



Zoning Committee

REQUEST	Current Zoning: I-1 (light industrial) Proposed Zoning: I-2(CD) (general industrial, conditional)
LOCATION	Approximately 2.75 acres located on the west side of Northpoint Industrial Boulevard and north of North Hoskins Road. (Council District 2 - Harlow)
PETITIONER	JV Transport Inc.

**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:

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

- The petition is consistent with the *Northwest District Plan* recommendation for industrial uses.

However, we find this petition to be unreasonable and to not be in the public interest based on information from the staff analysis and the public hearing and because:

- The proposed upzoning to a heavier zoning is inconsistent with the public interest.

Motion/Second: Spencer / Nelson
Yeas: Fryday, Majeed, McClung, McMillan, Nelson, Spencer, and Sullivan
Nays: None
Absent: None
Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the petition and noted that the revised site plan could not be accepted because it was submitted five days late. Staff noted that rather than defer the request to the next Zoning Committee meeting, the petitioner elected to move forward with the site plan presented at the City Council public hearing. As a result, the outstanding issues remained pertaining to conveyance/dedication of the SWIM buffer for greenway purposes, and the required Class A buffer. Staff explained that the petitioner could dedicate the entire 100-foot SWIM buffer and not be required to install the Class A 58-foot buffer, or to not dedicate the SWIM buffer and provide the entire Class A buffer.

The Commission expressed concerns about moving forward given the substantial outstanding issues, neighborhood opposition, and without having seen the revised site plan. A Commissioner commented about visiting the site, noting all of the industrial uses along Northpointe Industrial Boulevard and the adjacent, attractive residential neighborhood.

A Commissioner asked if approval of the site plan in its current form by City Council was possible. Staff clarified that the Zoning Committee would be making a recommendation to City Council based upon the current site plan. Staff further noted that due to the lateness of the resubmittal, staff did not have adequate time to review, but based upon a brief look it appeared that major changes had been made to the site plan.

Staff did reiterate that the petitioner was contacted and given an option to defer the request to allow time to address all issues. The Commission suspended the rules to ask the petitioner if a deferral would be under consideration. Mr. Ty Chapman, the agent representing the request, responded that the rezoning had gone so far off track that a deferral would be fine.

Commissioner Spencer moved, and commissioner McClung seconded, that the petition be deferred until July 31 to allow for review of site plan changes. The motion failed, with three supporting and four opposed.

A Commissioner inquired about the pattern of zoning along Industrial Boulevard. Staff noted that, while property further west was I-2 (general industrial), the property on the east side abutting the neighborhood was I -1 (light industrial) and one parcel I-2(CD) (general industrial conditional). There was a question about outdoor storage and truck usage in I-1. Staff noted that there was a site limitation of 25% usage for outdoor storage, and truck terminal uses generally required I-2 zoning.

A Commissioner expressed concern about the conflicting information provided and at this point, such as the need for 6 truck spaces but 26 shown on the plan, and would entertain a recommendation of denial rather than deferral.

There was no further discussion of this petition.

Planner

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