

Attachment A - Zoning Adjustment Summary

Zoning Adjustment Hearing
December 13, 2018

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Application #: ZA-590-18-7 – APPROVED / STIPULATION
Existing Zoning: DTC-Downtown Gateway HP ACOD
Location: 913, 915, and 917 North Central Avenue
Quarter Section: 11-28(F8)
Proposal: 1) Use Permit to allow a bar in the Downtown Code-Downtown Gateway District. Use Permit required. 2) Use Permit to allow alcohol sales and service within 300-feet of a church in an entertainment district. Use permit required.
Ordinance Sections: 1204.D 307.A.17.a
Applicant: Taylor C. Earl, Earl, Curley and Lagarde, P.C.
Representative: Taylor C. Earl, Earl, Curley and Lagarde, P.C.
Owner: Kenco AZ, LLC

ZONING ADJUSTMENT HEARING OFFICER: RAY JACOBS
PLANNER: ERIC MORALES, PLANNER II

Speaking in favor was Taylor Earl.

Present in support was Greg Esser and Charles Duff.

DECISION: This request for a variance and use permit was approved with the following stipulation:

- 1) 1 year to apply and pay for building permits.

FINDINGS OF FACT:

1. The request is for the reuse of the Desoto Market from a restaurant to a bar. The level of related activity should not generate additional traffic in the adjacent residential areas.
2. The request will not generate environmental factors that impact surrounding properties.
3. The nearby church is in support of the request as well as various neighborhood organizations. No concerns were expressed. The reuse of the property should have a positive impact on the neighborhood.

SUMMARY: Mr. Earl stated that the request was to reopen the Desoto building that was previously run as a restaurant for about 3 years. He stated that the new owner wished to operate the location as a bar with the sale of food. He noted that he did not anticipate to sell as much food as the previous owner which required the business to operate with a bar liquor license and not a restaurant liquor license. He pointed out that the nearby place of worship was not opposed to the proposal. He noted that they had support from neighborhood associates and nearby groups in the community. He stated that the new owner had a number of other establishments that were successful in the area. He felt that the re-opening of this location would be a benefit in the area.

Mr. Jacobs noted that the property has history of similar uses and was supported by the community. He approved the requests as noted above.

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