



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2025-031

December 2, 2025

REQUEST

Current Zoning: R-8MF (CD) (Multi Family Residential, Conditional)

LOCATION

Proposed Zoning: N2-B(CD) (Neighborhood 2-B, Conditional)

Approximately 23.37 acres located north of Neal Road, east of Catalyst Boulevard, and south of IBM Drive.
(Council District 4 - Johnson)

PETITIONER

James Scruggs, Kingdom Development Partners

**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* (2022) recommends the Neighborhood 1 Place Type for this site.

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:

- This petition is appropriate given the previous R-8MF(CD) entitlements, the site is near an employment center, provides pedestrian improvements, and commits to providing affordable units.

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map* (2022) from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

Motion/Second: Gaston / McDonald

Yeas: Welton, Caprioli, Gaston, McDonald, Millen,
Shaw

Nays: None

Absent: Stuart

Recused: None

**ZONING COMMITTEE
DISCUSSION**

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

Several commissioners expressed strong support for the petition, acknowledging the presence of nearby single-family development but emphasizing the site's proximity to a Community Activity Center characterized by connectivity, including an established road network, sidewalks, a major employment center, and nearby schools. Commissioners noted that areas with existing infrastructure are good for adding additional housing. They also highlighted the petitioner's commitment to providing an affordable housing component as a benefit of the proposal.

Chairperson Welton requested clarification from staff regarding concerns about the proposed building form and site plan considerations. Staff responded that their position was not based on the site's current Neighborhood 1 (N1) designation in the *2040 Policy Map*. In fact, a transition to Neighborhood 2 (N2) is considered appropriate at this location, particularly given its adjacency to a Community Activity Center (CAC). Staff noted that N2 serves as a preferred transitional place type between more intense CAC uses and lower-intensity N1 areas. This is consistent with previous support for R-8 multi-family conditional entitlements on the site.

The primary concern, staff explained, relates to the form and balance of the proposed housing types. While the site was previously proposed for an all-townhome development, the current petition shifts toward a predominantly multi-family stacked product, with only 73 townhome units included. Staff expressed a preference for a more balanced mix of housing types that better reflects the surrounding context—more intense CAC uses to the northeast and lower-intensity N1 and N2 residential areas to the west.

Staff emphasized that they are not opposed to multi-family stacked units, especially given the site's transitional role adjacent to a CAC. However, they have consistently communicated throughout the rezoning process a desire to see a greater proportion of townhomes to ensure compatibility with the surrounding development pattern and to moderate the overall increase in unit count.

Commissioner McDonald stated that multi-family stacked units already exist along IBM Drive, specifically referencing the Vinoy project. Staff confirmed that the Vinoy development is part of the larger Community Activity Center (CAC) area, where more intense urban development is concentrated, particularly to the north and northeast. Staff explained that this area represents a higher-density zoning districts, whereas the area immediately surrounding the petition site—particularly to the west—is characterized by townhome development and lower-intensity residential uses.

Commissioner McDonald also noted that University City Partners supports the petition, and she places a high value on their input.

She emphasized the importance of aligning housing supply with the substantial number of jobs recently announced in the area.

Commissioner Gaston asked whether, if the site were already designated as a Neighborhood 2 Place Type and the Community Area Plan (CAP) had been adopted by City Council for this area, the petitioner would have been able to proceed with the current proposal as submitted—or if staff would still have requested more townhomes.

Staff responded that their position would remain unchanged. While alignment with the Policy Map is an important consideration, it does not override broader contextual, nuanced factors. Staff emphasized that their concerns for this petition are rooted in site plan and building form issues, which have been consistently communicated throughout the rezoning process.

Commissioner Millen asked about public engagement and feedback. Staff reported that one person attended the community meeting, and one individual spoke in opposition during the public hearing, expressing concern about general tree canopy loss, not specific to this site.

There was no further discussion of this petition.

Michael Russell (704) 353-0225

PLANNER