



Zoning Committee

REQUEST

Current Zoning: NC (neighborhood center)
Proposed Zoning: MUDD-O PED (mixed-use development, optional, pedestrian overlay)

LOCATION

Approximately 1.62 acres located on the east side of East Morehead Street, south of South McDowell Street, and west of Baxter Street.
(Council District 1 - Anderson)

PETITIONER

The Keith Corporation

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-1 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 (2022)* recommends Community Activity Center.

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:

- Located just outside of Uptown along East Morehead Street, this area is continuing to densify with new developments such as The Pearl that offer not only the neighborhood but the larger community a mixture of uses in structures that better utilize land area and work towards the goals of the Community Activity Center.
- This proposal aligns with adjacent projects and meets the intentions of the Community Activity Center Place Type with commitments to ground floor activation, improved pedestrian infrastructure, and moderately dense development with a variety of uses.
- Uses that would be incompatible with the Community Activity Center Place Type such as automotive service stations and drive-through windows are prohibited in this conditional plan.
- The specified maximum height in this rezoning of 225 feet matches the prescribed maximum building heights

in the approved, adjacent rezoning petition 2021-092 for The Pearl. The height along East Morehead Street will be stepped down to 100 feet at a depth of 115 feet into the site to provide contextual sensitivity to the nearby residential areas in the Dilworth Historic District.

- This proposal helps to support environmental goals laid out in the 2040 Comprehensive Plan by committing to Leadership in Energy and Environmental Design (LEED) Silver construction standards and providing electric vehicle (EV) capable parking spaces and charging stations.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 3: Housing Access for All
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 7: Integrated Natural & Built Environments
 - 8: Diverse & Resilient Economic Opportunity

Motion/Second: Sealey / Neeley

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

Nays: Lansdell

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 Winiker asked CDOT about the streetscape improvements being committed to. CDOT confirmed what improvements would be provided by the petitioner and clarified that improvements to the intersection of East Morehead Street and McDowell Street are not part of this petition, but there are other improvements in the area being completed through The Pearl project.

Chairperson Welton followed-up with additional questions on what general transportation improvements to turn lanes are being committed to in the area. CDOT responded that the approved traffic impact study for this petition showed that the rezoning would have fairly minimal impact to the existing infrastructure, so additional mitigation measures were not required by CDOT at this time. Commissioner Winiker commented that this is a missed opportunity to require improvements to the intersection of McDowell Street and East Morehead Street.

Commissioner Lansdell expressed concerns with how the streetscape at the rear will develop along the proposed public street. Commissioner Lansdell noted that there are not many details being offered on this streetscape although it would be a pivotal piece of connectivity in the area. Staff commented that

the public street being proposed to the rear of the site is being constructed through The Pearl project and those conditions are being actively worked through in the permitting process right now under that project which is separate from the subject rezoning.

There was no further discussion of this petition.

MINORITY OPINION

Commissioner Lansdell noted concerns with the transportation conditions being provided for the rear of the site specifically for the ingress/egress of vehicles as well as pedestrians.

PLANNER

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