



## Zoning Committee Recommendation

Rezoning Petition 2021-120

May 31, 2023

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### REQUEST

Current Zoning: OFC (office) and CG (general commercial)  
Proposed Zoning: NS (neighborhood services)

### LOCATION

Approximately 0.45 acres located on the east side of The Plaza,  
north of Mimosa and south of Mecklenburg Avenue.  
(Council District 1 - Anderson)

### PETITIONER

Maria Mergianos

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### ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-1 to recommend APPROVAL of  
this petition and adopt the consistency statement as follows:

#### To Approve:

This petition is found to be **inconsistent** based on the  
information from the staff analysis and the public hearing, and  
because:

- The 2040 Policy Map recommends the Neighborhood 2  
Place Type.

However, we find this petition to be reasonable and in the  
public interest, based on the information from the staff  
analysis and the public hearing, and because:

- The site is compatible with nearby residential and  
commercial uses.
- The petition is proposing reuse of an existing structure,  
which will ensure compatibility with the surrounding  
character.
- The petition limits building height to 40 feet.
- The petition commits to a 10-foot multi-use path and  
eight-foot planting strip along The Plaza.
- The petition commits to remarking current bike lane  
pavement markings to a dedicated right turn lane, a  
bike ramp near south property line to transition  
bicyclists from separated bike lanes to multi-use path  
and extending the 10-foot multi-path to the south.
- The petition could facilitate the following 2040  
Comprehensive Plan Goals:
  - 1: 10 Minute Neighborhoods
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 9: Retain Our Identity & Charm

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 2 to Neighborhood Center for the site.

Motion/Second: Russell / Gaston  
Yeas: Gaston, Gussman, Harvey, Russell, and Welton  
Nays: Lansdell  
Absent: Rhodes  
Recused: None

#### **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is inconsistent with the *2040 Policy Map*. Commissioner Lansdell inquired about options for bicyclists to use the protected bike lane and multi-use path. CDOT staff responded there is an option to utilize the multi-use path from The Plaza. Commissioner Welton inquired about the petition being inconsistent. Staff clarified about uses permitted in the NS, and the N2 Place Type versus the Neighborhood Center Place Type. Commissioner Gussman noted the location of the dumpster and the concern expressed by a resident about its location in relation to a new townhome. Commissioner Gussman stated he was glad the proposed use was not for another drive-through.

There was no further discussion of this petition.

#### **MINORITY OPINION**

Commissioner Lansdell felt the proposed design would restrict bicycle access.

#### **PLANNER**

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