



Legislation Details (With Text)

File #: ORD. 2016-267 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 9/8/2016 **In control:** City Council

On agenda: 11/14/2016 **Final action:** 11/14/2016

Title: To amend and reordain Ord. No. 84-228-207, adopted Sept. 24, 1984, as previously amended by Ord. No. 84-253-226, adopted Oct. 22, 1984, and Ord. No. 2010-30-38, adopted Feb. 22, 2010, which authorized the special use of the property known as 5611 Grove Avenue for the purposes of personal services and non-medical office uses, to authorize retail stores and shops and art galleries, upon certain terms and conditions.

Sponsors: Mayor Jones (By Request)

Indexes: Special Use Permit

Code sections:

Attachments: 1. Ord. No. 2016-267, 2. Staff Report, 3. Application & Applicant's Report, 4. Location Map, 5. Letters of Support

Date	Ver.	Action By	Action	Result
11/14/2016	1	City Council	adopted	
11/7/2016	1	Planning Commission	recommended for approval	Pass
10/10/2016	1	City Council	introduced and referred	

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O & R Request

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor (Patron: Mayor, by Request)
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

RE: SUP Amendment for 5611 Grove Avenue

ORD. OR RES. No.

PURPOSE: To amend Ord. No. 2010-30-38, adopted January 25, 2010, which authorized the property known as 5611 Grove Avenue for the purposes of personal services and non-medical office uses, to authorize retail stores and shops and art galleries, upon certain terms and conditions.

REASON: The subject property is a two-story, single-family dwelling that was authorized for conversion and use as an interior design studio in 1984. In 2010, the ordinance was amended to authorize additional personal service and office uses. The applicant is requesting the authorization of additional personal service uses as well as retail store and shop and art gallery uses. Therefore, the applicant is requesting an amendment to the current special use permit

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its November 7, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property is located on the south side of Grove Avenue between Libbie and Granite Avenues and is located on a parcel with approximately 6,682 square feet of land area. The property is improved with a two-story dwelling originally constructed in 1920 with approximately 1,666 square feet of floor area. In 1984, Ord. No. 84-253-226 authorized the conversion and special use of the property as an interior design studio with associated retail. In 2010, the ordinance was amended to include additional personal service and office uses. As part of a condition of this ordinance, the building retained its single-family dwelling appearance and scale.

The applicant is requesting an amendment to the existing special use permit that would authorize an additional commercial use to be located in the building. The additional commercial use would be limited to retail store and shops and art galleries. No exterior or interior modifications to the building are proposed.

The property is located in the R-4 Single Family Residential district which does not permit commercial uses. Under normal zoning requirements, six parking spaces would be required for the proposed and existing commercial uses. Six parking spaces are currently provided at the rear of the building accessible via a driveway from Granite Avenue. This parking area is paved and screened from adjoining properties by evergreen landscaping.

A number of properties to the north across Grove Avenue and adjacent along the street to the east are also single-family detached dwellings in the R-4 districts that are authorized by special use permits for office and retail uses. In total, 9 properties in the immediate vicinity of the subject property are authorized by special use permits for commercial uses. Properties to the west along Grove Avenue are zoned in the UB-P01 Urban Business district and a part of the Libbie and Grove shopping area and include numerous commercial uses including retail, office and restaurant. Properties to the south consist primarily of single-family detached dwellings zoned in the R-4 Single Family Residential district.

The Master Plan designates the subject property as being in a "Transitional Office" area that includes low to medium intensity professional, business, and administrative offices that are compatible with adjacent residential uses and serve as a separation between residential area and nearby commercial uses.

FISCAL IMPACT / COST: Staff time for processing the request; preparation of draft ordinance; and

publishing, mailing and posting of public notices.

FISCAL IMPLICATIONS: The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

BUDGET AMENDMENT NECESSARY: No budget amendment is necessary.

REVENUE TO CITY: \$1,200 application fee.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: October 10, 2016

CITY COUNCIL PUBLIC HEARING DATE: November 14, 2016

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, November 7, 2016

AFFECTED AGENCIES: Office of Chief Administrative Officer; Law Department (for review of draft ordinance); City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORDINANCES: None.

ATTACHMENTS: Application Form, Applicant's Letter, Draft Ordinance

STAFF: Willy Thompson, Senior Planner; Land Use Administration (Room 511); 646-5734

Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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