

**BACKGROUND
CONTINUED**

On August 27, 2014, the Board of Directors passed Ordinance No. 20,772 rezoning the property from UU, Urban Use District to PCD, Planned Commercial District to allow for the remodeling of the five (5) -story building to contain thirty-two (32) apartment units and to allow the restaurant to operate as a 2:00 AM private club, retaining the area of outdoor seating.

The applicant is requesting approval of a revision to this PCD to allow for placement of a canopy over the existing, previously approved area of outdoor seating. The canopy and its support columns will be located within the area of the approved seating. The applicant responded to the issues raised at subdivision committee. No signage is proposed on the canopy. The applicant will have to coordinate with Public Works and City Attorney Staff regarding the preparation of a Franchise Agreement to be presented to the Board of Directors.

To staffs knowledge, there are no outstanding issues. The outdoor seating and the associated canopy are located in front of the building at 315 Main Street and also extend in front of the parking lot located on the property adjacent to the south. That adjacent property is owned by the Arkansas Teachers Retirement System and leased to the Rose Law Firm. Neither of those two parties object to the proposal to erect the canopy as proposed.

The Planning Commission reviewed this item at their June 6, 2019, meeting and there were no objectors present. The Commission voted, as part of the Consent Agenda, to recommend approval. Please see the attached Commission minutes for the full analysis and Commission action.