



## PLANNING AND ZONING CASE SUMMARY

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### **BACKGROUND**

**APPLICANT:** Ryan Dykstra, Vaquero Ventures

**REQUESTED ACTION:** Amend the current Planned Development ordinance #3872 to allow additional uses on the subject property.

**LOCATION:** 705 State Highway 352

**CASE NUMBER:** Z0218-0022

**COMMUNITY RESPONSES:** One community response form was returned in opposition.

### **STAFF COMMENTS AND ANALYSIS**

This item was postponed from the April 16, 2018 City Council meeting.

The applicant is requesting to amend the current PD Ordinance #3872 to allow the uses that are allowed by right in the General Retail zoning district to be permitted in the PD. The applicant is also proposing to replace the existing concept plan with a new concept plan. The applicant has not indicated an end user for the subject property. Allowing more General Retail uses to be added to the PD would not conflict with the intent of the Comprehensive Plan or cause an adverse impact on nearby residential properties. Staff does not see an issue with replacing the existing concept plan with the new concept plan.

Following the April 16, 2018 meeting, the applicant provided a revised list of uses that he would like for the site. The list is similar to the permitted use list for case #Z0218-0024 (3730 US Highway 80) approved by the Council. The applicant also provided a revised concept plan that shows three lots, but only one lot developed. If this concept plan is to be used, staff would recommend additional stipulations regarding cross access among all lots once developed and that development of the other lots will require a PD amendment.

### **RECOMMENDATION**

At the March 26, 2018, meeting, the Planning and Zoning Commission voted unanimously (7-0) to recommend approval of a Zoning Change from PD – Single Family Residential to PD – Office with the following stipulations:

1. Development of the site shall conform generally to the concept plan, attached hereto as Exhibit "B," and subject to the City's environmental and site development regulations.
2. Only uses that are classified under the following SIC codes shall be permitted:

Retail:	<u>523</u>	<u>Paint, Glass, Wallpaper</u>
	<u>525</u>	<u>Hardware Store</u>



	<u>54</u>	<u>Food Stores</u>	
	<u>553</u>	<u>Auto Supply Stores</u>	
	56	Apparel, Accessory Stores	
	57	Furniture, Home Furnishings	
	58	Eating, Drinking Places	
	<u>591</u>	<u>Drug, Proprietary Stores</u>	
	594	Miscellaneous Shopping Goods Stores	Except 5947, Gift, Souvenir Shops
	5992	Florists	
	5995	Optical Goods Stores	
Finance, Insurance, Real Estate:	60 - 67	Depository Institutions, Security & Commodity Services, Insurance Carriers, Agents & Brokers, Real Estate, Holding Companies	Except 61 Nondepository Institutions <u>and 61a Alternative Financial Establishments</u>
Services:	722	Photographic, Portrait Studios	
	<u>723</u>	<u>Barber Shop</u>	
	<u>724</u>	<u>Beauty Shop</u>	
	7291	Tax Preparation Services	
	7299	Tanning Salon only	
	7334	Photocopying, Duplicating Services	
	80	Health Services	
	81	Legal Services	
	82	Educational Services	
	83	Social Services	
	87	Engineering, Accounting, Research, Management Services	

3. ~~Architectural design, landscaping, and screening shall be consistent with the proposed Community Appearance Manual.~~