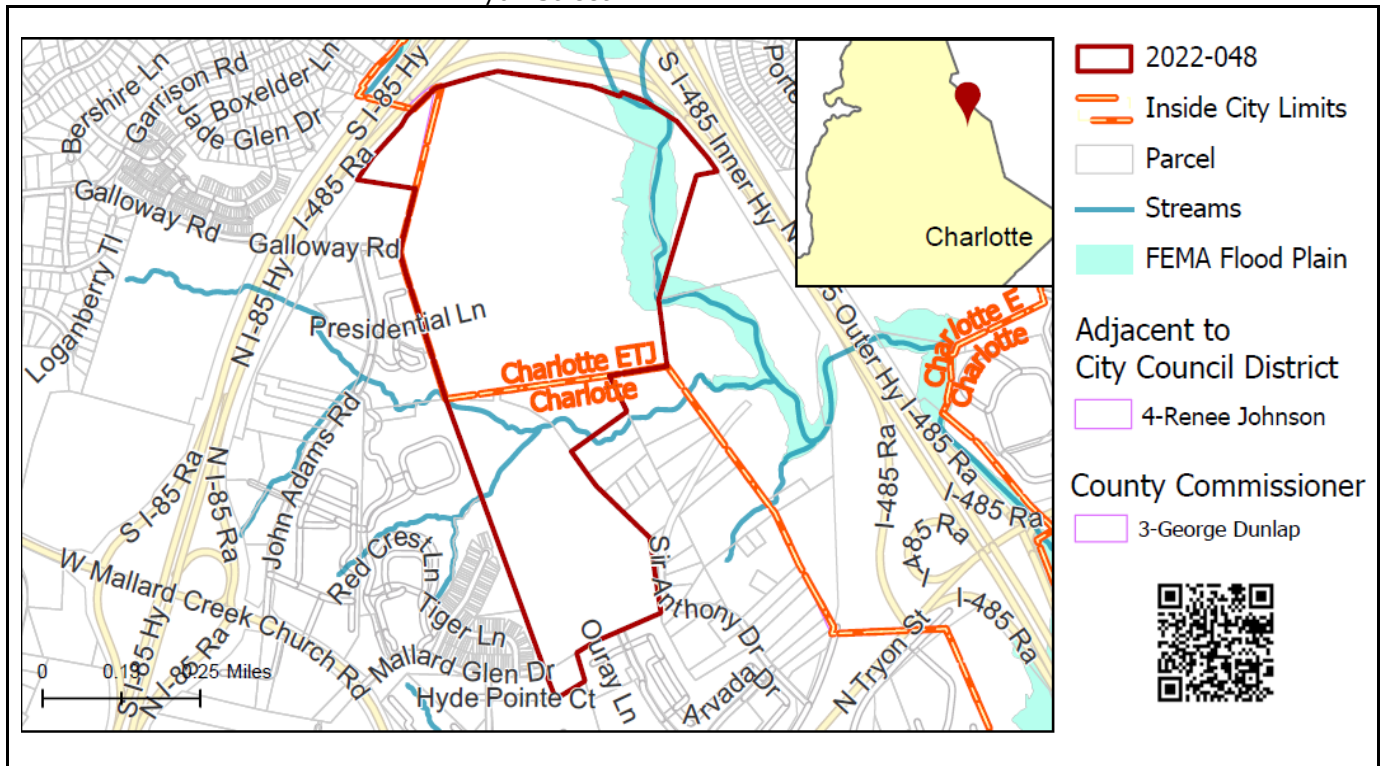


**REQUEST**

Current Zoning: N1-A (neighborhood 1-A)  
Proposed Zoning: MX-2 (mixed use)

**LOCATION**

Approximately 182.71 acres located along the south side of the Interstate 485 South interchange, east of John Adams Road, and north of North Tryon Street.



**SUMMARY OF PETITION**

The petition proposes a mix of uses devoted to residential, **neighborhood-serving commercial/retail**, institutional, and park/outdoor recreation in several development areas. The residential units shall not exceed 1950 units, in any combination of single-family detached and/or attached, and/or multi-family residential units.

**PROPERTY OWNER**

Galloway Road Investments, LLC

**PETITIONER**

Tribute Companies, Inc.

**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: 12

**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

- The petition proposes a development of an integrated residential community, school, and park/outdoor recreation area.
- The petition provides a defined number of units by unit types.

- The petition is increasing connectivity in the area with new public streets and extensions of existing streets.
- Petitioner commits to improving the existing Galloway Road stub to John Adams Road to a local collector street.
- Petitioner shall provide a minimum eight (8) foot wide planting strip and eight (8) foot wide sidewalk along the Site's frontages of all public streets.
- The Petitioner commits to providing a providing a 16-acre publicly accessible park and/or recreation area, a minimum of nine (9) acres of this area shall be dedicated and conveyed to Mecklenburg County for a future neighborhood park.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 2: Neighborhood Diversity & Inclusion
  - 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 Neighborhood 1 to Neighborhood 2 for the site.

## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

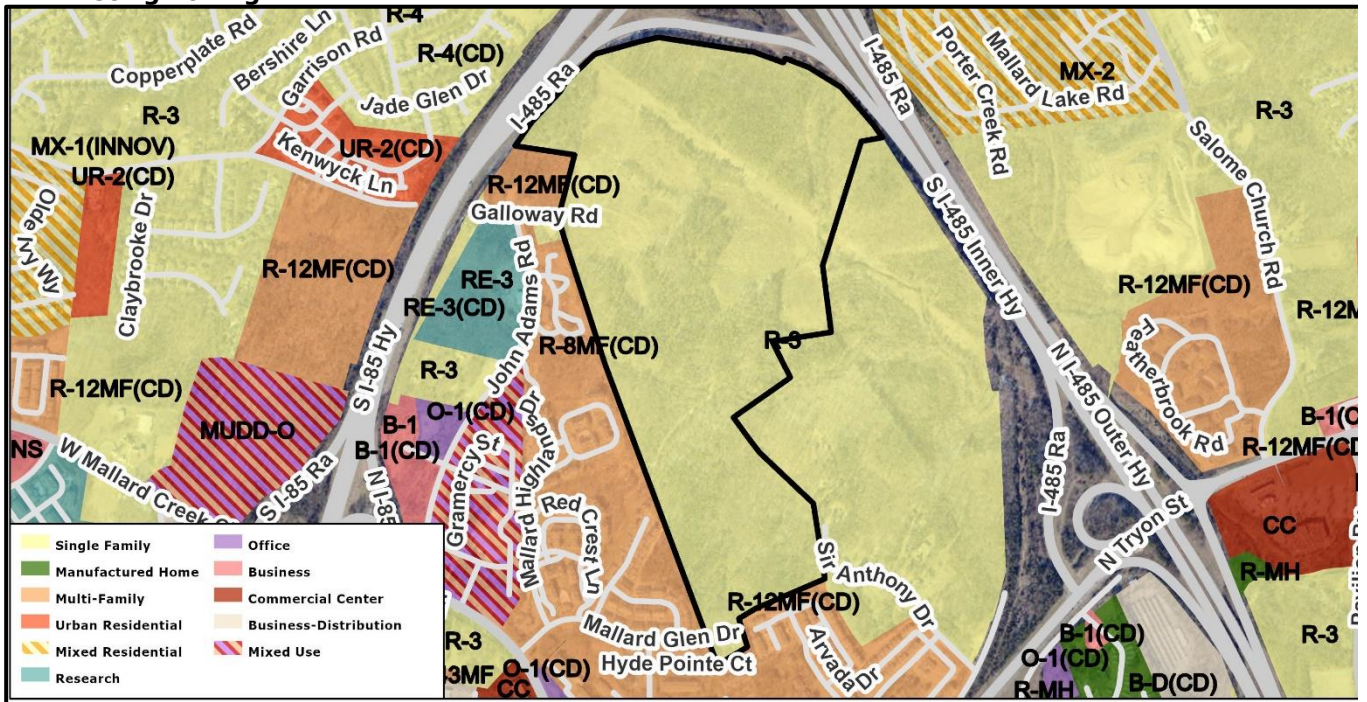
- Allows up to 1950 units, in any combination of single-family detached and/or attached, and/or multi-family residential units.
- Allows a minimum of 5,000 square-feet and maximum of 8,000 square-feet of non-residential (commercial) neighborhood-serving uses.
- The Site consists of the following Development Areas:
  - Development Area P1 shall be predominately devoted to park/outdoor recreation uses.
  - Development Area S1 shall be predominately devoted to institutional (elementary school) uses.
  - Development Areas A, B, C, D, E, F and G shall be predominately devoted to residential uses, with some neighborhood-serving commercial uses, and shall be further limited to lower density residential options (i.e., single-family detached, duplex, triplex and/or attached units, ~~including the option for live-work units~~, but no multi-family stacked apartment units) in the areas where indicated with hatching on the Rezoning Plan, generally around the periphery of the site adjacent to existing single-family lots. Multifamily stacked apartment units shall generally be focused in the more centralized portions of Areas A, B, C, D, E, F, and G where hatching is not present indicating the lower density limitation. Minimum percentages of single-family detached and/or attached units as provided for each Development Area are reflected on Sheet RZ-1 of the Rezoning Plan.
    - Commercial/Non-residential uses shall be limited to Development Areas B and C.
- Added a commitment to a bus stop shelter near the proposed park and school areas.
- Provides a minimum sixteen (16)-acre publicly accessible park and/or recreation area, as generally depicted on the Rezoning Plan as Development Area P1. A minimum of nine (9) acres of this area shall be dedicated and conveyed to Mecklenburg County for a future neighborhood park.
- A minimum of 3.5 acres within Areas A through G shall be designated for development of affordable housing, location to be provided during the permitting phase of development. This area or areas shall be income restricted for households earning less than or equal to 80% of the Area Media Income (AMI) for a period of not less than 20-years.
- Provides a pedestrian-friendly focal point for neighborhood activity. This neighborhood activity area may include temporary events such as food trucks, pop-up retail tents, seasonal neighborhood festivals (e.g., pumpkin patch), music, artwork, crafts, or other community engagement activities.
- Provides a network of trails and open space system as conceptually depicted on Sheet RZ-2A of the Rezoning Plan. Final layout of trails and open space location(s) is subject to change and will be further determined during the permitting phase of development.
- Provides architectural standards including building materials.

