

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-24351 - APPLICANT/OWNER: RAGHID B. KOSA**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL, subject to:**

**Planning and Development**

1. This Site Development Plan Review (SDR-7265) shall expire on September 7<sup>th</sup>, 2008 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-7265) and all other related cases and as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Site Development Plan Review (SDR-7265) for a proposed 1,500 square-foot restaurant/bakery addition and a waiver of the perimeter and parking landscaping and buffering requirements on 0.63 acres adjacent to the northeast corner of Jones Boulevard and Vegas Drive.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
07/03/85	The City Council approved a Rezoning (Z-0092-84) from R-1 (Single Family Residential) to C-1 (Limited Commercial) for the subject property. The Planning Commission recommended approval.
05/10/99	The City Council approved a Special Use Permit (U-0024-99) for the off-premise sale of beer and wine in conjunction with a proposed convenience store. The Planning Commission recommended approval and the staff recommended denial.
07/05/00	The City Council approved a Required One Year Review [U-0024-99(1)] on an approved Special Use Permit which allowed off-premise beer and wine sales in conjunction with a proposed convenience store. The Planning Commission recommended approval and the staff recommended denial.
10/16/02	The City Council approved a Required One Year Review [(U-0024-99(2))] on an approved Special Use Permit which allowed off-premise beer and wine sales in conjunction with a proposed convenience store. The Planning Commission recommended approval and the staff recommended denial.
09/07/05	The City Council approved a request for Site Development Plan Review (SDR-7265) for a proposed 1,500 square-foot restaurant/bakery addition and a waiver of the perimeter and parking landscaping and buffering requirements adjacent to the northeast corner of Jones Boulevard and Vegas Drive. The Planning Commission and staff recommended approval.
01/18/06	The City Council approved a Special Use Permit (SUP-9616) for a proposed Financial Institution, Specified and for waivers from the 200-foot distance separation requirement from a residential use and from the 1,000-foot separation requirement from another Financial Institution, Specified.
08/16/06	The City Council approved a request for a Special Use Permit for a Package Liquor Off-Sale Establishment at 1600 North Jones Boulevard. The Planning Commission and staff recommended approval.
08/17/07	The Planning and Development Department conducted a site inspection and photographs were taken. It was noted that the trash enclosure remains in the same condition as shown in 2006. A condition of approval has been added to this application to ensure this process is expedited.

09/07/05	The City Council approved a Required Review (RQR-23334) of an approved Special Use Permit (SUP-13847) for a package liquor off-sale establishment at 1600 North Jones Boulevard. Staff recommended approval.
<b><i>Related Building Permits/Business Licenses</i></b>	
04/13/06	The applicant submitted civil plans for review. At this time they have not been approved, the plans are currently in the redline stage.
09/06/06	The City Council approved a temporary business license (L15-00135) for Package Liquor Sales on the subject property.
12/13/06	A routine inspection found violations that were corrected during the inspection.
02/13/07	The City Council approved a permanent business license (L15-00135) for Package Liquor Sales on the subject property.
05/15/07	Code Enforcement was required as Alcohol was being displayed on 47.64% of the floor space where the display area is limited to 30%.
05/25/07	The Business was inspected and found to be in compliance with requirements.
08/16/07	An inspection was conducted and the business was found to be in compliance will all requirements from Special Use Permit (SUP-13847).
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is nor required, nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.63

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Retail Shops	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residential	ML (Medium Low Density Residential)	R-PD10 (Residential Planned Development 10 Units per Acre)
South	Retail Shops	SC (Service Commercial)	C-1 (Limited Commercial)
East	Multi-Family Residential	ML (Medium Low Density Residential)	R-PD10 (Residential Planned Development 10 Units per Acre)
West	Retail Shops	SC (Service Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District (140-Foot)	X		Y
<b>Trails</b>		X	N/A

<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## **ANALYSIS**

This is the first extension of time request for the proposed project. The applicant has made progress on the proposed project. Civil Plans were submitted and are currently under review pending corrections. The applicant is in the process of satisfying the requirements of those correction requests. Approval of this extension of time request with a one year time limit is recommended. Conformance to the conditions of approval of Site Development Plan Review (SDR-7265) shall be required.

## **FINDINGS**

Due to the progress that the applicant has made on the proposed project, approval of this extension of time request with a one year time limit is recommended. Conformance to the conditions of approval of Site Development Plan Review (SDR-7265) shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0