



Legislation Details (With Text)

File #: 2020-1175 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 9/24/2020 **In control:** Board of Commissioners
On agenda: 6/22/2021 **Final action:** 6/22/2021
Title: COMMISSION DISTRICT(S): 3 & 6
Section 27-3.39.3 (Permitted Uses and Structures -Bouldercrest Overlay District Land Use Table),
Section 27-9.1.3 (Definitions), Section 27-3.39.8 (Supplemental Regulations-Bouldercrest Overlay
District).

Indexes:

Attachments: 1. Substitute 2021 06.22 Item 2020-1175, 2. 2021 05.25 Item 2020-1175, 3. TA-20-1244234 Staff
Report March 2021, 4. TA 20 1244234 Final Staff 10 28 20_FINAL

Date	Ver.	Action By	Action	Result
6/22/2021	1	Board of Commissioners		
5/25/2021	1	Board of Commissioners		
3/25/2021	1	Board of Commissioners - Zoning Meeting	deferred 60 days	Pass
3/2/2021	1	Planning Commission	withdrawn without prejudice per staff recommendation	Pass
11/19/2020	1	Board of Commissioners - Zoning Meeting	deferred for two full cycles	Pass
11/5/2020	1	Planning Commission	deferred for two full cycles	Pass

Substitute

Public Hearing: YES ☒ NO ☐ **Department:** Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3 & 6

Section 27-3.39.3 (Permitted Uses and Structures -Bouldercrest Overlay District Land Use Table), Section 27-9.1.3 (Definitions), Section 27-3.39.8 (Supplemental Regulations-Bouldercrest Overlay District).

PETITION NO: TA-20-1244234 2020-1175

PROPOSED USE: N/A.

LOCATION: N/A

PARCEL NO. : N/A

INFO. CONTACT: John Reid

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PURPOSE:

The Bouldercrest-Cedar Grove-Moreland Overlay District establishes standards and procedures that apply to any development, use, alteration, or redevelopment on any lot or portion thereof within its boundaries. The

overlay district takes precedence over the underlying zoning district regulations. The intent of these text amendments is to enhance the long-term economic viability of the overlay district while protecting surrounding properties.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Withdrawal

PLANNING STAFF: 30-day deferral

PLANNING STAFF ANALYSIS: The proposed amendments included changes to the land use table (See attached *Land Use Table*) and to the development standards. The proposed amendments primarily impact Tiers 2, 4, and 4a which are the industrial/heavy commercial tiers of the overlay district. Tier 2. Tier 4(a) is the industrial area along the east side of I-675 and south of Henrico Road, and is only separated from the single-family residential areas to the east by an existing Georgia Power Overhead Utility Easement. Therefore, land uses and development standards should be more stringent in this tier. To help ensure compatibility with the nearby residential areas, there are several nonresidential land uses that are proposed to be changed to either prohibited uses or uses that require a SLUP. Tier 4 (including “Gateway 2” and “Corridor 2”) is the existing industrial zoned area along Moreland Avenue that contains auto and truck-related businesses as well as warehousing and light manufacturing uses, and the intent of this tier is to encourage the redevelopment of industrial properties at higher design standards. While most properties in Tier 4 are located west of Interstate 675, there is a small portion of Tier 4 on the east side of that interstate that abuts residential zoning. All land uses in Tier 4 that are currently permitted, but abut residential zoning on the east side of Interstate 675, are now proposed to require a SLUP to ensure compatibility with nearby residential areas. Additionally there are proposed changes to the development standards to help enhance future economic development opportunities within this industrial tier which include but are not limited to increased building height, decreased required open space, increased maximum lot coverage, and eliminating the requirement for tree islands in the middle of truck parking lots since such trees islands would likely be damaged by semi-trailer trucks trying to maneuver and back in and out of parking spaces. Perimeter parking lot landscaping is still required to maintain an attractive appearance for properties in the overlay district. Tier 2 is a moderate-intensity, light industrial-zoned area centered at the Moreland Avenue and Cedar Grove Road intersection which contains many auto and truck-related businesses. This tier does not abut any residential zoning or land use. Heavy construction contractors, special-trade contractors, and multi-story and mini-self-storage are proposed to be changed from prohibited to permitted land uses since Tier 2 does not abut residential areas. Definitions and supplemental regulations for *Self-storage mini* (one-story with exterior access) and *Self-storage multi* (multi-story accessed only from the interior) are also being created to apply county-wide and include, but are not limited to architectural standards and required landscape buffers. Major and minor truck repair land categories along with Supplemental Regulations have also been created to address the repair of semi-trailer trucks. Additionally, there are proposed changes to the development standards to help enhance future economic development opportunities as noted for Tier 4 above. There are no proposed changes to Tier 5 which is the residential tier. There are only minor changes proposed for Tiers 1 and 3. For land uses in Tiers 1 and 3 that are currently permitted by right and abut single-family residential zoning or use, then in those situations a Special Land Use Permit (SLUP) would be required. Otherwise, land uses that don’t abut residential zoning or use would continue to be permitted by right.

Community Input from Area Residents and Business Organizations:

Planning Department Staff, Commissioners Johnson and Terry, and area resident and business stakeholders (including the Conley Area Business Association (CABA) and Metro South Community Improvement District (CID) have been meeting on a weekly basis for the past several weeks to discuss important topics related to land use

and development standards in the Bouldercrest Overlay District. The land use table has been changed to reflect the community consensus of these discussions (See attached *Land Use Table*). The development standards have also been discussed and changes have been proposed by Planning Department to reflect community consensus. However, there are a few remaining proposed changes to the development standards which are still being discussed by stakeholders or still under review by the Planning Department Staff.

Planning Department Recommendation:

During the November 2020 zoning cycle, community members raised a number of code enforcement, traffic/transportation, public safety, and other issues in addition to a much wider assortment of concerns regarding then Bouldercrest Overlay District zoning standards than were initially raised by Staff. In response to community concerns, staff elected to defer continued deliberation of the proposed text amendments and recommended full cycle deferral to both Planning Commission and the Board of Commissioners. At the March Board of Commissioners meeting, this agenda item was deferred until May 25th to allow the opportunity for continued discussion among residential and business community stakeholders to reach consensus on land use and development standards of the Bouldercrest Overlay District.

The land use table has been changed to reflect the community consensus of these discussions over the past several weeks (See attached Land Use Table). The development standards have also been discussed and changes have been proposed by Planning Department to reflect community consensus. However, there are a few remaining proposed changes to the development standards which are still being discussed by stakeholders and/or still under review by the Planning Department Staff. Therefore, it is the recommendation of the Planning & Sustainability Department that the request be deferred for 30 days to allow completion of the development standards and the finalization of the Land Use Table regarding legal formatting requirement.

PLANNING COMMISSION VOTE: 9-0-0. Withdrawal.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 6-1-0. The Community Council (District 3) considers the changes proposed in the text amendment to be detrimental to the residential neighborhoods in the Bouldercrest-Cedar Grove-Moreland Overlay District.