



## Recommendation for Action

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**File #:** 19-1368, **Agenda Item #:** 81.

3/28/2019

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### **Posting Language**

Conduct a public hearing and consider an appeal by interested parties regarding the decision by the Development Services Department to issue an Outdoor Music Venue permit to Yard Bar, located at 6700 Burnet Rd.

### **Lead Department**

Development Services Department

### **Fiscal Note**

There is no financial impact.

### **For More Information:**

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### **Additional Backup Information:**

On December 14, 2018, the Development Services Department approved an Outdoor Music Venue (OMV) permit application for a venue known as the Yard Bar, located at 6700 Burnet Rd.

Between December 31, 2018 and January 3, 2019, Carol Vaughan, Elaine Robbins, John and Lynda Faught, and Kevin Smith, notice owners of single-family uses located within 600 feet of Yard Bar, appealed approval of the permit on the basis that outdoor music is not compatible with nearby uses, and that the health and safety of residents living in the area will be compromised due to increased traffic during live music events.

Chapter 9-2-54(B) and 9-2-56 of the City Code provides that an interested party may appeal a decision if they are:

- The applicant;
- The notice owner of a single-family use located within 600 feet of the proposed outdoor music venue;
- The notice owner of a multi-family use located adjacent to the venue (for new permits only); or
- A registered neighborhood organization whose declared boundaries are within 600 feet of the proposed venue.