



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2021-103

December 1, 2021

REQUEST

Current Zoning: I-1 (light industrial)
Proposed Zoning: TOD-UC (transit oriented development - urban center)

LOCATION

Approximately 2.25 acres located on the north side of Blairhill Road, south of Clanton Road, and west of South Tryon Street.
(Council District 3 - Watlington)

PETITIONER

Providence Group Capital, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-1 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** with the *Scaleybark Transit Station Area Plan* (2008) based on the information from the staff analysis and the public hearing, and because:

- The plan recommends office and industrial-warehouse-distribution uses for the site.

However we find this petition to Choose an item. public interest based on information from the staff analysis and the public hearing and because:

- Although the petition is inconsistent with the area plan's proposed land use, the application of the TOD-UC zoning district will allow for the subject site to provide TOD uses.
- The rezoning would also accommodate a high level of pedestrian and transit traffic in the area.

The approval of this petition will revise the adopted future land use as specified by the *Scaleybark Transit Station Area Plan* (2008), from office and industrial-warehouse-distribution uses to transit oriented development for the site.

Motion/Second: Spencer / Blumenthal
Yeas: Blumenthal, Chirinos, Rhodes, Spencer and Welton
Nays: Samuel
Absent: Ham
Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

Welton noted that a site's distance to major roads such as I-77 should be considered when reviewing the application of a district like TOD-UC which calls for close proximity to transit hubs.

Spencer commented that the application of TOD-UC is preferable in this area over the existing entitled use or TOD-TR because of the uses allowed under those zoning districts.

There was no further discussion of this petition.

MINORITY OPINION

The application of the TOD-UC zoning district is reserved for areas of high intensity, and the subject site and surrounding context is of moderate intensity.

The use of TOD-UC and the max height of allowing up to 300' through the bonus provisions allowed under the district would create an incongruent and harsh transition into the surrounding land uses.

The subject site is in an area with adjacent zoning districts including TOD-TR, TOD-CC, and business – distributive, with the nearest TOD-UC zoning district being located directly on South Boulevard among denser development and just over a quarter-mile walk to Scaleybark Station.

The use of other TOD zoning districts on the site would be a better fit for the area and still allow for a number of uses. Rezoning to TOD-CC in particular would still allow for a maximum height of up to 130 feet with the bonus provisions.

The rezoning request is inconsistent with the proposed land use for this area.

PLANNER

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