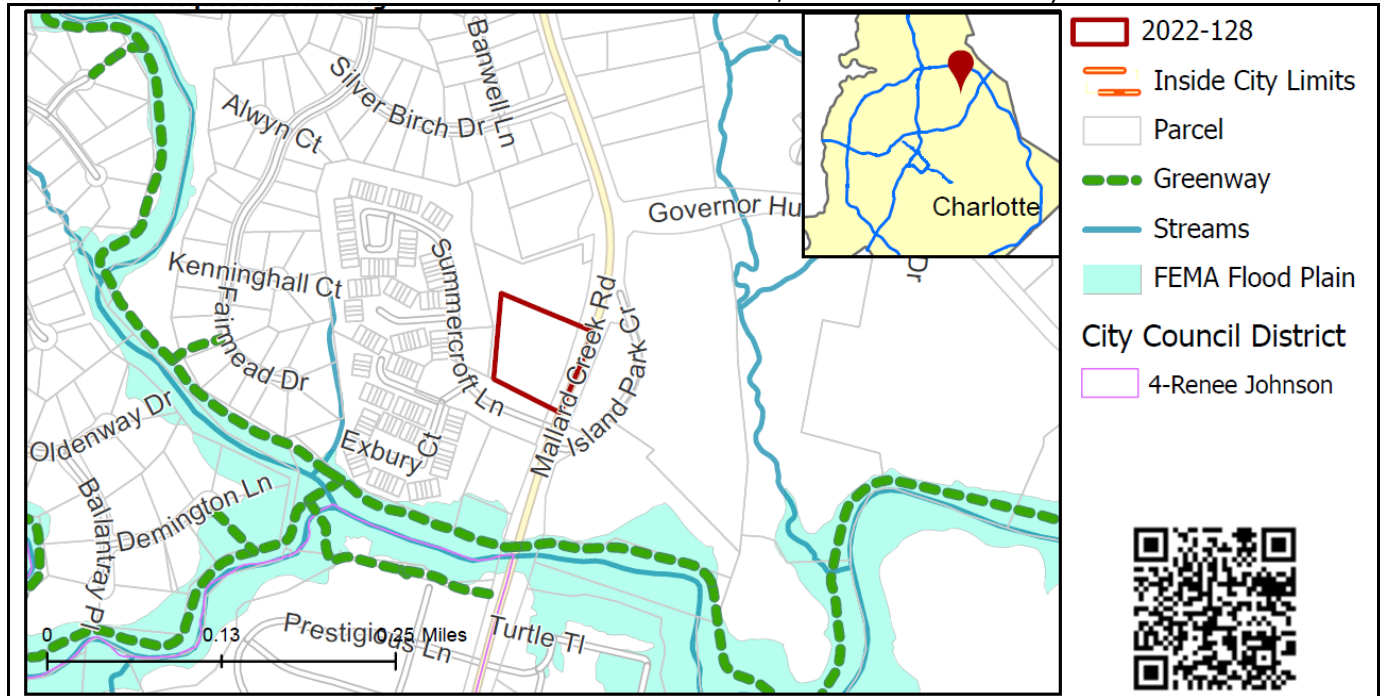


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 2.05 acres located on the west side of Mallard Creek Road, south of Silver Birch Drive, and west of David Taylor Drive.



SUMMARY OF PETITION

The petition proposes the redevelopment of a parcel with 16 townhomes. The parcel is current developed with one single family home.

PROPERTY OWNER

Value Investments Capital, LLC

PETITIONER

Kinger Homes, LLC

AGENT/REPRESENTATIVE

Dhanesh Kumar, Kinger Homes, LLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 5

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Neighborhood 1.

Rationale for Recommendation

- Fronting Mallard Creek Road, a major thoroughfare, and sharing boundaries with existing multi-family uses and zoning, this is an ideal location for infill development on a site that is generally underutilized.
- The petition proposes up to 16 townhome units at a density slightly below 8 dwelling units per acre. The adjacent townhome development to the west, has a density just below 14 dwelling units per acre. This petition proposes similar land uses to the neighboring development but at a scale that allows for ample open space on the site.
- The proposal commits to an a sizable 40' rear yard on its western boundary against the townhome development, and 20' side yards along the rezoning's northern and southern boundaries.

