



Zoning Committee Recommendation

Rezoning Petition 2021-093

March 8, 2022

REQUEST

Current Zoning: R-3 (Single Family Residential), MUDD(CD) (Mixed-Use Development District, Conditional), I-1(CD) (Light Industrial, Conditional)
Proposed Zoning: O-2(CD) (Office, Conditional), MUDD-O (Mixed-Use Development District-Optional), UR-2(CD) (Urban Residential, Conditional) with five years vested rights.

LOCATION

Approximately 184.9 acres located south of Interstate 485, east of Steele Creek Road, north of Brown-Grier Road, and west of Sandy Porter Road.

(Council District 3 - Watlington)

PETITIONER

Steele Creek (1997), LLC

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** with the *Steele Creek Area Plan* based on the information from the staff analysis and the public hearing, and because:

- The plan recommends single family residential at up to 6 dwelling units per acre for the majority of the site and office retail for the northwestern corner of the 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:

- Due to unanticipated development activity in the area, in part driven by the development of the Charlotte Premium Outlet Mall, the *Steele Creek Development Response* study was conducted in October 2017, with the participation and involvement of property owners, residents, City departments, and Council representatives for the area.
- The development response study acknowledged that pressure for land use changes warranted an alternative development scenario unanticipated by the area plan which was adopted prior to the outlet mall development.

- The development response study recommended that a mixed use, moderate to high intensity development, could be appropriate for this site if the supporting street network and infrastructure would be developed in conjunction. The proposal includes the majority of streets recommended by the study, creating a transportation framework to support the proposed development.
- Recent rezoning petitions in the area (2016-120, 2017-123 and 2018-155) have already implemented recommendations from the development response study.
- The petition includes a hospital and healthcare facilities that will serve the larger Berewick and Steele Creek community.
The petition commits to dedication of land for a public park, an easement for future greenway, and many transportation improvements that will mitigate the impact of the proposed development.

The approval of this petition will revise the adopted future land use as specified by the *Steele Creek Area Plan*, from residential up to 6 DUA land use and office/retail to mixed-use (office, retail, residential) for the site.

Motion/Second: Welton / Blumenthal
 Yeas: Blumenthal, Chirinos, Ham, Rhodes, Samuel, Spencer and Welton
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

Chairperson Samuel inquired about the proposed Gable Rd connection through the site. CDOT staff stated that they had coordinated with the petitioner to preserve a corridor for a possible future extension of Gable Rd and bridge over I-485.

Commissioner Chirinos asked why there was not more park space set aside in such a large petition. Staff highlighted the park space that was reserved in the site plan: a two acre parcel as well as the 35' SWIM buffer for future greenway use. Staff explained that, while more park space would have been preferable, Park & Recreation had been a part of the review process and had no outstanding issues with the petition. Additionally, open space would be required during the permitting phase as each development area is submitted for review.

Commissioner Chirinos inquired about the impact to local schools. Staff explained that CMS was also part of the review process and had no outstanding issues with the petition. Staff also noted

that, according to the CMS memo, the petition is anticipated to generate less than half of the students than what would be generated if the site was developed under the current single family zoning.

Commissioners Blumenthal and Welton inquired about whether there was a particular percentage of open space that would be required to be preserved for the entire site. Staff replied that there was not a minimum number for the entire site but that each parcel would be considered separately as it comes in for permitting review. There is no open space commitment beyond what is required by ordinance.

There was no further discussion of this petition.

PLANNER

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