

TOWN OF DAVIDSON PLANNING BOARD
MODEL CONSISTENCY STATEMENT
(MAP AMENDMENT)

SUMMARY OF ACTION TAKEN BY BOARD

Vote: 6-0. The Planning Board does not find the proposed map amendment consistent with existing plans or policies.

Description of Action:

The applicant requests a reduction of Neighborhood Services area from 11.93 acres to 4.83 acres. As detailed in this document, the Planning Board finds the proposed changes inconsistent with previously established plans and policies, including the Comprehensive Plan, Planning Ordinance, and the Cornelius East - Davidson Concord Rd. Vision Plan. Therefore, the Planning Board does not recommend the map amendment as proposed.

While the 11.93 acres as currently zoned may be too large a concentration Neighborhood Services, the proposed 4.83 acres is not configured in such a way to be consistent with the Davidson Comprehensive Plan and Davidson Planning Ordinances. Specifically, the proposed configuration for the property north of Robert Walk Drive limits usable land for the creation of services and retail envisioned for a Neighborhood Center due to the size of the proposed property and the effect of an existing utility easement bisecting the site. As outlined in the Cornelius East - Davidson Concord Road Vision Plan, the Neighborhood Services area “should be designed around a central open space such as a formal planted square or a hardscaped plaza.” The proposed parcels’ shapes constrain and limit options to achieve these objectives.

REQUEST

Map amendment to Section 2 of the Davidson Planning Ordinance (Planning Areas).

SUMMARY OF PETITION

This text amendment proposes to:

1. Reduce the land area of the subject properties’ current planning area designation, Neighborhood Services, from 11.93 acres to 4.83 acres. This affects parcels # 00728101; 00728106; 00728108.
2. Designate the balance of the acreage (+/- 7.1 acres) as Neighborhood General Planning Area.

CONSISTENCY STATEMENT

In the opinion of the Planning Board the proposed map amendment is not consistent with: (a) the Davidson Comprehensive Plan or the Davidson Planning Ordinance, as adopted by the Board of Commissioners and amended from time to time; and, (b) all other officially adopted plans that are applicable to the Planning Ordinance.

The areas in which the recommended map changes to the Planning Ordinance concerning Section 2 Planning Areas are not consistent with the Davidson Comprehensive Plan, Planning Ordinance, and all other officially adopted plans are as follows:

▪ **Inconsistency with the Davidson Comprehensive Plan:**

1. The proposal is not consistent with the Comprehensive Plan's emphasis on providing compact, walkable neighborhoods with a variety of uses.
 - *The plan envisions the node at the intersection of Davidson-Concord Rd. and Robert Walker Dr. offering significant job opportunities, with a particular focus on neighborhood services and retail (pg. 73).*

As the Comprehensive Plan identifies this node as an Employment Center, the reduced amount of Neighborhood Services proposed will not support the greater amount of services and job opportunities envisioned by the plan. This area is currently the only area planned for commercial services within the central area of the Town of Davidson.

▪ **Inconsistency with the Davidson Planning Ordinance:**

1. The proposal is not consistent with the Ordinance's stipulation that the purposes of proposals are as a response to changes in condition or public policy.
 - *Changes & Amendments to the Planning Ordinance (DPO 14.21):*
 - *The purpose is not to relieve particular hardships, nor to confer special privileges or rights on any person, but only to make adjustments necessary in response to changed conditions or changes in public policy.*

The proposal is not consistent with the Ordinance's purpose because:

- The proposed WestBranch Master Plan is not an adopted plan; therefore, it is not a changed condition.
 - The adoption of the DPO in May 2015 increased the amount of Neighborhood Services, indicating that the area should be a neighborhood center; therefore, the request to reduce the amount of Neighborhood Services is inconsistent with the DPO change.
 - The Rural Area Plan is not an adopted plan; therefore, it is not a changed condition.
2. The proposal is not consistent with the Ordinance's intent to provide a variety of destinations within residential areas, including employment opportunities. The current configuration of the 4.83 acres limits development opportunities for Neighborhood Services, thereby limiting opportunities to create proper density and a sense of place. Specifically:
 - On the north side of Robert Walker Dr., the 68 ft. electrical easement runs through the middle of the property. As such, building opportunities are constrained along Robert Walker, especially after the addition of two parking lanes, bike lanes, 6 ft. planting strips and sidewalks are added along Robert Walker Dr.
 - While there is greater depth for development on the south side of Robert Walker Dr., access will be constrained as currently configured. Given the proximity to the Robert Walker Dr.-Davidson-Concord Rd. intersection, any ingress/egress built to develop the full property may be too close to the current intersection to be safe.