

City Council



Zoning Cases

November 27, 2023



Owner: Cumberland Community Action Program Inc.

Applicant: Del Crawford

Request: Rezoning from HI to CC

Located: 328 Deep Creek Road

Acreage: 4.03 ± acres

District: 2 – Shakeyla Ingram

REID #: 0447302240000





Aerial Notification Map

Case #: P23-46

Request: Rezoning Heavy Industrial (HI)
to Community Commercial (CC)

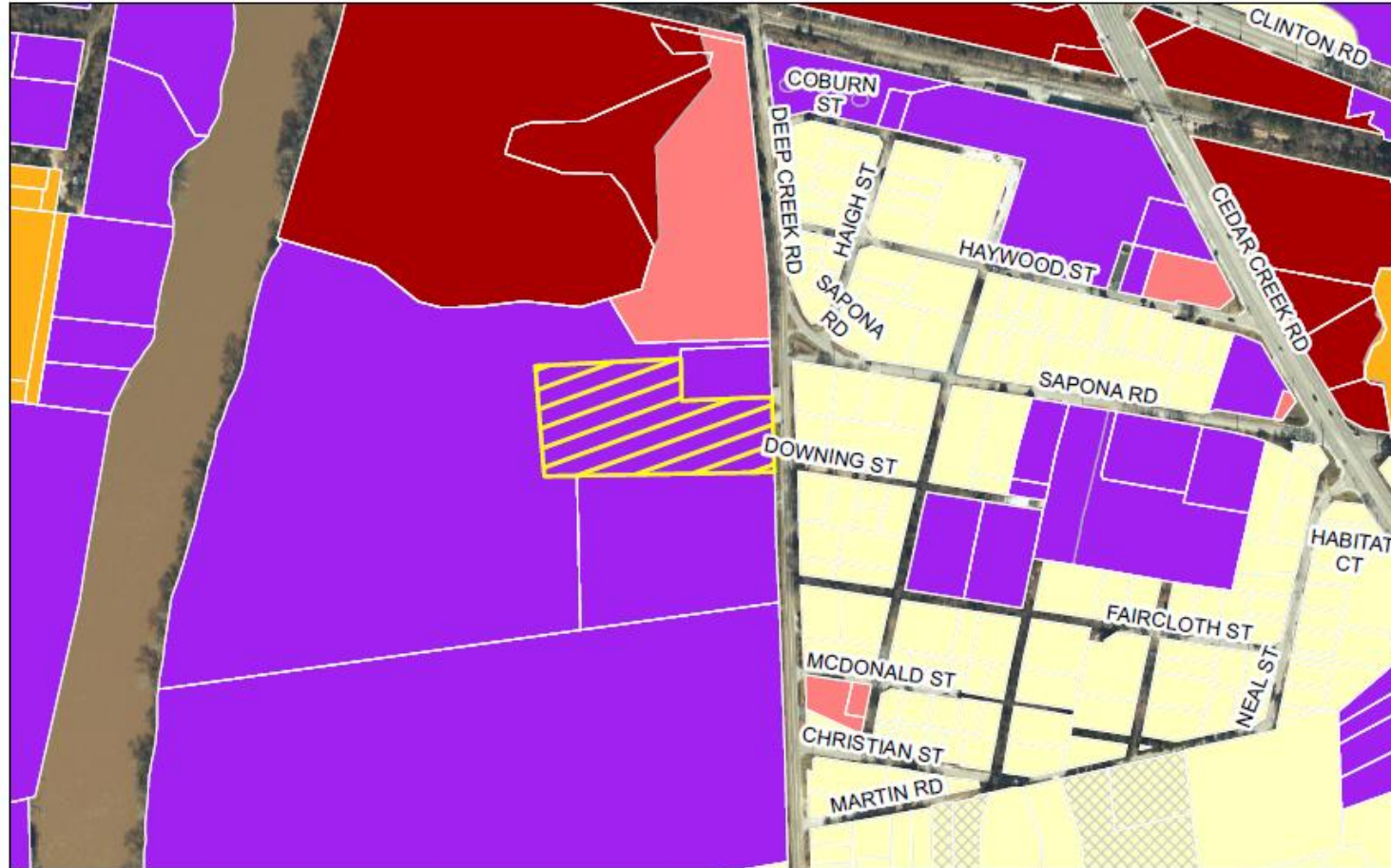
Location: 328 Deep Creek Road

Legend

-  P23-26 Buffer
-  P23-46



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.



Zoning Map

Case #: P23-46

Request: Rezoning Heavy Industrial (HI)
to Community Commercial (CC)

