



Zoning Committee

REQUEST

Current Zoning: N1-C (Neighborhood 1-C)
Proposed Zoning: NC(CD) (Neighborhood Center, Conditional)

LOCATION

Approximately 0.28 acres located on the northeast side of East 36th Street, west of The Plaza, and south of North Davidson Street.
(Council District 1 - Anderson)

PETITIONER

Kelsey Miles

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

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

- The *2040 Policy Map* (2022) 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 petition proposes reusing an existing home as a small medical office, which helps keep the character of the neighborhood while allowing a different type of use.
- Although the *2040 Policy Map* recommends the Neighborhood 2 Place Type, which is intended to accommodate moderate to intense residential development, the site is located on an arterial street (E 36th Street) near other commercial and institutional uses that support the Neighborhood Center Place Type uses and character.
- The location of this parcel provides multi-modal options with accessibility to a Neighborhood Center that begins along E 36th Street and is centralized on The Plaza. Additionally, this site has a bus stop less than 500 feet adjacent to the property
- Rezoning to Neighborhood Center allows more flexibility in how the building is used, but the conditions ensure it still fits in with nearby homes and businesses.

- The proposed pediatric physical therapy office adds a useful service to the area without requiring major changes to the site.
- The surrounding area already has a mix of uses (apartments, single family houses, a church, and businesses) making this proposal compatible with neighboring properties.
- The site's location along E 36th Street near The Plaza supports a more walkable and connected neighborhood, which aligns with the City's goal of making more "10-minute neighborhoods".
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 8: Diverse & Resilient Economic Opportunity
 - 9: Retain Our Identity & Charm

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

Motion/Second: Sealey / Shaw

Yeas: Neeley, Sealey, Winiker, Blumenthal, McDonald, Shaw, Stuart

Nays: None

Absent: None

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the *2040 Policy Map*.

Commissioner McDonald asked what a "personal services establishment" could entail. Staff responded by saying the petitioner wanted future flexibility in case a physical therapy office was no longer compatible for the site. By allowing personal services uses, the petitioner could use the site for additional uses outside of a doctor's office such as a beauty salon.

Chairperson Blumenthal asked why the Neighborhood Center district instead of General Commercial was appropriate for this site. Staff responded by saying General Commercial has a broad range of auto centric uses that are not necessarily desirable here. The NC district and place type were more contextually appropriate for the area.

There was no further discussion of this petition.

PLANNER

Emma Knauerhase (704) 432-1163