



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 21, 2022

Re: Gadbois Professional Offices PD Plan – Major Amendment (Case #158-2022)

Executive Summary

Approval of this request would result in the revision of the statement of intent applicable to the “Gadbois Professional Offices PD Plan” to include ‘assembly or lodge halls’ as a permitted use and modification of the approved PD plan to include an HVAC enclosure on the north side of the existing structure.

Discussion

A Civil Group (agent), on behalf of Cherry Hill Dental Associates, LLC (owners), is seeking approval of a major amendment to the, “Gadbois Professional Offices PD Plan.” The PD plan was approved by Council in November 2017 and subsequently amended to add restaurants as a permitted use in June 2019. The proposed plan amendment would add a 600 square foot HVAC enclosure near the northeast corner of the existing office building and seeks to modify the approved Statement of Intent (SOI) to permitted ‘assembly or lodge halls’ as a permitted use. The ground floor of the existing office building is presently vacant and given its proposed repurposing for an event center, the HVAC components would be necessary to support that use.

The requested statement of intent revision is the result of the City’s (Business License Office and Community Development) denial of a liquor license for the premises. Staff denied the license based upon the fact that the sale of alcohol for consumption on the premises is viewed as being consistent with a ‘bar or nightclub’ which is expressly prohibited by the current SOI. Upon additional discussion with the applicant, staff came to understand that the liquor license was desired so that the applicants could serve complementary alcoholic beverages to their dental patients during dental care visits. The applicants also desired to have the option to operate a cash bar in conjunction with the proposed ground floor event space.

The approved statement of intent includes all permitted uses of the M-N (Mixed-Use Neighborhood District); however, the desired ‘assembly or lodge hall’ use is only permitted in the M-N district via a conditional use permit (CUP). A conditional use cannot be processed separately on PD zoned land, hence the necessity to pursue the SOI amendment such that the use is part of the entitled land uses permitted on the site. In evaluating the appropriateness of adding the ‘assembly or lodge hall’ use to the SOI, staff used the standard six-part CUP evaluation criteria found within Section 29-6.4(m)(2) of the UDC given such criteria would have otherwise been required to be considered had the site not been zoned PD.



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Using the six-part CUP evaluation criteria staff determined that, no significant site plan alterations were necessary to facilitate the proposed 'assembly or lodge hall' space. The subject site is identified as being located within a Commercial District, its proximity to a commercial node (Bethel and Nifong), and its location along a recently improved commercial corridor designed to handle the impact of increased traffic volumes were indicators that the additional use would be consistent with its current and future land use surroundings.

Existing infrastructure improvements serving the site provide sufficient services to support the proposed 'assembly or lodge hall' use. Traffic flow, noise, and other anticipated impacts will be sporadic and concentrated during scheduled events with little overlap with other uses in the vicinity and are mitigated by the site's entrances located off Diego Drive permitting traffic dispersion to either a signalized or access controlled intersection with limited need to traverse through the adjoining residential developments to the north.

The Planning & Zoning Commission considered this request at their May 19, 2022 meeting. Commissioners inquired about whether sufficient parking exists on the property for the proposed use and about the potential capacity of the event space. Staff indicated that parking was evaluated and the PD plan was designed with more-intensive uses in mind, such as the restaurant use added to the SOI in 2019. Occupancy capacity is still unknown given the lack of a finalized interior design, but will be determined by the Fire Code once the interior space is defined. Staff does not anticipate a deficiency in the required parking based on the proposed use.

After limited additional discussion, the Commission then moved to approve the PD amendment and SOI addition. The motion passed unanimously (8-0).

A copy of the Planning Commission staff report, locator maps, PD Plan, revised Statement of Intent, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: None anticipated.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable



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Legislative History

Date	Action
6/3/19	Approved SOI amendment - added restaurants. (Ord. 23886)
11/20/17	Approved "Gadbois Professional Offices PD Plan" & SOI (Ord. 23375)

Suggested Council Action

Approve the revised "Gadbois Professional Offices PD Plan," and associated Statement of Intent as recommended by the Planning and Zoning Commission.