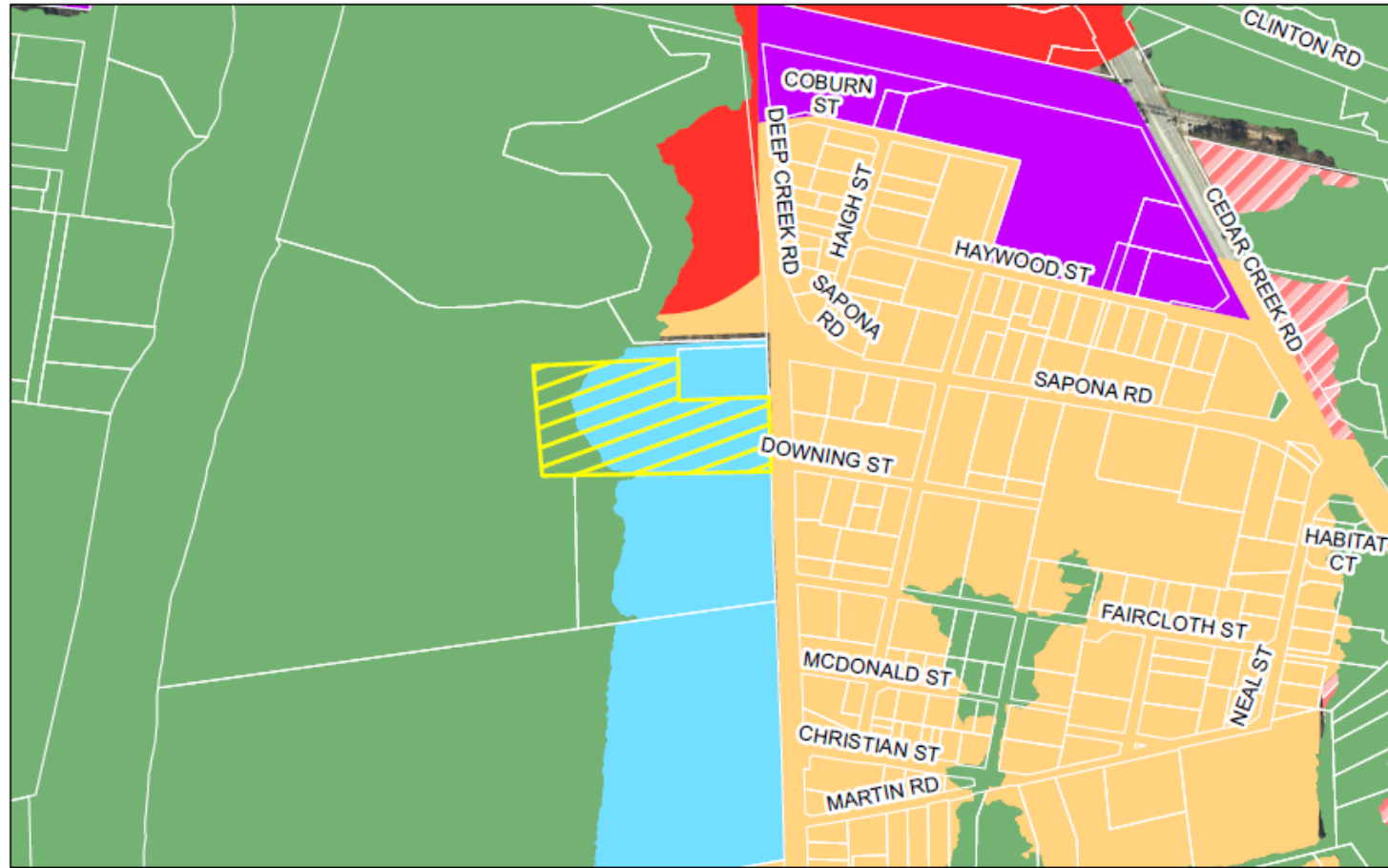
Location: 328 Deep Creek Road

Legend

-  P23-46
-  CC - Community Commercial
-  HI - Heavy Industrial
-  LC - Limited Commercial
-  MR-5 - Mixed Residential 5
-  SF-6 - Single-Family Residential 6
-  SF-6/MHO - Single-Family Residential 6 Manufactured Home Overlay



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Future Land Use Map

Case #: P23-46

Request: Rezoning Heavy Industrial (HI) to Community Commercial (CC)

Location: 328 Deep Creek Road

Legend

 P23-46

Land Use Plan 2040

Character Areas

 PARKOS - PARK / OPEN SPACE

 MDR - MEDIUM DENSITY

 CSR - COMMERCIAL STRIP REDEVELOPMENT

 HC - HIGHWAY COMMERCIAL

 OI - OFFICE / INSTITUTIONAL

 EC - EMPLOYMENT CENTER



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North



South



East

- Property annexed in 1988, developed into a daycare center between 1982 and 1995.
- Rezoning requested from Heavy Industrial to Community Commercial for diverse business support.
- Long-term plan involves replacing structures with two new buildings while maintaining daycare use.
- Future Land Use Map recommends an Office/Institutional designation, aligning with the proposed amendment.
- Amendment aims to address community needs, enhance functionality, and maintain property value.

The Zoning Commission and Professional Planning Staff recommend that the City Council APPROVE the proposed map amendment to Community Commercial (CC) based on the following:

- The proposed zoning map amendment implements the policies adopted in the Future Land Use Plan (FLUP), and those policies found in the Unified Development Ordinance (UDO). The Future Land Use Plan calls for the subject property to be developed as Office/Institutional (O/I).
- The uses permitted by the proposed change in zoning district classification and the standards that apply to such uses would be appropriate in the immediate area; and
- There are no other factors that will substantially affect public health, safety, morals, or general welfare.

1. City Council moves to approve the map amendment to Community Commercial (CC) as presented based on the evidence submitted and finds that the rezoning is consistent with the Future Land Use Plan as demonstrated by the attached consistency and reasonableness statement (recommended);
2. City Council moves to approve the map amendment to a more restrictive zoning district based on the evidence submitted and finds that the map amendment would be consistent with the Future Land Use Plan and an amended consistency statement;
3. City Council moves to deny the map amendment request based on the evidence submitted and finds that the map amendment is inconsistent with the Future Land Use Plan.



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