

Docket Item #6

Rezoning: Winn Road

CD-CPC-2026-00005

March 18, 2026

City Plan Commission

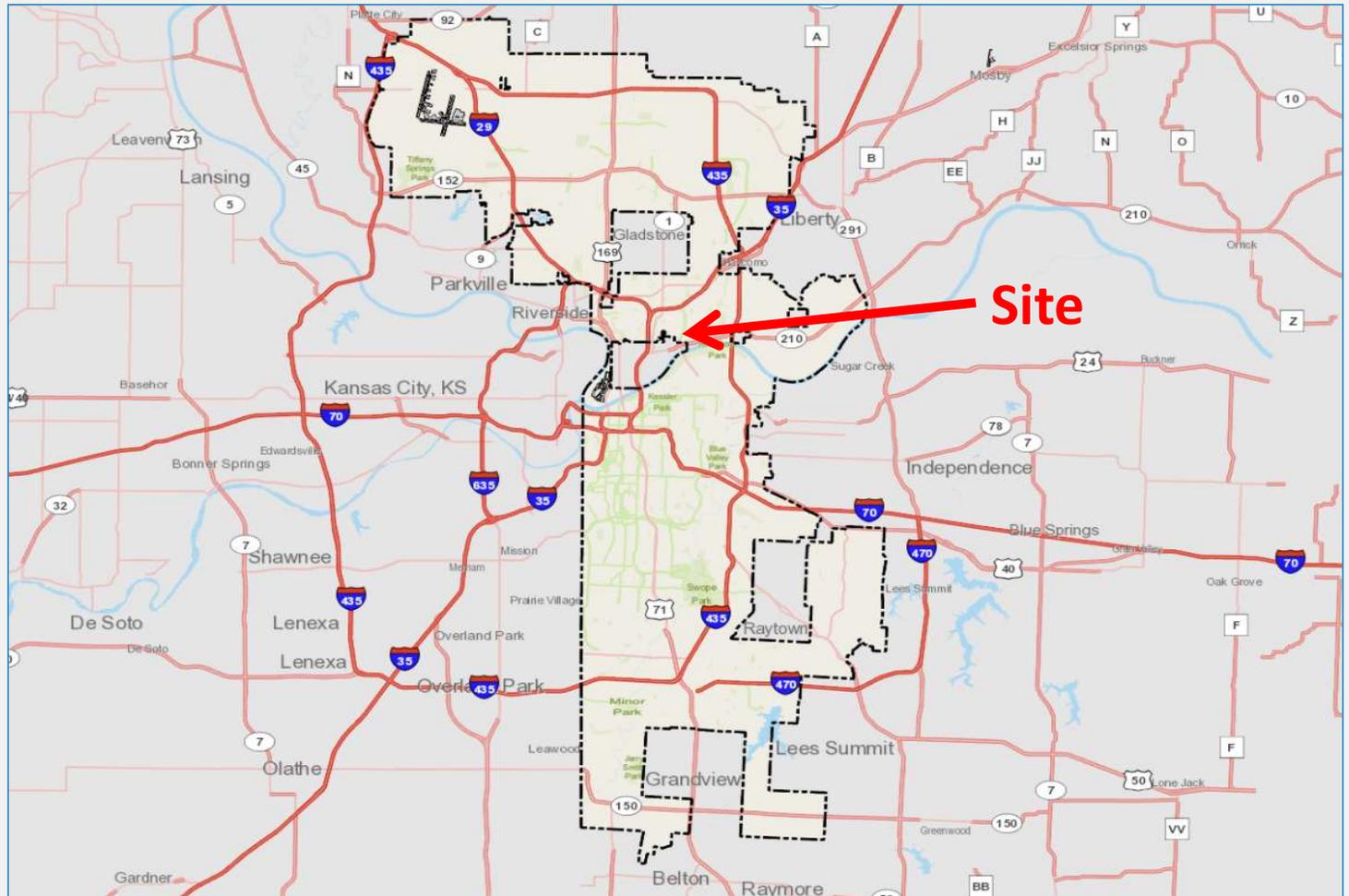


Location

Address:
3746 NE Winn Rd

Council District:
4th

Area Plan:
Briarcliff/Winnwood



Location

Address:
3746 NE Winn Rd

Council District:
4th

Area Plan:
Briarcliff/Winnwood



Looking Northwest from NE Winn Road



Looking Northeast from NE Winn Road



Rezoning Request

- The applicant is requesting a rezoning from **District R-6** (Residential) to **District B1-1** (Commercial)
- A Certificate of Legal Non-Conforming Use was issued for the site in 1954 to allow for a second-hand merchandise business.
- CLNU notes that this site was a commercial business prior to annexation by the City in 1950.
- Store has not been operational since approximately 2008 and CLNU has lapsed.

Conformance with Area Plan

- The Briarcliff-Winwood Area Plan recommends Mixed Use Community land use for this location.
- The proposed rezoning is consistent with the Future Land Use designation, and no Area Plan Amendment is required.
- Per the 4th District Planner, Luke Ranker; rezoning the property to B1-1 aligns with the historic commercial use of the site and would allow neighborhood-serving amenities such as a small grocery store or restaurant.

Review Criteria: Section 88-515-08

B. Zoning and use of nearby property. (Section 88-515-08-B)

Nearby properties are zoned R-6. To the north, west, and south are **single-unit detached homes**. To the east is an existing **religious assembly**. The B1 zoning district is classified as Neighborhood Business 1. The proposed rezoning is for an existing commercial building which is proposed to have a grocery store.

C. Physical character of the area in which the subject property is located. (Section 88-515-08-C)

Adjacent properties consist mainly of **residential uses**. The proposed rezoning is not expected to change the physical character of the area as this is an **existing commercial building** which was previously retail.

E. Suitability of the subject property for the use to which it has been restricted under the existing zoning regulations. (Section 88-515-08-E)

The subject property is currently zoned R-6 (Residential), which is generally intended to accommodate single-unit residential development. The site has an **existing commercial structure** that was previously authorized through a Certificate of Legal Nonconforming Use (CLNU) to sell second hand items. While the CLNU has since expired, **the prior approval shows that the site historically was considered appropriate for commercial uses.**

With the presence of an existing commercial building and the site's previous approval for commercial use through the CLNU, the R-6 zoning designation does not reflect the historical use of the property or consider the commercial structure. The proposed rezoning to B1-1 would allow the existing building to be utilized consistently with its previous commercial use and would provide a zoning classification that better aligns with the commercial structure on the site and brings the site into conformance with the future land use plan as outlined in the Briarcliff-Winnwood Area Plan.

Staff Recommendation Docket Item #6

Rezoning

Case No. CD-CPC-2026-00005

Approval

Winn Road Rezoning