

REQUEST FOR COUNCIL ACTION

<i>Agenda Section:</i> Required Public Hearings	<i>Originating Department:</i>	<i>Date:</i>
<i>No:</i> 2	Planning	09/20/21
<i>Item:</i> May Rezoning: R-2 and B-2 to B-3 at 1255, 1258, and 1265 Sugar Loaf Road		
<i>No.</i> 2.2		

SUMMARY OF REQUESTED ACTION:

Petitioner and land owner Ron and Margaret May request that City Council consider rezoning parcels 32.320.7150, 32.320.7180, and 32.320.7190 addressed as 1255, 1258, and 1265 Sugar Loaf Road, from R-2, Medium Density Residence District and B-2 Community Business District to B-3 General Business District. The rezoning will bring the properties into compliance with their existing and past uses, which have been predominantly commercial. On August 23, 2021, the Planning Commission voted unanimously to recommend approval with the following findings:

1. No error or oversight was made in the original R-2 and B-2 zoning of the area in question.
2. Adjacent land uses are reflective of the general business land use currently operating on the property and in conformance with potential future general business land uses.
3. Potential uses of the B-3 General Business zoning would not impose "undue hardship" on surrounding properties.
4. B-3 General Business rezoning is the correct designation for the area in accordance with adjacent zoning and the Comprehensive Plan.
5. Because the proposed rezoning is supported by the Comprehensive Plan's designation for the area as General Commercial, the proposed rezoning should not be misconstrued as spot zoning.

Given these findings, approval of the request is recommended. In consideration of this matter, the following alternatives are available to Council:

1. Approve the request as submitted. Under this option, a motion to introduce the attached ordinance for adoption and adopt the findings in the staff report should be made.
2. Deny the request. Under this option, Council should move to table the item and request staff bring forward a resolution of denial at the next City Council meeting for consideration.
3. Modify the request.
4. Table the item to allow staff additional time to answer any outstanding questions.

Attachments:

1. Ordinance to Rezone R-2 and B-3 to B-3
2. Planning Commission Report

Department Approval:



City Manager Approval:

