

17. SPECIAL USE PERMIT NO. 2008-4 - 8889 West 75<sup>th</sup> Street

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1. APPLICANT: Birdies Pub & Grill 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 8889 West 75<sup>th</sup> Street.
4. EXISTING ZONING: This property is currently zoned CP-2, Planned General Business District.
5. ANALYSIS: The applicant is requesting approval of a special use permit to allow the continued operation of a drinking establishment at Birdies Pub & Grill. The police department has provided a letter explaining that no major or frequent alcohol-related problems have occurred during the past five years at this location.

When the façade of the Antioch 75 Shopping Center where Birdies is located was updated by a final development plan in 1996, staff noted two large floodlights installed at the soffit in front of the Birdies tenant space without Planning Commission approval. The floodlights were directed at the parking lot so the light source was clearly visible from 75<sup>th</sup> Street. Since the Unified Development Ordinance prohibits exposed light sources, a stipulation was included on the final development plan in 1996 that the fixtures be pointed straight down or removed. Those floodlights still exist today. According to the applicant, those lights were installed for security reasons as the parking lot lighting is not adequate. Pointing the lights downward does not serve the desired security purpose. Staff would suggest that the applicant work with the shopping center owner to research an alternative lighting solution to be installed on the building or in the parking lot.

Prior to the drafting of these comments, staff observed that the floodlights were angled upward again, but the applicant has corrected the situation.

6. STAFF RECOMMENDATION: The staff recommends approval of Special Use Permit No. 2008-4, for a five-year period of time, subject to the following stipulation:
  - a. The existing flood lights on the Birdies Pub & Grill tenant space shall be directed straight down or shall be removed.