



Zoning Committee Recommendation

Rezoning Petition 2022-001

August 2, 2022

REQUEST

Current Zoning: R-8 (single family residential) and I-2 TS-O (general industrial, transit supportive – optional)
Proposed Zoning: TOD-NC (transit oriented development, neighborhood center)

LOCATION

Approximately 2.99 acres located on the west side of Yancey Road and south side of East Peterson Drive, east of South Tryon Street.
(Council District 3 - Watlington)

PETITIONER

White Point Partners

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

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 *2040 Policy Map* (2022) recommends the Community Activity Center Place Type; and
- The Neighborhood 1 Place Type is also recommended for 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 a number of parcels zoned TOD-NC, representing an ongoing shift in this area to more transit-supportive redevelopment projects.
- Though a portion of the rezoning site is inconsistent with the recommended Neighborhood 1 Place Type, the parcels immediately abut areas under the Community

Activity Center Place Type on two sides and the area is very near the major transit corridors in lower South End.

- 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 for a portion of the site as specified by the *2040 Policy Map (2022)*, from Neighborhood 1 to Community Activity Center.

Motion/Second: Welton / Rhodes

Yeas: Barbee, Gussman, Welton, Rhodes, Russell

Nays: None

Absent: Gaston, Harvey

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent and inconsistent with the *2040 Policy Map*.

Chairman Gussman noted that multiple parcel rezonings occur, but seldom do they span an area like this petition and asked staff if there was a reasoning as to why the industrially-zoned parcel was being rezoned at the same time as the residential parcels.

Staff responded that 2022-001 is being brought by the same petitioner as 2021-076, a recently rezoned site adjacent to this petition, and that there is likely an overall development plan that will span this area between Yancey Road, South Tryon Street and East Peterson Drive. The inclusion of some residential parcels along the south side of East Peterson Drive in 2021-076 and 2022-002 is a reflection of the timing of when the individual property owners agreed and consented to be part of each rezoning petition. The owner of parcel 14903213, which if 2022-002 is approved will be surrounded on three sides by TOD-NC zoning, voiced support of the petition and TOD-NC in the area; but they did not desire to take part in the rezonings themselves. The piecemeal assemblage that we see now is a result of the timeline of the petitioner's ability to work with the East Peterson Drive property owners and secure their support to be included in a rezoning. Staff added that they would follow-up if there is additional information as to why the residential parcels have been brought into TOD-NC rezoning petitions at different times.

Commissioner Welton commented that the TOD-NC designation that was applied from the approval of 2021-076 appears to cut through a small part of the existing OMB structure. Commissioner Welton added that he was under the impression that the whole swath of this property had been converted to TOD-NC.

Staff replied that the OMB building may not be under TOD-NC zoning due to existing uses in the operation of the brewery on the site, but that the inclusion of a portion of the building in the 2021-076 petition may simply be a mapping error. Staff added that they would follow up on additional information regarding the lot lines of these parcels.

There was no further discussion of this petition.

PLANNER

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