



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2022-238

July 5, 2022

REQUEST

Current Zoning: I-2 (general industrial)
Proposed Zoning: MUDD-O (mixed use development district, optional)

LOCATION

Approximately 5.12 acres on the south side of NC Music Factory Boulevard, adjacent to Elmwood Cemetery and near the NC Music Factory entertainment complex.

(Council District 2 - Graham)

PETITIONER

Lennar Carolinas, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-1 to recommend DENIAL of this petition and adopt the consistency statement as follows:

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The plan recommends Regional Activity Center place type for the site.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The proposal would introduce residential use beside industrial use which would be incompatible.
- The residential use would be subject to negative environmental impacts from the adjacent industrial use in the form of dust and noise.

Motion/Second: Russell / Harvey

Yeas: Gaston, Gussman, Harvey, Samuel, Russell

Nays: Barbee

Absent: Rhodes

Recused: None

**ZONING COMMITTEE
DISCUSSION**

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

Commissioner Russell questioned whether the petition met the definition of missing middle housing. Staff replied that single family attached housing represented missing middle housing. Commissioner Russell also commented that residents would be negatively impacted by dust and noise from the adjacent mill.

Chairperson Gussman stated that it seemed unwise from a planning perspective to introduce residential use adjacent to industrial use. Staff replied that there have been prior residential rezonings approved in the vicinity of the mill including a high rise on N Smith St.

Commissioner Gaston asked for a clarification on the definition of missing middle housing, whether it referred to housing type or price point. Staff replied that it referred to housing type and that the term in the *2040 Plan* was middle-density housing, which was what staff was referring to on this petition.

MINORITY OPINION

Commissioner Barbee stated that the environmental concerns seemed anecdotal and that in order to build enough housing for the city's growing population, the committee would have to make difficult decisions regarding the placement of that housing.

PLANNER

Joe Mangum (704) 353-1908