RESOLUTION 08-12014

A RESOLUTION DETERMINING LIVE ENTERTAINMENT PETITION 08-LE04 AND RESIDENTIAL IMPACT STATEMENT PETITION 08-RISO4 FOR LIVE ENTERTAINMENT AT SUSHI THAI TOO LOCA TED AT 898 5TH AVENUE SOUTH, MORE FULLY DESCRIBED HEREIN; SUBJECT TO THE CONDITIONS LISTED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 56-125 and 56-151 of the Code of Ordinances provide the provisions for a live entertainment permit and residential impact statement; and

WHEREAS, Section 56-155 of the Code of Ordinances provides the provisions for a commercial development to extend hours of operation; and

WHEREAS, Sushi Thai Too, petitioner, has requested live entertainment and residential impact statement approval for indoor live entertainment consisting of a disc jockey from 10 p.m. to 2 a.m., Fridays and Saturdays; and

WHEREAS, George Montes, agent, has been authorized by the owner, Susanne Schache/Provident Naples to file this petition; and

WHEREAS, after providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council finds that the criteria for granting the petition have been met and that the petition should therefore be approved;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Live Entertainment Petition 08-LE04 is hereby approved for Sushi Thai Too located at 898 5th Avenue South, more fully described as:

   The East 45 feet of Lots 1 to 4, inclusive, and the East 45 feet of the North 25 feet of Lot 5, Block 15, Tier 9, REPLAT OF NAPLES SEABOARD & GULF RAILWAY CO., per plat thereof recorded in Plat Book 1, Page 59, Public Records of Collier County, Florida

Section 2: That Residential Impact Statement Petition 08-RISO4 is hereby approved for Sushi Thai Too.

Section 3. That approval of this Live Entertainment Petition is subject to the following conditions:

   1. Live entertainment shall be only indoors, with the windows and doors closed and consist of a disc jockey from 10 p.m. to 11:30 p.m., Fridays and Saturdays.

   2. Noise levels shall comply with the Code Section 22-37, "Noise."

   3. This live entertainment approval shall expire annually and may be renewed annually.
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4. In addition to any other enforcement action or penalty provided by ordinance or law, failure to comply with the conditions contained herein may subject the holder to revocation of the permit, in accordance with the City of Naples revocation ordinance (02-9778).

Section 4. That this resolution shall take effect immediately upon adoption.


Bill Barnett, Mayor

Attest: Tara A. Norman, City Clerk

Approved as to form and legality:
Robert D. Pritt, City Attorney

Date filed with City Clerk: 4/28/08