



Zoning Committee Recommendation

Rezoning Petition 2023-164

July 9, 2024

REQUEST

Current Zoning: N1-A (Neighborhood 1-A) and IC-1 (Institutional Campus-1)
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, Conditional)

LOCATION

Approximately 23.42 acres located along the east side of South Tryon Street and west side of Steele Creek Road, north of Hamilton Road.

(Council District 3 - Brown)

PETITIONER

Eden Acquisitions, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 4-2 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **inconsistent** 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 Neighborhood 1 and Community Activity Center place types for the site.

However, 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 site is partially within a Community Activity Center place type and is within a ½ mile from the core of the activity center at the intersection of S Tryon Street and Steele Creek Road.
- The proposed multi-family attached dwellings would provide an appropriate transition from the single-family dwellings in the Neighborhood 1 place type to the south and the more intense non-residential uses in the Community Activity Center place type to the northeast of the site.
- The petition commits to enhanced screening above ordinance requirements with a 20' Type B landscape yard with fence along the southern property boundary where adjacent to single-family dwellings.

- The petition includes a new public street off S Tryon Street that would provide access to a future Mecklenburg County park adjacent to the site.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 4: Trail & Transit Oriented Development
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map (2022)* from Neighborhood 1 and Community Activity Center place types to Neighborhood 2 place type for the site.

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

ZONING COMMITTEE DISCUSSION

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

Chairman Welton asked where the park is located and if it is developed or undeveloped. Staff clarified that the park is located to the west of the site and would be accessible from the public street that connects to S Tryon Street.

Commissioner Sealey commented that the primary east-west street should be a public street.

Commissioner Lansdell made a motion to deny the petition, seconded by Commissioner Sealey, and failed by a vote of 2-4.

Commissioner Russell then made a motion to approve the petition, seconded by Commissioner Neeley, which passed by a vote of 4-2.

MINORITY OPINION

This petition does not adequately lessen congestion on roadways and will negatively impact the general welfare of the community.

PLANNER

Joe Mangum (704) 353-1908