

FILE NO.: Z-2481-D

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NAME: Geyer Springs Business Center Revised Short-form PCD

LOCATION: Located behind 7315 Geyer Springs Road

DEVELOPER:

David Gutierrez  
7411 Geyer Springs Road  
Little Rock, AR 72209

OWNER/AUTHORIZED AGENT:

David Gutierrez – Owner  
HALFF- Marlar Engineering - Agent

SURVEYOR/ENGINEER:

HALFF- Marlar Engineering Co. Inc.  
5318 John F Kennedy Boulevard  
North Little Rock, AR 72116

AREA: 1.43-acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0 LF

WARD: 2      PLANNING DISTRICT: 13 – 65<sup>th</sup> Street East      CENSUS TRACT: 20.02

CURRENT ZONING: PCD, Planned Commercial Development - Expired

ALLOWED USES:      Mini-warehouse

PROPOSED ZONING:      PCD

PROPOSED USE:      C-3, General Commercial District uses and an Events center

VARIANCE/WAIVERS:      None requested.

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BACKGROUND:

Ordinance No. 14,582 adopted by the Little Rock Board of Directors on January 17, 1984 rezoned this site from C-3, General Commercial District and R-5, High Rise Multi-family to PCD, Planned Commercial Development District. The approval allowed for three (3) buildings, 20,000 square feet of storage space on a 1.63-acre parcel which was to be enclosed with a 6-foot chain link fence with the east and north sides covered by a privacy

fence. The site plan included a small office in one of the proposed buildings for an on-site attendant. This development did not occur and the zoning approval has since expired.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to revise the previously approved PCD, Planned Commercial Development District, zoning to allow the development of the site with a mixed use development. The applicant indicates a single 14,280 square foot building will be placed on the site. The cover letter notes 3,570 square feet of the building will be used for retail sales and 9,520 square feet is proposed as an events center. The site plan indicates 98 parking spaces to serve the development.

B. EXISTING CONDITIONS:

The site was previously cleared. There is a large utility line with a 100-foot easement running through the property. This area of Geyer Springs Road has a mixture of uses including restaurants, retail sales, auto accessories retail sales and residential. Geyer Springs Road is a four (4) lane street. There are sidewalks in place along Geyer Springs Road, many appear to be substandard located at the back of curb. In a number of places the parking lots are paved to the right of way and no sidewalk is in place.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the Wakefield Neighborhood Association and Southwest Little Rock United for Progress were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Geyer Springs Road is classified on the Master Street Plan as a minor arterial.  
A dedication of right-of-way 45-feet from centerline will be required.
2. Repair or replace any curb and gutter, sidewalk, and access ramp that is damaged and not in compliance with ADA recommendations in the public right-of-way prior to occupancy.
3. Sidewalks with appropriate handicap ramps are required in accordance with Section 31-175 of the Little Rock Code of Ordinances and the Master Street Plan to be constructed within the access easement to access the proposed development.

4. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction.
5. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
6. Stormwater detention ordinance applies to this property. Maintenance of the detention pond and all private drainage improvements is the responsibility of the developer and/or local property owner's association.
7. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
8. Hauling of fill material on or off site over municipal streets and roads requires approval prior to a grading permit being issued. Contact Public Works Traffic Engineering, Travis Herbner, [therbnear@littlerock.gov](mailto:therbnear@littlerock.gov) or 501.379.1805 for more information.
9. Since the street is proposed to be 24-feet in width, show on the plan the area of street where parking will be restricted to one side.
10. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: Sewer main extension required with easements if new sewer service is required for this project. Grease trap analysis required if food service on site. Contact Little Rock Water Reclamation Authority for additional information

Entergy: Entergy Distribution does not object to this proposal. There do not appear to be any Distribution conflicts with existing electrical utilities at this location. However, an Entergy Transmission line bisects the property from SW to NE with one Transmission structure on the west edge of the property and the SE edge of the Transmission ROW being very close to the NW corner of the proposed building. Contact should be made with Entergy's Transmission department to determine if there are any conflicts concerning the Transmission line and the proposed project before work is begun. Contact the Entergy Distribution group in advance to discuss electrical service requirements to the proposed building as this project proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
5. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
6. Contact Central Arkansas Water regarding the size and location of the water meter.
7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.
8. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
9. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives are used, a reduced pressure zone back flow preventer shall be required.
10. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

