



Zoning Committee

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<b>REQUEST</b>	Current Zoning: BP(CD) (business park, conditional) & O-3(CD) (office, conditional) Proposed Zoning: MUDD-O (mixed use development, optional), with 5-year vested rights
<b>LOCATION</b>	Approximately 454.24 acres located on the north side of Ballantyne Commons Parkway, south of I-485 on both sides of Johnston Road. (Council District 7 - Driggs)
<b>PETITIONER</b>	Northwood Development, LLC

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**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:

This petition is found to be generally **consistent** with the *South District Plan (1993)*. The petition is **consistent** with the *Plan* policies and with the goals of an Activity Center found in the *Centers, Corridors, and Wedges Growth Framework* based on the information from the staff analysis and the public hearing and because:

- The *Plan* recommends office/retail/ industrial-warehouse-distribution and office/business park and office/residential across the overall site; and
- The *Plan* supports integrated mix of uses in the Ballantyne town center/ regional mixed-use center.
- The *Growth Framework* calls for a mix of uses and pedestrian oriented form.

Therefore, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The *South District Plan* policies supports integrated and pedestrian-oriented land uses.
- The *South District Plan* policies also supports increasing density if light rail and other innovative transportation demand management techniques are incorporated in the project.
- The site is located within an activity center according to the *Centers, Corridors, and Wedges Growth Framework*. Activity centers are recommended for higher intensity development, mix of uses and pedestrian oriented form.

- The plan introduces a mixture of land uses to the Ballantyne Corporate Park, provides urban design in pedestrian form, and integrates transit including planning for future light rail transit (LRT) service.
- The plan commits to a significant amount of open space including greenway connection and public accessible active open space.

The approval of this petition will revise the adopted future land use map as specified by the *South District Plan*, from Office/Retail/Industrial-Warehouse-Distribution, Office/Business Park and Office/Residential to Residential/Office/Retail for the site.

Motion/Second: Watkins / Wiggins  
 Yeas: Ham, Kelly, Nwasike, Watkins, and Wiggins  
 Nays: Gussman, Spencer  
 Absent: None  
 Recused: None

## ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan. All issues have been addressed.

A commissioner noted that the dense pedestrian oriented project was what is needed in the area. Another commissioner supported the plan holistically, noting neighborhood concerns over traffic, but championing transit; and while schools are crowded, progress was being made through bond funding.

The Zoning Committee then discussed the concerns raised regarding the school impacts. A commissioner made comparison to the River District rezoning that provided area for schools. Another commissioner felt the two petitions did not compare because one was a largely a greenfield proposal while the other was infill and intensification of an existing developed area.

There was additional discussion of whether a project of significant size such as this one should provide greater support for schools given its potential impact on new students. The need for adequacy of schools, parks, and roads in rezoning proposals was noted.

Several of the commissioners expressed that the school issue was important but was a broader issue across the entire county that needed to be addressed outside of the subject rezoning petition.

There was no further discussion of this petition.

## MINORITY OPINION

The last rezoning of that size, the River District, included consideration for schools:

“Additionally, other large projects recognized the impact they would have on local schools and made considerations for future impacts - ‘a commitment to future public school facility needs” is in previous consistency statements passed by the zoning committee and approved by council for projects that generate

large numbers of students. The standard of 'A commitment to future public school facility needs' should receive strict scrutiny in land use decisions anticipated to generate over 150 students."

The petitioner should work with CMS to address the school concerns in the area and a rezoning of this size should provide some commitments to CMS.

**PLANNER**

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