MEMORANDUM

Date:	June 12th, 2026
To:	City of Madison Heights Planning Commission
Meeting Date:	June 15th, 2026
From:	Matt Lonnerstater, AICP – City Planner
Subject:	Rezoning with Conditions Request PRZN 26-01 – 31075 John R Road – B-1 to B-2.

Introduction

The applicant, Smokin' Bear Tobacco, on behalf of the property owner, South Lyon Company, LLC, requests to rezone one (1) parcel of land located at 31075 John R Road (TM# 44-25-02-478-021) from B-1, Neighborhood Business District, to B-2, Community Business District. The subject parcel is approximately 1.52 acres in size and is improved with a 17,000 square foot multi-unit retail commercial building. The property is located on the west side of John R Road just north of 13 Mile and is located just to the east of the Madison Heights City Hall/Library/Active Adult Center complex.

The applicant, with the property owner's authorization, has modified the application to request a Rezoning with Conditions and has voluntarily offered a list of conditions that would apply to the rezoning.

Rezoning with Conditions

The applicant requests a Rezoning with Conditions to the B-2, Community Business district, with the specific intent to allow for a tobacco/smoke shop to occupy one of the retail units. Per the newly adopted Madison Heights Zoning Ordinance, tobacco/smoke shops are permitted by-right within the requested B-2 zoning district **subject to use-specific regulations** but are not permitted within the existing B-1 district.

Section 15.073.C of the Zoning Ordinance (Rezoning with Conditions) grants property owners the ability to voluntarily propose conditions for the development and use of a property in connection with the submission of a rezoning application. Whereas a straight rezoning to B-2 would permit a much wider range of commercial uses on the property than the current B-1 designation (including a tobacco/smoke shop), the Rezoning with Conditions process allows an applicant to voluntarily restrict permitted uses and voluntarily restrict development standards on a property. Per the Zoning Ordinance, conditions shall be stricter or more limiting than the regulations that would apply to the land under a straight rezoning. Further, conditions shall not authorize uses or development that would not be permitted in the proposed district.

In summary, the applicant has voluntarily offered the following conditions which are tied to the specific tenant space (refer to the attached supplement for the full list of conditions):

(a) Applicant's business operations would include tobacco sales and anything incident to said tobacco sales (e.g., tobacco accessories).

(b) The use in the subject location would not include any other uses outside of the current B-1 zoning permitted uses.

(c) Applicant would not engage in any operations as a financial institution.

(d) Applicant would not engage in any operations in automobile sales.

(e) Applicant would not engage in any operations in automobile service/repairs.

(f) Applicant would not engage in any operations in gasoline sales.

(g) Applicant would not engage in any operations as a medical facility.

(h) Applicant would not engage in any operations in automobile sales. *(repeated condition)*

(i) Applicant would not engage in any operations in alcohol sales.

(j) Applicant would not engage in any operations in adult/child care.

(k) Applicant would not engage in any operations in firearm sales.

(l) Applicant would not engage in any operations as a kennel/boarding facility.

(m) Applicant would not engage in any operations as a funeral home.

(n) Applicant would not engage in any operations in home improvement.

(o) Applicant would not engage in any operations as a hotel/lodging facility.

(p) Applicant would propose that only one tobacco/smoke shop be authorized for use – at any given time – at the subject property.

(q) Any other reasonable conditions for which Applicant would voluntarily propose, if necessary, during the evaluation process.

The draft agreement also contains the following provision: *"Applicant recognizes that, even if this Rezoning with Conditions Application is approved, a dimensional variance would still be required from the Zoning Board of Appeals. Applicant is prepared to submit an appropriate Application for Dimensional Variance."*

Staff has concerns about these proposed conditions, summarized as follows:

1) The proposed conditions, as stated, appear to be limited to the individual tenant space occupied by the tobacco sales business. As a general rule, zoning regulations apply to an entire parcel, and district boundaries cannot be reduced to an individual retail tenant space. It is unclear what restrictions, if any, would apply to the other tenant spaces or the remainder of the parcel.

