



Zoning Committee

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**REQUEST**

Current Zoning: N1-A (Neighborhood 1)  
Proposed Zoning: R-8MF(CD) (Multifamily Residential, Conditional)

**LOCATION**

Approximately 14.46 located west of N Tryon Street, east of Morehead Road, and north of Floyd Smith Office Park Drive.  
(Outside City Limits)

**PETITIONER**

Charter Properties, Inc.

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-1 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 *2040 Policy 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:

- The petition would diversify housing options in the N Tryon Street corridor and is adjacent to recently approved multifamily residential to the west.
- The site is a long, narrow parcel encumbered with utility right of way and stream buffers that would make development of a Neighborhood 1 place type challenging.
- The petition would improve pedestrian and bicycle mobility along both Morehead Road and N Tryon Street by implementing an 8' planting strip and 12' multi-use path along both street frontages.
- The petition could facilitate the following 2040 Comprehensive Plan Goals:
  - 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 (2022)* from Neighborhood 1 place type to Neighborhood 2 place type for the site.

Motion/Second: Sealey / Neeley  
 Yeas: Neeley, Russell, Sealey, Welton, Whilden, Winiker  
 Nays: Lansdell  
 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 Winiker asked for more detail regarding the outstanding issue of the street connection to N Tryon Street. CDOT replied that they have consistently conveyed NCDOT’s stance of not allowing a connection unless a connection through Cabarrus County is not possible. If a driveway is permitted it would be right in, right out.

Commissioners Welton and Russell expressed frustration with the lack of direct site access within Mecklenburg County. Staff responded by stating that NCDOT has the ability to look more holistically at access in the area across county lines and that our role is to consider the petition from a land use perspective.

Commissioner Lansdell stated that he doesn’t believe the petition is ready to be approved due to access issues.

CDOT clarified that the connectivity to Cabarrus County is a net positive and that the worst case scenario is right in, right out access to N Tryon Street.

**MINORITY OPINION**

Commissioner Lansdell stated that the does not believe the parcel and access provide safe and equitable mobility for all.

**PLANNER**

Joe Mangum (704) 353-1908