

CITY COUNCIL AGENDA: NOVEMBER 18, 2014


CONSENT CALENDAR

SUBJECT: REQUEST TO RESCHEDULE A PUBLIC HEARING FOR THE CONSIDERATION OF A CONDITIONAL USE PERMIT (PRC 2014-011-C) TO ALLOW THE UPGRADE TO A TYPE 21 GENERAL OFF-SALE LICENSE FOR ALCOHOL SALES LOCATED AT 1187 WEST HENDERSON AVENUE

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

COMMENT: At the meeting of October 21, 2014, the City Council approved a conditional use permit for JJ's Market, located at 1187 West Henderson Avenue. During the public hearing, the applicant's agent requested that a condition prohibiting outdoor advertising of alcoholic beverages be removed from the resolution of approval. At the end of the public hearing, the City Council voted to approve the Conditional Use Permit as written, though directed staff to meet with the applicant about the signage restriction concerns. Following the City Council meeting, the applicant's agent requested that the condition be removed and there may be merit to such a request given precedent established by the previous zoning ordinance. The Development Ordinance provides a mechanism to modify a Conditional Use Permit; such a request would typically involve submitting application to the Project Review Committee and after that, returning to the City Council for consideration. Given that the request was represented at the meeting where the Conditional Use Permit was initially approved, the Council could instead direct staff to re-notice a public hearing and return the item for reconsideration at the next meeting.

RECOMMENDATION: Direct staff to publish a public notice scheduling the Conditional Use Permit (Resolution 73-2014) for reconsideration at the meeting of December 2, 2014.

DD  Appropriated/Funded N/A CM J

Item No. 6