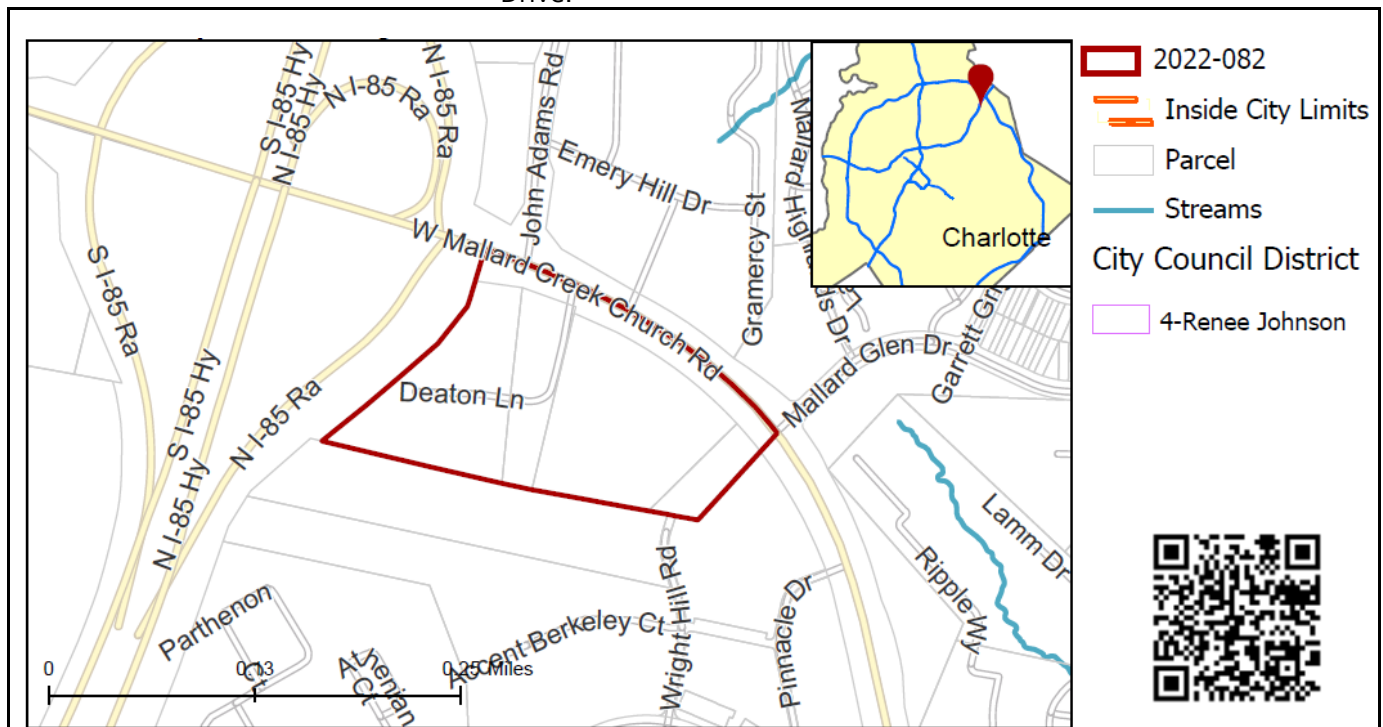


## REQUEST

Current Zoning: R-3 (single family residential), R-43MF (multifamily residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

## LOCATION

Approximately 13.26 acres located on the south side of West Mallard Creek Church Road, east of Interstate 85, and north of Berkeley Place Drive.



## SUMMARY OF PETITION

The petition proposes a residential development of up to 305 multi-family units with accessory uses as allowed in the UR-2 zoning district.

## PROPERTY OWNER

Lily Ann Elizabeth Beckham

## PETITIONER

Maple Multi-Family Land SE, LP

## AGENT/REPRESENTATIVE

Collin Brown, Alexander Ricks, PLLC

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 0

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

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

### Rationale for Recommendation

- This petition adds to the variety of housing options in the area.
- The petitioner's request for the more intense Neighborhood 2 Place Type is a more appropriate designation than Neighborhood 1 Place Type due to its adjacency to Interstate 85 and the surrounding Commercial and other Neighborhood 2 place types.
- The petition is compatible with the other surrounding Neighborhood 2 Place Type development in the area.

