

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 6, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-26119 - APPLICANT: LAKESIDE CENTER - OWNER:
WFTNV, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time of Special Use Permit (SUP-17307) shall expire 1/03/09 unless the Special Use Permit is exercised or another extension is approved by the City Council.
2. Conformance to all conditions of approval for SUP-17307 as required by the Planning and Development Department and the Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting an Extension of Time of an approved Special Use Permit (SUP-17307) for a proposed 2,983 square-foot Restaurant with Service Bar and a Waiver of the 400-foot distance separation requirement from an existing church. The proposed restaurant is located at 2620 Regatta Drive, Suite #117. This is the first requested Extension of Time.

Staff recommends approval of a one-year Extension of Time that will expire on 1/03/09 for the approved Special Use Permit (SUP-17307).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1/03/07	The City Council approved a request for a Special Use Permit for a proposed Restaurant Service Bar and a Waiver of the 400-foot distance separation requirement from an existing church at 2620 Regatta Drive, Suite #117. The Planning Commission recommended approval, staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
2/12/07	Building Permit #7000559 (under Plan Check #L-4103-05) issued for a 2,983 square-foot Tenant Improvement combining suites #117 and #118. This permit was renewed 8/03/07 and has not received a final inspection.
11/06/07	Business License review approved by Planning for #R09-98419: Restaurant with seating for 45 persons or more located at 2620 Regatta Drive, Suite #117. NOTE: This license has not been issued as the applicant has requested to hold further inspections and reviews until construction has been completed.
1/07/08	Business License review denied by Planning for #L19-98418: Restaurant Service Bar. Further review pending address correction from Suite #118 to #117 and approval of Extension of Time (EOT-26119). NOTE: This license has not been issued as the applicant has requested to hold further inspections and reviews until construction has been completed.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.50 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail	Service Commercial	C-1 (Service Commercial)
North	Residential	Low Density Residential	R-PD5 (Residential Planned Development 5 Units Per Acre)
South	Residential	Parks and Recreation/Open Space	R-PD5 (Residential Planned Development 5 Units Per Acre)
East	Residential	Parks and Recreation/Open Space	R-PD5 (Residential Planned Development 5 Units Per Acre)
West	Residential	Low Density Residential	R-PD5 (Residential Planned Development 5 Units Per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	Y		Y
Trails		N	Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

ANALYSIS

The approved Special Use Permit (SUP-17307) entitles the operation of a Restaurant Service Bar in a multi-tenant retail center. A Waiver from the required 400-foot separation distance from an existing House of Worship was approved with this request. The applicant is seeking the extension of time in order to complete the tenant improvements that combined both suite #117 and #118 under Plan Check #L-4103-05. The gross floor area of the entitled area was approved at 2,983 square feet.

FINDINGS

The applicant has submitted and received approvals for the business licenses for both the restaurant and service bar. The extension of time has been requested as the applicant is proposing to open the restaurant by August of 2008 and is seeking to ensure that the entitlement for the Restaurant with Service Bar remains secure in the event there are any more construction delays.

Staff recommends approval of this extension of time for one year which will expire 1/03/09, for Special Use Permit (SUP-17307).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0