Fire Department:

1. Full Plan Review – Maintain Access
2. Fire Hydrants. Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
3. Grade. Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief.
4. Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
5. Commercial and Industrial Developments – 2 means of access. - Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1
  - a. Section D104.1 Buildings exceeding three stories or 30 feet in height. Building or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.
  - b. Section D104.2 Building exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provide with two separate and approved fire apparatus access roads.
  - c. Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all building are equipped throughout with approved automatic sprinkler systems.
  - d. D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
6. 30' Tall Buildings - Maintain aerial fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D105.1 – D105.4
  - a. D105.1 Where Required. Where the vertical distance between the grade plane and the highest roof surface exceed 30', approved aerial fire apparatus access roads shall be provided. For the purposes of

this section the highest roof surfaces shall be determined by measurement to the eave of a pitched roof, the intersection of a roof to the exterior wall, or the top of the parapet walls, whichever is greater.

- b. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
  - c. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
  - d. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
7. Dead Ends. Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.
8. Gates. Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:
1. Minimum gate width shall be 20 feet.
  2. Gates shall be of swinging or sliding type.
  3. Construction of gates shall be of material that allow manual operation by one person.
  4. Gate components shall be maintained in an operable condition at all times and replaced or repaired when defective.
  5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
  6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
  7. Locking device specifications shall be submitted for approval by the fire code official

8. Electric gate operators, where provided, shall be listed in accordance with UL 325.
9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.
9. Fire Hydrants. Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas Water (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757 or Capt. John Hogue 501.918.3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

F. BUILDING CODES/LANDSCAPE:

Building Code: Project is subject to full commercial plan review and approval prior to issuance of a building permit. For information on submittal requirements and the review process. This project will require fully developed Architectural, Structural, Civil and MEP Plans. Contact a commercial plans examiner: Curtis Richey at 501.371.4724; [crichey@littlerock.gov](mailto:crichey@littlerock.gov)

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property or the right-of-way of any street, highway or freeway. This strip shall be at least nine (9) feet wide. Provide trees with an average linear spacing of not less than thirty (30) feet within the perimeter planting strip. Provide three (3) shrubs or vines for every thirty (30) linear feet of perimeter planting strip. The north, south, and west, perimeters planting strip is deficient.
3. AP&L has stated that it will not allow any plantings that exceed a height of six (6) feet in their easement. To waive the tree requirements that are located in this utility easement will require a variance from the City Beautiful Commission.
4. A land use buffer six (6) percent of the average width / depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The property to the east is zoned R-2, Single-family. The approximate average depth of the lot is 445 feet. A minimum twenty-seven (27) foot buffer will be required adjacent to the R-2 zoned property, As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. In addition to the required screening, plantings are to be at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet.

5. Landscape areas shall be provided between the vehicular use area used for public parking and the general vicinity of the building, excluding truck loading or service areas not open to public parking. These areas shall be equal to an equivalent planter strip three (3) feet wide along the vehicular use area.
6. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). The minimum size of an interior landscape area shall be one hundred fifty (150) square feet for developments with one hundred fifty (150) or fewer parking spaces. Interior islands must be a minimum seven and one half (7 1/2) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
7. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: The site is located on Rock Region Metro Route #17 – the Mabelvale/Downtown Route.

Planning Division: This request is located 65<sup>th</sup> Street East Planning District. The Land Use Plan shows Commercial (C) for this property. The Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. The applicant has applied for PCD (Planned Commercial Development) to build a commercial building with retail spaces and an events center.

Master Street Plan: East of the property is Geyer Springs Road and it is shown as a Minor Arterial on the Master Street Plan. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Geyer Springs Road since it is a Minor Arterial. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

H. SUBDIVISION COMMITTEE COMMENT: (June 6, 2018)

The applicant was present. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff questioned the placement of any dumpsters and the days and hours of operation for the retail and for the events center. Staff requested details concerning the treatment of the rear of the building and if the building would have openings other than openings required by fire code. Staff stated the drive located in the rear of the building was



adjacent to single-family. The applicant stated he was waiting on the fire department to determine if the drive around the building was required by fire code.

Public Works comments were addressed. Staff stated right of way dedication along Geyer Springs Road was required. Staff stated a sidewalk extending from Geyer Springs Road into the site was required. Staff stated if disturbed areas was more than one (1) acre then a NPDES stormwater permit from the Arkansas Department of Environmental Quality was required.

