

Agenda Item: Application 604 – PetsMart

TO: Mayor and Town Council
DATE: February 6, 2014
RE: Permitted Uses
FROM: David Nelson

Background/Issue:

The site plan submitted with this application denoted that “all B-1 uses be permitted” with this rezoning. At public hearing, Council stated that some B-1 uses may be inappropriate at this site and requested that inappropriate uses be stricken. At the February 4, 2014 Planning Board meeting, the Planning Board recommended approval with the following uses identified for prohibition at this site (numbered as they appear in Section 153.060 of the Zoning Ordinance):

- By-Right
 - (4) Dormitories for the students of colleges, commercial schools...
 - (5) Farms, either in conjunction with or separate from dwellings, which may conduct retail sales of products produced on the premises.
 - (7) Golf courses, public and private...
 - (8) Orphanages, Children’s Homes, and similar...
 - (10) Room renting.
 - (11) Trailer, overnight camping and recreational vehicles...
 - (30) Bus passenger stations.
 - (41) Fertilizer, packaged retail sales.
 - (44) Funeral homes and crematories.
 - (74) Trailers, utility or hauling retail sales and rental.
 - (82) Municipal reservoirs.
 - (83) Railroad rights-of-way.
 - (87) Dwellings, one family attached, one family detached, one family semi-detached, two-family or multi-family as a single building on a lot.
 - (90) Heliport, medically-related.
 - (96) Clairvoyant entertainment businesses...
- Uses Under Prescribed Conditions
 - (25) Water storage tanks.
 - (26) Demolition disposal site.
- Accessory Uses

(5) Petroleum storage, accessory to a permitted principal use or building, subject to the Fire Prevention Code of the National Board of Fire Underwriters.

All remaining B-1 uses will be allowed, per Section 153.060 of the Zoning Ordinance. The applicant is willing to amend the site plan to note that these uses are prohibited.

Recommended Motion:

Planning staff recommends approval of the Rezoning Application, 2013-604, subject to the prohibition of the above stated uses.