



Zoning Committee

REQUEST

Current Zoning: N1-A (neighborhood 1-A), N1-B (neighborhood 1-B), and R-6(CD) (single family residential, conditional)
Proposed Zoning: MX-2 INNOV (mixed use, innovative) with 5-year vested rights

LOCATION

Approximately 150.78 acres located on the north side of Old Concord Road, east of North Tryon Street, and south of West Rocky River Road.
(Council District 4 - Johnson)

PETITIONER

NVR, Inc.

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-1 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 petition is **consistent** with the *2040 Policy Map* recommendation for the Neighborhood 1 Place Type for Development Area A, and **consistent** with the Neighborhood 2 Place Type for Development Area B and a portion of Development Area C. The petition is **inconsistent** with the Neighborhood 1 Place type along Concord Road for a portion of Development Area C.

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 proposes a variety of housing types.
- Lower density housing is proposed for the northern portion of the site in the area recommended for Neighborhood 1, while higher intensity housing is proposed closer to Old Concord Road with a transition to single family housing where it abuts single family housing.
- The petition commits a minimum six-acre portion of Development Area A to Mecklenburg County for a future neighborhood park.

- The petition commits to constructing a pedestrian connection from the site to the future greenway trail.
- The proposal commits to a range of transportation improvements, including upgrades to traffic signals and a 12-foot-wide multi-use path along the site's frontage on Old Concord Road.
- The petition could facilitate the following 2040 Comprehensive Plan Goals:
 - 2: Neighborhood Diversity & Inclusion
 - 6: Healthy, Safe & Active Communities
 - 7: Integrated Natural & Built Environments
 - 9: Retain Our Identity & Charm

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map* from the Neighborhood 1 to Neighborhood 2 Place Type for a portion of Development Area C.

Motion/Second: Neeley / Winiker
 Yeas: Neeley, Sealey, Welton, Whilden, Winiker
 Nays: Lansdell
 Absent: Russell
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition, noting all outstanding issues had been addressed including resolution of the park site. Staff explained the petition's consistency and inconsistency with the *2040 Policy Map* from a contextual perspective and where the proposed housing types are proposed in relation. Commissioner Winiker requested additional information on the process between the petitioner and MCPR to resolve the park issue. The Committee voted to suspend the rules to allow John Carmichael, the agent representing the request, to clarify steps taken to relocate the park as per coordination with MCPR.

Commissioner Welton inquired about a previous concern about unit types relating to one another, and staff responded that it was felt there was enough variation in architectural standards to break up massing and address concerns. Commissioner Whilden inquired how the development addresses the 2040 Comprehensive Goal supporting Neighborhood Diversity and Inclusion, and staff responded that the variety of housing types supports that goal.

Commissioner Lansdell noted this development will generate a great deal of traffic and inquired about the language pertaining to pedestrian access to the greenway. CDOT responded that typically greenways have a minimum width of 12 feet, and that the noted pedestrian connections did not have a specified width, so the minimum would be five feet. There was no further discussion of this request.

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MINORITY OPINION

Commissioner Lansdell noted that greenway access is unclear and would like more information.

PLANNER

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