

Removal of Special Zoning Conditions on 224 E 8th St Property

The event center owner (applicant) is requesting the **removal of the special zoning conditions** on the property that **requires the City Council to approve the addition of new commercial uses that can operate on the property**. This special zoning condition was placed on the property by the City Council in 1992 due to the sensitive location of the property to single family homes and the Presbyterian Church. Currently, only single family, automotive repairs (see Background below), office and event center (added in 2013) uses are allowed on the property.

If the applicant's request is approved, **current and future owners will be able to operate any business** that is allowed under the Mixed Use–Downtown (MU-DT) zoning, **without any public input or action by the City Council**. Many MU-DT uses would fit nicely into the neighborhood, but there are others that would have a very detrimental effect on the quality of life and property values in the neighborhood. Due to the closeness of residential homes and the church, along with the current lack of parking in the area, certain business uses are not appropriate for the property and would have a major negative effect on the neighborhood if they were allowed to operate on the property (see list below).

Without the existing Special Zoning Conditions on the property, current and future owners could operate a Micro Brewery/Restaurant with Live Music without any public input or City Council approval. This is a very realistic possibility, since City Staff have been trying to get a Micro Brewery or Micro Winery with Live Music to locate in the Downtown area for years.

Friendly MU-DT Uses for Next to a Neighborhood

Bed and Breakfast
Inn
Artisan Studio & Gallery
Banking & Financial Services
Veterinary Clinic, Indoor Pens Only
Home Health Care Services
Medical or Dental Office
Personal Services
Consumer Repair

(See Unified Development Code Section 5.04 Commercial Uses.)

Unfriendly MU-DT Uses for Next to a Neighborhood

Micro Brewery
Micro Winery
Live Music or Entertainment
Restaurant
Dry Cleaning Service - Laundromat

Background. In 1992 after leasing for years, Dale Conway wanted to buy the property from Kelsey Anderson for his small auto repair business through a SBA loan. SBA wouldn't approve the loan since it was a non-conforming business operating on a single family zoned property. Dale requested the property be re-zoned to commercial, but the City's Planning & Zoning Commission rejected the request due to the closeness of other single family homes and the church. After discussions with the residential neighbors, the City Planner reached an acceptable compromise that would re-zone the property from single family to commercial, but add special zoning conditions that would not allow other commercial uses unless approved by the City Council.