

STAFF REPORT

2022-15P: Zoning Map Amendment

Community Development Department

Council Chambers, 7:30 PM, May 5, 2022

To: Paul Luke, Plan Commission Chairperson
From: Carrie Haberstich, AICP, Planning Supervisor
Re: **2022-15P: Zoning Chapter Amendment – from M3 to B2**
7250-7256 McCormick Boulevard

Related Cases – *2022-15P: Zoning Map Amendment*

2022-16P: Subdivision

2022-17P: Site Plan Approval

2022-18P: Special Use Permit for 7250 – drive-through

2022-19P: Special Use Permit for 7250 – outdoor dining

2022-20P: Special Use Permit for 7252 – drive-through

2022-21P: Special Use Permit for 7252 – outdoor dining

General Information		
<i>Location</i>	7250-7256 McCormick Boulevard PIN: 10-26-402-058-0000	
<i>Purpose</i>	To amend the zoning map from M3 Industry to B2 Commercial.	
<i>Petitioner</i>	Federal-Mogul Motorparts LLC, on behalf of InSite Real Estate Investment Properties LLC	
<i>Size of Site</i>	135,453± SF with frontage on McCormick Boulevard	
<i>Existing Zoning & Land Use</i>	M3 Industry – vacant	
<i>Adjacent Zoning & Land Use</i>	North	M3 Industry – manufacturing
	South	M3 Industry – private road B2 Commercial – grocery, services, restaurants
	East	M3 Industry – park and multi-use path
	West	M3 Industry – manufacturing
<i>Comprehensive Plan</i>	The site is designated as manufacturing/service employment.	

PETITIONER'S SUBMITTAL

The petitioner is requesting to amend the zoning map to change the zoning district for a portion of the existing 7300 McCormick Boulevard, to be known as 7250-7256 McCormick Boulevard, from M3 Industry to B2 Commercial. The petitioner is requesting the rezoning in order to construct 3 new limited service restaurants with drive-throughs, and provide on-site stormwater management (cases 2022-16P through 2022-21P).

STAFF ANALYSIS

Staff reviewed the request and found that the proposed retail/service employment use is not consistent with the manufacturing/service employment use identified in the Comprehensive Plan. Despite the inconsistency, the property is adjacent to an existing B2 Commercial zoning district and on an arterial street.

Staff supports the request provided ample parking and drive-through stacking is provided; on-site pedestrian, bicycle, and large delivery/emergency vehicles can safely navigate the site; and there is no further encroachment of retail/service employment uses north and west into the existing manufacturing/service employment uses without a review and update of the Comprehensive Plan.

STAFF RECOMMENDATIONS

Staff recommends that the petitioners' request to amend the zoning map to change the zoning district for 7250-7256 McCormick Boulevard from M3 Industry to B2 Commercial be **GRANTED**, subject to the attached Proposed Positive Findings of Fact.

ATTACHMENTS

1. Proposed Positive Findings of Fact for 2022-15P
2. Zoning Map

**PROPOSED POSITIVE
FINDINGS OF FACT**

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<i>Consideration</i>	<i>Finding</i>
The map amendment is consistent with the Comprehensive Plan or development trends in the area that have taken place since the affected property was placed in the present zoning district.	The proposed zoning map amendment is not consistent with the Comprehensive Plan; however, it is consistent with development trends in the area that have taken place since the affected property was placed in the present zoning district.
After identifying the existing uses and zoning districts in the area, the property in question is more suitable for the uses allowed under proposed zoning district than the existing zoning district.	After identifying the existing uses and zoning districts in the area, the subject site is more suitable for the uses allowed under proposed zoning district than the existing zoning district.

ZONING MAP

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