- The increased density proposed by this petition could be supported by the existing bus service along Mallard Creek Road.
- The petition commits to extending the existing Wright Hill Road with a connection to Mallard Creek Church Road with the inclusion of 8-foot sidewalks and 8-foot planting strip.
- The petition commits to dedicating a minimum of fifty feet of right-of-way from the road centerline of Mallard Creek Church Road.
- The petitioner commits to provide an outdoor amenity area and/or common open space area(s) which will include a minimum of two (2) of the following amenities: clubhouse, combination of hardscape and softscape, pool, cabana, benches or seating, landscaping, art, fountain, garden, gazebo, dog park, walking trail, grills, and/or picnic tables.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 7: Integrated Natural & Built Environments

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.

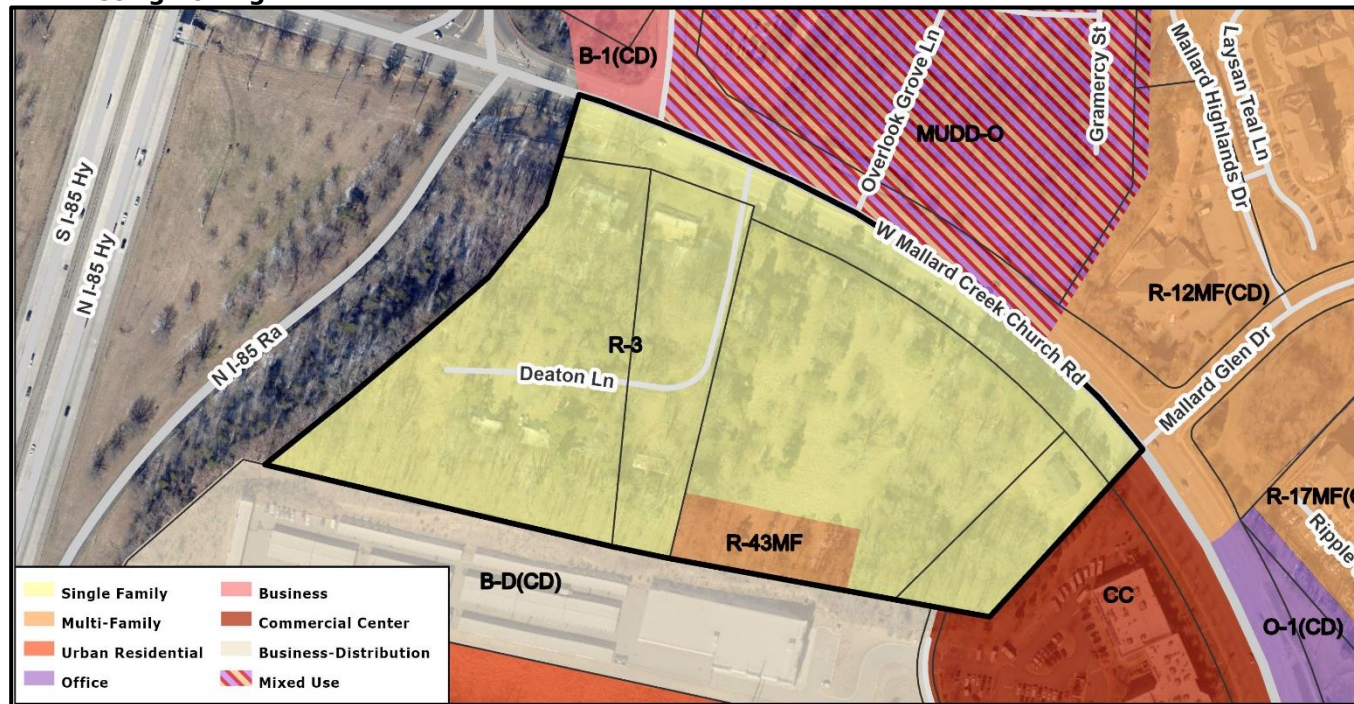
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 305 multi-family dwelling units.
- Limits maximum building height to 65-feet.
- Limits maximum number of buildings to 8.
- Commits to an 8-ft wide planting strip and a 12-foot wide multi-use path along the site's frontage of Mallard Creek Church Road.
- Commits to extending the existing Wright Hill Road with a connection to Mallard Creek Church Road with the inclusion of 6-foot sidewalks and 8-foot planting strip.
- Provides an ADA compliant bus stop.
- Commits to provide an outdoor amenity area and/or common open space area(s) which will include a minimum of 4 of the following amenities: clubhouse, combination of hardscape and softscape, pool, cabana, benches or seating, landscaping, art, fountain, garden, gazebo, dog park, walking trail, grills, and/or picnic tables.
- Provides architectural standards including building materials.
- Contributes \$50,000 to CDOT for infrastructure improvements in the Mallard Creek area.
- Provides a minimum 20 EVSE installed parking spaces.

