



Legislation Details (With Text)

File #: 18-2986 **Version:** 3 **Name:** Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Bar, Eating Place, and Outdoor Entertainment Uses on Approximately 0.297 Acres Located at

Type: Ordinance **Status:** Passed

File created: 11/28/2018 **In control:** City Council

On agenda: 1/28/2019 **Final action:** 1/28/2019

Title: Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Bar, Eating Place, and Outdoor Entertainment Uses on Approximately 0.297 Acres Located at 101 E. Kimball Street.; Debi and Billy McGill of Crescent Moon Drink Café (ZC#18-027)

Sponsors: Joe Smolinski, Lisa Sudbury

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Maps and Supporting Information, 3. Project Narrative, 4. Exhibit A, 5. Exhibits B - D, 6. Revision Description 01-04-19

Date	Ver.	Action By	Action	Result
1/28/2019	3	City Council	Approved on Third And Final Reading	Pass
1/14/2019	2	City Council	Approved on Second Reading	Pass
12/10/2018	1	City Council	Approved on First Reading	Pass

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Bar, Eating Place, and Outdoor Entertainment Uses on Approximately 0.297 Acres Located at 101 E. Kimball Street.; Debi and Billy McGill of Crescent Moon Drink Café (ZC#18-027)

To consider the subject zoning change request.

The Planning and Zoning Commission held a public hearing on November 19, 2018. There was discussion about several items, including parking, proximity to existing residential uses, lighting, sound, the restroom setup, hours of operation, and the type of food that would be served. The Commission voted 6-0 (Smithee absent) to approve with the condition that the Landscape Plan is revised to include the deviations as it relates to required landscape setbacks along street frontages and that two standard parking spaces that had been proposed are converted to an additional handicap-accessible parking space. The applicant has submitted revised plans that address these conditions.

First Reading

The subject property consists of 0.297 acres, developed with a 2,000± sq. ft. single-story wood frame residence with attached garage that was built in the 1950s. The property is situated at the northeast corner of South Main Street and Kimball Street.

Zoning Request

The applicant is requesting to re-zone the property from C-2 Community Business District to PD Planned

Development District for bar, eating place, and outdoor entertainment uses. The applicant plans to repurpose the property for a drink café called Crescent Moon Drink Café that will source drinks from local coffee roasters, breweries, wineries, and food suppliers and will allow local artists and musicians to showcase their crafts and talents. They intend to keep the character of the older residence intact, while making additions to support the functionality of the business and accommodate patrons.

Development Plan

The applicant will keep much of the existing structure (1,703 sq. ft.) intact. Most of the attached garage will be demolished, but the façade of the garage will be preserved. In place of the garage and extending into the property's backyard, the applicant plans a 1,532 sq. ft. exterior wood deck that will include stairs and ramps to allow patrons to access the backyard area. Attached to the north side of the main structure, the applicant will add a 120 sq. ft. walk-in freezer. In the northeastern portion of the property, the applicant plans a 214 sq. ft. outdoor stage with a 1,422 sq. ft. stage viewing area. A 96 sq. ft. restroom building will be located in the northwestern portion of the property and will serve patrons in the outdoor portion of the business. A new 8' wood stockade fence will be constructed along much of the northern and eastern perimeter of the property and connecting to the main structure. The fence will be setback 6' from the property line adjacent to Main and will not extend forward of the building along Kimball. Gate entrances will be provided off both Kimball and Main. In addition to the gate entrances to the yard, the building will include two public entrances in the southwestern portion of the building as well as a public entrance to the outdoor deck, all with sidewalk connections to Kimball. Patrons will also be provided with direct access from the building to the outdoor deck.

The applicant notes that 67 parking spaces would ordinarily be required for the various uses and the sizes of the different active elements of the property. Due to space constraints and the desire to preserve the residential character of the property, the applicant will not be providing any on-site standard parking spaces, however they will be providing two accessible off-street parking spaces to meet the accessible parking requirement. The parking spaces will be directly off of Kimball Street, behind a proposed sidewalk. For standard parking, the applicant will rely on existing public parking lots in downtown, as well as new public parking spaces to be provided with improvements to South Main Street.

The applicant will provide a trash enclosure in the southeastern portion of the property, directly off of Kimball Street. The applicant notes that it will be screened in accordance with the regulations of Section 7301.B of the Zoning Ordinance and also notes that all equipment will be screened in accordance with the regulations of Section 7301.A of the Zoning Ordinance. The applicant also notes that there will be no outside storage on the property. The applicant is proposing a monument sign for the southwestern portion of the property near the intersection of Main and Kimball and notes that all signage on the property will comply with the regulations for C-2 zoned property as stated in the Zoning Ordinance.

Elevations

The provided Elevations indicate that the existing white-painted wood façade of the structure will be kept intact. In addition, the exterior restroom building will be white-painted wood to match the main building, with metal accents. The main building will be 88% wood and 12% glass, while the restroom building will be 87% wood and 13% metal. The applicant has also indicated that the wood decking will be treated. The trash enclosure will be masonry in accordance with Zoning Ordinance requirements. 3D perspectives/renderings have been provided that better illustrate how the property will look from various angles. These renderings show patio furniture on the deck as well as in the grassy stage viewing area.

Landscape Plan

As indicated in the Landscape Plan, the applicant will preserve eleven existing trees on the property, including four in front of the building and seven in the backyard area. The applicant will also be adding seven ornamental trees: four along the east fence line, two along the north fence line, and one in front of the former garage. Shrubs will be planted along the foundation of the building facades facing public streets, and along the fence line facing Main Street. While the applicant is unable to meet the 20' landscape setback that is typically required for commercial properties along street frontages (due to the orientation of the existing

building and the limited areas available to provide parking), staff notes that the applicant has endeavored to preserve the existing trees in front of the building and has agreed to provide a 6' landscape setback between the fence and the property line along Main Street to enhance the appearance of the property given its high-visibility location.

Summary

The proposed development will provide for a unique mix of uses that will add to and complement the existing dining and entertainment uses in downtown, preserve the character of an existing older property, and provide for enhancements including additional landscaping and an outdoor dining and entertainment area. Staff and the Planning & Zoning Commission are concerned about the lack of on-site parking (including employee parking) and the reliance on limited public parking facilities in downtown. Two accessible spaces are provided on Kimball Street. The South Main Street improvements will add public parking, and staff is recommending a detailed parking analysis be conducted as part of a downtown master plan update. But land uses with a higher parking demand need to be considered more carefully. Many downtown properties have constraints that make on-site parking impractical, particularly if the preservation of trees and historic structures are goals.

Second Reading - January 14, 2019

The City Council held a public hearing and first reading on December 10, 2018 and voted 7-0 to approve with the condition that the fence facing Main Street be changed from a wood fence to a wrought iron fence. There was also discussion about parking. The applicant has updated the Development Plan and page 2 of the Elevations to show that the fence facing Main Street and the gate entrance on the west side of the building (facing Kimball Street) have been changed to wrought iron.

Third Reading - January 28, 2019

The City Council held a Public Hearing and Second Reading on January 14, 2019 and voted 7 - 0 to approve as presented.

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