

Zoning Committee Recommendation

Rezoning Petition 2022-152

April 4, 2023

REQUEST

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

LOCATION

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

PETITIONER

Vinroy Reid

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

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

To Deny:

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* recommends Neighborhood Center Place Type.

Staff does not recommend approval of this petition in its current form. A conditional district with limitation on auto-oriented uses and design, or a conventional request to the NC district under the UDO should be considered for this petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for the Neighborhood Center Place Type.

Rationale for Recommendation

- The parcel is located in a Neighborhood Center, which promotes a mixed-use, pedestrian oriented environment. The B-2 district is auto-centric and has potential uses that could be incompatible with the long-term goal of a Neighborhood Center.
- Neighborhood Centers are small, walkable mixed-use areas, typically embedded within neighborhoods, that provide convenient access to goods, services, dining, and residential for nearby residents.
- A conditional B-2 zoning request with limitations on auto-oriented uses and elements of design that promote the goals of the Neighborhood Center, or a conventional request to the Neighborhood Center

zoning district under the UDO could facilitate an outcome that is better aligned with the recommended Neighborhood Center Place Type.

- The site is adjacent to B-2 zoning to the south along Monroe Road. However, the policy map recommends those parcels for Neighborhood Center Place type.
- The petition could facilitate the following 2040 Comprehensive Plan Goals:
 - 1: 10 – Minute Neighborhoods
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 7: Integrated Natural & Built Environments

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

Motion/Second: Welton / Rhodes

Yea: Gaston, Gussman, Harvey, Lansdell, Rhodes, Russell, Welton

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 Russell asked for additional clarification on why staff wants to limit auto uses for this petition when the area is already identified as being an auto intensive area. Staff stated a Neighborhood center is pedestrian focused, not an auto centric place type. A neighborhood center provides mixed uses, neighborhood serving retail, and some residential uses. Whereas B-2 is traditionally a commercial development zoning. The site does not have a fully designed or built out road, it is a gravel type of road further on Charmeck lane. Therefore, this location may not be the right spot for some of the auto-centric uses that B-2 would allow and is not consistent with the Neighborhood Center place type.

Commissioner Russell asked, would a conditional zoning or a different zoning to allow what the petitioner wants to be more in line with what staff sees for this area? Staff responded by saying staff did recommend alternatives to the petitioner and their agent, and the petitioner is considering those options. Staff would like to see a conditional petition for this location with some minor restrictions, or if this petition remains conventional, then a Neighborhood Center zoning district request once the UDO comes into effect in June, could alleviate staff concerns.

Commissioner Welton had a question for CDOT, if there would be plans for the street or road condition to have improvements

applied to this private drive? CDOT responded saying this road is recognized as an unmaintained road, it is privately maintained.

Chairman Gussman said he would like to see this property developed, but he is unsure B-2 is the right zoning classification because there are plenty of other opportunities for auto-oriented development and stated this petition it is on a busy street, with very limited access.

There was no further discussion of this petition

PLANNER

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