2) The proposed conditions repeatedly refer to "the applicant." The applicant in this case is the business, Smokin Bear Tobacco, and not the property owner. Zoning is tied to the land and not an individual; unless specified as part of the Rezoning with Conditions agreement, zoning regulations run with the land and future property owners would be subject to the same conditions of the rezoning. It is unclear whether the applicant intends for these conditions to become void upon a change of tenant, use, or business owner.

3) The proposed conditions prohibit specific uses from operating from the tenant space (e.g. automobile sales, gasoline sales, etc.) but also explicitly state that the applicant's business operations will, *"include tobacco sales and anything incident to said tobacco sales.*" This condition appears to lock in a tobacco shop as the only use that could ever operate from the unit. For example, if the tobacco sales business closes and a new restaurant business moves in, would the

restaurant be required to offer tobacco sales in order to be compliant with the conditions of the rezoning?

4) If the property were to ever be redeveloped, it is unclear as to what dimensional standards and list of permitted uses would apply (B1 or B2).

5) The proposed conditions are missing several important substantive clauses, as required per the Zoning Ordinance. Most importantly, the proposed conditions are silent when it comes to the triggers that would revert the property back to the original zoning designation (e.g. upon change of use or redevelopment).

If approved by City Council, city staff and the applicant will draft a formal Rezoning with Conditions agreement which shall be approved by city administration and recorded with Oakland County. The full list of voluntary conditions is attached to this report.

Street View of Property (Looking West)

Subject Parcel – Aerial View

Background Information and History

The applicant had previously applied for a Certificate of Occupancy to open the tobacco/smoke Shop at the subject location; this was denied as the proposed use is not permitted in the B-1 district. The applicant appealed this denial to the Zoning Board of Appeals. At their January 8th, 2026 meeting, the Zoning Board of Appeals upheld the City's denial. A brief history is provided below:

- **March 19th, 2025:** The applicant applied for a building permit to split an existing retail suite into two white-box suites. The Building Official issued the building permit on March 21st, 2025.
- **July 23rd, 2025:** The applicant submitted revised building plans; one sheet denoted a "cigar display room", which was subsequently approved by the Building Official.
- **November 24th, 2025:** The applicant submitted a Certificate of Occupancy application for "Smokin Bear Tobacco of John R, Inc." at the subject site. Within the application, the applicant stated, *"the space will be used to operate a retail smoke shop. We sell tobacco, cigarettes, cigars, vapes, hookahs, lottery, ashtrays, lighters."*
- **November 25th, 2025:** The Planning and Zoning Administrator (City Planner) denied the Certificate of Occupancy based on the following findings, as outlined in an email dated November 25th, 2025:
    - The proposed use is defined and classified as a "Tobacco/Smoke Shop" per Section 2.01 of the Zoning Ordinance.
    - Tobacco/Smoke Shops are not a permitted use in the B-1 zoning district, per Section 3.06 of the Zoning Ordinance.
- **November 26th, 2025:** The applicant formally appealed the decision within the 30-day window set for appeals by Section 15.06.
- **January 8th, 2026:** The Zoning Board of Appeals formally upheld the city's decision to deny the Certificate of Occupancy.
- **April 20th, 2026:** The Planning Commission considered a request for a straight rezoning to the B-2 district, which allows tobacco/smoke shops as a by-right use subject to use-specific conditions. At the applicant's request, the Planning Commission postponed the matter to allow the applicant to explore a Rezoning with Conditions.

The applicant has now applied to rezone the subject site to the B-2 district with voluntary conditions which would allow for the tobacco/smoke shops by right, subject to use-specific conditions including separation/buffering standards, discussed below.