Landscaping comments were addressed. Staff stated the land use buffer along the western perimeter was not adequate to meet the typical minimum required by the buffer ordinance. Staff stated screening was required adjacent to single-family zoned or used property. Staff stated with the Entergy Easement located through the site a variance from the City Beautiful Commission was required to waive the tree requirements which were located within the utility easement.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

The applicant provided an updated site plan and cover letter to staff addressing the technical issues associated with the request raised at the June 6, 2018, Subdivision Committee meeting. The applicant has provided the days and hours of operation, the revised site plan continues to provide the drive and parking behind the building, adjacent to single-family.

The request is to revise the previously approved PCD, Planned Commercial Development District, to allow the development of the site with a mixed use development. The applicant indicates a single 14,280 square foot building will be placed on the site. The cover letter notes 3,570 square feet of the building will be used for retail sales and 9,520 square feet is proposed as an events center.

The site plan indicates 98 parking spaces to serve the development. Parking for the retail uses would be based on one (1) parking space per 300 gross square feet of floor area. The retail portion of the development would typically require the placement of eleven (11) parking spaces. The events center portion of the development would typically require the placement of 95 parking spaces, based on one (1) parking space per 100 gross square feet of floor area. The applicant notes the events center will only operate when the retail uses are closed.

The applicant has indicated a ground sign along Geyer Springs Road. The sign will not exceed 36-feet in height and 160 square feet in sign area. Building signage is proposed on the front façade of each tenant space. The signage will not exceed ten (10) percent of the façade area of the tenants lease space.

The plan indicates the placement of a six (6) foot landscape strip along the eastern perimeter of the site. The landscape strip is within a ten (10) foot utility easement. Typically utility easements are not allowed to count towards the buffer width requirement. The northern perimeter landscape strip is indicated at four (4) feet. There is no southern landscape strip indicated on the site plan. The Landscape Ordinance would typically require each of these two (2) strips to be nine (9) feet.

The site plan indicates the placement of a dumpster on the site. The dumpster is located along the western perimeter of the site. A note indicates the dumpster will be screened per typical ordinance requirements. The hours of dumpster service will be limited to 7 am to 6 pm Monday through Friday.

The retail hours of operation are from 8:00 am to 8:00 pm seven (7) days per week. The event hours will vary but no later than 12:00 am Monday through Wednesday and Thursday through Sunday event hours are to end by 1:00 am.

*The zoning ordinance defines an event center as any privately owned property, building or portion of a building, the primary purpose of which is to be rented or leased for parties, entertainment functions, conventions, conferences, seminars, assemblies or meetings. This definition shall not include those facilities, banquet halls or meeting facilities which are an ancillary use to a permitted use within a zoning district.*

Separation requirements for event centers are to be determined by the Planning Commission so as not to adversely impact the neighborhood. Event center review shall consider the following additional requirement: (a) An event center shall not be located within seven hundred fifty (750) feet of the following: (1) A church or other religious facility. (2) A sexually-oriented business as defined by Chapter 17 of the Code of Ordinances. (3) A public or private elementary, secondary or postsecondary school, a day care center or any facility that operates programs for children or youth. (4) Any single-family or multifamily residential use, except a hotel or motel, or a residential use that is within a unified development that contains both the event center and the residential use. There are single-family homes located east of this site.

Staff is not supportive of the applicant's request. The applicant is seeking approval of an events center for the site along with retail space. The site is located adjacent to single-family homes to the east. The site plan as proposed has a driveway and parking along the rear portion of the building which concerns staff. The hours of the events center are also a concern. Staff does not feel this is an appropriate location for an events center.

J. STAFF RECOMMENDATION:

Staff recommends denial of the request.

The applicant failed to respond to comments raised at the June 6, 2018, Subdivision Committee meeting. Staff recommends deferral of this item to the August 9, 2018, public hearing.

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PLANNING COMMISSION ACTION: (JUNE 28, 2018)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant failed to respond to comments raised at the June 6, 2018, Subdivision Committee meeting. Staff presented a recommendation of deferral of this item to the August 9, 2018, public hearing. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 9 ayes, 0 noes, 1 absent and 1 recusal (Commissioner Laha).

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STAFF UPDATE:

The applicant has not provided a revised site plan to address staff comments and concerns raised at the June 6, 2018, Subdivision Committee meeting. Staff recommends deferral of this item to the Commission's September 20, 2018, public hearing.

