

3. SPECIAL USE PERMIT NO. 2010-7 - 9950 College Boulevard

1. APPLICANT: Michael Garozzo 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 for Garozzo's Restaurant.
3. LOCATION: The subject property is located at 9950 College Boulevard.
4. EXISTING ZONING: This property is currently zoned CP-1, Planned Restricted Business District.
5. NEIGHBORHOOD CHARACTERISTICS: The subject property is located within Corporate Woods. To the east is parkland dedicated to the City of Overland Park, to the west and north is the Corporate Woods office development and to the south, across College Boulevard, is mixed commercial and industrial properties.
6. 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, because the restaurant is located within 200 feet of residentially zoned property.
7. ANALYSIS: The applicant is requesting a special use permit, for a five-year period of time, to allow a drinking establishment in conjunction with a restaurant. This is the sixth request for a drinking establishment at this location. The Police Department has provided a letter to staff indicating there have been no major or frequent alcohol-related problems at this location. Staff does not have any concerns regarding this request. The UDO limits this request to a period of five years.
8. STAFF RECOMMENDATION: The staff recommended approval of Special Use Permit No. 2010-7, for a five-year period of time, with no stipulations.
9. PLANNING COMMISSION RECOMMENDATION: The Planning Commission considered this application at a public hearing on June 14, 2010. No one spoke at the public hearing and the Planning Commission voted 9 to 0 to recommend approval of Special Use Permit No. 2010-7, for a five-year period of time, with no stipulations.