



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** June 8, 2020
SUBJECT: SUP 2020-03, Ordinance No. 3654, Public hearing and consideration of a request from Dominique Van Ausdall for a revised special use permit for a brewpub at 7924 Maplewood Avenue, being 0.8 acres described as Lots 2R and 6, Block 23, Clear View Addition.
PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of False Idol Brewery, Dominique Van Ausdall is requesting a revised special use permit for a brewpub on 0.8 acres located at 7924 Maplewood Avenue.

GENERAL DESCRIPTION:

The property is located on the southwest side of Maplewood Avenue just northwest of the street intersection with Boulevard 26. The site is the former location of an automobile repair shop. The building has existed on the site since at least 1979. The applicant is currently renovating and remodeling the building for a brewpub use called [False Idol Brewing](#).

In 2019, a special use permit (SUP) was approved for the site to allow the brewpub use and establish development standards for the property. The SUP was approved by City Council on April 8, 2019 (Ordinance No. 3577).

The applicant is proposing revisions to the SUP to address construction costs and financing associated with the renovation of the property. The revisions proposed by the application include the following items, which are described in detail below: (1) screening walls, (2) landscaping, (3) building design, and (4) refuse container screening.

Screening wall

Section 118-871 of the zoning ordinance establishes requirements for masonry screening walls. A six-foot tall masonry screening wall is required on the common property line between the brewpub site and the two adjacent residential properties. The site plan approved as part of the SUP specifies a textured concrete panel wall. This type of wall has been used in similar applications in the city.

The applicant proposes to modify this requirement to construct two different types of walls on the property. A concrete panel wall would be constructed adjacent to the residential property facing Maplewood Avenue. A vinyl fence would be constructed adjacent to the property facing Birchwood Avenue. The proposed vinyl fence design is similar to the fence constructed at Pup Hub Boarding (5417 Davis Boulevard).

The Development Review Committee recommends that the concrete panel wall be constructed as required by the zoning ordinance and approved site plan. Masonry screening walls are a long-standing standard for commercial construction that protects residential property values; reduces long-term maintenance and enforcement issues; and mitigates noise, light, and odors generated by commercial properties. The fence proposed as an alternative solution was recently approved on a small redevelopment case; however, that case provided a concrete panel wall on the common residential property line. The alternative vinyl fence was allowed only on the side property lines that are adjacent to commercial.

Landscaping

A landscape plan was approved as part of the original SUP application. The plan includes tree and shrub plantings adjacent to Maplewood Avenue, a buffer yard adjacent to the residential properties, and parking lot trees. In addition, the SUP standards allowed the applicant to defer the planting of the eight trees and associated irrigation system in the buffer yard until one year after the issuance of the certificate of occupancy of the building.

During the renovation of the property, landscaping was installed that is not consistent with the approved landscape plan. The applicant is requesting approval of revised landscape requirements for the site as described below. If approved, a revised landscape plan must be submitted.

STANDARD	APPROVED SUP	PROPOSED CONSTRUCTION
Landscape setback (Maplewood Ave)	<ul style="list-style-type: none"> ▪ Four (4) trees 	<ul style="list-style-type: none"> ▪ Three (3) trees
Buffer yard (residential adjacency)	<ul style="list-style-type: none"> ▪ Four (4) Live oak trees ▪ Three (3) Afghan pine trees 	<ul style="list-style-type: none"> ▪ Five (5) Desert willow trees
Parking lot landscaping	<ul style="list-style-type: none"> ▪ Three (3) trees 	<ul style="list-style-type: none"> ▪ Waiver of required trees

