



Legislation Details (With Text)

**File #:** ORD. 2018-184    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Adopted

**File created:** 4/30/2018    **In control:** City Council

**On agenda:** 7/23/2018    **Final action:** 7/23/2018

**Title:** To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

**Sponsors:** Mayor Stoney

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. No. 2018-184, 2. Staff Report, 3. Floor Plan, 4. Management Plan, 5. Survey, 6. Application Form & Applicant's Report, 7. Map

Date	Ver.	Action By	Action	Result
7/23/2018	1	City Council	adopted	Pass
7/2/2018	1	Planning Commission	recommended for approval	
6/11/2018	1	City Council	introduced and referred	

To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

**O & R Request**

**DATE:** May 1, 2018    **EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor  
**(This is 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:** To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

**ORD. OR RES. No.**

**PURPOSE:** To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

**REASON:** The entertainment activities, hours of operation, and alcohol sales at certain times of day within the bowling alley are considered, by the Zoning Ordinance, to be nightclub activities. A conditional use permit is therefore required.

**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 June 18, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a 1.76 acre parcel of land recently improved with a commercial building containing a boutique bowling alley with 20 bowling lanes and a restaurant. The entertainment, activities, and hours of operation aspects of the bowling alley are considered, by the Zoning Ordinance, to be nightclub activities. A conditional use permit is therefore required.

The property is a part of the Scott's Addition area in the Near West Planning District. The subject property is designated by the City's Pulse Corridor Plan for Nodal Mixed-Use land uses. This designation provides the following description, characteristics, and land use implications:

- Transit oriented district located immediately adjacent to the Pulse BRT or other frequent transit service at key gateways and prominent places in the city in order to provide for significant, urban form development in appropriate locations.
- Higher density pedestrian- and transit-oriented development encouraged on vacant and underutilized sites; new development should be urban in form and may be of larger scale than existing context. It should directly engage with the prominence of Nodal Mixed Use places and the public realm
- Highly active street frontages and urban design features that encourage pedestrian activity required

The current zoning designation for this property and surrounding properties is TOD-1 - Transit-Oriented Nodal District.

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

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** No.

**REVENUE TO CITY:** \$1,600 application fee

**DESIRED EFFECTIVE DATE:** Upon Adoption.

**REQUESTED INTRODUCTION DATE:** May 29, 2018

**CITY COUNCIL PUBLIC HEARING DATE:** June 25, 2018

**REQUESTED AGENDA:** Consent.

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, June 18, 2018.

**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 ORD. OR RES.:** None.

**REQUIRED CHANGES TO WORK PROGRAM(S):** None.

**ATTACHMENTS:** Application Form, Applicant's Report, Management Plan, Draft Ordinance, Plans, Survey, Map.

**STAFF:** Jonathan Brown, Senior Planner  
Land Use Administration (Room 511) 646-5734

*PDR O&R No. 18-32*

Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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