- The application of the Neighborhood 2 Place Type is appropriate for this site given the bordering Neighborhood 2 and Neighborhood 1 Place Types, the frontage along a major thoroughfare, and the general mix of compatible uses already present in the area, including the multi-family and institutional uses abutting the site.
- If approved, this petition would improve the site's pedestrian infrastructure with the installation of a 12' multi-use path along Mallard Creek Road.
- 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 Neighborhood 1 to Neighborhood 2 for the site.

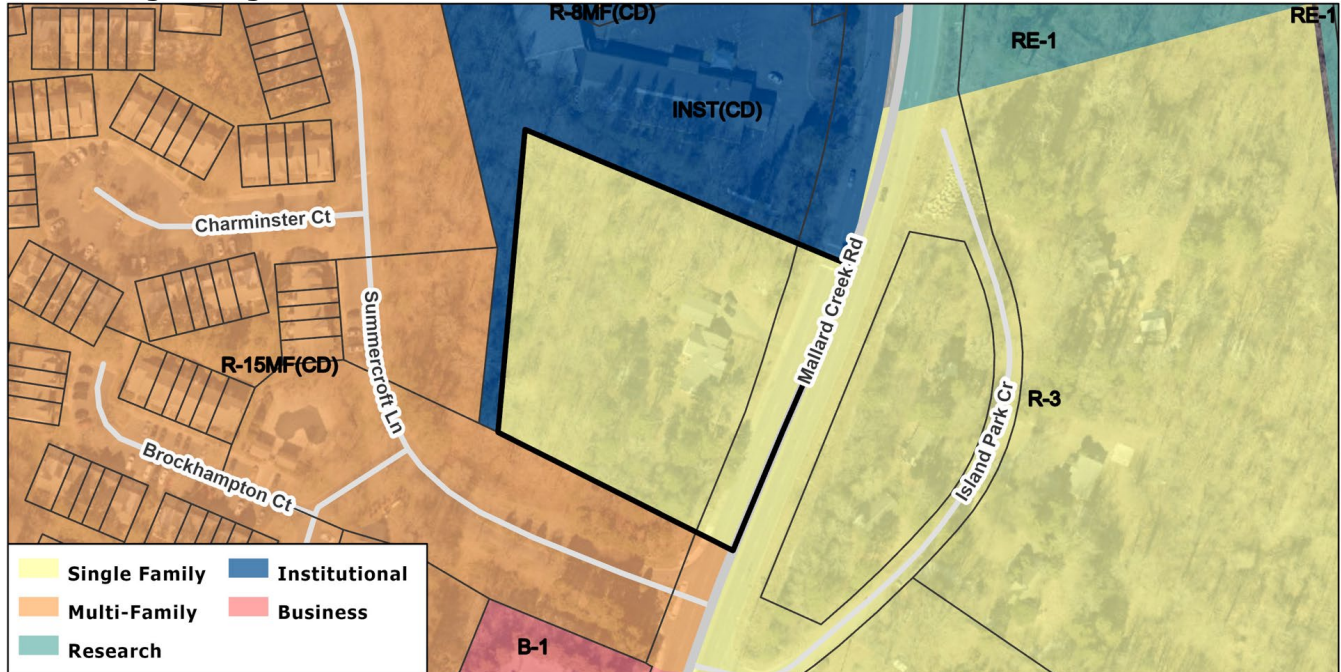
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

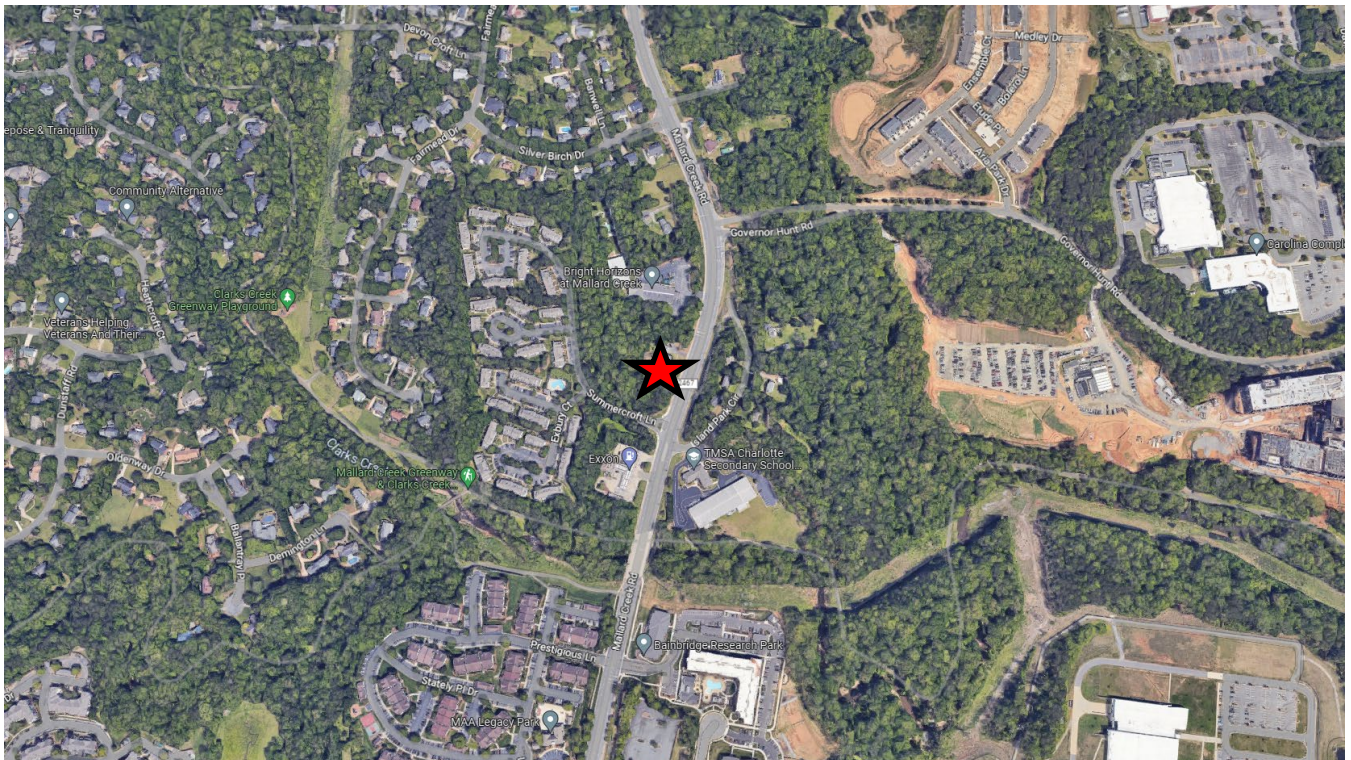
- Proposes up to 16 townhome units with no more than 5 units per building.
- Provides a 30' setback along Mallard Creek Road, a 40' rear yard, and 20' side yards.
- Dedicates a minimum of 50% of the site to open space.
- Dedicates 15% of the site to tree save.
- Provides access to the site from Mallard Creek Road and will construct internal private drives for individual unit access.
- Commits to a 12' multi-use path and 8' planting strip along Mallard Creek Road **extending down to Summerville Lane**, and 5' sidewalks along the internal private drives. Each residential entrance will have a walkway connection to a sidewalk.
- Lighting fixtures will be fully capped and shielded with a maximum height of 21' for freestanding fixtures.
- **Commits to install an ADA compliant bus stop.**
- Commits to provide a 2-car garage in each unit.
- Provides architectural details committing to primary building materials, usable porches and stoops, raised residential entrances, pitched roofs, garage door treatments, and individual unit walkways.

- Existing Zoning**



- The site is currently zoned R-3 and is in an area with R-15MF(CD), INST(CD), B-1, R-3, and RE-1 zoning.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single family residential)	N1-A (neighborhood 1 - A)	Neighborhood 1



- The subject site is denoted with a red star and is in an area with multi-family residential, single family residential, open space, institutional, office, commercial, and warehouse uses.



- North of the site is a preschool.



- East of the site are several single family homes.