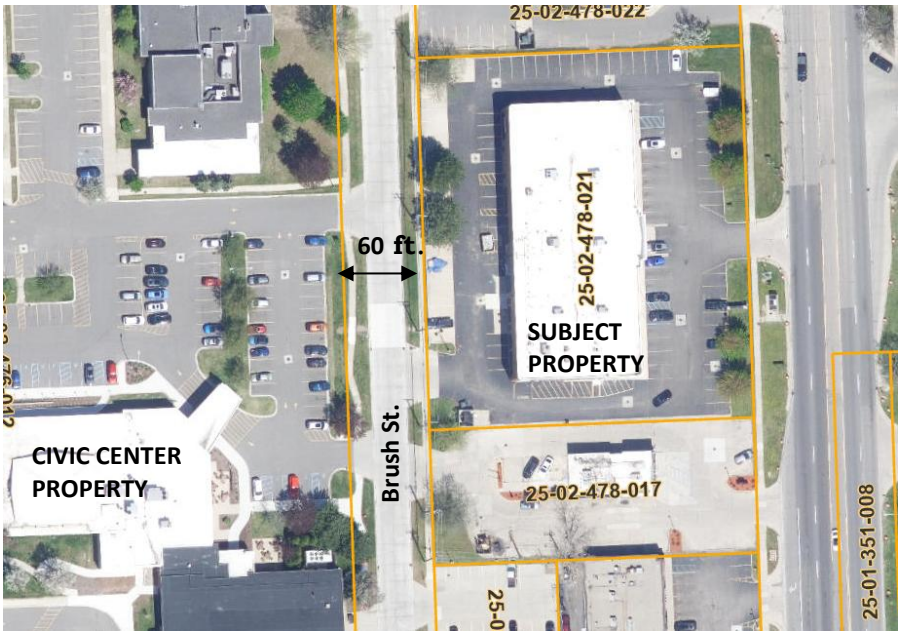
Use-Specific Standards for Tobacco/Smoke Shops

Tobacco/smoke shops are subject to the use-specific standards of Section 8.03.44, which are attached to this report. Section 8.03.44.A states:

It shall be unlawful to operate or cause to be operated a tobacco/smoke shop or smoke lounge within 200 feet (measured from the nearest lot line to the nearest lot line on a straight-line basis) of any of the following:

(1) A school or childcare facility.
(2) A public park.
(3) A public community center.

Proximity of Subject Site to Civic Center Complex



The rear of the subject property is located directly across Brush Street from the Madison Heights Civic Center complex, which comprises City Hall, the Active Adult Center, the Library, Civic Center Park as well the courthouse, police station, and fire station. The separation between the two properties is sixty (60) feet. As the Civic Center complex would be classified as a "public community center", the applicant would need to seek a separate dimensional variance from the 200 ft. setback requirement stated above.

Rezoning with Conditions Review Standards

Section 15.07.C(3) of the Madison Heights Zoning Ordinance contains standards that the Planning Commission and City Council shall consider when reviewing and acting upon a rezoning with conditions request:

(1) The proposed Rezoning with Conditions will further the goals and objectives of the City Master Plan.

(2) Rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the Rezoning with Conditions Agreement).

(3) The use of the property in question shall be in complete conformity with all regulations governing development and use within the zoning district to which the property is proposed to be rezoned, including, without limitation, permitted uses, lot area and width, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, that the following shall apply:

I. Development and use of the property shall be subject to the more restrictive requirements shown or specified in the Rezoning with Conditions Agreement, and/or in other conditions and provisions set forth in the Rezoning with Conditions Agreement required as part of the Rezoning with Conditions approval. Such Rezoning with Conditions Agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.

(4) The proposed Rezoning with Conditions will result in integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Rezoning with Conditions.

(5) As compared to the existing zoning and considering the site-specific conditions and/or land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Conditions. In determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against and be found to clearly outweigh the reasonably foreseeable detriments, taking into consideration reasonably accepted planning, engineering, environmental and other principles, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

(6) The proposed conditions will not preclude future zoning and planning actions by or on behalf of the municipality.

