



City Manager's Office

MEMORANDUM

DATE: 3/24/2023

TO: Mayor and City Council

THROUGH: Doug Thornley, City Manager Approved Electronically

FROM: Angela Fuss, Assistant Development Services Director

SUBJECT: **Metro Market – Privileged Business License**

This memo is to provide City Council with a status update on the Metro Market property located at 595 Booth Street. The Metro Market privileged business license was pulled from the consent agenda at the November 9th, 2022 City Council hearing, and Council voted to continue the item, pending additional information from staff. Councilmembers asked for clarification as to how the project conforms to the existing special use permit, which was previously approved in 2012.

For background information, on April 5, 2012, the Planning Commission approved the request for a special use permit (LDC12-00034) to allow for 1) a convenience store within an existing building located in the Neighborhood Commercial (NC) zoning district and; 2) a commercial development within 300 feet of a secondary school. Seven conditions of approval were specified in the decision letter, which is attached.

Over the past four months, Code Enforcement and Development Services staff have worked with the property owner and tenant to address outstanding enforcement items. A list of those items is provided below:

- Per Condition of Approval #5 – A “right turn only” sign at the driveway onto Foster Drive has been added.
- Per Condition of Approval #6 – Dark Sky lighting was installed with the previous business from 2012 and is still being maintained.
- Per Condition of Approval #7 – No adult materials or simulated drug paraphernalia is allowed to be sold at the store.
- Landscaping requirements: The dead turf has been replaced with new turf. No new landscaping is required for a business license other than to maintain the legally established landscaping. A new landscape plan would only be required at the time of a building expansion or modification.

- Sign requirements: A sign permit (SGN23-06305E) for a new 30 square foot wall sign has been submitted and approved.
- Trash enclosure: The trash enclosure has been relocated from the parking lot to the rear of the building.