

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Eric Howard, Councilman - District 4
SECONDER:	Ben H. Norton, Councilman - At Large
AYES:	Miller-Cody, Tooley, Howard, Carroll, Gibbs, Norton

ORDINANCE NO. 2022-9 Consideration of an Ordinance to rezone 1.04 acres from Heavy Industrial (M-2) to a Highway-Commercial (H-C) Zoning District as requested by Trevor Shaw (File No. VA-2022-07). The property is located at 104 Hemlock Street. The Planning Commission reviewed this at their April 25, 2022 Regular Meeting and recommended approval (9-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Trevor Shaw is requesting to rezone 1.04 acres from Heavy Industrial (M-2) to Highway-Commercial (C-H). The property is located at 104 Hemlock Street which is peculiarly located at the southwest corner of West Hill Avenue and South St. Augustine Road, but also has a rear driveway access to Hemlock Street. The property contains an existing commercial building and has been used commercially for many years. Up until about two years ago, an Auto Sales business operated on the property but was classified as a non-conforming use on M-2 Zoning. The applicant is wanting to rezone the property to a commercial category so that an Auto Sales business and possibly other typical commercial businesses can operate from the property in the future. The property is located within a Regional Activity Center (RAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H Zoning. This property has a long history of being zoned M-2 while at the same time maintaining a purely commercial development pattern and occupancy. The Zoning patterns of the surrounding area are dominated by C-H along the West Hill Avenue and South St. Augustine Road corridors, as well as M-1 and M-2 along the adjacent side streets back away from the main roads. This is the only area where the side street Industrial Zoning pattern merges onto the main roadway corridors which are otherwise commercial in nature. Existing development trends along West Hill Avenue have favored new commercial development for the past several decades. This remaining Industrial Zoning is simply a remnant from the distant past when this entire area between West Hill Avenue and the CSX railroad yard was originally planned as an Industrial Park that never materialized. The ongoing Industrial Zoning on the subject property does not fit the overall surrounding commercial pattern and it has sometimes hampered the applicant from marketing the property to a wide range of commercial tenants. Therefore, this Zoning should be changed to better reflect the surrounding corridor patterns. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their April 25, 2022 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of C-H Zoning (9-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.