



Zoning Committee

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**REQUEST**

Current Zoning: B-2 (General Business), MUDD(CD) (Mixed Use Development District, Conditional)  
Proposed Zoning: MUDD-O (Mixed Use Development District, Optional) with 5 year vested rights

**LOCATION**

Approximately 2.07 acres bound by the east side of South Kings Drive, north side of East 3rd Street, and south side of 3rd-4th Connector Street.  
(Council District 1 - Egleston)

**PETITIONER**

Tribek Properties

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**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:

This petition is found to be consistent with the *Midtown Morehead Cherry Area Plan*, based on the information from the staff analysis and the public hearing and because:

- The plan recommends Residential/Office/Retail land uses.

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

- The proposed mixed-use plan supports the adopted plan's vision to become a pedestrian oriented gathering place where people live, work, play and shop.
- The adopted plan states that as redevelopment occurs, this area should move toward intense mixed-use pedestrian friendly development, with buildings along the street edge.
- The midtown area is shifting towards developing new buildings with greater height through other recently approved rezonings in the area.
- The rezoning plan enhances the pedestrian environment by providing a pedestrian hybrid beacon on E 3rd street between Charlottetown Ave and South Kings Drive along with a 16' wide pedestrian amenity zone along Kings Drive. These improvements help to promote a walkable development.
- The rezoning plan also commits to a large open space area with pedestrian connections from the sidewalk on E. 3rd Street to the sidewalk along the site's frontage on the third-fourth connector street.

Motion/Second: Welton / Rhodes  
 Yeas: Chirinos, Ham, Rhodes, Samuel, Spencer and Welton  
 Nays: None  
 Absent: Blumenthal  
 Recused: None

## **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

One of the committee members asked how this potential rezoning would improve the traffic conditions for the 3<sup>rd</sup>-4<sup>th</sup> connector street and E. 4<sup>th</sup> Street. Staff stated that NCDOT has studied this area and made recommendations, but the improvement project is unfunded at this time. Staff worked with the petitioner for development commitments to improve pedestrian facilities that go above and beyond the ordinance requirements.

One of the committee members asked how many people would live in this potential development. Staff stated that the rezoning petition could generate 350 new multi-family residential units under one of the development options.

One of the committee members asked whether this project was likely to be non-residential first or a multi-family development. Staff stated that the developer would like flexibility to build either depending on market conditions. The first option for development would be for office. Staff studied traffic conditions and land use for either development option. The committee member followed up with a question on which development option would generate the most traffic. Staff replied that it would be the non-residential development option. The committee member asked another question about the difference between two way and one way street options for traffic mitigation. Staff responded that the access points for this petition would provide the best option for traffic flow.

One of the committee members asked about the affordable housing commitment. Staff responded that the affordable housing commitment was added to the most recently revised plan. The committee member asked why this commitment was added. Staff replied that it was most likely from conversations with the community.

One of the committee members asked about the percentage of affordable units. Staff responded that a minimum of 5% of the units would be limited to households earning 80% or less of the area median income.

There was no further discussion of this petition.

## **PLANNER**

Lisa Arnold (704) 336-5967