Outdoor Dining, Setback Encroachments & Parking for Accessory Uses in M-1
Background

- Six buildings on Utah Ave. and Alaska Ave. are currently being improved for creative office uses
- As part of other improvements at 2333 Utah, the owner proposed an accessory cafe with outdoor seating
- The cafe portion, as proposed, does not meet Code
- The applicant proposed to amend 3 sections of the ESMC which will then allow of the cafe as an accessory to the main use
- Staff supports the proposed amendments and sees them as beneficial to M-1 zone
2333 Utah Ave.
Obstacles to cafe proposal

1) Outdoor dining >200 sf requires a CUP
2) No outdoor dining in setback (25 ft in front)
3) Cafe parking requirement is 670% higher than industrial parking requirement
Amendment proposal

1) Remove CUP for outdoor dining in M-1
2) All setback encroachments for outdoor dining to within 5 ft of property line in M-1
3) Allow parking for accessory uses to be at same rate as primary use parking in M-1
Justification for removing CUP Requirement

- CUP takes about 3 months to process (burden to business)
- The City approved every CUP for outdoor dining application in last 10 years
- Outdoor dining is a positive feature and CUP is a disincentive
Justification for Setback Reduction

- 25-foot front setback is limited to:
  - Landscaping
  - Surface parking

- Encroachment brings activity closer to sidewalk

- Modeled on MU-S zone changes
Justification for Accessory Use Parking

- Parking is an impossible hurdle for a restaurant in this zone
- Restaurants are in demand in the area
- Solution: accessory uses park same rate as the primary use
- Limited to an area equal to 20% of the GFA
Staff’s reasons to support the Code changes

1) Removes barriers to innovative solutions
2) Reduces the need for driving
3) Encourages human-scale activity near street
Recommendation

- Approve a Zoning Text Amendment ordinance to:
  - Allow accessory uses at same parking rate as primary use in M-1
  - Permit outdoor dining without a CUP in M-1
  - Permit front setback encroachments for outdoor dining in M-1