



Zoning Committee Recommendation

Rezoning Petition 2019-148

February 4, 2020

REQUEST

Current Zoning: B-1(CD) (neighborhood business, conditional) and NS (neighborhood services)
Proposed Zoning: NS (neighborhood services) and NS SPA (neighborhood services, site plan amendment)

LOCATION

Approximately 1.55 acres located on the west side of West Sugar Creek Road, south of Wilson Lane, south of Interstate 85. (Council District 1 - Egleston)

PETITIONER

Branful, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Central District Plan* (1993), based on the information from the staff analysis and the public hearing and because:

- The plan recommends retail uses on the northern parcel and non-residential uses on the southern parcel, as amended by prior rezoning petitions 1988-089 and 2015-134.

Therefore 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 site is currently used as an eating, drinking, and entertainment establishment with one accessory drive-through window. This petition limits the uses to 5,000 square feet of gross floor area of retail and eating, drinking, and entertainment establishment uses with one accessory drive-through window. The petition is seeking an increase in developable square footage, not a change in use or an increase in accessory drive-through windows.
- The petition commits to enhancing the pedestrian environment through site design elements which include walkways from all entrances to sidewalks along public streets and building orientation.
- This petition commits to additional transportation improvements through coordination with CATS to construct an ADA compliant bus stop waiting pad on West Sugar Creek Road as part of site redevelopment.
- The intent of the Neighborhood Service District is to provide for uses that directly serve the neighborhood in which they

are located. The Neighborhood Service District is considered compatible with the adjacent commercial and single-family development as the permitted uses are already existing on the site today.

Motion/Second: McClung / Watkins

Yeas: Gussman, Ham, McClung, Nwasike, and Watkins

Nays: None

Absent: Spencer, Wiggins

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

A commissioner observed that this proposal does not take us away from a car-centric environment, but inquired how it makes things a bit more walkable. Staff noted the petitioner is committing to enhancing the pedestrian environment through site design elements which include walkways from all entrances to sidewalks along public streets, a screenwall, and building orientation.

There was a question as to bus service. Staff responded that a bus stop is right across the street, and that a crossing and traffic signals were in close proximity allowing pedestrians safe options to cross the road.

In response to a question about new 2040 land use maps, staff noted that parcel specific maps were still being developed.

There was no further discussion of this petition.

PLANNER

Michael Russell (704) 353-0225