- **Transportation Improvements**

- Intersection of Mallard Creek Church Road & I-85 SB Ramps:
  - Add a southbound left turn lane on I-85 Southbound Off-ramp with 400 feet of storage and appropriate deceleration / taper prior to 1<sup>st</sup>/ residential certificate of occupancy.
  - Restripe pavement on Mallard Creek Church Road to provide two (2) westbound left turn lanes: one with 225 feet of storage and one with 445 feet of storage, prior to 401<sup>st</sup>/ residential certificate of occupancy.
  - Provide a second receiving lane on I-85 Southbound On-ramp to accommodate dual lefts. Provide an appropriate length of full lane width and taper length on the second lane prior to 401<sup>st</sup>/ residential certificate of occupancy.
  - Add a second southbound left turn lane on Southbound Off-ramp with 400 feet of storage and appropriate deceleration / taper (approach to consist of two left turn lanes with 400 feet of storage and two right turn lanes with full length back to I-85 mainline) prior to 401<sup>st</sup>/ residential certificate of occupancy.
- Intersection of Mallard Creek Church Road at I-85 Northbound Ramps:
  - Restripe pavement on Mallard Creek Church Road to provide two (2) eastbound left turn lanes: one with 180 feet of storage and one with 450 feet of storage, prior to 401<sup>st</sup> residential certificate of occupancy.
- Intersection of Mallard Creek Church Road at John Adams Road:
  - Restripe pavement on Mallard Creek Church Road to provide an additional westbound through lane with 225 feet of storage (this pavement is currently occupied by a westbound U-turn lane). Continue westbound through lane west to I-85 Southbound Ramps, where it will terminate as a second westbound left turn lane onto the I-85 Southbound Ramp prior to 401<sup>st</sup>/ residential certificate of occupancy.
- Intersection of Mallard Creek Church Road at Mallard Glen Drive:
  - Install traffic signal prior to 1<sup>st</sup>/ residential certificate of occupancy.
  - Provide a second southbound left turn lane on Mallard Glen Drive with 150 feet of storage and appropriate deceleration / taper prior to 1<sup>st</sup>/ residential certificate of occupancy.
  - Provide two (2) southbound right turn lanes on Mallard Glen Drive with 200 feet of storage and appropriate deceleration / taper. Channelize both right turn lanes with a triangular concrete island, prior to 401<sup>st</sup>/ residential certificate of occupancy.
  - Provide a second eastbound left turn lane on Mallard Creek Church Road with 300 feet of storage and appropriate deceleration /taper prior to 401<sup>st</sup>/ residential certificate of occupancy.
  - Provide a second receiving lane on inbound Mallard Glen Drive with appropriate length of full lane width and merge taper prior to 401<sup>st</sup>/ residential certificate of occupancy. Based on available right of way, it is anticipated that this lane can be up to 900 feet in length, as measured from Mallard Creek Church Road.
- Intersection of Mallard Creek Church Road at US 29:
  - Provide a second eastbound right turn lane on Mallard Creek Church Road with 300 feet of storage and appropriate deceleration /taper prior to 401<sup>st</sup>/ residential certificate of occupancy.
  - Extend existing eastbound right turn lane to 300 feet of storage. Channelize both eastbound right turn lanes with a triangular concrete island prior to 401<sup>st</sup>/ residential certificate of occupancy.
  - Extend both northbound left turn lanes on US 29 to 450 feet of storage and appropriate deceleration / taper prior to 401<sup>st</sup>/residential certificate of occupancy.
- Intersection of US 29 at Service Road:
  - Realign Service Road approximately 220 feet to the north as the extension of Heritage Pointe Road to US 29 prior to 1<sup>st</sup> residential certificate of occupancy.
  - Reconfigure intersection as full movement signalized intersection prior to 1<sup>st</sup> residential certificate of occupancy.
  - Provide separate eastbound left and eastbound right turn lanes from Service Road / Heritage Pointe Road Extension prior to 1<sup>st</sup> residential certificate of occupancy.
  - Provide northbound left turn and southbound right turn lanes on US 29 prior to 1<sup>st</sup> residential certificate of occupancy.
- US 29 (Tryon Street) at I-485 Inner and outer Ramps:
  - Optimize coordinated signal timing prior to 401<sup>st</sup>/ residential certificate of occupancy.
  - Provide a second southbound right turn lane on US 29 (Tryon Street) with 350 feet of storage and appropriate deceleration / taper prior to 401<sup>st</sup>/ residential certificate of occupancy.
- John Adams Road at Revolution Court / Adams Place:
  - Reconfigure intersection to all-way stop control (AWSC) prior to 1<sup>st</sup>/ residential certificate of occupancy.

