 Zone; (Mariposans for Environmentally Responsible Growth and Richard W. Kunstman, Appellants; Bob Willis, dab Woodland Market, Applicant)

BOARD ACTION: Chair Pickard explained the hearing process, and responded to a question from Bart Brown relative to the process.

Sarah Williams presented the staff report, reviewed the action taken by the Planning Commission and the issues raised in the appeal. She presented slides of the proposed project site and surrounding area reflecting a simulation of the proposed pole sign with the use of a ladder truck from MPUD. The demonstration showed what the visibility of the proposed pole sign would be from various locations. Sarah reviewed the findings that would be required to support the variance, and she reviewed the options the Board has for taking action on this matter. She also noted that a lot of correspondence was received and distributed to the Board on this matter.

Staff responded to questions from the Board relative to the sign standards, including what portion of the requested project is allowed and what portion falls under the variance request; how the logo and gasoline pricing information is counted in the square footage of allowable sign space; and relative to staff's recommendation to the Planning Commission.

Public portion of the hearing was opened and input was provided by the following:

Bart Brown, appellant, thanked the Planning Department for their efforts with the demonstration to give visual impacts of the pole sign and canopy signs, and he stated his presentation today is based on what the Planning Commission approved. He reviewed his appeal and expressed concern with the impacts the variance has to the intent of the regulations in the sign ordinance. He further stated that if the property is

divided in the future, approval would allow for additional signs. He reviewed each of the seven findings that need to be made, and stated he feels that approval of this variance will set a precedent, and he urged the Board to deny the variance and uphold the appeal. He stated he feels there are other options, and stated he feels that the petition signed by people in support of the project shows support for the business without the need for large signs. He noted that they contacted Texaco officials and were advised that they have no requirement for signing beyond what is allowed in the County's regulations. He feels what is allowed is sufficient, and that trimming of the foliage under the CalTrans improvement project would be helpful. He stated that he feels a simple solution would be to add the Texaco logo to the CalTrans informational sign on the highway. He also suggested that advertising in the local shoppers and newspapers, and coupon advertising at the local establishments, may be helpful to promote the business.

Dick Kunstman, appellant, presented a video of the simulated sign demonstration. He stated he does not feel that the proposed pole sign will provide that much information to the travelers along Highway 49, and he feels the sign intrudes on the scenic view. He stated he was a member of the citizens committee that worked on Title 17 and they received a lot of input from people in the community – it was repeated frequently that we do not want Mariposa to look like Oakhurst. He feels approval of the sign will open the door to “Oakhurstization” of Mariposa, and he finds the proposed sign aesthetically displeasing. He referred to a statement in the applicant's letter that he would open the station 24 hours a day if the regular customers request the additional service, and he stated the Planning Commission allowed for the sign to be lit 24 hours in its action. He also stated that he does not feel that the interpretation of the sign regulations that a state highway is a major road is correct, or they would have added “state highway” to the code language.

Bob Willis, applicant, advised that the property has been in foreclosure, and that he is willing to move the sign, but he is required to have gasoline pricing information. He expressed frustration with the process and opposition to his request.

11:56 a.m. Recess for lunch

1:05 p.m. Bob Willis continued with his presentation. He stated his business serves the residents of the community and the traffic of the County, including the tourist traffic that has been using Highway 49 during the closure periods of Highway 140 to Yosemite. He stated he appreciates staff's time in this process and supports their findings. He further noted that his business supports the community. He stated he feels the lights at Woodland School are brighter than his would be. He was given the option of having the lights lit 24 hours, and he does not plan to do that. He would only leave the lights under the canopy on if he stays open for longer hours. He commented on how low the business sits below the highway, and he stated they need the Texaco sign to identify the brand of gasoline that is available. He advised that when he contacted CalTrans, he was advised that the State does not allow the logos on their informational signs, only on major freeway thoroughfares. He feels the pole sign will give clear and advance notification of the availability of gasoline at that location. He stated his customers like the sign proposal. He stated with the conditions of the Small Business Administration loan that he is obtaining, he will be unable to divide the property, and it is a 25 year loan. The variance is being requested because of the grade of the highway being above his business, and the pole sign would not be seen under the allowable sign height regulations. He further advised that his business was forced into foreclosure due to the loss of sales of gasoline while trying to meet the tank regulation requirements, and he has obtained a loan to pull the property out of foreclosure and he needs all of the business he can get to service the loan. He further noted that the tanks he replaced were in very good condition and could have lasted many more years. In reading the letters that have been submitted, he feels the issue is more than just a sign – it is an effort to block business and expansion. If this keeps occurring, people will keep going to Oakhurst to shop. He feels we need projects that can be approved here to keep people here and to have jobs. He requested that MERG publish and disclose their agenda and what they stand for – he feels that they are negative. He noted that he has suggestions for economic development for the County which he will share at a later time.

