

5. SPECIAL USE PERMIT NO. 2010-1 - 9103 Elmhurst Drive

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1. APPLICANT: Jock's Sports Bar is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting approval of a special use permit, for a five-year period of time, to allow a drinking establishment.
3. LOCATION: The subject property is located at 9103 Elmhurst Drive.
4. EXISTING ZONING: This property is currently zoned C-2, General Business District.
5. CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Development Plan identifies this area as appropriate for commercial uses. The Future Development Plan does not specifically discuss the appropriate location for drinking establishments, but the Unified Development Ordinance (UDO) does require this use to obtain a special use permit as the exterior walls of the establishment are within 200 feet of residentially-zoned property. This is the sixth request for a drinking establishment at this location and the UDO limits renewals for drinking establishments to five years.
6. ANALYSIS: The applicant is requesting approval of a special use permit to allow the continued operation of a drinking establishment for Jock's Sports Bar. A drinking establishment has been in operation at this location since 1990. A letter was sent to the Planning Department from the Overland Park Police Department indicating there have not been any major alcohol-related incidents over the past three years. However, the police department verbally stated they do not have any problems with the five year recommendation and recommends approval.
7. STAFF RECOMMENDATION: The staff recommended approval of Special Use Permit No. 2010-1, for a five year period of time, with no stipulations.
8. PLANNING COMMISSION RECOMMENDATION: The Planning Commission considered this item at a public hearing on March 22, 2010. No one spoke at the public hearing and the Planning Commission voted 11 to 0 to recommend approval of Special Use Permit No. 2010-1, for a five-year period of time, with no stipulations.