



Zoning Committee

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)

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