

COMMUNITY MEETING REPORT

**Petitioner: NVR, Inc.**

Rezoning Petition No. 2018-067

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

**PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:**

A representative of the Petitioner provided written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on the attached Exhibit A by depositing such notice in the U.S. mail on July 19, 2018. A copy of the written notice is attached as Exhibit B.

**DATE, TIME AND LOCATION OF MEETING:**

The Community Meeting was held on Monday, July 30, 2018 at 6:30 PM at Wingate by Wyndham, 7841 Gateway Lane, NW, Concord, North Carolina.

**PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):**

The Community Meeting was attended by those individuals identified on the sign-in sheet attached as Exhibit C. The Petitioner's representatives at the Community Meeting were Mallie Colavita of NVR, Inc., Eric Hampton and Adam Berry of BGE, and Ty Shaffer of Robinson Bradshaw & Hinson, P.A.

**SUMMARY OF ISSUES DISCUSSED:**

Ty Shaffer welcomed everyone to the Community Meeting for Rezoning Petition No. 2018-067 and the Petitioner's representatives introduced themselves.

Mr. Shaffer then provided the current schedule of events relating to this rezoning request (all meetings held at the Charlotte-Mecklenburg Government Center):

- Public Hearing: Monday, September 17, 2018 at 5:30 PM
- Zoning Committee: Tuesday, October 2, 2018 at 5:30 PM
- City Council Decision: Monday, October 15, 2018 at 5:30 PM

Mr. Shaffer explained that the Public Hearing gives the Petitioner and members of the public an opportunity to speak in support of, or in opposition to, the Rezoning Petition. He also explained that these dates are subject to deferral, so these are the earliest dates on which each event could occur.

Mr. Shaffer then gave an overview of the area and the Rezoning Site, which is a 16.9 acre site located on the north side of Mallard Creek Road across from the north campus of Hickory Grove Baptist Church. He explained that the site currently is zoned R-3 (single-family residential, up to three units per acre). The Petitioner is requesting that the site be rezoned to the UR-2 (CD) zoning district to accommodate the development of a residential community on the site that could contain up to 189 single-family attached dwelling units (i.e. townhomes). Mr. Shaffer explained that this is a conditional rezoning request, meaning that the uses proposed and the development of the site will be limited to what is approved as part of the Rezoning Plan.

Mr. Shaffer showed attendees two images from the Northeast Area Plan. That Plan calls for residential uses on this site, with a density of up to 12 units per acre. Mr. Shaffer explained that the Petitioner's proposed use is consistent with the Northeast Area Plan because it calls for development at 11 units per acre.

Mallie Colavita introduced the Petitioner and explained that NVR/Ryan Homes has been in the Charlotte market for more than 35 years. The Petitioner has been interested in this site and this part of the Charlotte market for some time. The Petitioner's research has indicated a deficit in for-sale townhomes in this market and suggests that this project is appropriate for this area. Mr. Colavita explained that NVR will fund and establish a homeowners' association ("HOA") for this development and use the applicable Declaration of Covenants, Conditions and Restrictions ("CC&Rs") to regulate building façade, color and material. He then showed attendees two examples of the type of product that the Petitioner is considering for this site. The product will be a three-story townhome with front and rear loading layouts, depending on location in the development. Generally, the Petitioner's product includes brick or stone elements on the first story, and articulated façade across a single building.

Eric Hampton then gave an overview of the site plan, noting that an extension of Aspire Street would begin at the western boundary of the site and connect to the neighboring multifamily project currently approved. This would be a new public road that would connect to an extension of Kings Grant Drive, creating a second access point to the development. The main access point would be a public road entrance off of Mallard Creek Road at the approximate midpoint of the site's frontage on Mallard Creek Road. He noted the location of stormwater ponds and the existing creek to the north of the site. Mr. Hampton also indicated the location of the overhead power easement that runs to the east of the site. Finally, he explained that the color coding (yellow and orange) on the rendering depicts differing plans for front versus rear loading units.

An attendee asked for an update on plans for Mallard Creek Road. Adam Berry noted that the project currently is in the design stage, but nothing official has been determined or released. Mr. Hampton added that NCDOT controls that process, and that the Petitioner is as anxious for additional information as the area residents.

In response to a question about amenities proposed for this development, Mr. Colavita explained that the amenities would be passive—e.g. walking trails, a gazebo and grills, and a dog park. At this price point, he explained that the price to homeowners (i.e. increased HOA dues) to maintain a pool and clubhouse would be difficult to sustain, and that the Petitioner generally includes those amenities in much larger developments (e.g. 250-300 homes). An attendee noted concern

that absence of a pool may cause residents to seek to use the pool in the neighboring development.

