



Zoning Committee Recommendation

Rezoning Petition 2023-013

October 3, 2023

REQUEST

Current Zoning: N1-A (Neighborhood 1)
Proposed Zoning: UR-2(CD) (Urban Residential, Conditional)

LOCATION

Approximately 19.75 acres located on the north side of Choate Circle between Legree Lane and Freshwell Road.

(Council District 3 - Watlington)

PETITIONER

Toll Brothers Apartment Living

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:

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Community Activity Center place type for the site.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The proposed multifamily residential use is consistent with the land uses envisioned for the Community Activity Center place type.
- The petition will provide a 50' Class C buffer and 6' vinyl coated chain link fence on the eastern side of the site where adjacent to single family residential.
- The petition is committing to several transportation improvements including a roundabout at the site access point as well a 12' multi-use path along Choate Circle, 8' sidewalk along the internal public street, and 6' sidewalk offsite on the opposite side of Choate Circle.
- The petition is committing to developing a dedicating a 21,780 square foot public dog park to Mecklenburg County.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 5: Safe & Equitable Mobility

Motion/Second: Winiker/Sealey
Yeas: Russell, Sealey, Whilden, Winiker, Neeley,
Welton
Nays: Lansdell
Absent: None
Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the *2040 Policy Map*.

Commissioner Winiker stated that the petitioner and staff had addressed his concerns about the park dedication.

Commissioner Lansdell stated that he still has concerns regarding the internal public street design with on street parking.

MINORITY OPINION

Commissioner Lansdell stated that he is opposed based on the transportation improvements not aligning with the proposed land use.

PLANNER

Joe Mangum (704) 353-1908