

MOTION by Fuller, seconded by Marx, that the Planning Commission recommend the Conditional Rezoning of 20160 Mack Avenue from RO-1, to C, to City Council for approval based on the following proposed conditions in the Buccellato Development letter dated September 30, 2025:

1. Limitation on type of occupancy – The property shall be limited to one potential “quick service restaurant” with no drive through and shall not exceed 3,200 square feet.
2. Residential Use – we are committed to a second-story residential use consisting of up to seven (7) apartment units.
3. Hours of Operation – the restaurant shall operate approximately between the hours of 6:00 a.m. and 10:00 p.m. Hard liquor sales or service shall not be permitted.
4. Setbacks – Setbacks shall be as shown on Site Plan A-1.
5. Provide Dust Mitigation Plan at time of construction.
6. Construction Hours per city of GPW City Ordinances.

And based on the following findings of facts:

- a. This rezoning and proposed development is consistent with numerous goals from the 2024 Master Plan, including Goal #1 - Housing: Provide a range of housing choices for all ages, abilities, and incomes; Goal #2 – Economic Development: Elevate Mack Avenue as a thriving, vibrant commercial corridor that meets the daily needs of residents and is a destination for visitors; and Goal # 3 – Community Character: Strengthen sense of place, identity, and character throughout the City and its neighborhoods.
- b. This rezoning brings the site closer to the intentions of the 2024 Master Plan’s Future Land Use Plan, which designates the site as “Corridor Mixed Use”.
- c. The uses permitted in the C, Commercial Business District, including a mix of retail, office, restaurant, and residential uses, are generally compatible with the commercial nature of Mack Avenue surrounding this property. The applicant must provide appropriate buffering between adjacent properties of dissimilar zoning, per the requirements of the Ordinance, during the site plan review process.
- d. While the Voluntary Conditions offered by the applicant place an additional limitation on the type of future occupancy, i.e.: “The property shall be limited to one potential “quick services restaurant” with no drive through and shall not exceed 3,200 square feet”, restaurants are subject to the City’s Special Land Use process. Should a restaurant be proposed in the future, an additional public hearing and review of the specific use (including maximum occupancy, square footage, available parking, loading, etc.) will be evaluated for compliance with the Zoning Ordinance.
- e. The site meets all Zoning Ordinance dimensional requirements of the C, Commercial Business District. The rezoning allows for a buildable lot and does not create a non-conformity.

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- f. The rezoning is not anticipated to significantly alter traffic generation in the area. The proposed uses are anticipated to generate comparable amounts of traffic to that of an operating medical office, and pedestrian and non-motorized transportation safety is expected to be improved through sidewalk connectivity and the reduction of a driveway.
- g. The design of the building follows traditional, high quality architectural design which is encouraged by the Zoning Ordinance and is largely compatible with the Mack Avenue Corridor and surrounding neighborhoods.

Motion carried by the following vote:

YES: Ellis, Fenton, Fuller, Hamborsky, O'Keefe, Marx

NO: None

ABSENT: Gilezan, Schulte, Vitale