Craig Lincoln, Texaco Wholesale Fuels Distributor, presented information from Zimmerman Sign Company on the lighting for the proposed pole sign, including photographs taken of a similar sign that was installed in Bakersfield. He advised that the signage will be necessary for the business to be successful in increasing business to pay for the tank replacement project. He gave a demonstration on foot candle light readings. He responded to questions from the Board relative to location of the fuel pricing information on

the pole sign; whether Texaco is requiring the pole sign, and comparison of the size of the proposed sign to other signs in neighboring counties.

Jack Wilkensen, Wilson Signs of Fresno, stated he feels Planning did a good job. He feels the signing is a safety issue – it will alert travelers that there is a clean and safe business ahead, and he feels this will increase property values in the area. Signage is important to any business and it needs to be readable. He stated he does not feel that this sign will take away from the beauty of the area. He responded to a question from the Board relative to the comparison of the size of the proposed sign to other signs in neighboring counties, and he advised that it has been determined to have a double pole stand for the sign as it is felt that will blend in better.

Bob Willis responded to a question from the Board relative to the height of the existing power pole in relation to the proposed pole sign.

Bob Perez, Vice President for the Chamber of Commerce and small business owner, stated he can understand both sides. He feels that Bob Willis needs to be able to operate his business in such a way to provide for his future retirement. He read his letter supporting the request, and he urged the Board to support the business people in the community.

Barry Brouillette, businessman, stated that as a member of the Board of Directors for the Chamber of Commerce, he voted in support of this project. He supports the sign being approved; however, he feels that MERG's position is pro-environment versus anti-business and he feels we should consider their issues and think about them. He noted that this business is down in a hole and that we need to provide for the business to continue to exist. He stated he does not feel that the variance addresses the sign size very directly – he feels the power of a logo is that it is recognizable before you can read it. A smaller sign would be in better keeping with our ordinance and the business would still be served by the sign. He also stated he feels that the issues with the lighting at Woodland School are real.

Julie Ransom stated customer service is a big impact on how well a business does. She noted they recently moved from the Woodland area and this business lost several hundred dollars worth of their patronage each month. She wants to raise her family here. She stated that she feels the trimming of the foliage off of the highway should be a CalTrans' problem. She does not want to see the area grow like Oakhurst; however, she noted that we do need to grow.

Paul Oldale stated he lives across Highway 49 from the business, and he stated that the sign demonstration showed that the pole sign will be seen from all of the rooms in the front of their house. If the sign is approved, he requested that it be moved further north. He stated he does not support approval of the sign, however. He further noted that since this issue was raised, other businesses are expressing interest in requesting a variance for a sign, and he feels that this will result in other requests.

Bud Swift stated he has been in the cattle business in the County for over 35 years. He welcomes people to come here and retire and enjoy the County. He stated as a member of the Board of Directors for the Chamber of Commerce and a former Planning Commissioner, he feels the Planning Commission has done an excellent job and that the Board should approve the variance.

Mark Harris, Yosemite Falls Well Drilling business owner, noted that every business has to start somewhere and it takes a lot to become successful. He asked how many people in the audience were with MERG, and he noted that five people raised their hands. He stated he feels the sign is necessary for the business to be successful. He suggested that the sign could be placed on the parcel in such a location as to serve all future possible splits of the parcel and future businesses. He objected to persons retiring here and opposing the businesses. He suggested that if MERG opposes projects that are proposed, that they purchase the property. He stated he feels it should be the Board's job to make the decisions relative to these types of requests and MERG should not control those decisions. He noted that of his four children, he does not have any of them living and working here. He commented on how difficult it is to run a business.

Supervisor Reilly provided a reminder of the five findings that need to be made to grant the variance as explained in the staff presentation and asked that the public be encouraged to address those issues.

Lavonne Oldale stated she and her husband support this station and want the business to thrive; however, they are concerned with the placement of the sign as they will have a constant view of it from their residence. She presented a video from inside her house of their view of the proposed sign. In the winter, she noted that the sign and the station will be more visible with the loss of the foliage on the trees. She noted that they have two parcels of land that will be affected. She also noted that without the sign, she has observed people stopping at the station looking for gasoline.

Yvonne Bennett stated she finds night lights in the sky offensive. After watching the sign demonstration and hearing the presentation, she feels this "light in the sky"/lit pole sign will not help this business that much as travelers will get such a brief look at it. She feels that if this sign is approved, requests will be received from the Northside of the County and she does not want to see these type of signs there.