Mr. Colavita explained, in response to a question, that the likely price for these units will start in the range of \$250,000 to \$270,000, depending on whether front or rear loading. These will be three bedroom townhomes. An attendee asked if the Petitioner expects the townhomes to draw a lot of families with children, given the number of bedrooms. Mr. Colavita explained that the likely buyer for these townhomes is a first time home buyer, and that three story units are not as attractive to families with children, but rather singles or young couples.

A neighbor asked about steps that the Petitioner would take to limit purchases by investors and conversion of the townhomes to rental properties. Mr. Colavita explained that the Petitioner can guard against this primarily by (1) controlling the sales process on the front end, and (2) including in the CC&Rs restrictions that preclude more than 3% of homes, for example, being rented at any one time. The unit owner also could be required to submit any rental agreements to the HOA for approval and review, in order to protect the development.

The attendees expressed concern about the addition of this many new units to the area, on top of development on Mallard Creek Road closer to I-485. They are concerned about increased traffic demands on Mallard Creek Road, which already is overburdened, and also the increase in school age children that will come with the additional development.

During follow up conversations about traffic, Mr. Hampton and Mr. Colavita explained that the extension of Aspire Street parallel to Mallard Creek Road is intended to help alleviate the pressure on Mallard Creek Road, and that building out street network connectivity is a strategy for pulling traffic off of congested roads. Attendees noted that this area suffers heavy traffic generally, but also is overburdened during the holiday shopping season as traffic heads to Concord Mills.

In response to a question about emergency vehicle access and parking inside the neighborhood, Mr. Colavita explained that the HOA will enforce restrictions on parking outside of designated areas.

An attendee asked about the likely timing of construction, assuming approval of the Rezoning Petition on the anticipated schedule. Mr. Colavita explained that the Petitioner likely would break ground in late-Spring 2019, and would build the development in phases, likely beginning along Mallard Creek Road and moving back from there.

Mr. Colavita and Mr. Hampton discussed the proposed buffers on the site in response to a question. Mr. Colavita noted that the Petitioner sees screening and buffers as an attractive feature for their buyers. Accordingly, the Petitioner tries to keep as many trees as feasible. Mr. Hampton noted the presence of buffers and tree save along the site's northern boundary. The vast majority of that area will have to be preserved, because of the stream, and there likely will be deeded tree save in that buffer area.

There being no other questions from the attendees, the meeting was then adjourned.

**CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:**

No changes have been made to the rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report solely as a result of the Community Meeting.

Respectfully submitted, this 9<sup>th</sup> day of August, 2018.

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**NVR, Inc., Petitioner**

cc: Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)  
Ms. Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department (via email)

2018-067	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2018-067	02917102	HICKORY GROVE BAPTIST CHURCH				6050 HICKORY GROVE RD		CHARLOTTE	NC	28215
2018-067	02917102E	HICKORY GROVE BAPTIST CHURCH				13200 MALLARD CREEK RD		CHARLOTTE	NC	28262
2018-067	02918108	HOLLAND LIVING TRUST THE		HOYLE N	HOLLAND	1435 RIDGE RD		CHARLOTTE	NC	28262
2018-067	02918112	PIEDMONT NATURAL GAS COMPANY INC				4720 PIEDMONT ROW DR		CHARLOTTE	NC	28210
2018-067	02918118	FOX FIVE LLC				8918 NOLESGATE RD		CHARLOTTE	NC	28215
2018-067	02918119	FOX FIVE LLC				8918 NOLESGATE RD		CHARLOTTE	NC	28215
2018-067	02918120	FOX	JERRY E	WINNIE	FOX	13320 MALLARD CREEK RD		CHARLOTTE	NC	28262
2018-067	02918121	FOX	JERRY E	WINNIE N	FOX	PO BOX 816		HARRISBURG	NC	28075
2018-067	02918124	HOLLAND LIVING TRUST THE		HOYLE N	HOLLAND	1435 RIDGE RD		CHARLOTTE	NC	28262
2018-067	02918128	KING'S GRANT APARTMENTS LLC				1400 W NORTHWOOD ST		GREENSBORO	NC	27408
2018-067	02919103	WAYPOINT STONE HOLLOW OWNER LLC				3475 PIEDMONT RD NE	SUITE 1640	ATLANTA	GA	30305
2018-067	02919104	MCCOY	RICHARD M	DIXIE	MCCOY	13032 MALLARD CREEK RD		CHARLOTTE	NC	28262
2018-067	02919105	PHILLIPS	TERRY C	DEBORAH F	PHILLIPS	13401 HIWASSEE RD		HUNTERSVILLE	NC	28078
2018-067	02919106	ODELL SCHOOL HIGHWAY INVESTMNT TRADERS LLC				C/O BUDDY BAKER		DALLAS	TX	75201
2018-067	02919108	ODELL SCHOOL HIGHWAY INVESTMNT TRADERS LLC				C/O BUDDY BAKER		DALLAS	TX	75201
2018-067	02919111	PHILLIPS	TERRY C	DEBORAH F	PHILLIPS	13401 HIWASSEE RD		HUNTERSVILLE	NC	28078
2018-067	02919112	MASSEY	JAMES CECIL JR		M ELIZABETH CRAIG	13601 MALLARD CREEK RD		CHARLOTTE	NC	28262
2018-067	02919113	STEWART	PHYLLIS			5100 GLEN FOREST DR		RALEIGH	NC	27612
2018-067	02919114	STEWART	PHYLLIS			5100 GLEN FOREST DR		RALEIGH	NC	27612
2018-067	02919115	STEWART	PHYLLIS			5100 GLEN FOREST DR		RALEIGH	NC	27612
2018-067	02919238	DANIEL	CYPRIAN C	GLORIA A	DANIEL	8616 APPLIEDALE DR		CHARLOTTE	NC	28262
2018-067	02919239	BAKAR	KOSSIVI E	NAMO A	EKLUNATEY	8610 APPLIEDALE DR		CHARLOTTE	NC	28262
2018-067	02919240	DILCLOUGH	DOUGLAS II			8604 APPLIEDALE DR		CHARLOTTE	NC	28262
2018-067	02919241	FOLEY	SVETLANA			2826 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2010-067	02919242	QUIEVRYN	TIMOTHY L			2820 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2018-067	02919243	SANDERS	KAREN			2816 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2018-067	02919244	DAVIS	MATTHEWS S			2812 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2018-067	02919245	TELFER	FRANCIS E	CHRISTINE H	TELFER	2808 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2018-067	02919246	KING	SUSAN			2802 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2018-067	02919247	RAO	MASHUSDAN	JYOTHI M	RAO	8719 WHISTLERS CHASE DR		CHARLOTTE	NC	28269
2018-067	02919248	MOORE	SHELIA			2726 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2018-067	02919249	HUERTAS	GUILLERMO			2722 BRIDGEVILLE LN		CHARLOTTE	NC	28262
2018-067	02919257	MILL CREEK MASTER ASSOC OF				C/O RYLAND GROUP		CHARLOTTE	NC	28217
2018-067	02919321	MILL CREEK MASTER ASSOC OF				C/O RYLAND GROUP		CHARLOTTE	NC	28217
2018-067	02919322	AMH NC PROPERTIES LP				207 REGENCY EXECUTIVE PK #100		AGOURA HILLS	CA	91301
2018-067	02919323	BAKER	ALYSIA			30601 AGOURA RD STE 200		AGOURA HILLS	CA	91301
2018-067	02919324	AMH NC PROPERTIES LP				8546 APPLIEDALE DR		CHARLOTTE	NC	28262
2018-067	02919325	AMH NC PROPERTIES LP				30601 AGOURA RD SUITE 200		AGOURA HILLS	CA	91301
2018-067	02919325	AMH NC PROPERTIES LP				30601 AGOURA RD STE 200		AGOURA HILLS	CA	91301
2018-067	02919535	VILLAGE AT MILL CREEK TOWNHOME	OWNERS ASSOC OF MECK INC		C/O THE RYLAND GROUP INC	207 REGENCY EXECUTIVE PK #100		CHARLOTTE	NC	28217



2018-067	ORGANIZATI	FIRST_NAME	LAST_NAME	STREET_ADD	UNIT_NUM	CITY	STATE	ZIP
2018-067	Dominion Village Homeowners Association	Dick	Laubach	2920 Autumn Harvest Ln		Charlotte	NC	28269
2018-067	Robyns Glen Homeowners Association	Mickey	Kidwell	2711 Chickadee Dr		Charlotte	NC	28269

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**NOTICE TO INTERESTED PARTIES  
OF COMMUNITY MEETING**

**Subject:** Community Meeting—**Rezoning Petition No. 2018-067** filed by NVR, Inc. to request the rezoning of an approximately 16.9 acre site located on the north side of Mallard Creek Road, east of I-485

**Date and Time of Meeting:** Monday, July 30, 2018 at 6:30 p.m.

**Place of Meeting:** Wingate by Wyndham  
7841 Gateway Lane, NW  
Concord, NC 28027

We are assisting NVR, Inc. (the “Petitioner”) in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department requesting the rezoning of an approximately 16.9 acre site located on the north side of Mallard Creek Road, east of I-485. The proposed rezoning site consists of portions of Tax Parcel Nos. 029-191-13, 029-191-14, and 029-191-15. The Petitioner is requesting that the site be rezoned from the R-3 zoning district to the UR-2 (CD) zoning district. The purpose of this rezoning request is to accommodate the development of a residential community on the site that could contain up to 189 single-family attached dwelling units (townhomes).

The Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Department’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the site.

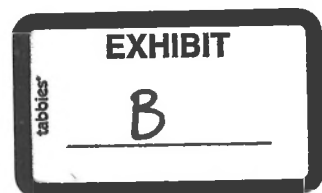
**Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Monday, July 30, 2018 at 6:30 p.m. at the Wingate by Wyndham, 7841 Gateway Lane, NW, in Concord.** Representatives of the Petitioner look forward to sharing this rezoning proposal with you and to answering your questions.

In the meantime, should you have any questions or comments, please call John Carmichael at (704) 377-8341 or Ty Shaffer at (704) 377-8142.

Robinson, Bradshaw & Hinson, P.A.

cc: Mr. Gregory A. Phipps, Charlotte City Council District 4 (via email)  
Ms. Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department (via email)  
Mr. Richard Hobbs, Charlotte-Mecklenburg Planning Department (via email)

Date Mailed: July 19, 2018



Community Meeting Sign-in-Sheet

NVR, Inc. -- Rezoning Petition No. 2018-067

Wingate by Wyndham, 7841 Gateway Lane, NW, Concord, NC 28207

Monday, July 30, 2018, 6:30 P.M.

	<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>	<u>E-MAIL ADDRESS</u>
1.	Tran Telfer	2808 Bridgeville Ln	980 875 9020	fangursjr@aol.com
2.	Mechell Harris		704-266-2117	mechell.harris@allentate.com
3.	Bill Jordan	2602 Bridgeville Ln	7049680330	WJordan115@AOL.com
4.	Chuck Kelly	2602 Bridgeville Ln	7049652374	CKelly 4812@AOL.com
5.				
6.				
7.				
8.				
9.				
10.				



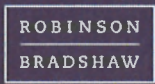


# Rezoning Petition No. 2018-067

NVR, Inc., Petitioner

Community Meeting

July 30, 2018



Charlotte : Research Triangle : Rock Hill  
robinsonbradshaw.com



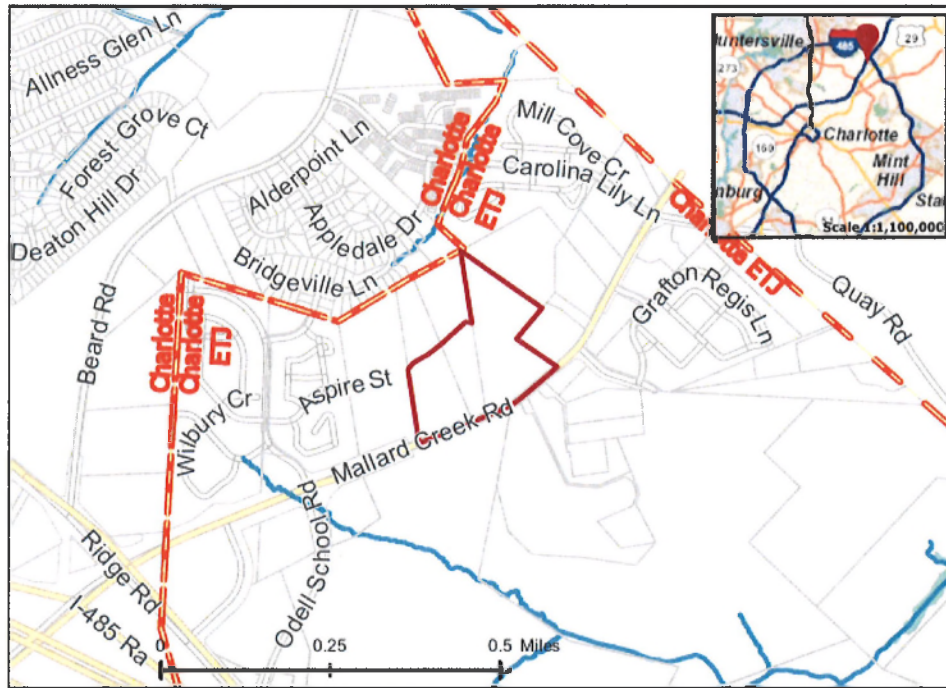
## Development Team

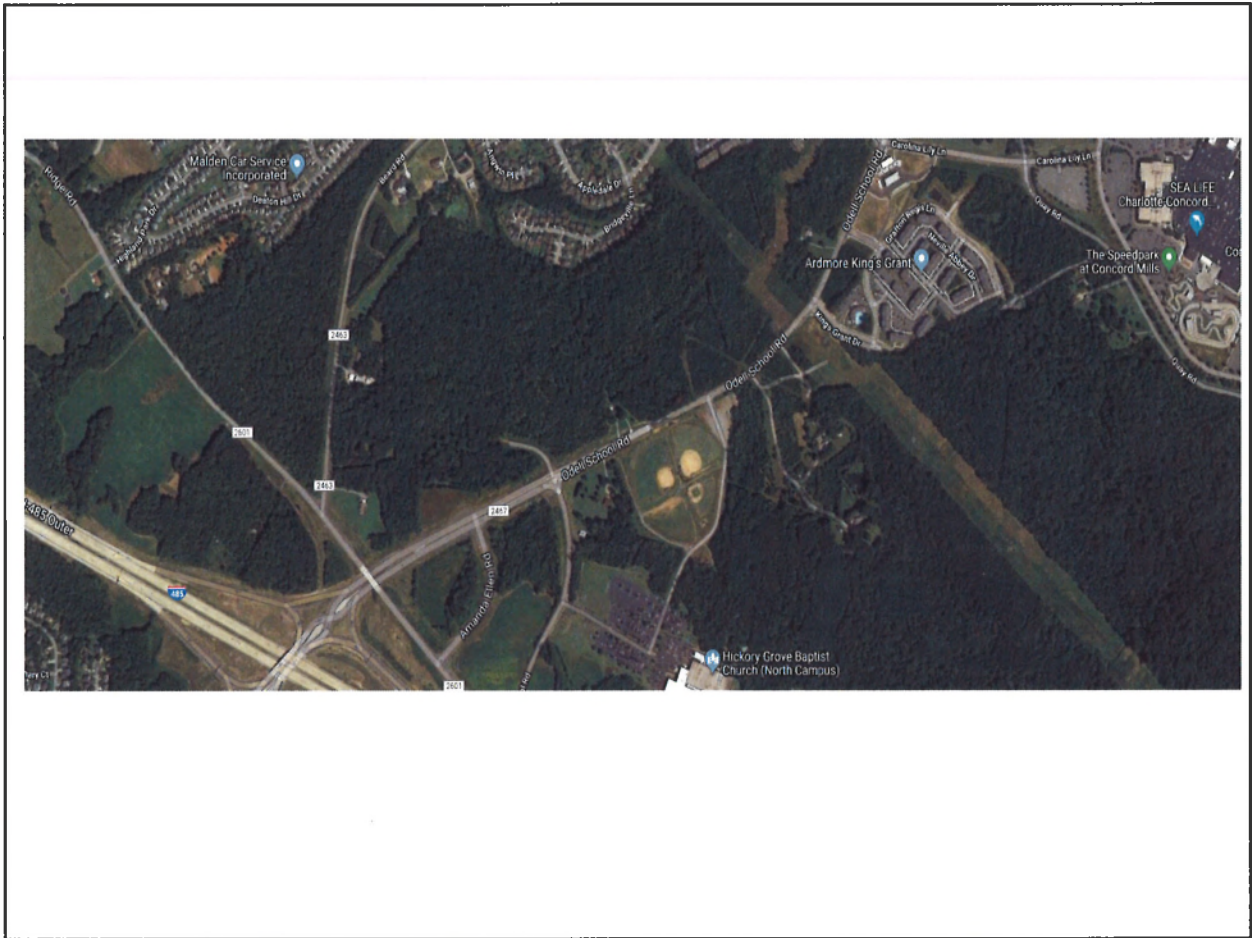
- Mallie Colavita, NVR, Inc.
- Adam Berry, BGE
- Eric Hampton, BGE
- Ty Shaffer, Robinson, Bradshaw & Hinson

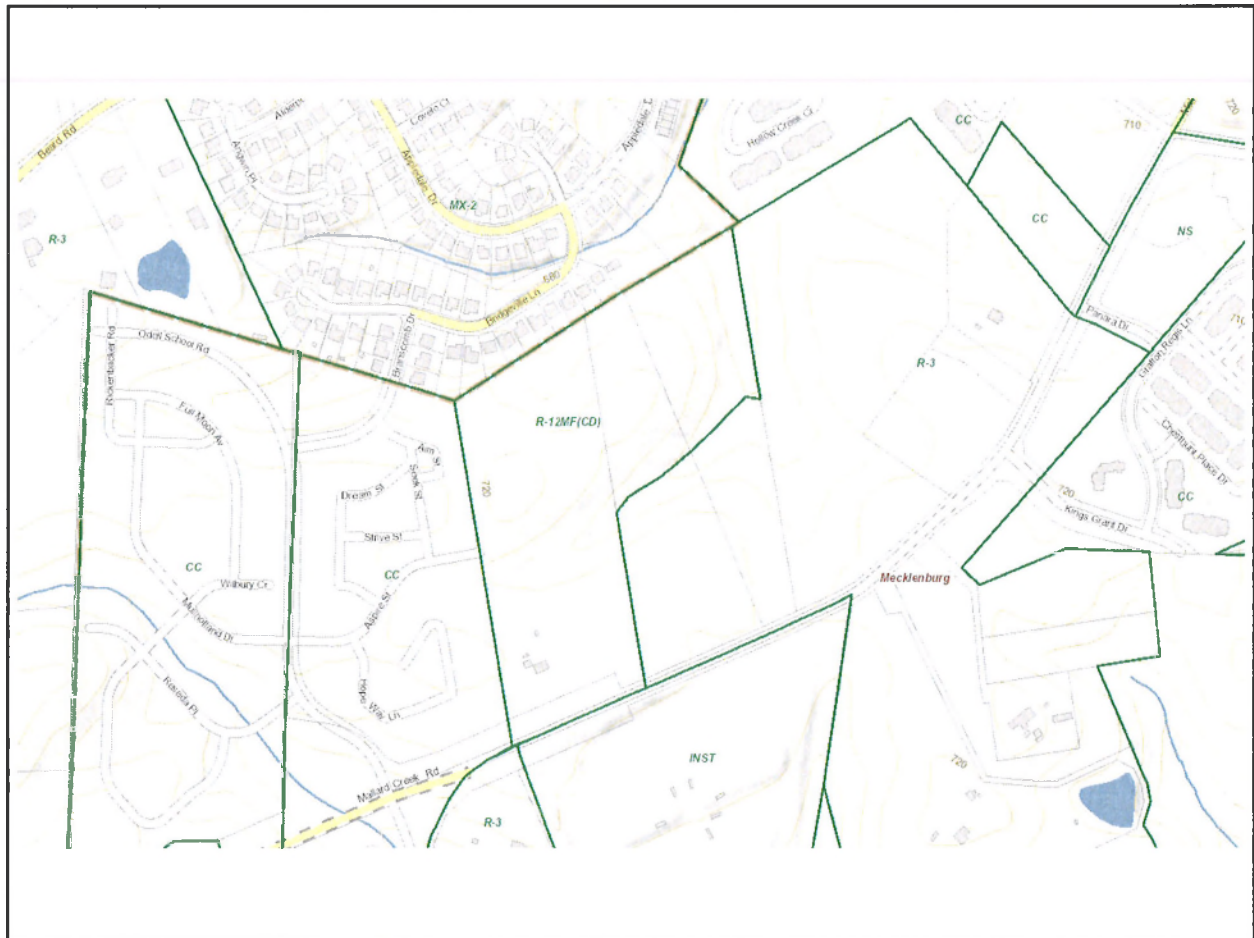
## Rezoning Schedule

- **Public Hearing:** Monday, Sept. 17, 2018 at 5:30 PM  
at the Charlotte-Mecklenburg  
Government Center
- **Zoning Committee:** Tuesday, October 2, 2018 at 5:30 PM  
at the Charlotte-Mecklenburg  
Government Center
- **City Council Decision:** Monday, October 15, 2018 at 5:30  
PM at the Charlotte-Mecklenburg  
Government Center

