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**PROPOSAL:** Request to rezone 0.3 acres of property  
**PROPERTY LOCATION:** 165 Brooklyn Avenue, Lancaster (TM# 0081H-0C-013.00)  
**CURRENT ZONING DISTRICT:** Medium Density Residential (MDR) District  
**PROPOSED ZONING DISTRICT:** Neighborhood Business (NB) District  
**APPLICANT:** Barby Barchu  
**COUNCIL DISTRICT:** District 2, Charlene McGriff  
**STATUTORY NOTICES:** Hearing notice published 7/1/2023 in The Lancaster News  
Signs posted 6/29/2023  
Mailed notices 6/29/2023  
Posted agenda in lobby 7/11/2023

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## OVERVIEW:

### ***Proposal/Site information***

The applicant has requested to rezone a parcel 0.3 acres in size. The intent is to re-establish an existing convenience store, which was a grandfathered non-conforming use after 2016 County zoning. The owner had to close the business for a period of time greater than 6 months and lost its grandfathered status. Rezoning will allow the owner to re-open his business.

### ***Summary of Adjacent Zoning and Uses***

The properties are surrounded predominantly by NB and MDR zoned properties. There is an NB parcel within 20 feet to the east across Todd Street, and another adjacent to that parcel.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	MDR	Residential
South	Lancaster County	MDR	Residential
East	Lancaster County	NB	Vacant
West	Lancaster County	MDR	Residential

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## ANALYSIS & FINDINGS:

### ***Zoning Districts***

As previously noted, the subject property is currently in the MDR District. Pursuant to UDO Chapter 2.3, the MDR District “...established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.”

### **Requested NB**

Pursuant to UDO Chapter 2.3, “the requested NB District *is generally located on thoroughfares and provides opportunities for the provision of neighborhood services that serve as an acceptable transition to generally auto-dependent neighborhoods.*”

### **RELATIONSHIP TO PUBLIC PLANS**

The Future Land Use Category of the subject properties is Urban, which corresponds to the Community Type of Walkable Neighborhood w/ additional intensity. The adopted Comprehensive Plan states that the “The Community Type “Walkable Neighborhood” is synonymous with the Place Type “Mixed-Use Neighborhood.” This is due to its very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type has its roots in the traditional character of American communities during the early part of the 20th century, and has been revived in recent decades as a relevant option for future development.” The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The Urban Future Land Use Category extends from just beyond the limits of The City of Lancaster, Town of Heath Springs, and Town of Kershaw. The Urban Future Land Use Category and Walkable Neighborhood w/ additional intensity Community Type are intended to be Synonyms.

The requested NB District is consistent with the Future Land Use Category and the Comprehensive Plan.

Suburban Single-Family/Multi-Family Neighborhood: Land Use Considerations		
Single-Family Detached Home	Neighborhood Commercial	Government Building
Single-Family Attached Home (Town Home / Duplex)	Restaurant	Church
Condominium / Apartment	Professional Office	School

### **INFRASTRUCTURE CONSIDERATIONS**

#### **Transportation**

There are no issues with traffic generated from this request at this time. A TIA will be required in the future if the proposed use crosses the threshold for trips generated.

#### **Public Utilities**

Water and sewer service is provided by the City of Lancaster.

#### **Public Schools**

There are no capacity concerns for the schools within this area pertaining to this change.

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**PHOTOS OF PROJECT AREA:**



*An ariel view of the subject property*



*Facing subject parcel off the corner of Brooklyn Ave and Todd Street.*

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**STAFF RECOMMENDATION:**

Staff recommends **Approval** of the request to rezone 0.3 acres (TM# 0081H-0C-013.00) from Medium Density Residential (MDR) District to Neighborhood Business (NB) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcel: TM# 0081H-0C-013.00
2. That the subject property is currently zoned MDR District and proposed to be rezoned NB District;
3. That the subject property has a Future Land Use designation of Urban, and a Community Type of Walkable Neighborhood; and
4. That the proposed NB District is generally consistent with the surrounding area which is comprised of MDR and NB Districts.

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**ATTACHMENTS:**

1. Rezoning Application
2. Recorded Plat
3. Location Map/ Zoning Map

**STAFF CONTACT:**

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