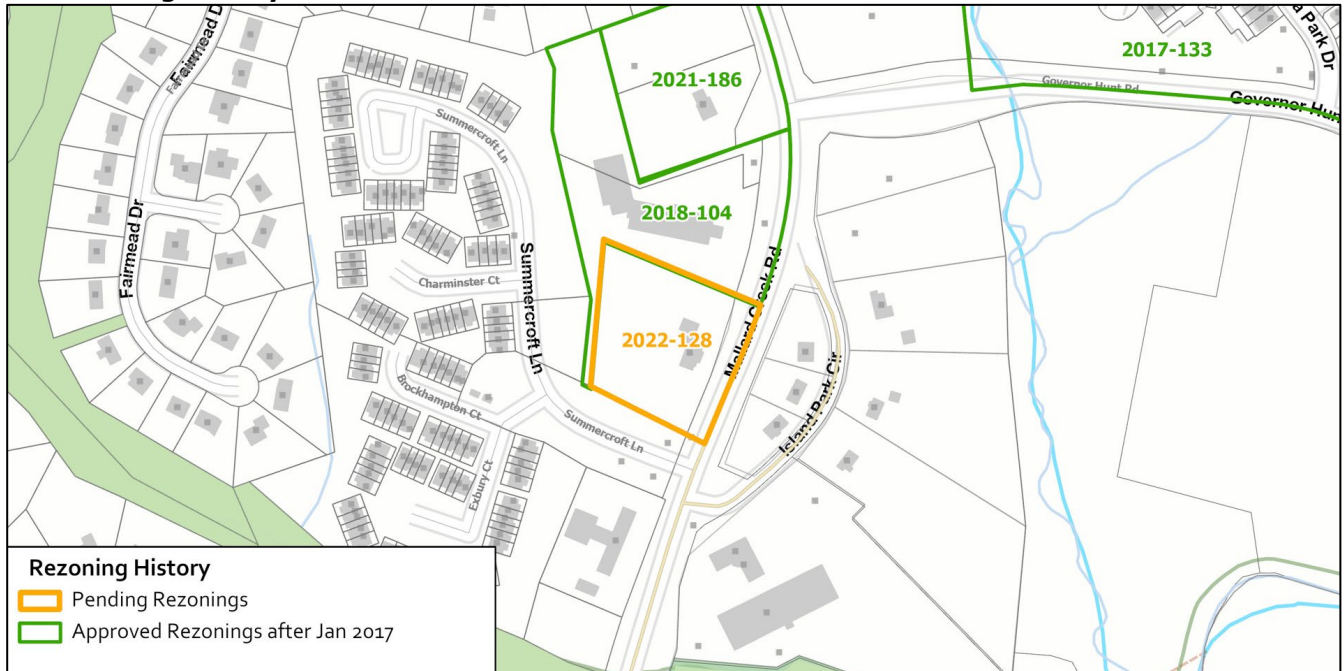


- South of the site is a gas station facility with a car wash and convenience store.



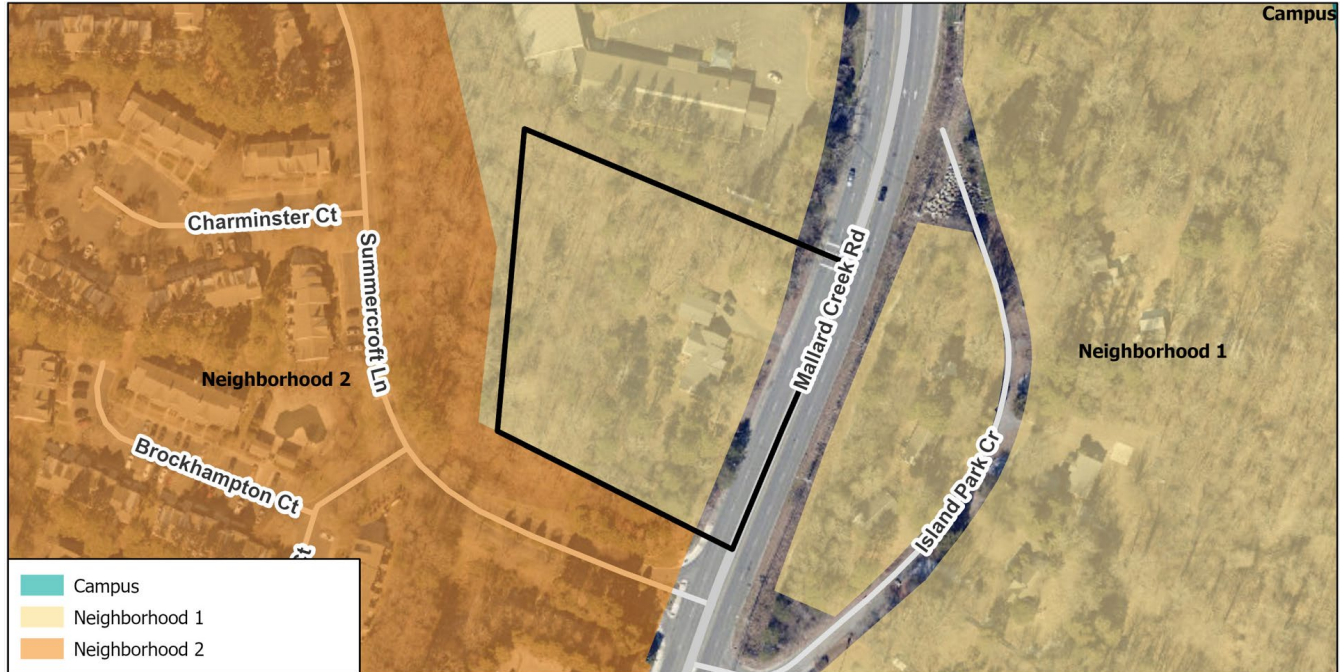
- West of the site is a townhome community (no street view image available).