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PLANNING COMMISSION ACTION: (AUGUST 9, 2018)

The applicant was not present. There were no registered objectors present. Staff presented the item stating the applicant had not provided a revised site plan to address staff comments and concerns raised at the June 6, 2018, Subdivision Committee meeting. Staff presented a recommendation of deferral of the item to the Commission's September 20, 2018, public hearing. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 10 ayes, 0 noes and 1 absent.

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PLANNING COMMISSION ACTION: (SEPTEMBER 20, 2018)

The applicant was present representing the request. There were no registered objectors present. Staff presented the item with a recommendation of denial.

Mr. Jason Boweknest of HALFF+Marlar Engineering addressed the Commission on behalf of the applicant. He stated the developer had met with the surrounding property owner and none had indicated opposition. He stated the number of commercial units had been reduced to three (3) but the square footage of the building remained the same. He stated the development indicated a 27-foot landscape buffer along the rear, the east, property line and the drive was indicated behind the building was a requirement of the fire department to allow for fire access.

Mr. Juan Gutierrez, the owner, addressed the Commission stating his family owned the grocery and bakery just to the south of this site and on many occasions person picking up cakes would ask where a venue was located for weddings, wedding receptions and birthday parties. He stated his family wanted to develop the events center in this location so they could keep an eye on the center and the persons renting the center. He stated his families business would be one of the first to be affected by any negative impact of the events center. He stated the center would employ off duty police officers on the occasions it was felt security was needed. He stated the homes in the area would not be impacted. He stated many of the residents frequented the grocery store and were wanting the center to be completed so they could rent the center for a venue.

There was a general discussion by the Commission concerning staff's concerns and recommendation. Commissioner Stebbins questioned if the only criteria not being met of the four (4) separation items listed for the Commission to consider when allowing an events center was the residential aspect. Staff stated this was correct but there were homes located to the east and also to the north. Staff also noted there were homes in a subdivision just to the northeast of this site.

The Commission questioned the business on the C-4, Open Display zoned property to the south. Mr. Gutierrez stated the business was his family's grocery and bakery.

Commissioner Laha stated the President of Southwest Little Rock United for Progress had been in the building attending another meeting but could not stay due to family responsibilities. He stated Southwest Little Rock United for Progress had voted to oppose the placement of the events center at this location. He stated Southwest Little Rock's experience with events centers was that even though they said they were leaving at a certain time either inside the building or outside the building persons managed to stay. He stated he happened to lived next door to a Hispanic family and sometimes their parties went on all night.

A motion was made to approve the request including all staff recommendations and comments except that of denial. The motion failed by a vote of 4 ayes, 6 noes and 1 absent.

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STAFF UPDATE:

On October 4, 2018 the Planning Commission voted to approve reconsideration of this item. New notices were sent to all owners of properties located within 200 feet of the site and the Wakefield Neighborhood Association and Southwest Little Rock United for Progress. A new legal ad was posted in the newspaper. There is no change in the application. Staff continues to recommend denial of the application.

PLANNING COMMISSION ACTION:

(NOVEMBER 1, 2018)

The applicants were present. There were no objectors present. Commissioner Laha recused. Staff presented the item and a recommendation of denial. Staff noted there was no change in the application from the September 20, 2018 hearing.

Jason Bouwknecht of Halff + Marlar Engineering addressed the commission in support of the item. He noted there was no neighborhood opposition. Mr. Bouwknecht stated Mr. Gutierrez, the owner, had obtained signatures of support from several abutting residential neighbors.

Miguel Lopez spoke in support of the application. He stated the proposed small event center was needed and wanted by the community. Mr. Lopez stated the proposed use was good for the area and would fulfill a need for a venue for small gatherings. He stated the event center would not be a problem. Mr. Lopez noted that Mr. Gutierrez owned the abutting businesses and he had made an investment in the property and the neighborhood.

Brisa Veld, of 9500 S. Heights Road, spoke in support of the item.

Mr. Gutierrez stated the events would likely end by midnight with the additional hour to 1:00 a.m. being needed to allow for time to clean-up.

There was no additional discussion.

A motion was made to approve the item with all staff comments and conditions, except the recommendation of denial. The motion was seconded and approved by a vote of 10 ayes, 0 noes, 0 absent and 1 recusal (Laha).