

2. SPECIAL USE PERMIT NO. 2010-6 - 11417 West 95th Street

1. APPLICANT: Sachin Agrawal is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting approval of a special use permit, for a ten-year period of time, to allow an arcade.
3. LOCATION: The subject property is located at 11417 West 95th Street in Oak Park Mall.
4. EXISTING ZONING: This property is currently zoned CP-2, Planned General Business District.
5. ANALYSIS: The applicant is requesting special use permit approval for a new arcade to be located on the lower level in Oak Park Mall near the southern Dillard's store. The applicant is proposing to have 41 coin-operated amusement devices, which meets the definition in the Unified Development Ordinance (UDO) of an arcade. In early 2009, the Planning Commission and City Council approved ordinance amendments to allow arcades to be an accessory to another commercial use, such as a drinking establishment or restaurant. Stand-alone arcades, however, were still required to obtain approval of a special use permit. The UDO limits the initial time period for an arcade to one year, unless the arcade is located in an enclosed shopping mall of at least 400,000 square feet in area. In this situation, the Planning Commission and Governing Body may approve a longer time period, if the one-year time restriction is not required to protect the public health, safety, and welfare. Staff is comfortable with the ten-year time period proposed by the applicant.
6. STAFF RECOMMENDATION: Staff recommended approval of Special Use Permit No. 2010-6, for a ten-year period of time, with no stipulations.
7. PLANNING COMMISSION RECOMMENDATION: The Planning Commission will consider this application at a public hearing on May 10, 2010. Because the arcade is located in Oak Park Mall, there were no property owners within 200-feet for the applicant to notify. The required ownership affidavit was signed by the mall, which authorizes this application to be filed. Because of this situation, there is no need for the typical protest period between the Planning Commission and City Council consideration of this application. Staff will provide an oral report of the Planning Commission recommendation.