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-133	Rezoned 38 acres from RE-1 to UR-2(CD).	Approved
2018-104	Rezoned 3.25 acres from INST(CD) to INST(CD) SPA.	Approved
2021-186	Rezoned 2.84 acres from R-3 to R-8MF(CD).	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Neighborhood 1.

- **TRANSPORTATION SUMMARY**

- The site is located on a State-maintained, major thoroughfare. A Traffic Impact Study (TIS) is not required for this site due to the site not generating 2500 daily trips. Site plan and/or conditional note revisions are needed to relocate the site entrance to towards the northern property line and/or provide conditional note revisions. CDOT request that streetscape is extended south to Summercroft lane.

- **Active Projects:**

- There are no active projects near the site.

- **Transportation Considerations**

- See Outstanding Issues, Notes 1, 2, 3. See Technical Revisions, Note 5 and 6.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family detached unit).

Entitlement: 80 trips per day (based on 6 single family detached units).

Proposed Zoning: 75 trips per day (based on 16 single family attached units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See Outstanding Issues, Note 3.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 3 students, while development allowed with the proposed zoning may produce 3 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 0.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Mallard Creek Elementary from 76% to 77%
 - Ridge Road Middle at 115%
 - Mallard Creek High at 122%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Mallard Creek Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Mallard Creek Road. No outstanding issues.
- **Erosion Control:** No comments submitted.

-
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
 - **Mecklenburg County Parks and Recreation Department:** No comments submitted.
 - **Stormwater Services Land Development Engineering:** No comments submitted.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry / City Arborist:** See Outstanding Issues, Note 4.

OUTSTANDING ISSUES

Transportation

- ~~1. Extend the proposed multi-use path to terminate at Summercroft Lane.~~ **Addressed**
- ~~2. Show Intersection Sight Distance (ISD) being met due to existing conditions along Mallard Creek Road or add conditional note that ISD will be required to be met during permitting.~~ **Addressed**
- ~~3. Per CATS request, add a conditional note committing to the construction of an ADA compliant bus stop.~~ **Addressed**

Environment

- ~~4. The minimum tree save width should be modified to 30' for protected tree save.~~ **Addressed**

REQUESTED TECHNICAL REVISIONS

Transportation

- ~~5. Remove the statement, "THE PETITIONER ALSO COMMITS TO CONSTRUCT A BICYCLE FACILITY ALONG THE 12-FT MULTI-USE PATH." The multiuse path will serve as a bicycle facility itself.~~ **Addressed**
- ~~6. In note C. under Transportation, add that the internal sidewalks will be 5' as shown on the site plan.~~ **Addressed**
- ~~7. Remove "unless otherwise stated herein" from conditional note E of the transportation conditions.~~ **Addressed**

Site and Building Design

- ~~8. Clarify in the conditional notes how the open space requirement is being met whether through private open space, common open space, or a combination.~~ **Addressed**

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Holly Cramer (704) 353-1902