

**SUPPLEMENTAL STAFF REPORT ON AMENDED PETITION FOR ZONE MAP AMENDMENT**

**MAR 2015-19: GREER LAND COMPANY (AMD.)**

**CASE REVIEW**

The petitioner has requested, as of the date of this report, a zone change from a Neighborhood Business (B-1) zone and a Wholesale and Warehouse Business (B-4) zone for 1.59 acres of property at 1100 and 1108 South Broadway. The original request was for a Highway Service Business (B-3) zone. This morning, the applicant informed the Division of Planning staff that they wish to amend their request to seek a Neighborhood Business (B-1) zone for a portion of this development.

As stated in the original staff report, it is the staff's opinion that the B-1 zone is more compatible and more consistent with the character of the immediate area than the B-3 zone originally proposed by the applicant. Also, the B-1 zone would provide a better land use buffer to the neighborhood in this location than would the B-3 zone. Based on the applicant's withdrawal of the zone change for 1100 South Broadway and the request for a zone change to a B-1 zone for the remaining property at 1108 South Broadway, the staff offers the following alternative findings for approval:

The Staff Recommends: **Withdrawal** of the portion of the application for 1100 South Broadway, and **Approval** of a Neighborhood Business (B-1) zone for a portion of the application for 1108 South Broadway, for the following reasons:

1. The requested rezoning to a Highway Service Business (B-3) zone at 1100 South Broadway is not in agreement with the 2013 Comprehensive Plan and the Neighborhood Business (B-1) zone remains an appropriate zone at this location.
2. The proposed zone change to a Neighborhood Business (B-1) zone for 1108 South Broadway is supported by several Goals and Objectives of the 2013 Comprehensive Plan, including:
  - a. Theme A (*Growing Successful Neighborhoods*), Goal 2, Objective a., which states: "Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features whenever possible." The petitioner is providing neighborhood-oriented land uses and orienting the proposed structure to Simpson Avenue.
  - b. Theme C (*Creating Jobs and Prosperity*), Goal 1, Objective d., which encourages the creation of jobs near where people live. The property is located very near residential neighborhoods, and will provide support or service uses in the area that is compatible with the nearby residential neighborhoods.
3. The requested Neighborhood Business (B-1) zone is appropriate for this location and the existing B-4 zone is inappropriate because of the property's location in proximity to existing residential areas. More neighborhood-oriented business uses can not only serve the nearby residential area, but also provide a superior land use buffer to the neighborhood.
4. This recommendation is made subject to the approval and certification of ZDP 2015-79: Riddell Plaza, Lot 3 (Parker Property), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

TLWBJR/WLS

9/2/15, 9/24/15 rev

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