- Existing Zoning**



- The site is currently zoned R-3 and R-43MF. The surrounding land uses include multi-family, warehousing, office, and retail uses.

| Existing Zoning                   | Translated Zoning       | Recommended Place Type |
|-----------------------------------|-------------------------|------------------------|
| R-3 (single family residential)   | N1-A (neighborhood 1-A) | N1 (neighborhood 1)    |
| R-43MF (multi-family residential) | N2-B (neighborhood 2-B) | N2 (neighborhood 2)    |



The subject property denoted with red star.



The property to the south along Wright Hill Road is developed with a warehousing use.



The property to the north along West Mallard Creek Church road is developed with apartments.

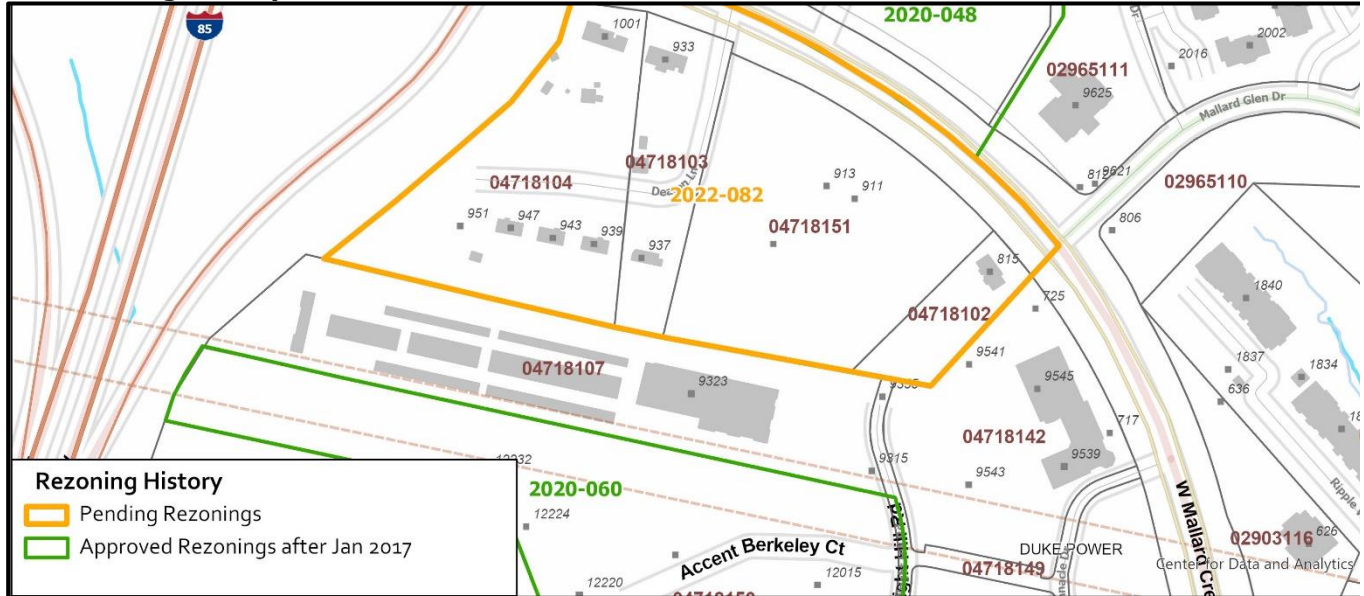


The property to the east along West mallard Creek Church Road is developed with office and retail uses.



