

of approval would require additional, specific review and approval by the Town to ensure compatibility due to the Downtown's unique characteristics and potential impacts to the surrounding neighborhood (even if the proposed use fits within the Zone's general purpose). This 'special exception' requirement is planned to be proposed for amendment by Staff at a later date pursuant to direction provided by the Town Commission. The proposed amendment intends to permit restaurant uses within the Park Avenue Downtown District (PADD) to encourage increased investment and public use and engagement within this area of our community.

A special exception use approval by the Town Commission is required for the proposed new restaurant use due to the fact that the previous restaurant that was approved for this space has been vacant for over 90 consecutive days and has lost its legal, nonconforming status as provided within the Town's LDR's.

Additionally, to permit this type of special exception, the LDR's requires that the proposed use meet six (6) general criteria, which the Community Development Department has determined to be met. Further, there are no negative impacts anticipated and the proposed restaurant is expected to contribute to the vitality and growth of the Downtown.

The Planning and Zoning Board held a public hearing and considered the proposed restaurant use during their March 2, 2026 Regular Meeting and recommends approval with conditions to the Town Commission.

As a result, the proposed special exception (restaurant) use is being presented to the Town Commission for consideration. If approved, the special exception use will be effective immediately and the proposed restaurant will be able to proceed forward with operations. This project is being reviewed for permit approval concurrent with the special exception request.

Note: The proposed special exception request has been properly advertised and noticed in accordance with Town Code and State law (copy of legal ad and certified letter is enclosed).

Recommended Motion:

I move to approve Resolution 33-04-26 authorizing a Special Exception for The Culinary Project (Restaurant Use), located at 748 A Park Avenue.