



Zoning Committee Recommendation

Rezoning Petition 2022-003

December 6, 2022

REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-12MF(CD) (multifamily residential, conditional)

LOCATION

Approximately 4.39 acres located on the south side of S Tryon Street just north of Orchardgate Drive.
(Council District 3 - Watlington)

PETITIONER

Joy Homes LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 6-1 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 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 petition is compatible with the adjacent multifamily residential, which followed a recently approved rezoning.
- The petition is within ¼ mile of a community activity center.
- The petition would extend Clovercliff Road, creating a parallel street to S Tryon Street, which will ultimately improve mobility in the vicinity of the site.
- The petition proposes to improve the S Tryon Street streetscape with a minimum 8' planting strip and 12' multi-use path along the site's frontage.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility

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: Rhodes / Welton

Yeas: Gaston, Gussman, Harvey, Rhodes, Russell, Welton

Nays: Lansdell

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 Lansdell asked why the S Tryon Street sidewalk took a 90 degree turn and also why recessed parking was present on Clovercliff Rd. CDOT staff replied that an NCDOT required right turn lane affects the multi-use path and that the exact design would likely change in permitting to better straighten the path. Planning staff clarified that the site plan shown in the power point was an older version. In the most recent site plan the multi-use path takes a more direct route.

Commissioner Russell inquired about the need for the Clovercliff Rd extension. Staff replied that it is likely a subdivision requirement and that the street would be extended in the future to connect to other street stubs in the vicinity to build a street network and provide alternative routes to S Tryon St.

MINORITY OPINION

Commissioner Lansdell stated that he opposed the petition due to the poor design of the S Tryon St multi-use path and the unnecessary recessed parking on Clovercliff Rd.

PLANNER

Joe Mangum (704) 353-1908