



**ITEM IV-B:    DESIGN REVIEW PERMIT EXTENSION & CONDITIONAL USE PERMIT EXTENSION  
– 121 NORTH SUNRISE AVENUE – REVOLUTION SUPPERCLUB – FILE#’S  
DRPEXT 02-61A & CUPEXT 02-10A**

**REQUEST**

The applicant requests approval of a Design Review Permit Extension and a Conditional Use Permit Extension to extend the expiration date one (1) year to November 13, 2006. The Design Review Permit and Conditional Use Permit authorized the construction of a 15,174 square foot restaurant and nightclub facility on a 0.9-acre parcel zoned Planned Development for low traffic generating retail.

Applicant – Jerry Aplass, Burrell Consulting  
Owner – Sid Dunmore, CSJ Company LP

**SUMMARY RECOMMENDATION**

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt two (2) findings of fact for the Design Review Permit Extension;
- B. Approve the Design Review Permit Extension subject to two (2) conditions of approval;
- C. Adopt two (2) findings of fact for the Conditional Use Permit Extension; and
- D. Approve the Conditional Use Permit Extension subject to two (2) conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval. To date, no comments have been received from adjacent property owners.

**BACKGROUND**

The subject property is located at 121 North Sunrise Avenue in the Placer Village Center, approximately mid-block between Douglas Boulevard and Sierra Gardens Drive (See Attachment 1). Surrounding land uses include a retail/office complex to the north and east, and commercial to the south and west. The Oxford Suites hotel is located to the west of the property, across North Sunrise.

On November 13, 2003 the Planning Commission approved a Design Review Permit to allow a 15,174 square foot restaurant and nightclub facility on a 0.9-acre parcel. The commission also approved a Conditional Use permit to allow a nightclub use and an Administrative Permit for a 371 parking reduction. The parking reduction would allow the facility to utilize existing parking within the Placer Village project during off-peak hours. The facility will operate 7 days a week; however, the nightclub operations will only operate on Friday and Saturday nights from 10:00p.m. to 2:00a.m. The restaurant component of the club encompasses 6,723 square feet and will begin operations at 6:00p.m. and end at 10:00p.m.

## **EVALUATION**

The Design Review Permit and the Conditional Use Permit were conditioned to expired on November 13, 2005 if not effectuated by that time. To date the applicants have not submitted construction documents for plan check and are requesting a one (1) year extension of the Design Review Permit and the Conditional Use Permit. The requested extension would result in a new expiration date of November 13, 2006. Per the Roseville Zoning Ordinance, no further extensions will be allowed beyond this date.

The applicant has not proposed any changes to the Design Review Permit or to the Conditional Use Permit. The Planning and Redevelopment Department forwarded the previously approved project plans and the adopted conditions of approval to City departments (including Police) for review and comment. City staff did not identify any changes in circumstances that would affect the project; therefore, no new conditions have been applied.

Since the original approval, the City did adopt a “Dance Permit” Ordinance. That Ordinance is administered through the Police Department. In short, the Ordinance regulates operations at nightclubs when a “cover charge” is levied. This facility will be required to secure a Dance Permit prior to opening.

A Public Hearing Notice was mailed to property owners within a 300-foot radius of the project site and a Legal Notice was published in the Roseville Press Tribune notifying residents and nearby commercial property owners of the proposed project. No comments or issues were raised by property owners or other interested individuals.

## **FINDINGS**

The Zoning Ordinance requires the adoption of the two findings listed below for approval of an extension. The findings apply to both the Design Review Permit Extension & Conditional Use Permit Extension.

- 1. The proposed development is in compliance with all standards in effect as of the date of application for the extension, or there is no public benefit to the imposition of current standards comparable to the cost of imposing them.*
- 2. No change has occurred in the circumstances or in the factual basis on which the approval was made since the date of the original approval, which results in the inability to make findings of approval for the extension consistent with those originally made.*

## **SUMMARY / CONCLUSION**

Based on the evaluation above, staff believes that the Planning Commission can make the required findings and approve the extension of the Design Review Permit and Conditional Use Permit.

## **ENVIRONMENTAL DETERMINATION**

The Planning Commission previously adopted a Negative Declaration for this project on November 13, 2003. The request is for an extension of the project analyzed in the adopted Negative Declaration. No changes to the project are proposed; therefore, additional environmental review is not required.

## **RECOMMENDATION**

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt the two findings of fact as stated in the staff report for the DESIGN REVIEW PERMIT EXTENSION – 121 NORTH SUNRISE AVENUE – REVOLUTION SUPPER CLUB -- FILE # DRPEXT 02-61A;
- B. Approve the DESIGN REVIEW PERMIT EXTENSION – 121 NORTH SUNRISE AVENUE – REVOLUTION SUPPER CLUB -- FILE # DRPEXT 02-61A with two (2) conditions of approval.
- C. Adopt the two findings of fact as stated in the staff report for the CONDITIONAL USE PERMIT EXTENSION – 121 NORTH SUNRISE AVENUE – REVOLUTION SUPPER CLUB -- FILE # CUPEXT 02-10A; and
- D. Approve the CONDITIONAL USE PERMIT EXTENSION – 121 NORTH SUNRISE AVENUE – REVOLUTION SUPPER CLUB -- FILE # CUPEXT 02-10A with two (2) conditions of approval.

**CONDITIONS FOR DESIGN REVIEW PERMIT EXTENSION FILE # DRPEXT 02-61A**

1. The project shall comply with the originally approved conditions of approval for the project (DRP 02-61) except as modified below. (Planning and Redevelopment)
2. This Design Review Permit Extension shall be valid for a period of one (1) year and shall expire if not effectuated by November 13, 2006. (Planning and Redevelopment)

**CONDITIONS FOR CONDITIONAL USE PERMIT EXTENSION FILE # CUPEXT 02-10A**

1. The project shall comply with the originally approved conditions of approval for the project (CUP 02-10) except as modified below. (Planning and Redevelopment)
3. This Conditional Use Permit Extension shall be valid for a period of one (1) year and shall expire if not effectuated by November 13, 2006. (Planning and Redevelopment)

**ATTACHMENTS**

1. Vicinity Map
2. Notice to Applicant for DRP 02-61 & CUP 02-10

**EXHIBIT**

- A. Site Plan
- B. Grading Plan
- C. Landscape Plan
- D. Elevations

**Note to Applicant and/or Developer:** Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.