

## Petition 2021-103 by Providence Group Capital, LLC

### To Approve:

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 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)

### To Deny:

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.

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:

- 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.

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:

### Approve or Deny

### Maker:

2<sup>ND</sup>:

### Vote:

### Dissenting:

### Recused: