

SUNSET WOODS

DEVELOPMENT WORKGROUP

Date: March 24, 2022

To: Chris Wells

CC: Plan Commission Heather Stouder
Matt Tucker Regina Vidaver
Kevin Firchow

From: Alex Saloutos Carol Richard

Re.: 3734 Speedway Rd, Legistar number 69786

We have another question regarding the land use application for redevelopment of 3734 Speedway Rd:

1. Where in the zoning ordinance is it specifically enumerated that access to the parking, loading, and trash disposal off the primary abutting street for a Commercial Block Building is a permitted or conditional use?

Access to the structured parking, surface parking, loading, and trash disposal for the proposed Commercial Block Building is on the primary abutting street (Speedway Rd) and it appears this use is not specifically enumerated as a permitted or conditional use in the zoning ordinance. Regarding a Commercial Block Building, the zoning ordinance states "Parking, loading and trash disposal may be accessed from an alley or through a side yard or rear yard drive serving one or more buildings."¹ Also, "the [zoning] ordinance permits only those principal and accessory uses and structures that are specifically enumerated in the ordinance. In the absence of a variance or special exception, any uses or structures not specifically permitted by the ordinance are prohibited."² Finally, "Where the conditions imposed by any provision of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, statute, resolution or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall prevail, unless an exception to this provision is specifically noted."³

¹ [MGO 28.173\(1\)\(b\)](#)

² [MGO 28.004\(1\)](#)

³ [MGO 28.004\(3\)](#)