

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: June 22, 2010

SUBJECT: MATTER TO BE SET FOR PUBLIC HEARING

The action recommended for the City Council is to set the following public hearing for Tuesday, July 13, 2010. For that meeting, a report containing substantive discussion of the following matter will be provided:

Consideration of an application by Kelly Moore Paints for a Preliminary Development Plan (PDP) for the construction of a 4,900 sq. ft. retail store on a 0.72-acre site at 5195 Clayton Road. The General Plan designation is Neighborhood Commercial; Zoning classification is PD (Planned District); APN: 117-180-075. Use Permit and Design Review have been pending approval of the PDP. Recommended by the Planning Commission.

Public Contact

This setting action provides advance notification that the City Council will hold the public hearing shown above on Tuesday, July 13, 2010. The Notice of Public Hearing will be published in the Contra Costa Times, mailed to affected parties and posted in the Civic Center posting cabinet as required.

Please be advised that Section 65009 of the California Government Code states that in the event that you challenge the City Council's decision on this matter in court you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Recommendation for Action

Set the public hearing for Tuesday, July 13, 2010 at 6:30 p.m. in the City Council Chamber.

Daniel E. Keen

City Manager

Dan.Keen@ci.concord.ca.us