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STATEMENT OF COMPLIANCE WITH THE APPLICABLE GUIDELINES AND POLICIES OF THE PLAN 2040 COMPREHENSIVE PLAN

Applicant/Owner: The McMahan Group, LLC

Location: 3937 & 3939 Taylorsville Road

Proposed Use: Existing Dubliner Tavern and adjoining restaurant rezoning with outdoor seating area.

Engineers, Land Planners and Landscape Architects: Sabak, Wilson & Lingo, Inc.

Requests: Change in Zoning from C-1 to C-2, and a proposed addition of an outdoor patio.

INTRODUCTION

The McMahan Group (the Applicant) is proposing to rezone the existing Dubliner Tavern and the adjoining quick serve restaurant at 3937 and 3939 Taylorsville Road in the McMahan Center retail center from C-1 to C-2. The applicant is also proposing to construct an outdoor patio in the parking spaces directly adjacent to these uses to provide outdoor seating for the tavern and restaurant. Other than the patio, there will be no new construction.

COMMUNITY FORM

The proposal complies with the intent and applicable policies of the Community Form Plan Elements. The subject property is located in a Regional Center Form District and is currently zoned C-1. The site is located in an existing shopping center along the busy Taylorsville Road corridor. The site has been used as a tavern for many years, serving the neighborhood as a local gathering place. The proposed zoning change will ensure that this use in in the appropriate zoning classification.

The location of this tavern is unlikely to cause additional nuisances to area residents such as noise, odors, lighting, traffic, etc. because it has been in this location for so long with minimal impacts. The applicant is proposing the outdoor patio on the parking lot side of the shopping center away from the adjacent subdivision. This will also keep any visual nuisance from the neighbors to the north. This Regional Center Form District site is served by existing infrastructure and transportation facilities, and the existing use will continue to utilize the existing facilities within the immediate vicinity.

The site does not have any wet or permeable soils, severe, steep or unstable slopes on the property. Because this is an existing site, it will not require any grading to alter the topography which will minimize site disturbance or environmental degradation. Prior to scheduling this case for LD&T or Planning Commission Public Hearing, MSD will review the proposal and give its preliminary approval to the development.

The site is an existing use that has been there for several years and there are no distinctive cultural features on the site and there are no historic or cultural assets evident on the site.

MOBILITY

The proposed development conforms with the intent and applicable policies of the Mobility Plan Element. The development fronts Taylorsville Road and is readily served by sidewalk infrastructure and transportation facilities. The development will maintain the existing sidewalk along the front of the shopping center and the proposed patio will not impede pedestrian flow.

COMMUNITY FACILITIES

The proposed development conforms with the intent and applicable policies of the Community Facilities Plan Element. The subject property is adequately served by all utilities, including water and sewer.

ECONOMIC DEVELOPMENT

The proposal conforms with the intent and applicable policies of the Economic Development Plan Elements. The zoning change will allow this existing neighborhood tavern to be in the appropriate zone for its use and is readily served by infrastructure and transportation facilities.

LIVABILITY

The proposed development complies with the intent and applicable policies of the Livability Plan Element. The applicant will continue a long history of having a local neighborhood tavern close to the adjacent residential area. The applicant will be enhancing the tavern by providing an outdoor patio for their patrons. Construction of this outdoor space will be away from the adjacent homes, thus protecting them from potential noise.

For these and other reasons to be presented at LD&T and the public hearing, this application also complies with all other applicable Goals and Policies of the Plan 2040 Comprehensive Plan.

Respectfully submitted,

Doug Sellers
Senior Landscape Designer
Sabak, Wilson & Lingo, Inc.