



Zoning Committee Recommendation

Rezoning Petition 2023-001

December 5, 2023

REQUEST

Current Zoning: I-2 (General Industrial)
Proposed Zoning: MUDD(CD) (Mixed-Use Development District, Conditional)

LOCATION

Approximately 6.075 acres located on the north side of State Street, east of Ambassador Street, and west of Turner Avenue.
(Council District 2 - Graham)

PETITIONER

Kairoi Residential

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 **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 Innovation Mixed-Use 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 petition is consistent with the *2040 Policy Map* recommendation for Innovation Mixed-Use place type.
- The proposed multifamily residential use would complement the range of non-residential uses that have located in the Lower Tuckaseegee Road corridor in recent years.
- The petition would improve pedestrian mobility and safety along State Street by installing 8' planting strip and 8' sidewalk as well as connecting to Stewart Creek Greenway.
- The petition follows several others in the vicinity in seeking to rezone from manufacturing and logistics districts to districts allowing for residential and/or commercial and office uses.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods

- 4: Trail & Transit Oriented Development
- 5: Safe & Equitable Mobility
- 9: Retain Our Identity & Charm

Motion/Second: Neeley / Sealey

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

Nays: None

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 Russell asked if any concerns had been raised regarding air quality as it relates to the concrete plant across State Street from the site. Staff replied that there have been conversations with the owner regarding relocation of the concrete plant. Staff added that there were no direct comments in the LUESA memo concerning particulate matter from the concrete plant.

Commissioner Lansdell asked why CDOT had rescinded their request for a CTR. CDOT staff replied that the request is for an old zoning ordinance district and therefore the CTR, which is a UDO tool, could not be required.

Commissioner Lansdell also inquired about what he views as an insufficient crosswalk of State Street for Stewart Creek Greenway. CDOT staff replied that the county would take the lead with the crosswalk.

Chairman Welton asked if there was a commitment to non-residential uses on the ground floor. Staff replied that there is a commitment of 30% glass on the front building façade but that there is no commitment to non-residential uses.

Chairman Welton asked if the petition would be improving the bump in State Street associated with the railroad crossing. CDOT staff replied that this petition would not be improving the crossing but a different petition might be.

Commissioner Whilden stated that the documented groundwater contamination gives her concerns. Staff replied that the petitioner will have to get permits from Department of Environmental Quality (DEQ) prior to construction.

Commissioner Lansdell asked if the zoning had to be approved prior to pulling permits from DEQ. Staff confirmed that is correct.

PLANNER

Joe Mangum (704) 353-1908