



## PLANNING ANALYSIS

### SPECIAL USE PERMIT CASE 19-SU-004 SMOOTH VILLAGE

#### GENERAL INFORMATION

**Applicant/Owner:** Angel Maxwell on behalf of Baireuth, LLC.

**Current Zoning:** T4 Transect Zone (Neighborhood General Zone)

**Proposed Use:** Special Use Permit to allow outdoor music and activities until midnight on Friday and Saturday evenings and to allow for a double-sided 4'X8' lighted marquee sign.

**Size and Location:** The property is located at 203 W. Broade Street and includes approximately 10.316 acres.

**Staff Contact:** Karina Castillo  
Planner

#### ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	GC-3-C	Office Warehouses
EAST	GC-3-C	Residential & Undeveloped
SOUTH	GC-3-C	Residential
WEST	GC-3-C	Outdoor Vendors

**COMPREHENSIVE PLAN STATEMENTS:**

The following Comprehensive Plan statements may be relevant to this case:

- Provide a balanced mix of complementary uses that support a strong and diverse tax base.
- Promote Old Town as a civic and cultural destination.

**FUTURE LAND USE CATEGORY**

- **OLD TOWN MIXED USE:** This land use category is intended to enhance and reestablish the historic character of Old Town Leander. Development within Old Town should promote the revitalization and adaptive reuse, where appropriate, of existing historic structures.

Infill development should complement the existing historic fabric of Old Town. A mix of uses, including office, retail and restaurants, should complement existing civic uses along North Brushy Street. Key to the success of Old Town is encouraging people to live in the immediate area. Therefore, a variety of housing types, including higher density residential, is appropriate, provided the scale of new development is compatible with existing development in Old Town. In addition, Old Town should be extremely walkable, providing for safe and convenient pedestrian access throughout the area.

**ANALYSIS:**

Uses permitted in a zoning district are classified in two ways. The first type of use is what is referred to as a use permitted by right. A use permitted by right is allowed in the specified zoning district provided that the property owner complies with specified building and site requirements. The second type of use is what is referred to as a special use. A special use permit allows for certain land uses in a given zoning district and generally requires more review by the Planning and Zoning Commission and City Council in order to ensure the compatibility of the proposed use with the surrounding land uses.

Planning and Zoning Commission and City Council previously approved a Special Use Permit for Smooth Village on April 19, 2018. The permit allows for Air Stream trailers, alternative signage, and a Farmer's Market.

The applicant has indicated that they would like to allow for outdoor music and activities until midnight on Friday and Saturday evenings and to allow for a double sided 4'X8' lighted marquee sign. The special use permit would allow for this use on a temporary basis.

If the special use permit is approved, the project will be required to follow all other requirements of the ordinances and existing Special Use Permit.

**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed special use permit to allow for outdoor music and activities until midnight on Friday and Saturday evenings and to allow for a double sided 4'X8' lighted marquee sign with a time limit of five (5) years with the following condition:

1. The lighted sign shall comply with the Sign Ordinance in regards to Section 3.08.011.B.

Section 3.018.011 B. does not permit the following:

- flashing copy or lights;
- revolving beacon lights;
- chasing, blinking, or stroboscopic lights;
- fluttering, undulating, swinging, or otherwise moving parts.

The approval of this Special Use Permit would allow for the proposed signage on private property. This use would be temporary and as the City grows and changes, may not be necessary in the future. At the end of the term, the applicant has the ability to renew the permit by presenting the request to the Planning and Zoning Commission and City Council for review.