

Late Backup

Zoning Case

#C14-2012-0097

Both city staff and the planning commission have recommended this rezoning against the wishes of the neighbors and both the Allandale and Brentwood Neighborhood Associations.

City staff writes about the location:

".. Houston Street exhibits classic "step-down" zoning regarding land use districts with CS or commercial zoning adjacent to Burnet Road, then LO or office zoning as you go deeper into the neighborhood and MF or multi-family zoning prior to reaching the SF or single family residence district further in the neighborhood."

Also stated in the basis for recommendation:

"Granting the requested zone change will not be a detriment to the neighborhood as the property has been used as a commercial use in the past and fronts on a major arterial property.

In addition, staff response:

"Zoning changes **should** promote compatibility with adjacent and nearby uses and **should** not result in detrimental impacts to the neighborhood character."

Response:

- It has been an office with low traffic and not a high traffic commercial use.
- There are significant differences between commercial office space and a bar.
- City ordinances have designated distances between bars/bar parking and other residential uses. See below, Chapter 25-5-145
- The other side of the property fronts to a residential neighborhood
- The step down going north on Clay Ave. immediately goes into a multi family or single family residence. Clay will be a heavily trafficked street for entry and exit if this is allowed as few if any customers will want to enter/exit off Burnet.

Chapter 25-5-145

As a condition of approval for a conditional use site plan, a parking area for a cocktail lounge or a restaurant with a late-hours permit must be separated from a property used or zoned townhouse and condominium residence (SF-6) district or more restrictive by not less than 200 feet.

