**Petition 2021-145 by Embrey Partners, Ltd.**

**To Approve:**

This petition is found to be **consistent** 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 transit oriented development – mixed use for this site.

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

- The site is within a ½-mile walk to the Scaleybark Station
- The TOD-CC district may be applied to parcels within a ½-mile walking distance of an existing rapid station, or within ½ mile walking distance of an existing streetcar stop.
- The dimensional standards of the transit oriented development zoning ordinance limits the maximum building height to 65 feet for buildings within 200 feet of the site's adjacent R-4 zoning.
- The subject site is directly adjacent to a number of other areas zoned TOD-CC.
- This rezoning would allow for the redevelopment of the site to transit supportive uses.
- The TOD-CC zoning district is appropriate for the site due to the site's direct adjacency to South Boulevard, a major thoroughfare.
- The use of conventional TOD-CC zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary. TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

**To Deny:**

This petition is found to be **consistent** 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 transit oriented development – mixed use for this site.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

      **Motion:**
      **Approve or Deny**
      **Maker:**
      **2ND:**

      **Vote:**
      **Dissenting:**
      **Recused:**