



Zoning Committee Recommendation

Rezoning Petition 2022-025

October 4, 2022

REQUEST

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

LOCATION

Approximately 1.42 acres located on the west side of Elm Lane, north of Bryant Farms Road, and south of Ballantyne Commons Parkway.
(Council District 7 - Driggs)

PETITIONER

Elm Lane THD, 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 *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The Policy Map recommends Neighborhood 1 place type for 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:

- The parcel is an infill parcel with 1 single family home that was not redeveloped along with the surrounding development.
- The methodology for developing the Policy Map prioritized current R-3 zoning and was not a parcel specific evaluation.
- The site is surrounded by Neighborhood 2 place type and zoning for single family attached uses.
- The proposed single family attached development is more in character and compatible with the surrounding development than single family detached homes.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility

- 6: Healthy, Safe & Active Communities
- 9: Retain Our Identity & Charm

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

Motion/Second: Welton / Gaston

Yeas: Barbee, Gaston, Gussman, Harvey, Rhodes, Russell, 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 *2040 Policy Map*.

Commissioner Gussman asked if staff any ideas as how and when developers may transition from current, traditional zoning to UDO zoning. Staff responded that while a multi-family district would translate to an N2 place type, there is not currently a zoning district that allows the flexibility of the UR districts that we would zone conventional to translate to one of the new UDO districts. So staff anticipates we will continue to see similar UR zoning until January 31st, the deadline to submit before UDO goes into effect.

Commissioner Barbee asked if there was a consideration for parcels like this too be converted to park space. Staff responded that Mecklenburg County Parks and Recreation looks at each rezoning petition to evaluate any park needs. This site too small to accommodate both a park and the proposed development and we can't require the owner to not sell to a developer. As Planning begins community area planning processes a more parcel by parcel approach to future land use recommendations will be completed and we might expect to see locations recommended for possible park space which could guide landowners and developers when making decisions about their property.

There was no further discussion of this petition.

PLANNER

John Kinley (704) 336-8311