



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2024-131

March 4, 2025

REQUEST

Current Zoning: N1-A (Neighborhood 1-A), ML-2 (Manufacturing & Logistics 2)

LOCATION

Proposed Zoning: N1-E(CD) (Neighborhood 1-E, Conditional)

Approximately 35.26 acres surrounding the intersection of Moores Chapel Road and Performance Road.
(Outside City Limits) Near District 3.

PETITIONER

Pulte Homes

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-0 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* recommends Neighborhood 1 Place Type.

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:

- The petition proposes a mix of single-family detached units and triplex units, which are building forms consistent with the N1 place type.
- The proposed triplex units will provide another housing option in area of mostly single-family detached dwellings.
- The petition commits to several transportation improvements, including the extension of Performance Road, which will ultimately connect to Whitewater Center Parkway. The majority of the dwelling units are accessed from public streets, with stubs provided for future extension to the northeast and southwest.
- The petition proposes to contribute \$40,000 to Mecklenburg County Park & Recreation for future parks in the vicinity of the site.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 2: Neighborhood Diversity & Inclusion

Motion/Second: Shaw / Sealey
Yeas: Neeley, Sealey, Winiker, Blumenthal, Shaw,
Nays: None
Absent: Stuart, McDonald
Recused: None

ZONING COMMITTEE DISCUSSION

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

Commissioner Sealey asked if there are any planned improvements to Moores Chapel Road. CDOT replied that NCDOT has been studying the area but there are no imminent projects near the site.

Commissioner Shaw asked for clarification about the outstanding issue related to the awkwardly placed units. Staff replied that it is the units at the eastern end of Public Street B. Staff feels that the units intrude upon the open space. Commissioner Shaw inquired if it was a code issue or staff preference. Staff replied that it is not a code issue, but the placement of the units intrudes upon the open space and breaks with the established footprints of the other units along the street.

Commissioner Winiker stated that Mecklenburg County Park & Recreation (MCPR) asked for 1.75 acres for park space on the site. He inquired if staff felt that the petitioner had made any effort to set aside land for Park & Recreation. Staff replied that they were not aware of an effort to dedicate land to MCPR. However, the petitioner is committing to a payment of \$40,000 to MCPR for projects in the vicinity of the site. Commissioner Winiker suggested that the donation is insufficient. Staff added that there is parkland just to the north of the site, which might have factored into MCPR's decision to accept the monetary donation and close their review comment for land dedication.

The committee moved to suspend the rules to ask the petitioner to explain their stance in not agreeing to dedicate land requested by MCPR. The petitioner's agent stated that they had numerous conversations with MCPR. The petitioner's team highlighted the publicly accessible open space that is provided on the site. MCPR added that they do own a sizable amount of the property in the vicinity and agreed that a monetary donation would help support amenitizing their existing land.

Chairperson Blumenthal identified the Performance Drive extension and stated that it might impact MCPR property beyond this site. He asked why the right-of-way extends to the property line and isn't tree save beyond where the street will be constructed. Staff replied that ultimately the street is planned to connect to Whitewater Center Parkway and that the curve in the right-of-way is intended to avoid the parkland as the street is extended. Commissioner Shaw asked if the future extension of the street is the reason for the width of the street. CDOT staff

replied that the width is dictated by the Charlotte Streets Map and was confirmed with NCDOT.

Chairperson Blumenthal asked if there are any plans for pedestrian improvements at the intersection of Moores Chapel Road & Performance Drive. CDOT staff replied that there are sidewalks required along Moores Chapel Road, but no pedestrian signals to cross Moores Chapel Road. Chairperson Blumenthal encouraged staff to consider pedestrian crossing improvements as development increases in the area.

PLANNER

Joe Mangum (704) 353-1908