

Application #: **ZA-23-18-7 – APPROVED / STIPULATIONS**
Existing Zoning: DTC-Evans Churchill West ACSBO
Location: 901 and 905 North 1st Street
Quarter Section: 11-28(F8)
Proposal: Use permit to allow alcohol sales and service within an entertainment district requiring an exemption. Use permit required.
Ordinance Sections: 307.A.17.a.
Applicant: Hartley Rodie, Churchill, LLC
Representative: William F Allison, Withey Morris, PLC
Owner: Hartley Rodie, Churchill, LLC

ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
PLANNER: EDWARD KEYSER, PLANNER II

Speaking in favor was Bill Allison.

DECISION: This request for a use permit was approved with the following stipulations:

- 1) Outdoor area to be sufficiently lit and contained to discourage any unlawful activity. Precinct Commander, or designee, will approve lighting, containment area and security personnel at their discretion.
- 2) “No trespassing” signs must be posted and an authority to arrest for trespassers form must be signed to deter loitering and unwanted guests.

FINDINGS OF FACT: A use permit allowing alcohol sales is consistent with the spirit and intent of the entertainment district. Further, approval of this use permit is consistent with the previously approved use permits for this location (ZA579-16-7). All activity relating to the granting of the use permit will be physically contained and will not result in the emission of noise, smoke, heat, glare, etc.

SUMMARY: Mr. Allison, representing the applicant, explained that the request was for the “Churchill” and that the request was to reduce the setback requirements of 300 feet between a place that serves alcohol and a place of worship. He noted that this site had had multiple variances and use permits approved previously. He detailed that this would be a mixed use project to include live entertainment, educational opportunities and would use shipping containers for the buildings on site. He added that the containers would be along the perimeter of the site and activities would be internal to the site. He revealed that all tenants on this site would be required to donate a portion of their proceeds to a charitable organization. He speculated that the stipulations suggested by the Police Department were already in place. He noted that this use permit would be the final piece necessary in order to finalize construction documents.

Mr. Allison added that the state would require that this type of use be within an entertainment district. He noted that this hearing would be a pre-cursor to a hearing at the city council. He gave details about the progress of the development and believed

that 60 days would be sufficient to obtain building permits, since development had already begun.

Mr. Steblay approved the request as noted above.

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