



Zoning Committee

REQUEST

Current Zoning: N1-A (Neighborhood 1)
Proposed Zoning: CAC-1 (CD) (Community Activity Center, Conditional)

LOCATION

Approximately 1.98 acres located on the east side of Benfield Road, west of Prosperity Church Road, and south of Johnston Oehler Road.
(Council District 4 - Johnson)

PETITIONER

Sam's Mart

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** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map (2022)* calls for the Neighborhood 1 place type.

Therefore, 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:

- CAC-1 place types are utilized for transitioning away from automobile-centric orientation toward a more walkable, well-connected, moderate intensity, mix of retail, restaurant, entertainment, office, and personal service uses, including some residential uses.
- The Community Activity Center place type could be considered appropriate for this site given that the surrounding parcels are designated for the Community Activity Center place type and this rezoning would help further align the place type recommendation toward the intersection of Prosperity Church Rd. and Benfield Rd.
- The small acreage of the site and the limited access

could limit the intensity of the proposed CAC-1 uses.

- The petition could facilitate the following 2040 Comprehensive Plan Goals:
 - 1: 10 Minute Neighborhoods
 - 8: Diverse & Resilient Economic Opportunity

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 Place Type to Community Activity Center for the site.

Motion/Second: Russell / Lansdell
 Yeas: Lansdell, Neeley, Russell, Sealey, Welton, Whilden, Winiker
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

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

Lansdell: Expressed some hesitation with transportation and the vehicle trip generation going from 50 trips per day to 805 trips per day.

Whilden: Noted for the record the agent did not follow up with opposition from the public hearing.

Winiker: Pointed out there was no one in attendance to the community meeting, even though there has been some strong opposition against this petition.

- Staff responded by informing zoning committee that through emailed discussions, the agent had meetings with the community and council members prior to the community meeting, there was outreach before the public hearing.

Neeley: Commissioner had a question of where this list of exceptions comes from.

- Staff responded by informing the commissioner that the agent and petitioner create the list of exceptions and staff reviews the list. The language used in the list of exceptions is going to be determined by how it is laid out in the table of uses and the uses that are listed as being permitted in the subject zoning district.

There was no further discussion of this petition.

PLANNER

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