

**ZONING COMMITTEE
RECOMMENDATION
September 26, 2007**

Rezoning Petition No. 2007-80

Property Owner: Griffith Equities, LLC; Harris Woods, LLC; John Patrick Fraser; Barbara F. & James McHenry

Petitioner: Griffith Equities, LLC

Location: Approximately 395 acres east of Old Statesville Road and south of W.T. Harris Boulevard

Center, Corridor, or Wedge: North Corridor (station area)

Request: R-4, single family residential, I-1, light industrial, and I-1(CD), conditional light industrial, to MUDD-O, mixed-use development district with optional provisions, and MX-3, mixed-use with innovative standards

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition, based upon the following modifications:

- Conversion rates will be modified to meet CDOT's request for ratios closer to trip generation neutrality.
- Office to retail conversion rights for the MX-3 shopping center components have been eliminated.
- Phasing will be modified to accelerate the improvements to Pete Brown Road and Sugar Creek Road extension.
- Modifications have been made to satisfy Mecklenburg Parks and Recreation concerns over the timing of the dedication of greenway area.

Vote: Yeas: Howard, Johnson, Lipton, Loflin, Randolph, Rosenburgh, and Sheild

Nays: None

Absent: None

Summary of Petition

This petition seeks approval for a large mixed-use development with two primary components. The first is a mixed residential development of approximately 1,100 units for a relatively low

density of 3.4 du/a. The second is a mixed-use development with a strong non-residential base (about 800,000 square feet) and high intensity residential (1788 units), located in close proximity to the proposed commuter rail transit station on the North Corridor. The petitioner is also requesting vested rights for a period of five (5) years.

Zoning Committee Discussion/Rationale

Staff reviewed the petition and noted the modifications, described above, that had occurred since the public hearing. Staff noted that the Subdivision Administrator had agreed that an extension of a stub street would not be required due to topography and environmental conditions. One Zoning Committee member stated that it was a well thought out plan that took advantage of the existing environment and provided alternative modes of travel for pedestrians and even for golf carts. Another Committee member noted the proposed transportation improvements, including widening of W.T. Harris Boulevard with future construction of the MUDD village. A Committee member asked if any of the trip reduction was due to the proposed North transit corridor. CDOT responded that the current analysis is a worst-case scenario and assumes no trip reduction due to transit availability. Another Committee member asked why the MUDD district is being used instead of a TOD district. Staff responded that in order to use TOD zoning there needed to be a Record of Decision on the transit corridor. This has not been completed for the North Corridor.

Statement of Consistency

Upon a motion made by Commissioner Sheild and seconded by Commissioner Johnson the Zoning Committee unanimously found this petition to be consistent with the *Northeast District Plan* and the *Transit Station Principles* and was reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Sheild and seconded by Commissioner Randolph the Zoning Committee voted unanimously to recommend approval of this petition as modified.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.