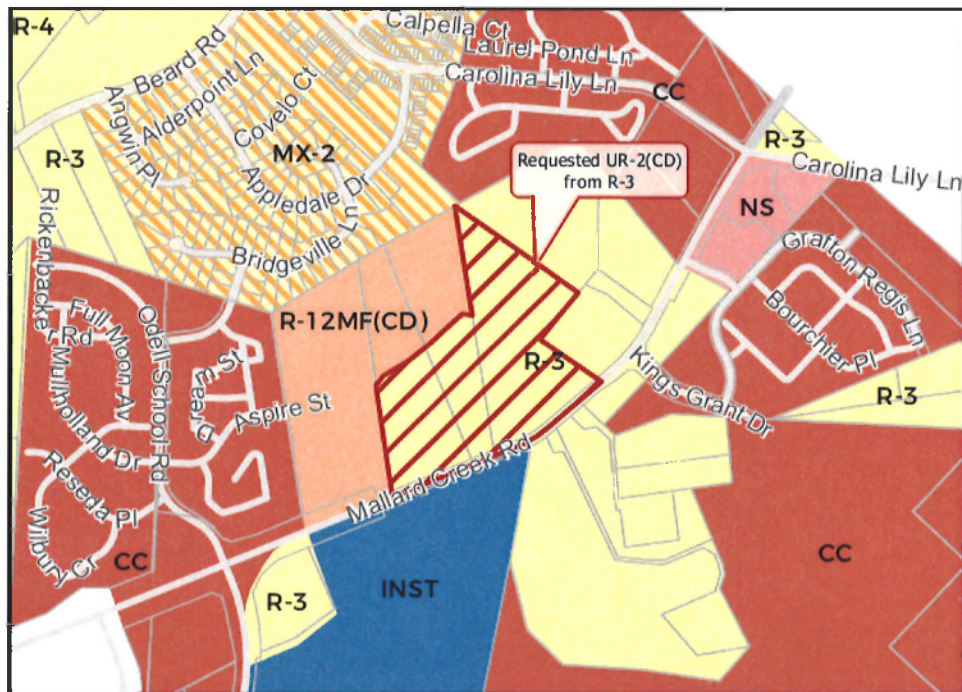
# Site – 16.9 Acres







# Existing Zoning

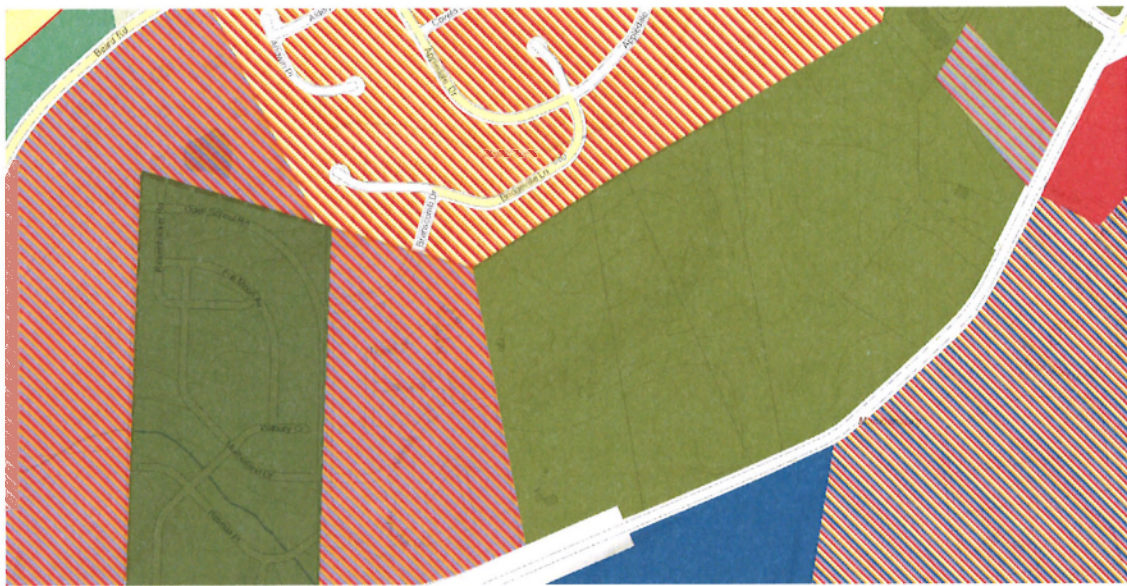


## Rezoning Request

- Requesting that the site be rezoned from the R-3 zoning district to the UR-2 (CD) zoning district to accommodate the development of a residential community on the site that could contain up to 189 single-family attached dwelling units (townhomes).



## Northeast Area Plan



# Northeast Area Plan

**Proposed Land Use** Northeast Area Plan X

Planning District	Northeast
Plan Name	Northeast Area Plan
Plan Adoption Date	6/12/2000
Adoption Type	Area Plan
Proposed Landuse Code	RESID12
Proposed Landuse Description	Residential - 12 DUA
Residential Density	12
Zoning Designation	
Rezoning Date	
Zoning Petition	
Generalized Landuse	Residential
created_user	
created_date	
last_edited_user	94977
last_edited_date	8/29/2018 2:57:16 PM

[StreetView](#) | [BirdsEye](#)



## Welcoming Families Home For Over 65 Years

Founded in 1948, Ryan Homes offers innovative single-family homes, townhomes and condominiums in outstanding suburban, active-adult and resort communities.

While there are many reasons for our success, they all revolve around three key factors:

- Passionate Commitment.** We have an unwavering commitment to building—not just homebuilding, but building trust. We are passionate about every aspect of what we do, and we go the extra mile to communicate our knowledge and passion to homebuyers.
- Impeccable Quality.** Each of our homes goes through a series of quality inspections by our subcontractors and project managers, followed by a final Quality Assurance Inspection by an independent third party. It's why 96% of our buyers say they would recommend us to family and friends.\*
- Individual Attention.** We guide each customer throughout the entire homebuilding process, from well before construction begins until long after move-in day. Our in-house mortgage company enables us to offer personalized financing programs with competitive rates.

