

## Petition 2021-217 by Boulevard Real Estate Advisors, LLC

### To Approve:

This petition is found to be **consistent and inconsistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The policy map recommends Commercial on a portion of the site, which although intended for auto-centric destinations, does accommodate uses such as retail and personal services which are allowed in the TOD-NC district; and
- The policy map recommends Neighborhood 1 on a portion of the site.

However, 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 1-mile walk of the Scaleybark Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- Immediately adjacent to the site are other parcels zoned TOD-NC as well as areas designated as Community Activity Centers under the *2040 Policy Map*.
- The TOD-NC zoning district maintains the high level of design standards associated with the TOD-UC zoning district, but TOD-NC is more appropriate for this site due to its surrounding context of more moderately intense uses, as compared to the high intensity of uses along South Boulevard and Old Pineville Road, just east of the site.
- The use of conventional TOD-NC 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.

The approval of this petition will revise the recommended Place Type as specified by the *2040 Policy Map (2022)*, from Neighborhood 1 and Commercial Place Types to Neighborhood Center for the site.

### To Deny:

This petition is found to be **consistent and inconsistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The policy map recommends Commercial on a portion of the site, which although intended for auto-centric destinations, does accommodate uses such as retail and personal services which are allowed in the TOD-NC district; and
- The policy map recommends Neighborhood 1 on a portion of the site.

Therefore, 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:

2<sup>ND</sup>:

#### Vote:

#### Dissenting:

#### Recused: