



Zoning Committee

REQUEST	Current Zoning: I-1 (light industrial) Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)
LOCATION	Approximately 10.54 acres located between South Tryon Street and John Price Road across from Nevada Boulevard. (Council District 3 - Mayfield)
PETITIONER	Elmington Capital Group

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:

This petition is found to be inconsistent with the *Steele Creek Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends industrial land uses.

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 in an environment with support services, bus route, and employment; and
- This petition is similar to previous approvals.

The approval of this petition will revise the adopted future land use as specified by the *Steele Creek Area Plan* from industrial to residential at up to 22 dwelling units per acre for this site.

Motion/Second: Gussman / McClung
Yeas: Fryday, Gussman, Ham, McClung, McMillan, and Samuel
Nays: None
Absent: Watkins
Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan, noting outstanding issues including incompatibility of the proposed land use and a request for a buffer along the south property line.

A Commissioner noted that future development on vacant land around the site could be industrial as currently zoned. Another

commissioner noted the site's close proximity to a police facility, fire station, 12 schools, and employment opportunities.

It was discussed that there is no commitment on the site plan to affordability; while the current petitioner focuses on affordable projects, the property owner seems unwilling to risk limiting the site to affordability standards. Another Committee member noted that if this project is approved, then there would be less funding coming out of the 50-million-dollar bond. There was some discussion about similar petitions that have come before the Committee, including petition 2017-184 on Mount Holly-Huntersville Road near Rozzelles Ferry Road, and trying to be consistent in not requiring firm commitment to affordability standards in a rezoning petition. It was also noted that this housing community might still be more affordable than the residential development to be found in South End due to market conditions.

Environmental concerns were mentioned, but a commissioner noted that a plus would be to live in an area near jobs. A commissioner noted that it would be better if the site were a few blocks further into residential surroundings, but that the site is where it is. Some Commissioners commented that the area does not have an industrial feel.

There was no further discussion of this request.

STAFF OPINION

Staff disagrees with the Zoning Committee's recommendation for the following reasons:

- The proposed residential multi-family development is inconsistent with the industrial land use recommended for this site and surrounding area; and
- The site is within an Industrial Activity Center as per the *Centers, Corridors and Wedges Growth Framework*, which is intended to be mainly made up of light and heavy industrial, warehouse and/or distribution land uses, with limited amounts of other types of land uses. For example, a warehouse project is currently being developed across John Price Road from this site, under I-1 light industrial zoning; and
- The proposed development will result in residential property being located adjacent to property zoned for industrial use. Many industrial uses can be considered incompatible with residential uses due to regulated air emissions and other common features of industrial uses such as odors, dust, noise, and truck traffic; and
- The proposed development is surrounded on three of four sides by I-1 (light industrial) zoning and on the fourth side by I-2 (general industrial) zoning. Within 1/2 mile of the parcels there are 12 facilities that are known sources of air pollution.

PLANNER

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