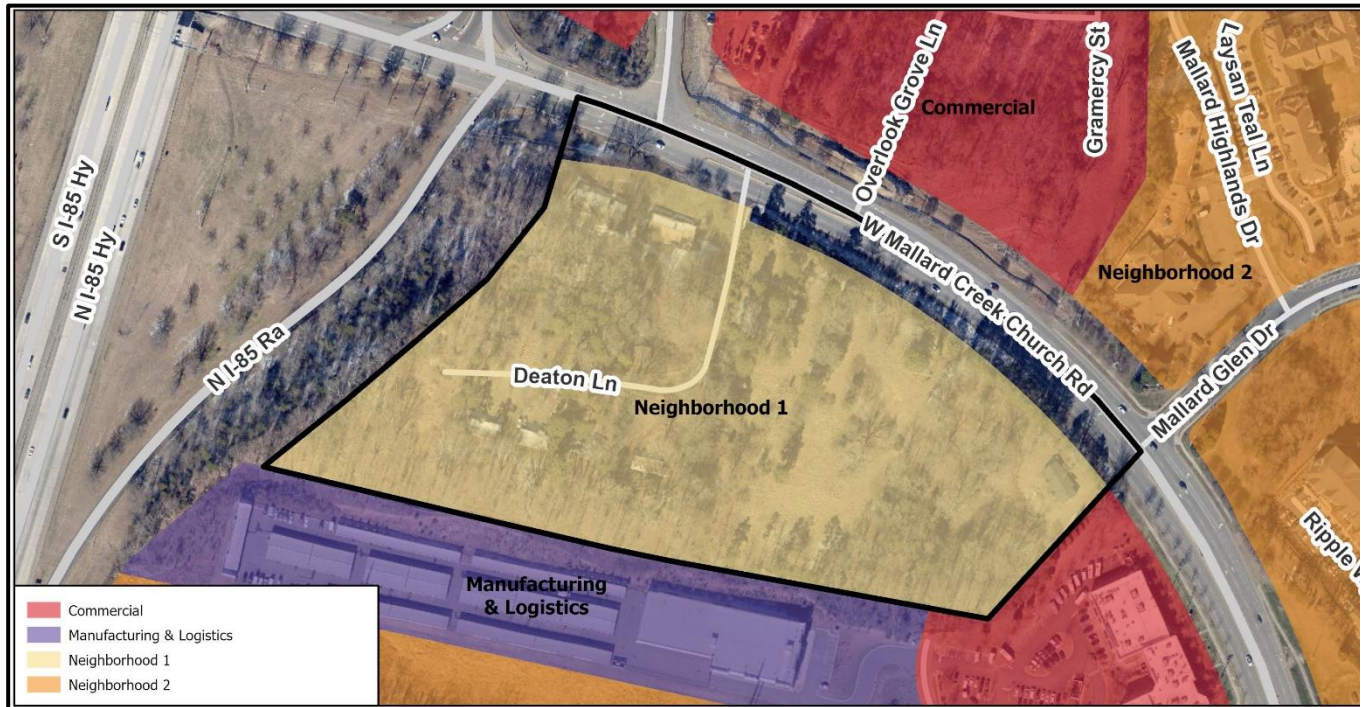
The property is bordered by Interstate 85 to the west.

- Rezoning History in Area**



| Petition Number | Summary of Petition                                                                                                                                                                              | Status   |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 2020-048        | Rezoned 24.60 acres to allow up to 366 multi-family residential dwelling units, 56 single family attached townhome units, and up to 10,000 square feet of office and non-office commercial uses. | Approved |
| 2020-060        | Rezoned 11.65 acres to allow up to 198 multi-family residential dwelling units.                                                                                                                  | Approved |

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type for this site.

- TRANSPORTATION SUMMARY**

- The petition is located on the south side of Mallard Creek Church Road, a State-maintained major throughfare west of Mallard Glen Drive, a City-maintained local road. A Traffic Impact Study (TIS) is not needed for this site. Petitioner committed to installing a 12-foot multi-use path and 8-foot planting strip along Mallard Creek Church Road, coordinating access changes during permitting,

and extending Wright Hill Road to a Local Residential Medium (CLDSM U-02) standard. CDOT has no outstanding issues.

- **Active Projects:**
- N/A
- **Transportation Considerations**
  - ~~See Outstanding Issues, Notes 1-3~~ Addressed
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 50 trips per day (based on 6 single family dwelling units).
    - Entitlement: 425 trips per day (based on 39 single family dwelling units).
  - Proposed Zoning: 1,410 trips per day (based on 305 multi-family dwelling units).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **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 25 students, while development allowed with the proposed zoning may produce 37 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 12 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Stoney Creek Elementary from 121% to 123%.
    - James Martin Middle from 67% to 68%.
    - Julius L. Chambers High from 137% to 138%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 24-inch water distribution mains located in W Mallard Creek Church Road. Charlotte Water currently does not have sewer system accessibility for the rezoning boundary under review. The closest available sewer main is approximately 425 feet northeast of the rezoning boundary on Mallard Glen Drive. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

## OUTSTANDING ISSUES

### Transportation

1. ~~Label and dimension proposed curb & gutter, planting strip, and multi-use path from centerline of West Mallard Creek Church Road.~~ Addressed
2. ~~Site plan and conditional note(s) revisions are needed to remove the proposed left over from the site plan. Per NCDOT comments, this movement will not be permissible.~~ Addressed
3. ~~Add conditional note that Wright Hill Road will be extended and aligned to create a 4th leg at Mallard Creek and Mallard Glen Drive, if necessary, easements can be acquired, and the street extension can be properly engineered. Proposed right in/right out access will be allowed if realignment of Wright Hill Road is not feasible in consultation with NCDOT and CDOT.~~ Addressed

## REQUESTED TECHNICAL REVISIONS

### Site and Building Design

4. Clarify setback along West Mallard Creek Church Road. Addressed

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Michael Russell (704) 353-0225