

## Legislation Details (With Text)

**File #:** 2020-3548 **Name:**

**Type:** Public Hearing - Sworn **Status:** Presented

**File created:** 7/2/2020 **In control:** City Council - Regular Session

**On agenda:** 8/18/2020 **Final action:** 8/18/2020

**Title:** Public Hearing: Application #PL2020-180 - Preliminary Development Plan - The Goat Brewing Co., 817 NE Rice Road; Jeremy Kneeland, applicant.  
(Note: This item was continued from August 4, 2020 per staff's request.)

**Sponsors:** Planning and Special Projects

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Staff Presentation, 3. Location Map, 4. PC Action Report

Date	Ver.	Action By	Action	Result
8/18/2020	1	City Council - Regular Session	presented	
8/4/2020	1	City Council - Regular Session	continued	Pass
7/23/2020	1	Planning Commission	recommended for approval	Pass
7/9/2020	1	Planning Commission	continued	Pass

Public Hearing: Application #PL2020-180 - Preliminary Development Plan - The Goat Brewing Co., 817 NE Rice Road; Jeremy Kneeland, applicant.  
(Note: This item was continued from August 4, 2020 per staff's request.)

Issue/Request:

The applicant approached the City in February of this year to locate a microbrewery and tap room in the former location of The Fig Tree Café and Bakery at 817 NE Rice Rd. The prospective in-line tenant space is zoned CP-2 (Planned Community Commercial District). A bar/tavern is a use permitted by right but with conditions in said zoning district. The use condition is that a bar/tavern shall be located a minimum 300 feet from any residential district or use, measured from the front entrance of the bar/tavern. The distance between the proposed microbrewery's front door and adjacent residential to the east is approximately 105 feet, thus the microbrewery is not permitted in that location under the current UDO standard.

The applicant subsequently initiated the process for the City to consider a UDO amendment (Appl. #PL2020-069) proposing a reduction in the separation requirement to residential. The UDO amendment received a recommendation of approval from the Planning Commission on May 28, 2020. However, on June 9, 2020, the City Council remanded the application to the Community and Economic Development Committee (CEDC) for further consideration when it was discovered that the proposed UDO amendment conflicted with other City ordinances. Out of respect of time constraints the applicant is under to enter a lease on the subject property, the applicant was directed to pursue a modification to the UDO's separation requirement via a preliminary development plan application rather than wait on the UDO amendment to navigate a new public hearing process.

Josh Johnson, AICP, Assistant Director of Plan Services  
Jeremy Kneeland, Applicant

Recommendation: With the conditions of approval contained in the staff report, the application meets the requirements

of the UDO.

1. A modification shall be granted to the minimum 300' distance requirement between the front door of a bar/tavern and an adjacent residential zoning district or residential use, to allow a separation of approximately 105' between the front door and the adjacent residential zoning district to the east.

Committee Recommendation: On a motion by Vice Chair Dial, seconded by Mr. Kitchens, the Planning unanimously voted on July 23, 2020, to recommend approval of Application #PL2020-180 - Preliminary Development Plan - The Goat Brewing Co., 817 NE Rice Road; Jeremy Kneeland, applicant.