



GLPC AGENDA ITEM # 5
MARCH 28, 2022

Rezoning Request by Yahir Deanda
File #: VA-2022-04

Mr. Yahir Deanda is requesting to Rezone 0.23 acres from Heavy Industrial (M-2) to Highway Commercial (C-H). The subject property is located at 203 Smith Avenue, which is along the south side of the street about 500 feet west of South Patterson Street. The property contains an existing single-family residence (846-sf) which has been a nonconforming use (& nonconforming structure) on this industrially-zoned property for a long time. The applicant is proposing to demolish the existing residence and rebuild a new residence of similar size.

The subject property is located within an **Industrial Activity Center (IAC)** Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H zoning.

The applicant's stated reasons for the rezoning are as follows: "The applicant grew up in the residence on the subject property. The home has become dilapidated over the years, and the applicant wishes to rebuild. No use of the property will change from its original residential use." M-2 zoning does not allow residential uses, and the property's location in an "Industrial Activity Center" Character Area does not allow any form of Residential zoning. The applicant is therefore seeking rezoning to C-H which allows usage of the property as a single-family residence, and is compliant with the existing Character Area.

The zoning patterns of the surrounding area are dominated by C-H zoning along the South Patterson Street corridor, as well as industrial zoning in the areas to the west of the corridor. Land use patterns in the area are dominated by older heavy commercial uses along South Patterson Street, as well as a very large salvage yard adjacent to the subject property. There is also an abundance of vacant lands in the area that have a mixture of zoning types. In addition to the subject property, there are other existing single-family residences along Smith Avenue and all of these are in non-residential zoning districts which renders each of them nonconforming. Based on land use, Smith Avenue is not quite the industrial corridor that the zoning pattern portrays. A down-zoning to C-H would not only allow the construction of the proposed new residence, but it would also serve as a means to reduce some of this over-abundance of industrial zoning in the immediate area. Given the presence of the large salvage yard and other intensive uses, it is not likely this area will fill-in with a lot of residential growth (& therefore support a Character Area change), but placing commercial zoning on the property will allow the "possibility" of future non-industrial development here in the form of a commercial business or residential.

Staff Recommendation: Find consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommend approval of C-H zoning to the City Council.