



Zoning Committee

## Zoning Committee Recommendation

Rezoning Petition 2023-069

January 4, 2024

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### REQUEST

Current Zoning: N1-B (neighborhood 1-B), N2-B (neighborhood 2-B)

Proposed Zoning: N1-B(CD) (neighborhood 1-B, conditional), N2-B(CD) (neighborhood 2-B, conditional), and CG(CD) (general commercial, conditional)

### LOCATION

Approximately 80 acres located on the east side of East Independence Boulevard, north of Hayden Way, and west of Sam Newell Road.

(Council District 5 - Molina)

### PETITIONER

Ravin Partners

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### ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

#### To Approve:

This petition is found to be **inconsistent** based on the information from the staff analysis and the public hearing, and because:

- The proposed N1-B is consistent with the 2040 Policy Map recommendation for Neighborhood 1, but the proposed N2-B and CG are inconsistent with the recommendation for Neighborhood 1.

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:

- A request for Neighborhood 2 and Commercial uses is consistent with the existing character to the north and west of the site.
- The portion of the site fronting East Independence Boulevard is currently zoned N2-B.
- The northeastern portion of the site is expected to remain Neighborhood 1 and offers an appropriate transition to adjacent single family uses.
- The proposal commits to connections to the Mecklenburg County Irvins Creek Greenway.
- The petition could facilitate the following 2040 Comprehensive Plan Goals:
  - 1: 10 Minute Neighborhoods

- 2: Neighborhood Diversity & Inclusion
- 5: Safe & Equitable Mobility
- 6: Healthy, Safe & Active Communities
- 7: Integrated Natural & Built Environments

The approval of this petition will revise the recommended place types as specified by the 2040 Policy Map, from Neighborhood 1 to Neighborhood 2 and Commercial for the site.

Motion/Second: Neeley / Winiker

Yeas: Lansdell, Neeley, Russell, Sealey, Welton,  
Whilden, Winiker

Nays: None

Absent: None

Recused: None

### **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition, noting an outstanding CDOT item and stated that a portion of the site is inconsistent with the *2040 Policy Map*. Commissioner Russell inquired about the width of the buffer/landscape yard between the site and Town of Matthews acreage, asking about the possibility of its increase from 20 feet to 40 feet. Staff responded that at the public hearing the residents requested that the buffer/landscape yard be increased to 30 feet. Staff noted that the UDO does not require this buffer/landscape yard. Commissioner Lansdell inquired about NCDOT Project U2509 and related impact. CDOT staff responded the petitioner is reserving the appropriate areas for the improvements but has not details with respect to completion date.

There was no further discussion of this petition.

### **PLANNER**

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