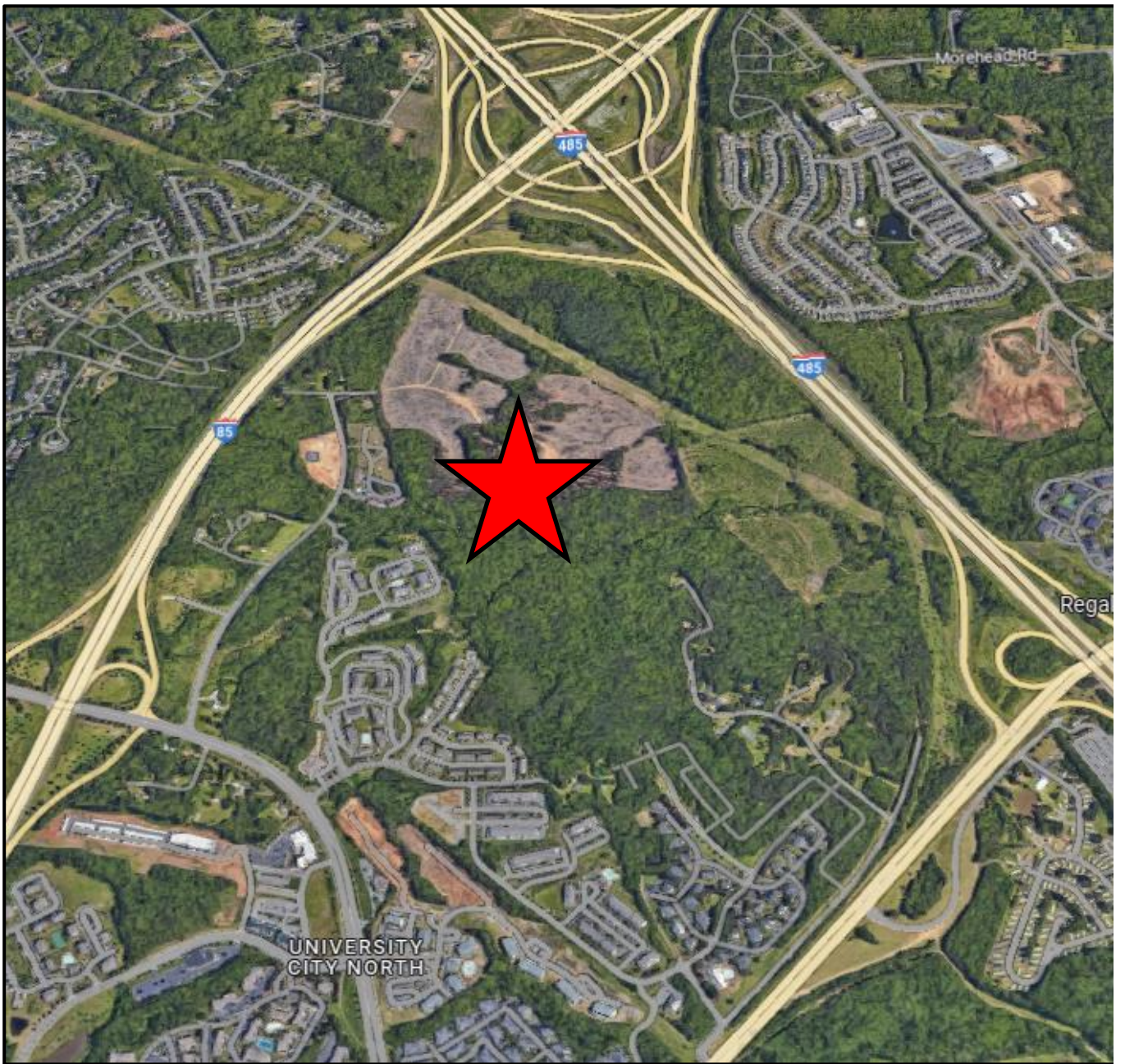
- Mallard Glen Drive at Mallard Highlands Drive:
  - Provide additional northbound receiving lane on Mallard Glen Drive with appropriate length of full lane width and merge taper, prior to 1<sup>st</sup> residential certificate of occupancy. Based on available right of way, it is anticipated that this lane can be up to 900 feet in length, as measured from Mallard Creek Church Road.
- Mallard Glen Drive at Westbend Drive:
  - Reconfigure intersection (currently all-way stop control) to stop control only on Westbend Drive and free-flow movement on Mallard Glen Drive prior to 401<sup>st</sup> residential certificate of occupancy.
- Mallard Glen Drive Extension at Heritage Lake Drive:
  - Provide a southbound left turn lane on Mallard Glen Drive Extension with 150 feet of storage and appropriate deceleration / taper prior to 401<sup>st</sup> residential certificate of occupancy.
  - Provide a westbound left turn lane on Heritage Lake Drive with 100 feet of storage and appropriate deceleration / taper prior to 401<sup>st</sup> residential certificate of occupancy.
- Provides a minimum eight (8) foot wide planting strip and eight (8) foot wide sidewalk along the Site’s frontages of all public streets.
- Petitioner shall coordinate with CDOT to upgrade pavement where inadequate along Northbend Drive and Heritage Lake Drive to public street standards where it is currently inadequate.

• **Existing Zoning**



- The surrounding land uses include multi-family, single-family, and vacant land.

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



The subject property is denoted with a red star.



The property to the north of the site are the Interstate 485 and Interstate 85 interchanges.



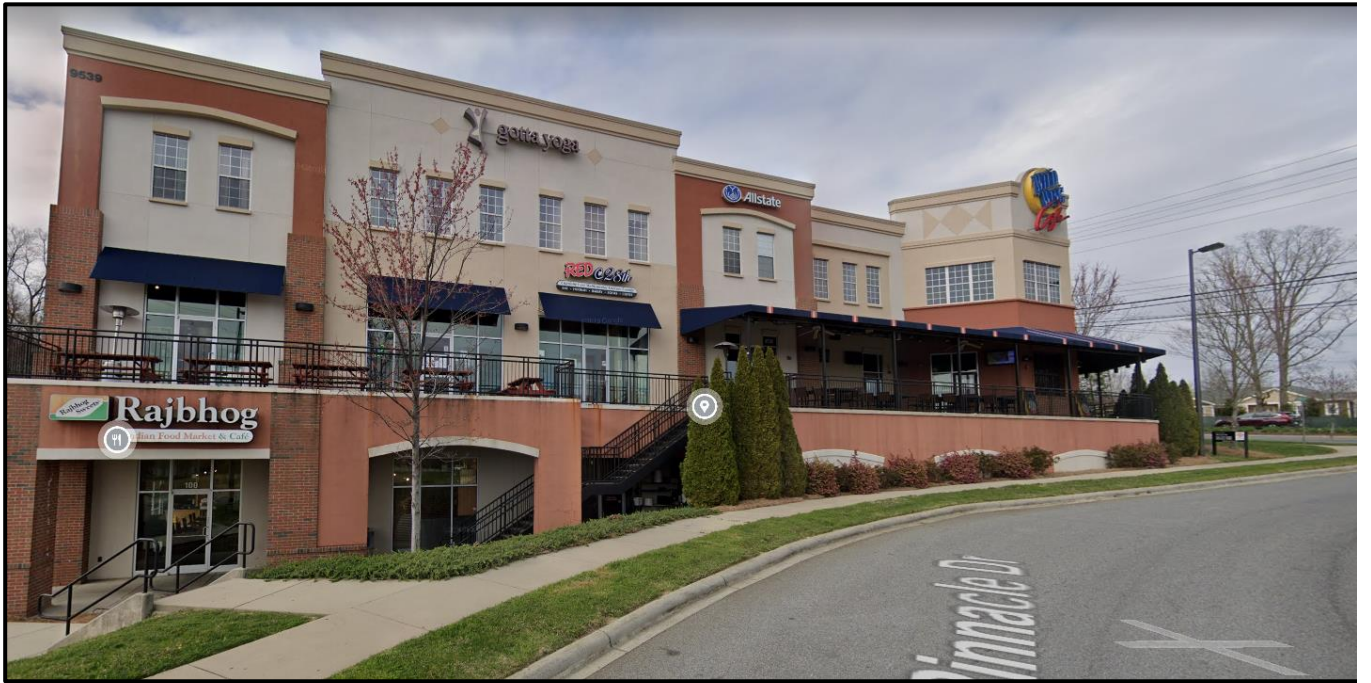
The property to the west along Garrett Grigg Road is developed with townhomes.



The property to the south along Heritage Pointe Road is developed with apartments.



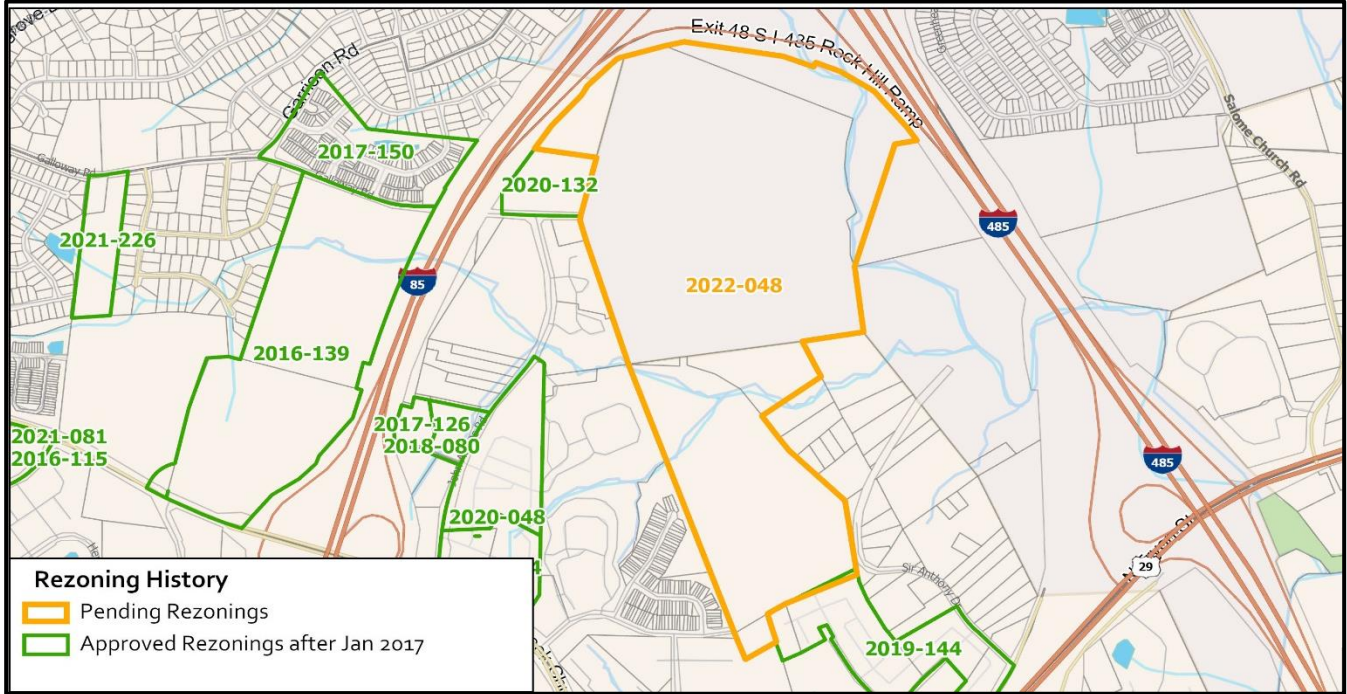
The property to the east along Sir Anthony Drive is developed with single family homes.



