



Zoning Committee

---

---

**REQUEST**

Current Zoning: R-5 (single family residential)  
Proposed Zoning: TOD-NC (transit oriented development, neighborhood center)

**LOCATION**

Approximately 0.23 acres located on the south side of West Peterson Drive, west of South Tryon Street, and east of Interstate 77.  
(Council District 3 - Watlington)

**PETITIONER**

Boulevard Real Estate Advisors, 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 **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* recommends Neighborhood 1 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.
- The site is immediately adjacent to other parcels recently rezoned to TOD-NC by the same petitioner, Boulevard Real Estate Advisors, LLC.
- The TOD-NC zoning district has required height transitions built into the regulations that provide protections to neighboring single family uses. As a result, although this site is adjacent to other R-5 parcels, it will be subject to the prescribed TOD-NC height caps which ensure a contextually sensitive transition into lower density uses.

- If approved, the site’s designated Place Type would be Neighborhood Center. The application of Neighborhood Center is appropriate when adjacent to Neighborhood 1, and this rezoning would add to the existing swath of Neighborhood Center that it shares boundaries with.
  - 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 petition could facilitate the following *2040 Comprehensive Plan Goals*:
    - 1: 10 Minute Neighborhoods
    - 4: Trail & Transit Oriented Development
    - 5: Safe & Equitable Mobility
    - 6: Healthy, Safe & Active Communities
- The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 to Neighborhood Center for the site.

Motion/Second: Gaston / Russell  
 Yeas: Gaston, Gussman, Harvey, Lansdell, Russell, Welton  
 Nays: None  
 Absent: Rhodes  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

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

There was no further discussion of this petition.

**PLANNER**

Holly Cramer (704) 353-1902