



Zoning Committee

REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: MX-1 (mixed use) and NS (neighborhood services)

LOCATION

Approximately 66.90 acres located on the north side of Albemarle Road and west of I-485.
(Outside City Limits)

PETITIONER

JS Helms Family Properties, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 4-2 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Albemarle Road/I-485 Plan*, based on the information from the staff analysis and the public hearing and because:

- The plan recommends single family residential at a density of up to four units per acre.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The site is likely walkable as the proposed multi-family is within ½ mile of the retail uses; and
- While there may be congestion at the Albemarle Road/I-485 interchange, the surrounding area and proposed rezoning are unlikely to contribute to the congestion in the near future.

Motion/Second: McClung / McMillan

Yeas: Fryday, Majeed, McClung, and McMillan

Nays: Sullivan and Spencer

Absent: Nelson

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan. The gas station/convenience store uses have been prohibited, which resulted in a reduction of trip generation from 17,350 to 9,690 trips per day. Staff reviewed the issue related to density and how the petitioner addressed it. Staff pointed out that there is one remaining outstanding issue that pertains to submittal of the tree survey, which is required by the date of decision on the rezoning. Staff reviewed the area plan recommendation and noted that they do

not recommend approval of this petition.

A commissioner noted that the impression is that as a City we want something that is walkable and more urban. The counter argument is that the property is so far from the city core that it cannot be supported.

A committee member asked why staff is requesting walkability. Staff responded that the proposal can be considered with a mixed use project but the site layout lacks good integration and pedestrian connectivity between the residential and nonresidential uses. The concentration of linear pads along Albemarle Road and parking lots along the back of buildings fronting residential uses is not good design. In addition, there is a concern about congestion at the I-485 and Albemarle Road interchange. Though the gas station/convenience store uses have been eliminated, the proposed EDEE, financial institutions with associated drive through windows can create destination traffic that will cause congestion at the interchange. Staff noted that the site may easily be made walkable from the multi-family uses to the retail, and that well screened parking fronting Albemarle Road is a more desirable option. Staff feels the need to gain something if there will be deviation from the adopted plan; the proposal needs to meet policies and goals of the adopted plan which this does not.

A committee member state the land use is inappropriate due to interchange congestion issues but agreed that the site should be walkable throughout the site if deviating from the plan. Staff responded that many millennials desire a walkable environment that helps the environment by providing traffic and mobility options. In addition, the proposed uses do not work well together.

A committee member asked if the blocks as shown are ½ mile in distance. Another committee member stated that it appeared to be 66 square acres. A committee member noted that it is likely walkable and likely will only have infill on side roads based on the current income level in the area.

There was no further discussion of this petition.

MINORITY OPINION

A minority of the committee voted against the petition because it represents a missed opportunity to craft how an area will look; the city should learn from mistakes made in other plans. In addition, the petition is inconsistent with the adopted plan and there is agreement with staff's position.

Planner

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