

**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of May 4, 2023**

3. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Repeal Planned Development Number 159 (Ordinance 2665) For An Approximately 0.63-Acre Tract Located At 2775 East Trinity Mills Road And At The Northwest Corner Of Marsh Lane And East Trinity Mills Road; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-026 Repeal Of Planned Development Number 159. Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley stated that when the PD was established in 2002, it was solely to allow for a 5-foot building encroachment into the required 10-foot rear setback, which is the north property line, for a proposed expansion to a gasoline station and convenience store. He explained that the gasoline station and convenience store were later demolished, and the site rebuilt with a retail shell building and a 10-foot rear setback. He stated because the building has a 10-foot rear setback, there is no value or benefit in continuing the PD on the site. No public comments were received. He advised that staff has discussed this item with the property owner. Staff recommended approval of the request.

Commissioner Martin asked for clarification about the shell building and asked if there was anyone occupying the building currently. McCauley stated there is a current certificate of occupancy for a salon and that the repeal has no effect on the building or the current use.

Chair Windrow opened the public hearing; there were no speakers.

** Commissioner Foster moved to close the public hearing and approve amending the zoning to repeal PD 159, Case No. PLZPD 2023-026 Repeal of Planned Development No. 159; second by 1st Vice Chair Powell. The motion was approved with a unanimous 7-0 vote (Taylor and Kramer absent).*