(7) Existing and available public services will be capable of serving proposed or potential development that will occur as a result of the Rezoning with Conditions without negatively impacting the delivery of public services to other properties in the City, or the conditions will ensure that public services will be sufficient to serve both the site and other properties in the City.

(8) The offered condition(s) are beneficial to the public good and likely to be enforceable.

(9) The condition does not have the same effect as a use variance.

(10) The proposed conditions do not relieve the applicant of the responsibility of securing any applicable site plan, plat, condominium, or special land use approvals.

The applicant has responded to these standards within their formal application.

Zoning and Land Use Considerations

Per the Zoning Ordinance, the intent of the existing B-1, Neighborhood Business district is to, *"meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. The B-1 District shall encourage uses and design that are compatible with, and accessible to, nearby residential uses, thus reducing the number of vehicle trips required in these areas."*

The intent of the requested B-2, Community Business district is to, *"cater the needs of a larger consumer population than is served by the Neighborhood Business District and may be characterized by an integrated cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic. The B-2 district is intended along, and at the intersections of, major arterial streets."*

While the applicant is seeking the Rezoning with Conditions to explicitly allow for a tobacco/smoke shop use within the existing strip retail center, the B-2 zoning district allows a much wider range of uses than the B-1 district. Note that the applicant has voluntarily offered to restrict many of these uses so that they would not be permitted within the individual tenant space. Some of these more intense uses and significant use departures are highlighted in the table below, with the list of permitted uses as voluntary offered by the applicant listed in the far-right column.

Use Comparison – B-1, B-2 (straight rezoning) and B-2 (rezoning with conditions)

USE	B-1 (existing)	B-2 (straight)	B-2 (voluntary conditions)*
CURRENT USE: Multi-Tenant Retail	P	P	P
PROPOSED USE: Multi-Tenant Retail w/ a tobacco/smoke shop		P	P
Residential Uses			
Residential/Commercial Mixed-Use	P	P	P
Live/Work	P		
Commercial Uses			
Auto Repair and Service (Minor and Major)		S	
Auto Sales		S	
Banquet Halls (greater than 75 persons		P	
Bars and Taprooms (alcohol sales)	S	P	
Commercial Kennels and Boarding Facilities		S	
Drive-Through Facilities	S	P	P
Financial Institution	P	P	
Firearm Retail Sales		P	
Funeral Home		S	
Gasoline/Recharging Stations		S	
General Retail	P	P	P
Home Improvement Center	P	P	
Hotels and Lodging		S	
Indoor Recreation Business	P	P	P
Kennel/Boarding Facility		S	
Medical Office	P	P	
Microbreweries, wineries, and distilleries (alcohol sales)	S	P	
Personal Service Establishments	P	P	P
Professional Office	P	P	P
Restaurants	P	P	P
Tobacco/Smoke Shop/Smoke Lounge		P	P
Veterinary Clinic or Animal Grooming	S	P	S
Industrial Uses			
Contractor's Office	P	P	
Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution		P	

**** Proposed to apply only to 'Smokin' Bear' retail unit***

P = Permitted by Right S = Special Approval Required Blank = Not Permitted

The full Permitted Use Table is attached to this memorandum.

The proposed Rezoning with Conditions to the B-2 district would permit a tobacco/smoke shop subject to the use-specific standards. While the proposed list of conditions restricts certain uses otherwise permitted in the B-2 district- such as gas stations, auto repair, and firearm sales – it also has the effect of prohibiting

uses that are currently permitted by right in the B-1 district. For example, small home improvement centers, medical offices, and financial institutions which are currently permitted by-right on the property would no longer be allowed in the tenant space. It is unclear what conditions – if any – would apply to the other tenant spaces within the strip mall. Further, it is unclear as to what conditions would apply to a potential future redevelopment of the property. As shown in the table below, the B-1 and B-2 zoning districts have different dimensional regulations pertaining to setbacks and building height. The proposed rezoning conditions do not provide guidance as to which use and dimensional standards would apply to future development, redevelopment, or building expansion.

