

Legislation Text

File #: 21-5193, **Version:** 1

Conduct a public hearing and consider an ordinance for Zoning Application No. Z1120-0159, submitted by Roberto Nunez, Alchemi Development Partners on behalf of Mansoor Dhanani, Mesquite Equity, LLC, for a change of zoning from Planned Development - Service Station Ordinance No. 2888 to Planned Development - General Retail with a Conditional Use Permit to allow a coin operated amusement game room or, alternatively, to amend Ordinance No. 2888 to allow a proposed building expansion subject to new stipulations, located at 1320 Gross Road.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends denial of the rezoning request and approval of the amendment to Ordinance No. 2888.)

The property was rezoned to Planned Development (PD)-Service Station in 1993 to allow development that includes a convenience store with fuel sales with six fuel pumps and a restaurant. The applicant proposes rezoning from PD-Service Station to PD-General Retail in order to apply for a conditional use permit (CUP) for a game room with up to six game machines. Game rooms are not permitted on properties zoned Service Station including PD-Service Station, even by conditional use permit. The applicant also proposes expanding and remodeling the existing building, which can be done if the property is rezoned or by amending the existing PD ordinance.

On December 14, 2020, the Planning and Zoning Commission voted 7 to 0 to deny rezoning from PD-Service Station to PD-General Retail, to deny a conditional use permit for a game room and to approve an amendment to the existing PD, Ordinance No. 2888.

Recommended/Desired Action

Following the public hearing, staff recommends approval of an amendment to the existing PD, Ordinance No. 2888 and denial of the proposed rezoning and conditional use permit.

Attachment(s)

Staff report & maps
P&Z minutes
Ordinance

Drafter

Jeff Armstrong

Head of Department

Jeff Armstrong