



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2024-110

April 1, 2025

REQUEST

Current Zoning: O-1(CD) (Office, Conditional) and RE-3(O) (Research, Optional)
Proposed Zoning: CAC-1(EX) (Community Activity Center-1, Exception)

LOCATION

Approximately 51.78 acres located east of Claude Freeman Drive, north of Davide Taylor Drive, and west of Senator Royall Drive.
(Council District 4 - Johnson)

PETITIONER

Flournoy Development Group

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

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

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Community Activity Center Place Type for this 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:

- EX petitions are a type of conditional rezoning that allow for flexibility in quantitative zoning and streetscape standards in exchange for the commitment to public benefits in at least two out of three categories: city improvements, public amenities, and sustainability measures. EX petitions should be reserved for situations where extenuating circumstances make meeting ordinance standards an undue burden.
- The public benefits proposed in support of this EX petition include dedicating 2 acres for open space to Mecklenburg County, construction of buildings to meet NGBS bronze standards, and a contribution of \$10,000 to Mecklenburg County Park & Recreation.

- Proposed public benefits in support of the requested EX provisions must exceed minimum requirements.
- The site has unique circumstances which include challenging topography, water quality buffers, wetlands, and established mature tree canopy.
- Access to housing is the highest priority need in this area according to the EGF Community Reports.
- The site is primarily surrounded by nonresidential developments and the immediate area has relatively little housing. The proposed plan would increase the number of housing types in the area.
- Access to essential amenities, goods and services is also a high priority in this area as the subject property is within Access to Essential Goods, Services & Amenities Gap. The petition may help address this need with the proposal of up to 7,500 square feet of commercial space and provisions for future non-residential uses on the site.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion

Motion/Second: Sealey / McDonald

Yeas: Neeley, Sealey, Winiker, Blumenthal, McDonald, Shaw, Stuart

Nays: None

Absent: None

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the *2040 Policy Map*.

Commissioner McDonald asked for clarification of the commercial uses provision. Staff responded that in the event commercial uses are not able to be developed after 5-years from the approval of the rezoning, then non-residential uses shall not be required.

Chairperson Blumenthal asked for clarification on how the contribution to Mecklenburg County Park & Recreation would be used. Staff responded that the contribution would be used for general park improvements in the Northeast Park District and not just for this development.

Chairperson Blumenthal noted that the project will be developed in two phases with more of the park and open space in phase two. He asked if there was going to be an effort to activate the open space in phase one. The petitioner's representative stated that there would be areas for public use available in phase one.

PLANNER

There was no further discussion of this petition.

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