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ORDINANCE NO. O-2122-24

ITEM NO. 6

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	WH Normandy Creek, L.P.
REQUESTED ACTION	Special Use for a Bar, Lounge or Tavern
EXISTING ZONING	C-2, General Commercial District
SURROUNDING ZONING	North: C-2, General Commercial District East: RM-6, Medium Density Apartment District South: C-2, General Commercial District West: C-2, General Commercial District and R-1, Single Family Dwelling District
LOCATION	2224 West Main Street, Suite 2262
SIZE	11,000 square feet (see site plan)
PURPOSE	Sports Bar and Grill
EXISTING LAND USE	Shopping Center with a vacant suite
SURROUNDING LAND USE	North: Commercial East: Multi-Family Residential South: Vacant West: Single-family and Commercial
LAND USE PLAN DESIGNATION	Commercial

**SYNOPSIS:** The applicant, WH Normandy Creek, L.P., is requesting Special Use for a Bar, Lounge, or Tavern for an 11,000 sq. ft. suite in an existing shopping center at 2224 West Main Street, Suite 2262. The property is zoned C-2, General Commercial District.

**HISTORY:** The property was rezoned from R-1, Single Family Dwelling District, to C-2, General Commercial District, in October 1967, around the same time as the surrounding properties. These collective properties were developed into Normandy Creek Shopping Center, of which the suite in question is a part. Ordinance No. O-9192-18 defined "bar" as "an establishment whose primary activity, measured by dollar volume of sales, involves the sale

and the on-premise consumption" of alcoholic beverages, and amended the C-2 zoning district to allow for a Bar, Lounge, or Tavern as a Special Use.

**ZONING ORDINANCE CITATION:** A Special Use request shall be reviewed and evaluated on the following criteria according to the Zoning Ordinance 22:434.1, Special Uses:

1. Conformance with applicable regulations and standards established by the Zoning Regulations.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

**EXISTING ZONING:** The property is currently zoned C-2, General Commercial District. This district is intended for the conduct of personal and business services and the general retail business of the community. The C-2 District requires Special Use approval for a Bar, Lounge, or Tavern.

**ANALYSIS:**

**SITE PLAN:** The Normandy Creek Shopping Center area has 4 access points; 2 off West Main Street and 2 off 24<sup>th</sup> Ave. SW. The applicant will not be changing the existing building or site. Only interior remodels will be done to the suite for the sports bar.

As shown on the site plan, the location of the sports bar is in the southeast corner of the mall. There is a public alley on the south and east side as well as a culvert on the east side of the mall. There is approximately 136-foot separation/tree buffer between the east wall of the sports bar to the neighboring apartments to the east. There is approximately 182-foot separation from the southwest corner wall of the sports bar to the neighboring single-family use to the southwest.

**IMPACTS:** There have been restaurants located within this Shopping Center in the past and the area has a large parking lot to serve all the uses. As stated there have been restaurants at this site but never a bar, lounge or tavern. The hours of operation for this proposed sports bar are 11 AM to 2 AM.

The applicant responded to staff's question as to the possibility of live music at the site. The applicant stated there may be live music but only on special occasions. The Special Use for Bar, Lounge or Tavern does not grant the applicant the permission to have live music. If the operation is a restaurant, a restaurant may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with the full food service whenever live entertainment is offered.

**OTHER AGENCY COMMENTS:**

**PUBLIC WORKS:** This property is platted. Project is within an existing building.

**PREDEVELOPMENT: PD21-32, October 28, 2021**

No neighbors attended this meeting.

**CONCLUSION:** Staff forwards this request for Special Use and Ordinance No. O-2122-24 for Planning Commission's consideration.