



Legislation Details (With Text)

File #: 18-00182 **Version:** 2 **Name:**
Type: Public Hearing **Status:** Passed
File created: 4/19/2018 **In control:** City Council
On agenda: 7/19/2018 **Final action:** 7/19/2018
Enactment date: **Enactment #:**

Title: PUBLIC HEARING: PROPOSED AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(b) HISTORIC AND PRESERVATION LAND USE DISTRICT ; OLD EAST HILL PRESERVATION ZONING DISTRICT; USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT.

Sponsors: Ashton J. Hayward, III

Indexes:

Code sections:

Attachments: 1. Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall, 2. GIS Map of Impacted Commercial Districts in Old East Hill, 3. Correspondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall, 4. Ruling from Code Enforcement Authority, 805 E. Gadsden, Dr. Laura Hall, 5. April 10, 2018 Planning Board Minutes, 6. Proposed Ordinance, 7. 1st PROOF OF PUBLICATION FOR INITIAL 1ST PUBLIC HEARING WHICH WAS PULLED FROM 5/10/18 AGENDA, 8. EMAILING CORRESPONDENCE AND INFO PACKET - OEH NEIGHBORHOOD ASSOCIATION, 9. EMAIL CORRESPONDENCE FROM SUSAN AND DANNY AGNEW, 10. EMAIL CORRESPONDENCE AND INFO PACKET FROM AMBER HOVERSON - OEH PROPERTY OWNERS' ASSOCIATION, 11. EMAIL CORRESPONDENCE FROM BARRY GOODSON, 12. EMAIL CORRESPONDENCE FROM DAVID G KELLEY, 13. EMAIL CORRESPONDENCE FROM DIANNE KRUMEL, 14. EMAIL FROM DIANA BARNES, 15. EMAIL FROM JEANNE HAGAN, 16. EMAIL FROM RICHARD BAILEY, 17. EMAIL FROM TIMOTHY WILSON, 18. LETTER FROM MATTHEW AHEARN, 19. 2nd PROOF OF PUBLICATION FOR PUBLIC HEARING.pdf, 20. ADDITIONAL EMAIL FROM DIANA BARNES - 2ND HEARING, 21. ADDITIONAL EMAIL FROM LOU COURTNEY - 2ND HEARING, 22. ADDITIONAL EMAIL FROM MICHAEL COURTNEY - 2ND HEARING, 23. EMAIL FROM MARIA HANELL - 2ND HEARING, 24. EMAIL FROM MILES SAMPSON - 2ND HEARING, 25. EMAIL FROM PATRICIA MCGRATH - 2ND HEARING, 26. LETTERS TO EACH CC MEMBER FROM JERRY GILL, 27. ADDITIONAL EMAIL FROM AMBER HOVERSON - 2ND HEARING, 28. EMAIL FROM DIANE & DEVIN DIXEY - 2ND HEARING, 29. LETTER FROM DR. HALL'S ATTORNEY - WILLIAM STOKES, 30. EMAIL WITH LETTERS FROM JOSHUA GLEATON - 2ND HEARING, 31. FURTHER CORRESPONDENCE EMAILED FROM AMBER HOVERSON - 2ND HEARING, 32. 3rd PROOF OF PUBLICATION, 33. BACK UP OEHC-1 PUBLIC HEARING 11/20/08, 34. BACK UP OEHC-1 COUNCIL ACTION 11/20/08, 35. BACK UP OEHC-1 MINUTES 11/20/08, 36. BACK UP OEHC-1 P.O. 41-08 ON 1ST READ 12/11/08, 37. BACK UP OEHC-1 P.O. 41-08 ON 2ND READ 01/08/09

Date	Ver.	Action By	Action	Result
7/19/2018	2	City Council	Approved	Pass
7/16/2018	2	Agenda Conference	Placed on Regular Agenda	Pass
6/14/2018	1	City Council	Moved to Second Hearing	Pass
6/11/2018	1	Agenda Conference	Placed on Regular Agenda	Pass
5/10/2018	1	City Council	Withdrawn	
5/7/2018	1	Agenda Conference	Placed on Regular Agenda	Pass

LEGISLATIVE ACTION ITEM

SPONSOR: Ashton J. Hayward, III, Mayor

SUBJECT:

PUBLIC HEARING: PROPOSED AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(b) HISTORIC AND PRESERVATION LAND USE DISTRICT ; OLD EAST HILL PRESERVATION ZONING DISTRICT; USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT.

RECOMMENDATION:

That City Council conduct the second of two required public hearings on July 19, 2018 to consider the proposed amendment to the Land Development Code Section 12-2-10 (C)(4)(b) Historic and Preservation Land Use District; Old East Hill Preservation Zoning District; Uses Permitted; OEHC-1, Neighborhood Commercial District.

HEARING REQUIRED: Public

SUMMARY:

The City has received a request from Dr. Laura Hall of East Hill Animal Hospital for an amendment to the Land Development Code Section 12-2-10(C)(4)(b) Historic and Preservation Land Use District Old East Hill Preservation Zoning District; Uses Permitted; OEHC-1 Neighborhood Commercial District. More specifically, Dr. Hall is requesting that the use of animal hospitals, veterinary clinics and pet resorts no longer require Conditional Use Permit approved and instead become a permitted use by right. In addition, Dr. Hall is requesting that this use be permitted with the stipulation that kennels must be fully enclosed, outside runs are not permitted but exercise areas are permitted. Dr. Hall recently appeared before the Special Magistrate for a code violation of having exercise areas in the OEHC-1 zoning district. The Special Magistrate gave Dr. Hall one year to resolve the issue. Dr. Hall is requesting this amendment in order to bring her property at 805 E. Gadsden Street into compliance.

On April 10, 2018, the Planning Board recommended approval of this amendment by a 4-1 vote with the stipulation that outside exercise areas must be supervised and limited to five (5) or fewer animals at one time.

City Council conducted the first of two required public hearings on June 14, 2018. The second public hearing for this item is scheduled to be held on July 19, 2018.

PRIOR ACTION:

June 14, 2018 - City Council conducted the first of two required public hearings

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

4/25/2018

STAFF CONTACT:

Eric W. Olson, City Administrator
Sherry H. Morris, Planning Services Administrator

ATTACHMENTS:

- 1) Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall
- 2) Map of Impacted Commercial Districts in Old East Hill
- 3) Correspondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall
- 4) Ruling from Code Enforcement Authority, 805 E. Gadsden Street, Dr. Laura Hall
- 5) April 10, 2018 Planning Board Minutes
- 6) Proposed Ordinance

PRESENTATION: Yes