



Zoning Committee

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**REQUEST**

Current Zoning: N1-A (neighborhood 1-A)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 9.23 acres located on the east side of Mallard Creek Road, north of Galloway Road, and west of Tavernay Parkway.  
(Council District 4 - Johnson)

**PETITIONER**

Leon & Jennifer Chisolm

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**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 **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 (2022)* recommends the Neighborhood 1 Place Type for this site.

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 add to the variety of housing options in the area.
- The petition proposes to provide an 8-foot wide planting strip and 12-foot wide multi-use path along the site's frontage.
- This petition proposes one access point to the site on Mallard Creek Road and a potential future connection to the parcel to the north.
- The petition would limit heights to 40 feet.
- The petition would provide an ADA compliant bus pad.
- The proposed residential community would be served by a bus line that runs along Mallard Creek Road with stops within a ¼ mile of the site.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities.

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

Motion/Second: Russell / Lansdell  
 Yeas: Lansdell, Neeley, Russell, Sealey, Welton,  
 Whilden, Winiker  
 Nays: None  
 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 Russell asked, if the setbacks on this petition consider the future widening of Mallard Creek Road. CDOT responded that the petitioner coordinated with CDOT and NCDOT to include the future widening of Mallard Creek Road.

Commissioner Welton asked if only one possible future road connection was required. CDOT responded that this petition was pre-UDO so there was not a cross access requirement. However, the petitioner does provide a future possible connection to the north parcel.

Commissioner Lansdell stated he would like to see specific design guidelines especially for crosswalks when you have a right turn lane into a private development.

There was no further discussion of this petition.

### **PLANNER**

Michael Russell (704) 353-0225