\*Based on January 2014 internal customer satisfaction survey.

### RYAN HOMES AT A GLANCE

- More than 335,000 new homes built since 1948
- Partnerships with nationally recognized brand-name suppliers of high-quality homebuilding products
- Active in over 27 markets in 14 states, plus D.C.
- ENERGY STAR® Partner of the Year in 2011 and 2012
- Sizes range from 1,402–5,895 sq. ft.



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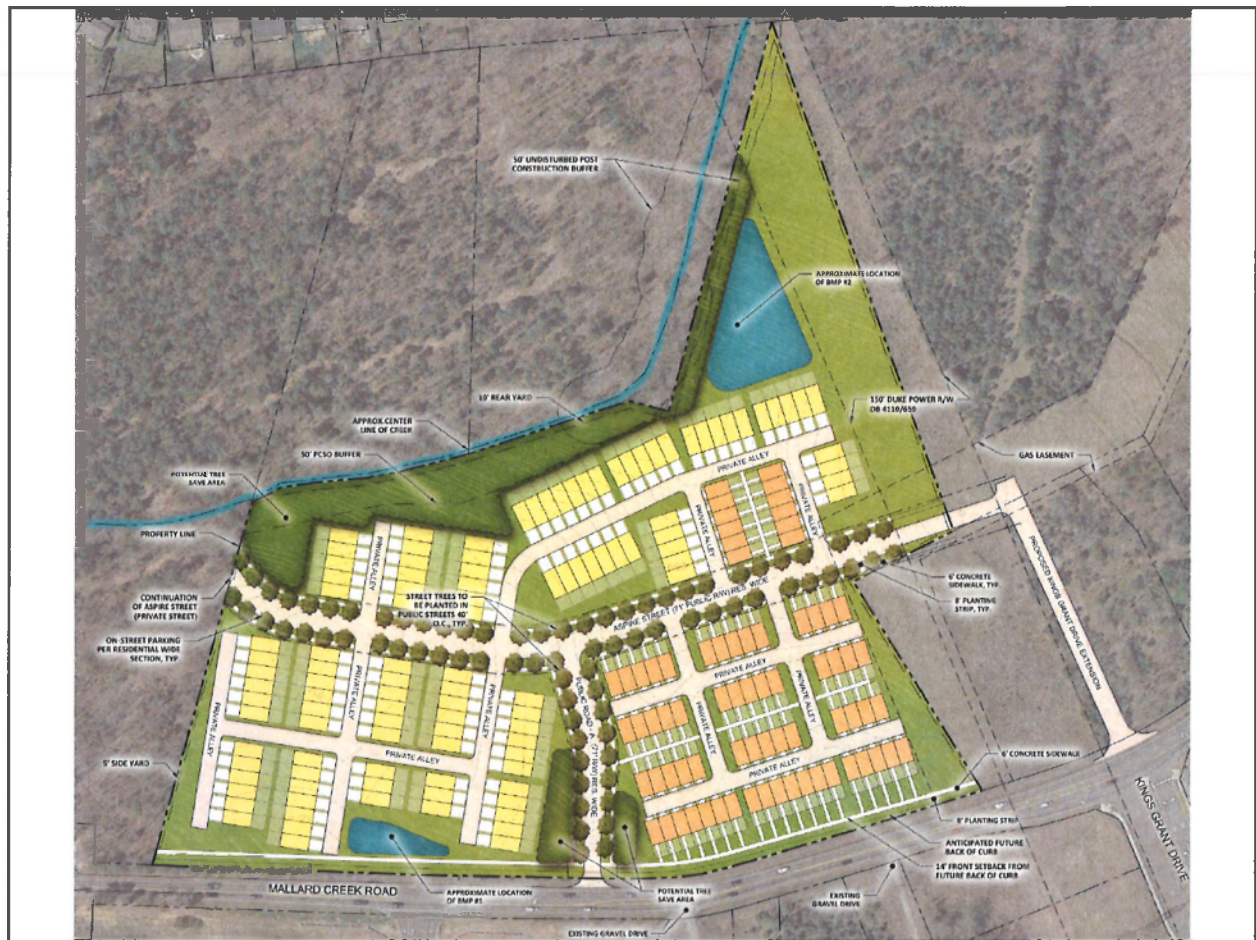


## Example of Potential Design and Materials



## Example of Potential Design and Materials





# Questions and Comments