



Zoning Committee

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**REQUEST**

Current Zoning: B-1 (neighborhood business)  
Proposed Zoning: NS (neighborhood services)

**LOCATION**

Approximately 1.217 acres located at 8837 Albemarle Road,  
east of Hollirose Drive and west of Circumferential Road.  
(Council District 5 - Newton)

**PETITIONER**

Albemarle Road Partners, LLC (c/o Jeff Watson)

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-1 to recommend APPROVAL of  
this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *East District Plan*,  
based on the information from the staff analysis and the public  
hearing and because:

- The plan recommends retail uses for the site.

Therefore, 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 predominant surrounding land uses along this portion  
of the Albemarle Road corridor (retail, dining  
establishments, etc.) are uses that are interrelated and  
complimentary to the use proposed by this rezoning  
petition.
- The petition is in alignment with the recommended future  
land use for this parcel as amended upon the approval of  
rezoning petition 1992-070.
- By meeting existing ordinance requirements, by  
committing to front-loading the structure towards the  
street, by dedicating parking behind, and through the  
provision of a 12-foot multi-use path and other  
architectural elements, and by providing inter-parcel  
connectivity, this petition accomplishes the *East District  
Plan's* goal for a "livable and attractive community having  
a distinct identity."
- Upon approval of this petition, the last portion of  
undeveloped land recommended for retail uses on the  
northern portion of Albemarle Road will be developed, thus  
establishing a clear distinction between retail and  
residential areas to support neighborhood preservation.

Motion/Second: McClung / Gussman  
Yeas: Gussman, Ham, McClung, Nwasike, Watkins,  
and Wiggins  
Nays: Spencer  
Absent: None  
Recused: None

#### **ZONING COMMITTEE DISCUSSION**

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

There was a brief conversation about the need for technical revisions to remain on the staff report as they are recommended and not required. Staff briefly addressed Committee about his understanding of stormwater requirements and how it interacts with recent session law that does not require a developer to treat existing impervious surfaces.

#### **MINORITY OPINION**

The minority opinion was that an EDEE (Type 1 or 2) with a drive-through is not an appropriate use at the proposed location.

#### **PLANNER**

William Linville (704) 336-4090