



CITY COUNCIL COMMUNICATION

September 14, 2010

SUBJECT: CONSIDER A REQUEST FOR A TEMPORARY USE PERMIT
SUBMITTED BY: Chris D. Barker, Director of Planning and Development
REFERENCE NO: 10-11-CC

ACTION REQUESTED:

Motion to approve a request for a Temporary Use Permit for Pollo Campero Restaurant proposed to be located on Shops at Vineyard Village Addition, Block A, Lot 8, 2830 State Highway 121 on September 18, 2010 from 10:30am to 8:00pm and September 19, 2010 from 10:30am to 8:00pm.

ALTERNATIVES:

1. Approve the request – *simple majority*
2. Approve the request with modifications – *simple majority*
3. Deny the request – *simple majority*

SUMMARY OF SUBJECT:

Pollo Campero located at 2830 SH 121 is requesting a Temporary Use Permit to hold a marketing event celebrating the company's second anniversary. Temporary Use Permits are governed by Section 84-84 (6) of the Unified Development Code which reads as follows:

(6) Temporary uses.

The city council may approve the operation of temporary uses on any property for a specific period of time. Such temporary uses are typically associated with an already existing use and are subject to review to ensure adequate facilities exist or will be provided to serve the public and employees of the temporary use.

a. Permit required. Temporary uses such as a carnival, concrete or asphalt batch plant, seasonal, parking lot, sidewalk, truckload and other temporary sales of merchandise may be permitted provided a temporary use permit is first obtained from the city council.

b. Effective period. No temporary use permit shall be valid for more than 90 consecutive days and shall be subject to any and all restrictions, requirements, and safeguards established by city council at the time the temporary use permit is considered.

c. Restrictions and requirements. Such restrictions, requirements or safeguards may include, but are not limited to, hours of operation, duration of the use, parking, setbacks, signage and any other requirement deemed necessary to protect the general welfare of the community and minimize negative impacts on adjacent properties.

Pollo Campero proposes to hold this celebration on their lot within a turfing landscape area to the rear of their building. The event will feature a bounce house, carnival games, marketing tables from other local businesses and a live remote from a local radio station. Alcohol will not be served at the event.

- The event organizers anticipate 300 to 400 people in attendance.
- Two temporary banner signs will be placed on the property, and a costumed mascot will be present.
- No admission fees will be required.
- The event will have 6 parking spaces blocked off to accommodate the marketing tables.
- None of the event activities will be located within the fire lanes on the property. A low security fence (similar to an erosion control fence) will be put into place to delineate the event from traffic.
- The event will last from 10:30am to 8:00pm on Saturday September 18th, and Sunday September 19th.

The Development Review Committee certified the application. Staff recommends approval.

FINANCIAL CONSIDERATIONS:

Revenue Sources:

Expenditure Accounts:

Budgeted Fiscal Year(s):

Estimated Expenditure:

Over/Under Projection By:

Other Comments:

SUPPORTING DOCUMENTS:

- Application
- Exhibit
- Map 1, Map 2 and Map 3

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **SC** _____

City Secretary's Office