



Zoning Committee

REQUEST

Current Zoning: CG (General Commercial)
Proposed Zoning: N1-C (Neighborhood 1 - C)

LOCATION

Approximately 0.37 acres located on the north and south side of Bearwood Avenue and east side of East Sugar Creek Road, west of Eastway Drive.
(Council District 1 - Anderson)

PETITIONER

Jackson Kastle, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **consistent** 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)* calls for Neighborhood 1.

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 rezoning site is situated in the Howie Acres neighborhood which is predominantly zoned N1-C and is in a larger area that has historically hosted industrial uses but is transitioning to activity center development that compliments the existing LYNX blue line through the area and the associated transit oriented development zoning that is on many properties.
- Changing the site's entitlements to N1-C would bring the properties into alignment with the rest of the residential parcels in the neighborhood, allowing for a consistent development pattern.
- The existing CG zoning district on the site is not reflective of the preferred land uses of the property's adopted Neighborhood 1 Place Type. This rezoning would bring the site into consistency with the *2040 Policy Map*.
- Uses allowed in the CG zoning district could include auto-centric commercial developments that would be undesirable in this neighborhood given its single family

character and location along a two-lane local street.

- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 4: Trail & Transit Oriented Development

Motion/Second: Neeley / Stuart
 Yeas: Neeley, Winiker, Blumenthal, McDonald, Shaw, Stuart
 Nays: None
 Absent: Sealey
 Recused: None

ZONING COMMITTEE DISCUSSION

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

Commissioner Stuart noted the close proximity and asked why this area was not identified for transit-oriented development. Staff responded that East sugar Creek Road that runs along the west side of the rezoning site acts as a dividing line between the established single family neighborhood along this side of Bearwood Avenue and the activity center or TOD supportive development that you see to the west of the site. This would not be an appropriate place for TOD zoning given its context within the single family neighborhood and the Neighborhood 1 Place Type designation.

There was no further discussion of this petition.

PLANNER

Holly Cramer (704) 353-1902