



## Legislation Text

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**File #:** CUP-18-24, **Version:** 1

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**AGENDA CAPTION:**

CUP-18-24 (Komal Latin Kitchen + Bar) Hold a public hearing and consider a request from Komal Latin Kitchen + Bar to renew a Conditional Use Permit to allow the continued sale of mixed alcoholic beverages for on premise consumption at 2550 Hunter Road, Suite 1106 (T. Carpenter)

**Meeting date:** August 14, 2018

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**Fiscal Note:**

**Prior Council Action:** N/A

**City Council Strategic Initiative:** N/A

**Comprehensive Plan Element (s):** N/A

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☒ Not Applicable

**Master Plan:** N/A

**Background Information:**

The business is located on the ground floor of a multitenant mixed use building. Komal Latin Kitchen + Bar was granted a one (1) year CUP for mixed beverages in June of 2017 which became effective upon the issuance of the Certificate of Occupancy in July of 2017.

Due to close proximity to Miller School, the restaurant was required to apply for a variance to the distance

requirements from a school. This variance was approved by City Council on June 6, 2017 and is effective for the lifetime of the business.

Because the business holds a variance for the distance requirement from a school, the Commission cannot grant a Conditional Use Permit for a period longer than one year. Also, all recommendations listed below are directly related to the approved variance and must be placed on any approved Conditional Use Permit for this Business.

**Council Committee, Board/Commission Action:**

N/A

**Alternatives:**

N/A

**Recommendation:**

Staff recommends **approval** with the following conditions:

1. The permit shall be valid for (1) year, provide standards are met.
2. The permit shall be posted in the same area and manner as the certificate of occupancy.
3. The following statement shall be included on all restaurant menus: "Due to the close proximity of a school campus, please be alert for students and drive carefully. This restaurant will accommodate, as necessary, any individual that needs transportation after consuming alcoholic beverages"; and
4. The restaurant shall operate such that gross revenue from alcohol sales will be less than 25% of total gross revenue for the business, with the restaurant submitting annual reports indicating this condition has been met.