



Zoning Committee Recommendation

Rezoning Petition 2021-251

June 7, 2022

REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 13.08 acres located along the east side of Mallard Creek Road, north of Governor Hunt Road, and west of David Taylor Drive.
(Council District 4 - Johnson)

PETITIONER

Delray Ventures, 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 The petition is **inconsistent** with the *Northeast District Plan* based on the information from the staff analysis and the public hearing, and because:

- The plan recommends research related land uses.
- The petition meets the *General Development Policies* locational criteria for consideration of up to 23 dwellings per acre.

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:

- The petition aligns with the area plan's goal of encouraging development of "new neighborhoods that offer a mix of housing types".
- The site abuts a lower density, single family residential neighborhood to the west, however, to ensure compatibility the petition includes keeping the building facades closest to the existing neighborhood at no more than 3 stories.
- The petition commits to enhancing the pedestrian environment through design elements throughout the site.
- The petition commits to improving the pedestrian experience and streetscape in the area by providing a 12-foot multi-use trail along the Mallard Creek Road frontage, as well as 8-foot sidewalks on the proposed new public street.

- The petition proposes an amenity area as well as a potential dog park, enhancing the resident experience.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan*, from research related land uses to multifamily residential land uses for the site.

Motion/Second: Welton / Blumenthal

Yeas: Blumenthal, 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.

Commissioner Ham asked if a traffic study was done or needed to be done. CDOT responded that CDOT nor NCDOT required a traffic study because the number of trips generated from the proposed development did not reach the threshold of a traffic study. However, due to the congestion and recent developments in the area the petitioner did complete a technical traffic memorandum and the findings of that study was incorporated into the recommended improvements for the petition.

There was no further discussion of this petition.

PLANNER

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