



Zoning Committee Recommendation

Rezoning Petition 2022-190

May 31, 2023

REQUEST

Current Zoning: UR-C(CD) (urban residential – commercial, conditional)

Proposed Zoning: UR-C(CD) SPA (urban residential – commercial, conditional, site plan amendment)

LOCATION

Approximately 1.08 acres located on the west side of Providence Road, north of Ardsley Road, and south of Moravian Lane. (Council District 6 - Bokhari)

PETITIONER

Charlotte Pipe and Foundry Company

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 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 2.

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 current entitlements for the site under petition 2011-008 allow for the adaptive reuse of the existing structure for non-residential uses. The 2011 conditional plan would preclude the site from being fully redeveloped with new structures.
- This site plan amendment would maintain the parcel's permitted non-residential uses, but allow for redevelopment to occur that better aligns with current site and building design guidelines. The existing conditional plan, 2011-0008, for example would allow for a parking area between the building and the Providence Road frontage whereas this rezoning proposal moves the building footprint much closer to the frontage, relegating parking to the rear and side.
- The adjacent R-3 zoned parcel would be adequately buffered with a 20-foot rear yard and opaque fence along the western boundary of the site. An opaque fence will also be installed along the northern

boundary, which abuts single family uses in an R-22MF district and a bank at the intersection of Providence Road and Moravian Lane.

- Although inconsistent with the Policy Map recommendation for Neighborhood 2, the site itself has been intended for non-residential uses for many years. This rezoning would bring the parcel under Neighborhood Center, matching the adjacent parcels that are along Providence Road. This area of the Providence Road corridor matches the goals of the Neighborhood Center Place Type and houses a number of commercial uses that service the nearby residents in the bordering Neighborhood 1 and 2 Place Types.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 8: Diverse & Resilient Economic Opportunity

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 2 to Neighborhood Center for the site.

Motion/Second: Lansdell / Russell

Yeas: Gaston, Gussman, Harvey, Lansdell, Russell, Welton

Nays: None

Absent: Rhodes

Recused: None

ZONING COMMITTEE DISCUSSION

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

Commissioner Lansdell asked for confirmation that the petitioner committed to install the ADA compliant pedestrian ramps rather than provide funding for that infrastructure. Staff confirmed that this outstanding issue was resolved.

Commissioner Lansdell also asked for confirmation that the CATS bus stop would be compliant. Staff responded that the conditional notes specify that the bus stop will be built to 60.02A standards, and although it doesn't explicitly say that it would be ADA compliant, that is the understanding. A technical revision can be made to the plan to add wording specifying that the bus stop will be ADA compliant.

There was no further discussion of this petition.

PLANNER

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