



GLPC AGENDA ITEM # 4

MARCH 27, 2023

Rezoning Request by Anthony Tong File #: VA-2023-03

Mr. Anthony Tong is requesting to rezone 0.33 acres from Residential Professional (R-P) to Office Professional (O-P). The subject property is located at 307 East Jane Street, which is along the south side of the street about 300 feet east of Williams Street and about 500 feet west of North Ashley Street. The property contains a small vacant office building (2,034-sf) with a small rear yard parking area. The applicant is proposing to relocate his existing "Urban Ink" tattoo studio from its current location at 1507 North Ashley Street, to become a tenant in this new location in order to be closer to VSU. The applicant is not proposing any exterior changes to the building nor to the site.

The subject property is located within a **Transitional Neighborhood (TN)** Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P zoning.

This proposed use requires a CUP in O-P zoning, and would otherwise require C-C or C-H zoning as a Permitted Use. The property's "Transitional Neighborhood" Character Area designation does not allow these commercial zoning districts, and therefore the applicant is requesting the O-P zoning in order to make the property "eligible" for a subsequent CUP application for his proposed use.

The surrounding zoning pattern is clearly dominated by R-P, with C-H zoning on the properties which face North Ashley Street (500' to the east) and either R-6/R-10 zoning in the residential areas along Williams Street and Lola Drive to the north. Although not completely out of character with R-P, the applicant's request for O-P would be the introduction of a new zoning district not found anywhere nearby and could be considered a form of spot zoning. As one might expect from an area that is solidly zoned R-P, the surrounding land use pattern is dominated by a mixture of both residential and professional office type uses. However, in terms of overall character, this area has a strong "residential" feel to it in terms of older homes that have been converted to offices but keeping their residential style, the urban tree canopy, narrow streets with light traffic, etc..

Despite O-P being a compliant zoning in the TN Character Area, some of the more intensive uses allowed by O-P (such as a bank, drug rehab center, certain personal services, etc..) could be considered too intensive for this area along East Jane Street, and it just seem unnecessary. The subject property and all of its surrounding properties have been zoned R-P for many years and have successfully hosted a variety of professional office type uses, or residential uses during this time. Building occupancy in this surrounding area remains high and there are no apparent "changing conditions" that warrant this zoning change and introduction of a new zoning designation to this neighborhood. Rather than intrude into this established neighborhood with a more intensive zoning, staff recommends that the applicant instead stay in a more commercial area --- such as where they are currently operating or other similar such area.

Staff Recommendation: Find inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommend **DENIAL** to the City Council.