

3. **ZOTA 2017-2: BANQUET FACILITIES IN THE COMMUNITY CENTER (CC) ZONE** – petition for a Zoning Ordinance text amendment to Article 23A-9 to allow banquet facilities as a principal use in the CC zone.

REQUESTED BY: Joel Brown

PROPOSED TEXT: (Note: Underlined text indicates an addition to the current Zoning Ordinance; and ~~strikethrough text~~ indicates a deletion from the current Zoning Ordinance.)

23A-9 COMMUNITY CENTER (CC) ZONE

23A-9(b) PRINCIPAL USES

31. Banquet facilities.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval,** for the following reason:

1. The proposed text amendment will add banquet facilities as a principal permitted use in the Community Center (CC) zone. As long as outdoor live entertainment is not included, the use will complement the other principal permitted uses that are allowable in the zone.

Staff Zoning Presentation – Ms. Wade presented and summarized the staff report and recommendations for this text amendment. She said this is a request by Joel Brown, to add banquet facilities as a use in the Community Center (CC) zone. She said that the applicant is asking for indoor live entertainment and they are not interested in expanding the use to include outdoor live entertainment within the CC zone. The staff is recommending approval of this zoning ordinance and the Zoning Committee also recommended approval.

Commission Comments – Mr. Penn said that Newtown Pike has a 200 foot setback, where will the people park at this location. Ms. Wade replied the staff hasn't considered the details yet. Mr. Penn also asked if they would be allowed to park in the view shed. Mr. Sallee replied that was an issue when the Expansion Area Plan was completed that there were a few renderings that parking be permitted on the Newtown Pike view shed, the way the ordinance is drafted that a paved parking lot will not be permitted.

Mr. Owens asked if the applicant would need to bring forward to the Planning Commission a Development Plan for their parking. Ms. Wade replied that they were to make any physical changes on the property; yes the applicant would need a Development Plan, which would go through the normal review process. She also said that if there are no physical changes then the applicant could obtain a permit through Building Inspection.

Petitioner Presentation – Dick Murphy, attorney, was present representing the petitioner. He said that the applicant is in agreement with the staff's recommendations. He said that the parking area for the use in question is located in the ED zone.

Citizen Comment – There were no citizens present to speak to this application.

Action – A motion was made by Ms. Richardson, seconded by Ms. Plumlee, and carried 7-0 (Berkley, Brewer, Drake, and Mundy absent) to approve ZOTA 2017-2: BANQUET FACILITIES IN THE COMMUNITY CENTER (CC) ZONE, for the reasons provided by the staff.