Excerpt from Section 4.02 – Mixed-Use and Non-Residential Districts Schedule of Regulations

District	Minimum Lot Size		Maximum Building Height (ft.)	Minimum Yard Setback (ft.)					Maximum Lot Coverage
	Area (sq. ft.)	Width (ft.)		Front	Sides			Rear	
					One	Total	Street		
B-1	--	--	30	5	5 *(A)*	10 *(A)*	5	15 *(B)*	--
B-2	--	--	40	10	10 *(A)*	20 *(A)*	10	20 *(B)*	--

Existing Land Use and Zoning

Existing adjacent land uses and zoning designations are denoted in the table below:

Existing Land Uses and Zoning

	Existing Land Use	**Existing Zoning**
Site	Multi-tenant Retail	B-1, Neighborhood Commercial
North	Funeral Home	B-1, Neighborhood Commercial
South	Drive-Through Restaurant	B-1, Neighborhood Commercial
East	Sam's Club [Wholesale]	B-2, Community Business
West	Madison Heights Civic Center Complex	N-P, Natural Preservation and Reecreation

Adjacent land uses on the west side of John R consist primarily of general retail, fast-food style restaurants, and the occasional small medical office. The east side of John R consists of general retail, including the large Sam's Club warehouse and gas station site, auto-oriented commercial and multi-family residential. The subject parcel backs up to the Madison Heights Civic Center complex, including City Hall, the library, Active Adult Center, and Civic Center Park.

Future Land Use and Master Plan

Adjacent future land uses, as envisioned by the 2021 Madison Heights Master Plan, are denoted in the table below:

Future Land Use

	Future Land Use
Site	Office
North	Office
South	Office
East	Commercial
West	Public

The future land use designation of the subject site is *Office.* Per the Master Plan, the Office designation is intended to accommodate integrated uses to promote walkability as well as encourage flexibility of building use; this suggests a blend of local service, professional and general office uses into traditional office developments, as well as commercial uses that serve office users. The Master Plan does not necessarily break down the adjacent commercial future land use category into more detailed sub-categories based on anticipated commercial intensity.

While there are a few small medical offices located along the west side of this stretch of John R Road, the existing land use pattern is better characterized as light commercial with the occasional office use rather than office. The Future Land Use designation of this area should be explored as part of the ongoing Master Plan update process, especially if the proposed rezoning is approved.

Pertinent Goals & Objectives from the Master Plan include:

Community Character:

- Enhance the city's commercial corridors to support walkability and improve community identity.
- Promote the city's positive identity in the region.
- Protect established neighborhoods and business districts from the potentially negative impacts of development, including noise, traffic, waste, odor, and other nuisances through effective and thoughtful site and building design.

Commercial & Industrial Development:

- Encourage entrepreneurship and growth for diverse businesses of all sizes to promote a balanced local economy.
- Provide incentives and flexible zoning mechanisms for commercial and industrial property owners and tenants to upgrade existing commercial and industrial sites.
- Promote the mix of commercial, office, and industrial uses in a way that fosters collaboration and business growth, while creating a desirable environment for the local workforce.

<u>Transportation</u>

Per the 2021 Master Plan, this stretch of John R Road is designated as an "urban minor arterial" road which is intended to serve as routes for through traffic while providing access to abutting properties and minor intersecting streets. Minor arterials carry through-travel movements but carry trips of a shorter distance and to lesser traffic generators. Per SEMCOG, this stretch of John R Road accommodates approximately 25,472 vehicles per day, which is a fairly significant number of trips. As a comparison, 11 Mile Road between I-75 and John R Road accommodates approximately 15,000 vehicles per day.

Staff Discussion and Policy Analysis

As noted throughout this report, staff has concerns about the voluntarily proposed conditions included with this rezoning request, summarized below:

(1) The applicant voluntarily proposes conditions to allow for tobacco sales and incidental operations from the tenant space and explicitly ties the conditions to the applicant's individual tenant space. By tying the conditions to only one retail space, the proposed agreement essentially has the same effect as a use variance and is ambiguous as to which use and dimensional standards would apply to the remainder of the parcel. The conditions also are silent as to which standards would apply

to future redevelopment or building expansion. Zoning districts and their related regulations – including voluntarily imposed conditions – should apply to an entire parcel.