In proximity to the site are retail uses on Mallard Creek Church Road.

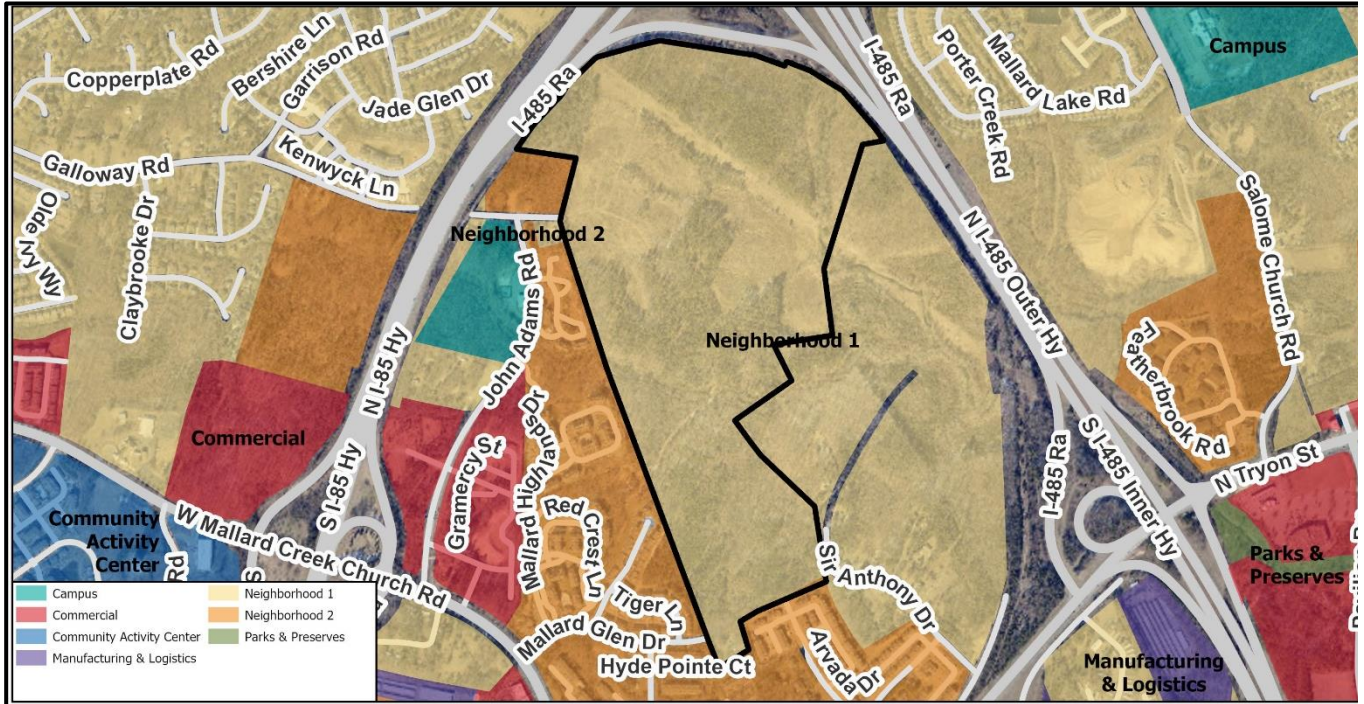


• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-115	Rezoned 37.54 acres to modify the development standards for a portion of an approved project, to allow up to 300 multi-family dwelling units; 75,000 square feet of retail, eating/drinking/ entertainment establishments; and a 200-room hotel.	Approved
2016-139	Rezoned 65.7 acres to allow up to 395 multi-family residential units and up to 160,000 square feet of uses as allowed in MUDD district.	Approved
2017-126	Rezoned 2.50 acres to allow all uses permitted in the B-1 district.	Approved
2017-150	Rezoned 20.6 acres to allow up to 137 townhome units.	Approved
2018-080	Rezoned 3.22 acres to allow all uses permitted in the office district.	Approved
2019-144	Rezoned 23.99 acres to allow up to 194 multi-family units.	Approved
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
2020-132	Rezoned 8.04 acres to allow up to 63 single-family attached dwelling units (townhomes).	Approved
2021-081	Rezoned 15.98 acres to allow up to 140 single family attached dwelling units (townhomes) and 20,000 square feet of commercial uses.	Approved
2021-226	Rezoned 8.02 acres to allow up to 48 townhome units.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 1 place type for this location.

