

Draft Minutes for the January 3rd, 2017 Planning Commission Regular Meeting

PZ-16-062: Public hearing and recommendation to City Council regarding a requested rezoning to apply a Special Use Permit to allow a mixed-use development including office, private print shop, retail, coffee house and residential/bed and breakfast in the “C-2” General Business and “R-2” Single-Family and Two-Family Districts on 0.66 acres, Lots 2, 3, 11, 12 and 13, New City Block 4048, addressed at 1260 S. Business 35.

(Applicant: Carolyn Lehmann dba WishList Direct; Case Manager: B. Campbell)

Mr. Campbell presented the Staff report and recommended approval of the SUP with the following conditions:

1. Finalize the parking design with a minimum of 24 spaces providing appropriate pavement surfaces and striping.
2. City Engineering will have final design approval of any proposed vehicular gating systems for parking lots.
3. Limit the listening room for acoustic music only.
4. The hours of operation of the listening room and the office uses shall not overlap, to provide for shared parking.
5. Amend the Future Land Use Plan Map to ‘Commercial.’
6. Expansion of structures or changes in uses not identified on the approved site plan or in the ordinance will require an amendment to the Special Use Permit through the rezoning process.

Chair Elrod invited anyone in favor of the SUP to speak.

The applicant, Carolyn Lehmann, 1309 Stonewall Street, elucidated upon her proposed development.

Cynthia Acker Schlather, 1107 W. Coll Street, inquired about what time the music would end.

Discussion followed regarding the proposed listening room and its potential noise impact.

Chair Elrod invited anyone opposed to the SUP to speak.

Juan Gonzales, 1206 W. Coll Street, stated that he wanted the neighborhood kept quiet.

Motion by Vice Chair Edwards, seconded by Commissioner Sonier, to close the public hearing. The motion carried. (9-0-0)

Commissioner Nolte stated that he was concerned about the acoustic sound since it could still be amplified. He said that he would not like to have any outdoor music at the site. Staff confirmed that the Zoning Ordinance prohibits outside music adjacent residential uses or zoning.

Commissioner Laskowski said that he would like to see the corrugated metal fence along S. Business 35 framed in cedar.

Ms. Lehmann said that she was amenable to that design.

Motion by Commissioner Nolte, seconded by Commissioner Hoyt, to recommend denial of the requested rezoning to apply a Special Use Permit to allow a mixed-use development including office, private print shop, retail, coffee house and residential/bed and breakfast in the “C-2” General Business and “R-2” Single-Family and Two-Family Districts on 0.66 acres, Lots 2, 3, 11, 12 and 13, New City Block 4048, addressed at 1260 S. Business 35. The motion failed (3-6-0) with Chair Elrod, Vice Chair Edwards, and Commissioners Conkright, Sonier, Laskowski and Tubb dissenting.

Motion by Vice Chair Edwards, seconded by Commissioner Sonier, to recommend approval of the requested rezoning to apply a Special Use Permit to allow a mixed-use development including office, private print shop, retail, coffee house and residential/bed and breakfast in the “C-2” General Business

and "R-2" Single-Family and Two-Family Districts on 0.66 acres, Lots 2, 3, 11, 12 and 13, New City Block 4048, addressed at 1260 S. Business 35 with the following conditions and Staff recommendations:

1. That the corrugated metal fence along S. Business 35 be framed with cedar timbers and;
2. that the music for Building 1 be restricted to the inside of the structure.

The motion carried (6-3-0) with Commissioners Bearden, Hoyt and Nolte dissenting.

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