(2) The proposed conditions prohibit certain uses from operating from the tenant space (e.g. automobile sales, gasoline sales, etc.) but also prohibit uses currently permitted by-right in the B-1 district, including financial institutions and small home improvement stores. One condition also explicitly states that the applicant's business operations will, *"include tobacco sales and anything incident to said tobacco sales,"* which appears to lock in a tobacco shop as the only use that could ever operate from the space.

(3) The proposed conditions repeatedly refer to "the applicant" which, in this case, is the business owner rather than the property owner. In general, zoning is tied to the land and not an individual; unless specified as part of the Rezoning with Conditions agreement, zoning regulations run with the land and all future property owners would be subject to the same conditions of the rezoning. Therefore, the proposed conditions should apply to the property rather than an individual business owner or property owner. It is unclear whether the applicant intends for these conditions to become void upon a change of tenant, use, or property owner.

In terms of overall land use considerations, the subject property is located mid-block along a fairly- busy section of John R Road. In Madison Heights, John R Road is primarily characterized by a mix of small-scale commercial, large-scale commercial, office, and auto-oriented uses. **Refer to the map on the following page.** As one heads north on John R from the subject site towards 14 Mile Road, the commercial land uses generally transition from smaller-scale, locally-oriented businesses (with the exception of Sam's Club) to big-box, regional uses such as Target and Best Buy near Oakland Mall. This transition is reflected through the change in zoning designation, which shifts from B-1 (Neighborhood Commercial) at the southwest corner of John R/13 Mile to MUI-2 (Mixed Use Innovation-2) to B-3 (Regional Commercial).

The Planning Commission should also focus on the core goal for this Rezoning with Conditions request, which is to allow for a tobacco/smoke shop on a parcel where such use is not currently permitted. The use-specific conditions for tobacco/smoke shops require them to be separated from public uses such as schools, parks, and community centers by a distance of at least 200 feet. The rear of the subject property is located directly across Brush Street from the Madison Heights Civic Center complex, which comprises City Hall, the Active Adult Center, the Library, Civic Center Park as well the courthouse, police station, and fire station. The separation between the two properties is sixty (60) feet, well below the 200-foot requirement. Staff questions whether it is in the public interest or beneficial to the public good to allow for a rezoning that explicitly allows a tobacco/smoke shop on a parcel which, on its face, fails to meet the use-specific standards for said use.

If this Rezoning with Conditions is ultimately approved, the separation requirement listed in Section 7.03.44 would still apply and the applicant would need to seek a separate dimensional variance from the Zoning Board of Appeals.

Expanded Zoning Map

If the rezoning request is approved, any major redevelopment on the subject parcel would be subject to site plan approval through the administrative Technical Review Committee (TRC) and, if applicable, Special Land Use approval through the Planning Commission and City Council. As previously noted, it is unclear how the Rezoning with Conditions agreement, if approved, would be carried forward and applied to future redevelopment.

Next Step

After the public hearing and discussion, the Planning Commission may make a recommendation on the proposed rezoning with conditions to City Council. **Any motion which includes a recommendation to City Council shall include concise findings of facts.**

Template Motions | Findings and Recommendations to City Council

Template motions for recommendations of approval and denial, including findings of fact, are provided below.

