



Zoning Committee Recommendation

Rezoning Petition 2022-168

August 1, 2023

REQUEST

Current Zoning: N1-C (Neighborhood 1), MUDD-O (Mixed Use Development District – Optional)
Proposed Zoning: MUDD-O (Mixed Use Development District - Optional) and MUDD-O (Mixed Use Development District – Optional) SPA

LOCATION

Approximately 0.55 acres located south of Tuckaseegee Road and east of Enderly Road.

(Council District 2 - Graham)

PETITIONER

TD Enderly LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend DENIAL of this petition and adopt the consistency statement as follows:

To Deny:

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.

Therefore, 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 proposes to demolish a duplex constructed in 1926 and replace it with a parking lot for a business serving alcohol.
- The petitioner has not made sufficient pedestrian improvements to support the proposal.
- The petition runs counter to the *2040 Comprehensive Plan* Goal 9: Retain Our Identity & Charm.
- The petition would result in a net loss of two housing units for the city.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 8: Diverse & Resilient Economic Opportunity

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 Center Place Type for the site.

Motion/Second: Whilden / Sealey

Yeas: None

Nays: Lansdell, Neeley, Russell, Sealey, Welton, Whilden, Winiker

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 Whilden stated that she does not support additional parking in the corridor, particularly without EV charging.

Commissioner Lansdell inquired if the petitioner was proposing any crosswalk and intersection improvements. CDOT staff replied that the sidewalk was improved as part of the previously approved petition but no additional intersection improvements are proposed as part of this petition. Commissioner Lansdell asked if there were marked crosswalks at this intersection. CDOT staff replied that there were not but that there is an existing pedestrian refuge island on Tuckaseegee Rd at the bus stop.

Commissioner Russell stated that he understands the idea of helping a small business but it seems like the outcome is trading housing for parking and there is no larger benefit for the city.

Commissioner Sealey stated that adding parking for a business that sells alcohol instead of encouraging other means of transportation seems like a misstep.

Whilden – demolish historic duplex to create parking for business selling alcohol, no ped infrastructure, diminishes character of corridor, loss of housing

PLANNER

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