

Zoning Committee Recommendation

Rezoning Petition 2020-042

December 2, 2020

REQUEST

Current Zoning: R-5 (single family residential)
Proposed Zoning: 0-1(CD) (office, conditional)

LOCATION

Approximately 0.236 acres located east of South Tryon Street, south of Tryclan Drive, and west of Dewitt Lane.
(Council District 3 - Watlington)

PETITIONER

Chris Branch/Boulevard Real Estate Advisors, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 7-0 to Choose an item. this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Scaleybark Transit Station Area Plan*, based on the information from the staff analysis and the public hearing and because:

- The *Scaleybark Transit Station Area Plan* recommends residential up to 5 units per acre with the following note: "Similarly, the single family properties on Ellenwood Place and Yorkshire Drive are recommended for residential at 4 duu. However, if all property owners agree and the land is consolidated, redevelopment for TOD-Mixed would be appropriate. If redevelopment occurs, street connections to Dewitt Lane and Tryclan should be provided."

However we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The parcel is located at the end of the street and will serve as an interim buffer between TOD zoning and single family residential uses.
- The project will be required to buffer all property lines abutting residential uses and/or zoning per ordinance.
- The proposed rezoning plan has included language restricting use of the proposed vehicular access point to and from Ellenwood Place.
- The proposed rezoning plan incorporates possible amenities on the parcel, prohibiting dwelling units or habitable structures.

The approval of this petition will revise the adopted future land use as specified by the *Scaleybark Transit Station Area Plan*, from

current recommended residential up to 5 units per acre to the new recommended office use for the site.

Motion/Second: Welton / Blumenthal
Yea: Barbee, Blumenthal, Kelly, McMillan, Nwasike,
Samuel, and Welton
Nays: None
Absent: None
Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the request noting the petitioner agreed that the access drive will be restricted only to emergency vehicles, and gated. Staff mentioned the petitioner also agreed to install a 6' wooden fence on the buffer side of the parcel's southern and western property lines. Staff stated the language in the rezoning plan was further modified to reflect the parcel will not be used for parking in excess of the requirements of the adjacent parcel.

Staff read the following statement provided to staff regarding follow up with neighbors: *the Petitioner held a second meeting with neighbors, via telephone, on Tuesday November 24. In response to that discussion, the Petitioner has agreed that it will add additional language to the development standards (1) clarifying that the gate across the access drive will be locked in order to ensure that only emergency vehicles are able to use it, and (2) stipulating that the primary access point (i.e. the "front door") to the development on Tryclan Drive will be on Tryclan Drive, and not through the Ellenwood Place parcel.*

Staff noted that it is inconsistent with the adopted area plan.

There was no discussion of this petition.

PLANNER

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