DENIAL:

Move to recommend that City Council deny the rezoning of 31075 John R Road (parcel #44-25-02-478-021) from B-1, Neighborhood Business, to B-2, Community Business district – Case PRZN #26-01 - with conditions voluntarily proposed by the applicant, as attached, based upon the following findings:

1. *The Planning Commission held a public hearing on June 15th, 2026 on the requested Rezoning with Conditions application and a proposed amendment to the City's Zoning Map.*
2. *The applicant voluntarily proposed a number of conditions to the requested B-2 rezoning, which are attached in the document entitled "Supplement to Rezoning Application."*
3. *The proposed Rezoning with Conditions does not satisfy the review criteria for a Rezoning with Conditions request as contained in Section 15.07.3.C(3) of the Madison Heights Zoning Ordinance. In particular, the Planning Commission finds that the conditions voluntarily offered by the applicant fail to satisfactorily address the following Zoning Ordinance standards:*
    a. *The proposed rezoning conditions do not further the goals and objectives of the City Master Plan, particularly with regards to objectives related to Community Character and future land use.*
    b. *The proposed rezoning conditions do not result in an enhancement of the project area as compared to the existing zoning, as the rezoning's core intent is to allow for a use not presently permitted on the subject parcel.*
    c. *It is not in the public interest to grant the rezoning with conditions as the benefits of such proposal – the allowance of a tobacco/smoke shop – does not outweigh foreseeable detriments, including the proximity of said use from public facilities and parks.*
    d. *The offered conditions are not likely to be enforceable as they are ambiguous with regards to their application to the remainder of the parcel, especially pertaining to permitted uses and dimensional standards.*
    e. *The proposed conditions have the same general effect as a use variance in that the core intent of the conditions is to allow for a tobacco/smoke shop in one individual retail unit within a multi-unit retail building, with no further considerations for the remainder of the building or the remainder of the parcel.*
4. *The Planning Commission further cites the following issues with the voluntarily proposed conditions as reasons for denial:*

a. *The conditions as proposed only apply to one retail space and are tied to one retail business owner (applicant). It is unclear as to which zoning conditions apply to the remainder of the parcel. Proposed conditions should run with the land unless explicitly stated otherwise within the proposed agreement and should not be applicable to only one individual.*

b. *The proposed conditions appear overly restrictive in that they require tobacco sales to take place from the individual unit and prohibit uses currently permitted by-right within the B-1 district.*

c. *The conditions do not present clear and enforceable standards that can be applied to the remainder of the parcel or applied to future redevelopment or building expansion.*

APPROVAL:

Move to recommend that City Council approve the rezoning of 31075 John R Road (parcel #44-25-02-478-021) from B-1, Neighborhood Business, to B-2, Community Business district – Case PRZN #26-01 - with conditions voluntarily proposed by the applicant, as attached, based upon the following findings:

1. *The Planning Commission held a public hearing on June 15th, 2026 on the requested Rezoning with Conditions application and a proposed amendment to the City's Zoning Map.*
2. *The applicant voluntarily proposed a number of conditions to the requested B-2 rezoning, which are attached in the document entitled "Supplement to Rezoning Application." These conditions shall be tied to the rezoning of the parcel.*
3. *The proposed rezoning conditions generally satisfy the review criteria for a Rezoning with Conditions request as contained in Section 15.07.3.C(3) of the Madison Heights Zoning Ordinance.*
4. *The proposed conditions do not relieve the applicant of the responsibility of securing any applicable site plan, plat, condominium, special land use, or variance approvals.*
5. *Upon City Council approval, if granted, a formal Rezoning with Conditions agreement shall be executed between the City and the applicant and recorded in accordance with Section 15.07 of the Zoning Ordinance.*

Attachments

- *Rezoning Application PRZN 24-02 [Amended]*
- *Supplement to Rezoning Application [Voluntarily Proposed Conditions]*
- *Compiled Maps*
- *Public Hearing Notice*
- *Letters from the Public*
- *Section 15.07.3.C – Rezoning with Conditions*
- *Section 3.06 – Permitted Use Table*
- *Section 3.14 – B-1 Neighborhood Business District*
- *Section 3.15 – B-2 Community Business District.*
- *Minutes from January 8th, 2026 Zoning Board of Appeals meeting.*
- *Minutes from April 20th, 2026 Planning Commission meeting.*