Building design

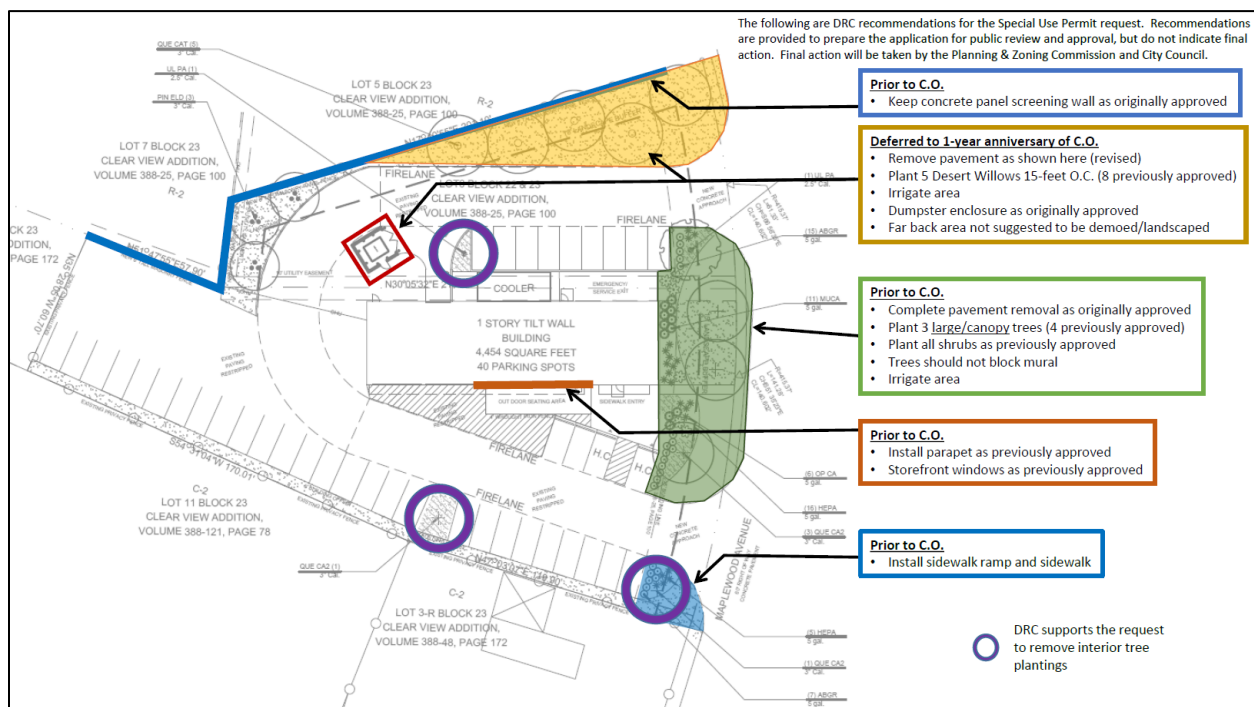
The original SUP approval included architectural design for the building exterior and removal of pavement in some areas of the property. The building design included a central parapet feature on the south elevation, which served as both a screening device for roof-mounted equipment and as an area for signage. The building design also included the replacement of two metal overhead doors with two glass overhead doors.

The applicant installed a screening device around the roof-mounted equipment and proposes to substitute this device for the central parapet feature. The applicant also is requesting to retain the existing metal overhead doors on the building. The exhibits below show the building design approved as part of the original SUP and the proposed building with screening device and existing overhead doors.

STANDARD	APPLICANT PROPOSAL
Pavement removal	<p><u>Six (6) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> Remove pavement between southern driveway and entrance Stripe parking as originally approved <p><u>Twelve (12) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> Remove pavement between northern driveway and adjacent residential property
Refuse container enclosure	<p><u>Twelve (12) months from Certificate of Occupancy</u></p> <ul style="list-style-type: none"> Construct refuse container enclosure as originally approved

Since the deferral to complete some site improvements was included in the original SUP approval, the DRC supports a phased approach for the revised proposal. However, the DRC recommends that the time frames be modified so that most improvements are made prior to the issuance of a certificate of occupancy, with other improvements being completed within one year of issuance. The table and graphic below summarizes the DRC recommendation.

TIMEFRAME	DRC PROPOSAL
Prior to Certificate of Occupancy	<ul style="list-style-type: none"> 6-foot masonry screening wall and all exterior building improvements, pavement removal and landscaping except as otherwise described below.
Deferred to 1-Year after C.O.	<ul style="list-style-type: none"> Pavement removal, irrigation and landscaping of west property line (yellow below) and the dumpster enclosure



DEVELOPMENT REVIEW COMMITTEE RECOMMENDATION FOR SITE AND BUILDING IMPROVEMENTS



LAND USE PLAN: This area is designated on the Land Use Plan as Retail Commercial. This category provides sites for community and regional shopping centers, commercial establishments, and employment centers.

CURRENT ZONING: The property is currently zoned C-2 Commercial. The C-2 district is intended to provide for the development of retail and general business uses primarily serving the community and region. Uses include a wide variety of business activities and may involve limited outside storage, service, or display. The C-2 district should be located away from low and medium density residential development and should be used as a buffer between retail and industrial uses. The district is also appropriate along business corridors as indicated on the comprehensive plan.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-1 Commercial R-4-D Duplex	Commercial Low Density Residential	Shopping center Duplex
WEST	R-2 Single-Family Residential	Low Density Residential	Single-family residences
SOUTH	C-2 Commercial C-1 Commercial	Retail	Automobile dent repair shop Insurance office Swimming pool sales and service store
EAST	C-2 Commercial C-1 Commercial	Commercial Retail	Automobile sales lots (used)

PLAT STATUS: The property is currently platted as Lots 2R and 6, Block 23, Clearview Addition.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the May 21, 2020, meeting and voted 6-0 to recommend approval subject to a waiver of the parapet wall and glass bay door requirements, and with all other site improvements being completed by issuance or certificate of occupancy or deferred to one year after issuance as recommended by the Development Review Committee.

RECOMMENDATION:

Approve Ordinance No. 3654.