



Legislation Details (With Text)

File #: 22-0356 **Version:** 1 **Name:** UP No.22-00013 Restaurant 3 Pinkfish
Type: Use Permits **Status:** Passed
File created: 12/2/2022 **In control:** Planning Commission
On agenda: 1/11/2023 **Final action:** 1/11/2023
Title: Use Permit Application by Nakeisha Cummings, to Permit a Restaurant 3 for Extended Hours at 4111 W Mercury Blvd [LRSN: 13003605].
Sponsors:
Indexes: , , Economic Vitality
Code sections:
Attachments: 1. Conditions Redline PC Amended, 2. Conditions Clean PC Amended, 3. Conditions Original Staff, 4. Application, 5. Staff Report, 6. Presentation

Date	Ver.	Action By	Action	Result
1/11/2023	1	City Council Legislative Session	approved	Pass

Use Permit Application by Nakeisha Cummings, to Permit a Restaurant 3 for Extended Hours at 4111 W Mercury Blvd [LRSN: 13003605].

Background Statement:

This is a request for a use permit for a restaurant 3 to exceed the hours of operation and hours of outdoor dining permitted under a Zoning Administrator Permit (ZAP). The subject property is located at 4111 W Mercury Boulevard [LRSN: 13003605]. The property is currently zoned Limited Commercial (C-2) District. C-2 allows for the desired use, subject to an approved use permit.

If the use permit is to be granted, staff has identified sixteen (16) recommended conditions based upon the proposed use’s operational and land use characteristics. A few key conditions are highlighted below:

Hours of operation shall not exceed 5:00 AM to 12:00 AM Sunday through Thursday, and 5:00 AM to 2:00 AM, Friday through Saturday. Outdoor dining hours shall not exceed 5:00 AM to 10:00 PM, Sunday through Saturday.

Location of Live Entertainment will be conducted inside the building only and shall be limited to the area indicated on the attached floor plan identified as “Live Entertainment Area,” attached as Exhibit A.

Banquet area activities may be conducted inside the building only and shall be limited to the area indicated on the attached floor plan identified as “Banquet Room,” attached as Exhibit B.

Security services shall be provided that monitor activities both inside and outside the restaurant. The use permit will expire upon change of ownership, a change in possession, a change in the operation or management of a facility, or the passage of three (3) months without an active retail alcoholic beverage control license.

The Planning Commission recommendation amended the staff recommended condition regarding the outdoor dining hours of operation, extending the hours to be consistent with the restaurant hours 5:00 AM to 12:00 AM Sunday through Thursday, and 5:00 AM to 2:00 AM, Friday through Saturday.

Recommendations:

Staff Recommendation:

Approve/Disapprove with sixteen (16) conditions.

Planning Commission Recommendation:

Approve/Disapprove with sixteen (16) conditions.