



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2023-002

August 3, 2023

REQUEST

Current Zoning: N1-A (neighborhood one)
Proposed Zoning: R-8(CD) (single family residential, conditional)

LOCATION

Approximately 1.77 acres located on the south side of McKee Road, east of Weddington Road, and west of Savannah Hills Drive.
(Council District 7 - Driggs)

PETITIONER

Jay Cox

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-2 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 map recommends Neighborhood 1 place type.

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:

- While inconsistent with Neighborhood 1 place type the proposed triplex and quadruplex dwellings can be compatible and appropriate as an infill development transitioning from the adjacent single family homes.
- The site is an infill, remnant parcel along McKee Rd.
- The proposed attached dwelling units provide additional housing types and options to the area.
- The proposal extends Marville Ct. a local public street within the adjacent neighborhood.
- The site is within 1/3 of a mile walk from a community activity center at the intersection of Weddington and McKee Roads
- 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: Lansdell / Whilden
Yeas: Lansdell, Neeley, Russell, Welton, Whilden,
Nays: Winiker, Sealey
Absent: None
Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and explained that since the hearing the petitioner agreed to install pedestrian signage per CDOT's request and noted that it is inconsistent with the *2040 Policy Map*.

Commissioner Winiker asked why there is a pedestrian access from the site to McKee and then across McKee Rd. and noted that the way it is designed access would be exclusively from vehicles via Marville Ct. CDOT staff explained the petitioner would be constructing a multi-use path along McKee Rd. The project is not big enough to warrant an additional transportation mitigation like a crossing on McKee Rd. Internal pedestrian connections to the public sidewalk typically are handled through Planning staff.

Commissioner Russell asked why Marville Ct. was not extended to connect to McKee Rd. and only provides a turnaround. Planning staff explained that the petition is only required to extend Marville Ct. because it stubs to the site. A connection to McKee is not required but a turnaround is needed so that fire and solid waste vehicles would not have to back all the way down the street. CDOT staff explained that a connection to McKee was not requested because there is typically a goal to reduce intersections and curb cuts on high volume roads. Additionally, CDOT's driveway manual states that side streets are the preferred access location.

Commissioner Sealey asked about the consistency of nomenclature for the dwelling product type. Staff explained it was in part due to the dwelling types allowed in the proposed zoning district and the fact that the buildings are on individual lots with separate public street frontage. The commissioner asked if the units were for sale or for rent. Staff noted that the Ordinance does not regulate if dwellings are sale or rent.

There was no further discussion of this petition.

MINORITY OPINION

Commissioner Winiker and Sealey agreed that the petition should provide a direct pedestrian connection from the site to the public sidewalk along McKee Rd and without it should not be considered to be supporting a 10 minute neighborhood.

PLANNER

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