Robert Schmelzer stated he always felt the business was obvious. He stated he would like to see some landscaping. He stated this business has better visibility than most of the gas stations, and he referred to his letter to the Board. He stated there are options to the signs, and he does not feel that the pole sign is necessary.

Hearing was continued for the following hearing to be opened.

2:04 p.m. Public Hearing to determine if the County can or cannot comply with the longer animal holding periods was opened and continued to after the following matter.

Board continued with the hearing on the appeal of Variance No. 99-1.

John Brady stated he agrees with MERG. He stated he wishes Mr. Willis well in his business and he noted it provides service to the neighborhood, and he has never had any problem in finding it. He stated he does not feel that opposing the sign is restricting business or growth. He noted that he is retired from two jobs and is undertaking a third career that he operates from his home. He does not feel that the interest of one business should be enough to override the code requirements. He stated he is not opposed to a sign and a canopy over the pumps; however, he is opposed to a 40-foot sign. He feels it will impact the scenery and environment. He feels a smaller sign would be appropriate and would serve everyone's interests.

Connie Morris stated she has lived in the County all of her life, and she stated that she feels this is not just necessarily about the sign. People in the community appreciate the service provided by Mr. Willis, and she urged the Board to support the variance.

Shirley Schmelzer stated there has been hard work put in on the ordinances and they should not be discarded. She stated she feels that Mr. Willis was aware of the location of the gas station and the situation when he purchased it, and she does not feel that the pole sign will help.

Jan Mennig stated he was representing 350 members of the Chamber of Commerce as Executive Director. He stated we are all good citizens and responsible people and should respect each other. He stated he feels the system works and the process has been followed.

Ronaye Bohl, neighboring property owner, stated their property faces Hirsch and the Oldales – would like to keep the area country and does not support the variance.

Lynne Rosebrock, Hirsch Road resident and customer of the business, asked if there would be support for lighting if in the future the School District and the Parks and Recreation Department established night lights for youth activities – she asked if the same objections would be made, or whether the opposition for this variance is because it is a commercial sign.

Rebuttal by the appellants:

Bart Brown stated he feels this is like a commercial enterprise versus a neighborhood commercial business, and he stated that he agrees that signage is important. He noted that alternatives were suggested, and he stated he feels a better design of the signage on the existing roof and canopy could be done. He noted that there is resort commercial property in this same area and the Board will need to consider the ramification of approving a variance for this. He stated he feels that businesses on a curve or slope may request a variance. He referred to the intent of the sign ordinance.

Dick Kunstman stated that it is not MERG's intent to have anyone go bankrupt. He stated he does not see anywhere in the record a study of the incremental business increase that would occur as a result of the sign, and he feels this information should be obtained. He suggested that the Board listen to the Planning Commission's deliberations because he does not feel that the Commission thoroughly discussed the findings to be made prior to its decision.

Public portion of the hearing was closed and the Board commenced with deliberations.

2:20 p.m. Recess

2:33 p.m. Sarah Williams reviewed options the Board has for taking action and the findings that need to be made to approve the variance. Board commenced with deliberations. Chairman Pickard thanked staff and

MPUD for going on-site and doing the sign demonstration. Mr. Willis responded to questions from the Board relative to his plans to have a night-time cardlock system and hours of operating the lights; relative to the decision for the location of the pole sign; and whether the fence line follows the property boundary. Staff responded to additional questions from the Board relative to being able to restrict the hours the lights are lit; and review of the slides of the sign demonstration. Discussion was held relative to the findings, including specific discussion by Supervisor Reilly on why she felt findings could not be made.

(M)Parker, (S)Stewart, Res. 99-285 adopted denying the appeal and modifying the Planning Commission's approval of Variance No. 99-1; with the findings as proposed by staff in their report to allow a 40-foot pole sign with 80 square feet of internally lit signage, including the Texaco logo and Food Mart language, removing the condition required by the Planning Commission for all signs to be located on the one pole sign; and denying the Texaco logo and signage on the canopy; directing staff to work with the applicant to locate the pole sign so that it will not be directly in line of site from the Oldale's residence; prohibiting lighting of the sign outside of the hours of operation of the business (summer – April through September: Monday – Saturday 6:30 a.m. to 10:00 p.m., Sunday 6:30 a.m. to 9:00 p.m.; and winter – October through March: Monday – Saturday 6:30 a.m. to 9:00 p.m., Sunday 6:30 a.m. to 8:00 p.m.) as proposed by the applicant in his letter to the Board, and further directing that should the applicant desire to change the hours of operation that request should be brought to the Planning Department/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Hearing was closed.

cc: Jeffrey G. Green, County Counsel
File