



Zoning Committee

REQUEST

Current Zoning: O-2 (office) and R-5 (Single Family Residential)
Proposed Zoning: B-2 (CD) (General Business) (Conditional)

LOCATION

Approximately 0.87 acres located on the southeast side of Char-Meck Lane, north of Monroe Road, and east of North Wendover (Council District 5 - Molina)

PETITIONER

Vinroy Reid

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-1 to Choose an item. this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The plan recommends the Neighborhood Center 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 limits the number of uses to be allowed on the site by right and under prescribed conditions.
- The petition attempts to balance the provision of commercial services with protection of residential areas.
- Adaptive reuse of an existing building will protect and enhance the existing character.
- The petition is compatible with adjacent uses considering the existing building and character will be retained.
- Neighborhood Center Place Type from the 2040 Policy Map calls for the development of pedestrian friendly, mixed-use environments that provide nearby residents with convenient access to goods and services. The proposed conditional plan and use limitations help to provide better alignment with the goals of the place type.
- The petition could facilitate the following 2040 Comprehensive Plan Goals:

- 1: 10 – Minute Neighborhoods

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map (2022)* from Neighborhood Center place type to Commercial place type for the site.

Motion/Second: Gaston /Gussmen
 Yeas: Gaston, Gussmen, Harvey, Welton, and Russel
 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 Gussman – First to inquire about asking the petitioner if the current restrictions meet the communities request of the petitioner.

Motion to suspend the session – moved by Russel

Commissioner Welton (to the petitioner) stated that there is a concern from the committee about the intentions about outdoor entertainment and if the parameters of the outdoor entertainment involve smaller scale/neighborhood friendly entertainment or a larger entertainment. Therefore, the committee is requesting clarification on what the intent is of this rezoning.

Petitioner – The petitioner’s intention is to not have multiple block parties or festivals or large scale events. The petition is for his restaurant where people can experience cultural engagement, food, and family fun.

Mr. Pettine – The disconnect between the community, staff, and the petitioner appears to come from the conditional notes. The community wants some assurance that festivals and large events will not be the outcome of this rezoning and this rezoning is aligned with what the communications and conversations have been and that the concerns from the community perceived real or otherwise. Therefore, if there’s a way to craft a condition in the notes to ensure there is no disconnect between what the intent is and what the actual notes would allow, there would be more clarity among all parties.

Commissioner Welton – Asked the petitioner if he is willing to craft a note to provide additional details and clarifications of the rezoning. The committee is looking for the petitioner to make a commitment in the zoning committee meeting to provide an assurance about the scale of the possible outdoor entertainment options.

Petitioner – Has agreed to providing additional detail and clarification about the outdoor use with the assistance of staff.

Motion to resume session – moved by Gaston and seconded by Harvey

There was no further discussion of this petition.

MINORITY OPINION

Commissioner Lansdell – Expresses concerns over transportation impacts on a private road for this facility off a major throughfare and the types of uses that would allow for this zoning change.

PLANNER

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