



Meeting Date: May 15, 2017

Report No. CC-17-73

Agenda Item No. 7f

Status: Public Hearing

Purpose: The applicant requests review and approval of a Map Amendment to rezone property addressed as 823 W. 11th Avenue from the RSS, Residential Small-lot Single-family district to the O, Office district.

Background Summary: The applicant applied for a Map Amendment and for a Specific Use Permit to allow food services. The applicant seeks to continue to use the property as a residence as a legal non-conforming use and use the remainder of the property for restaurant operating from a food trailer.

The property was historically used as residential and food service; however, the food service use lost the legal-non-conforming status many years ago. The Board of Adjustment approved a variance to allow the applicant to sell carry-out food from the property as a home occupation in 1990.

In order to re-establish and expand on the food service use, the applicant applied for a Map Amendment in 1991. The request was remanded to the Planning Commission for the applicant to prepare a PUD, Planned Unit Development application and there is no indication that this was ever acted on. In 1992, two variances related to the development of the food service were approved by the Board of Adjustment.

The property is surrounded by Public zoned property owned by the City of Stillwater, and Office zoned property.

The City Council tabled the request at the March 6, 2017 meeting in order to allow for time for staff to prepare a land use plan for the vicinity along 12th Avenue. The Map Amendment and related Specific Use Permit may not be necessary depending on the outcome of the study and potential overlay districts discussion.

Prior Council Action or Part of an Approved Project: No

Related Items: None

Alternatives: The alternatives are identified in the [Planning Commission report](#).

Recommendation: Planning Commission recommends approval of the Map Amendment to rezone 823 W 11th Avenue from the RSS, Residential Small-lot Single-family district to the O, Office district by a 5-0 vote.

Prepared by: Tom Coats, Planner I

Reviewed by: Paula Dennison, DS Director

Submitted by: Norman McNickle, City Manager

Attachments: Area Map, Zoning Comparison Table