• **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Galloway Road, a privately maintained local road and Mallard Glen Drive, a City maintained local road. A Traffic Impact Study (TIS) is needed for this site. The petitioner submitted the Revised TIS on 11/12/22 and was approved on 4/17/2023. CDOT has coordinated with the petitioner to upgrade the existing John Adams Road Stub to John Adams to CLDSM U-07 and provide a public roadway connection street stub towards Sir Anthony Drive. All outstanding CDOT issues have been addressed.

○ **Active Projects:**

- I-85 & I-485 Interchange Ramp Improvements
  - TIP # I-6012
  - ROW 2028 (Awaiting Funding)

• **Transportation Considerations**

○ See Outstanding Issues, Note 6 Addressed

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 4,830 trips per day (based on 548 single family detached units).

Proposed Zoning: 14,815 trips per day (based on 975 multi-family dwelling units, 975 single-family attached dwelling, units 900 elementary school students).

**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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 99 students, while development allowed with the proposed zoning may produce 353 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 254 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 144%
    - James Martin Middle from 67% to 75%

- Julius L. Chambers High from 137% to 140%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along both Sir Anthony Drive and Heritage Lake Drive. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located through the middle of the parcel. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. 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. ~~Revise site plan conditional notes to include final improvements identified in the TIS. Addressed~~
2. ~~Revise site plan and conditional notes by committing to upgrading Northbend Drive and Heritage Lake Drive to public street standards. Addressed~~
3. ~~The Mallard Creek Church Road and Mallard Glen Drive intersection improvements need to have two separate improvements with regards to the southbound left turn lane as shown below:
 
  - ~~Provide a southbound left turn lane on Mallard Glen Drive with 150 feet of storage and appropriate deceleration/taper before the first CO. This improvement would be tied prior to the first CO.~~
  - ~~Provide a second southbound left turn lane on Mallard Glen Drive with 150 feet of storage and appropriate deceleration/taper prior to 401<sup>st</sup> residential CO. The improvement would be tied prior to the 401<sup>st</sup> CO. Addressed, see clarifying comment below.~~~~
4. ~~The Mallard Glen Drive and Mallard Highlands Drive intersection improvement needs to be updated to being tied prior to 401<sup>st</sup> CO. Second receiving lane on Mallard Glen Drive is not needed initially. Addressed, see clarifying comment below.~~
5. ~~Revise conditional note to say, "Petitioner shall coordinate with CDOT to upgrade pavement and stormwater infrastructure along Northbend Drive and Heritage Lake Drive to public street standards in coordination with CDOT street acceptance team during permitting, as improvements are reasonably able to be completed within the existing right of way and no additional right of way acquisition would be required to perform the improvements". Addressed~~
6. ~~Revise site plan conditional notes to include the following improvements from the approved TIS:
 
  - ~~The southbound Mallard Glen Drive approach currently only has a one lane approach and phase 1 will add one left turn lane.~~
  - ~~Check the two highlighted improvements below. It is the same improvement, and they have different CO triggers. This improvement should be tied prior to 401<sup>st</sup> CO. Make both highlighted portions tied prior to the 401<sup>st</sup> CO. Addressed~~~~

### Site and Building Design

1. ~~Provide a non-residential component that would provide neighborhood supportive uses. Addressed~~
2. ~~Commit to live work units not just an option/possibility. Addressed~~
3. ~~Commit to a more defined count of units by unit type. Addressed~~
4. ~~Commit to a number of unit types that better align with the N1 Place Type such as single family detached, duplexes and triplexes. Addressed~~
5. ~~Revise development areas to make them clearer (e.g., Development Area A, B, C) Addressed~~
6. ~~Label development areas on the plan to list the uses. Rescinded~~

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Michael Russell (704) 353-0225