



Zoning Committee

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**REQUEST**

Current Zoning: INST(CD) (institutional, conditional)  
Proposed Zoning: RE-1(CD) (research, conditional)

**LOCATION**

Approximately 6.27 acres located on the east side of Penninger Circle, south of Mallard Creek Road.  
(Council District 2 - Harlow)

**PETITIONER**

Westcore Properties AC, LLC

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

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

- The adopted plan recommends institutional land uses as amended by a previous petition.

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

- The proposed parking lot is inconsistent with the institutional land use recommended for this site by a previous rezoning. The institutional use was never implemented.
- The subject property is located between single family residential uses along Penninger Circle and a parking lot and building formerly used for office/research in the Research Park.
- The proposed parking and existing parking lots will be connected and will provide additional parking that will be needed if the building is used entirely for office purposes.
- The proposed parking area will be screened and buffered from the residential areas along Penninger Circle by a 75-foot Class B buffer.
- Vehicular connections from the site to Penninger Circle would be allowed only when three of the five parcels of land located on the west side of Penninger Circle (across from the site) are redeveloped for multi-family or non-residential uses.

Motion/Second: McClung / Sullivan

Yeas: Fryday, Majeed, McClung, Spencer, and Sullivan

Nays: None

Absent: Nelson

Recused: None

**ZONING COMMITTEE  
DISCUSSION**

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan. Staff noted that the outstanding issues had been addressed and recommended approval of this petition. Staff noted that the petitioner had removed the access points onto Penninger and added a note that states the access points may be provided when three of the five parcels on the opposite side of Penninger redevelop to multi-family or non-residential. A Commissioner asked if the request would still have been consistent had the site not been previously rezoned, and staff responded yes because the site was previously zoned R-3 (single family residential).

There was no further discussion of this petition.

**Planner**

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