



Zoning Committee Recommendation

Rezoning Petition 2025-056

September 3, 2025

REQUEST

Current Zoning: N1-A (Neighborhood 1)
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, Conditional)

LOCATION

Approximately 10 acres located on the south side of Providence Road West, west of Brynfield Drive, and east of Sandstone Crest Lane.

(Council District 7 - Driggs)

PETITIONER

Delray at Providence Road West, LLC

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* recommends the Neighborhood 1 Place Type.

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:

- Located in an area with a range of multi-family and single family housing types with pedestrian access to commercial nodes, this petition proposes residential uses consistent with surrounding development.
- The petition site has preferred place type adjacencies of Neighborhood 1 and Neighborhood 2 and meets the preferred minimum acreage for a place type amendment to Neighborhood 2.
- The site is less than ½ mile from a Neighborhood Center that includes commercial, medical, and personal service uses.
- The site is adjacent to developed N2 uses to the east. Where adjacent to developed N1 uses to the south, the petitioner has committed to a 25' Class B landscape yard, which exceeds the ordinance required 10' Class C landscape yard.

- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion

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.

Motion/Second: Caprioli / McDonald

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

Nays: None

Absent: Gaston

Recused: None

ZONING COMMITTEE DISCUSSION

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

Commissioner Shaw asked if staff had received any clarification regarding the Ardrey Kell High School enrollment question that was raised in the public hearing. Staff replied that the 151% of capacity number is from September 2024, when Ballantyne Ridge High School only had freshman and sophomore students. It is expected that Ardrey Kell's enrollment will drop once juniors attend Ballantyne Ridge this school year.

Commissioner McDonald commented that referencing the projected numbers of students created by the petition is an easier number to understand than looking at school capacity percentages. She added that she agrees with City Councilman Driggs that school enrollment numbers should not influence rezoning decisions.

Chairperson Welton stated that CMS planning leadership will attend the Planning Commission's October meeting and can explain how the numbers are derived. Chairperson Welton added school enrollment is at its peak now based on birth rates and should decline in coming years.

Commissioner McDonald stated that total enrollment in CMS is the same now as it was in 2016.

PLANNER

Joe Mangum (704) 353-1908