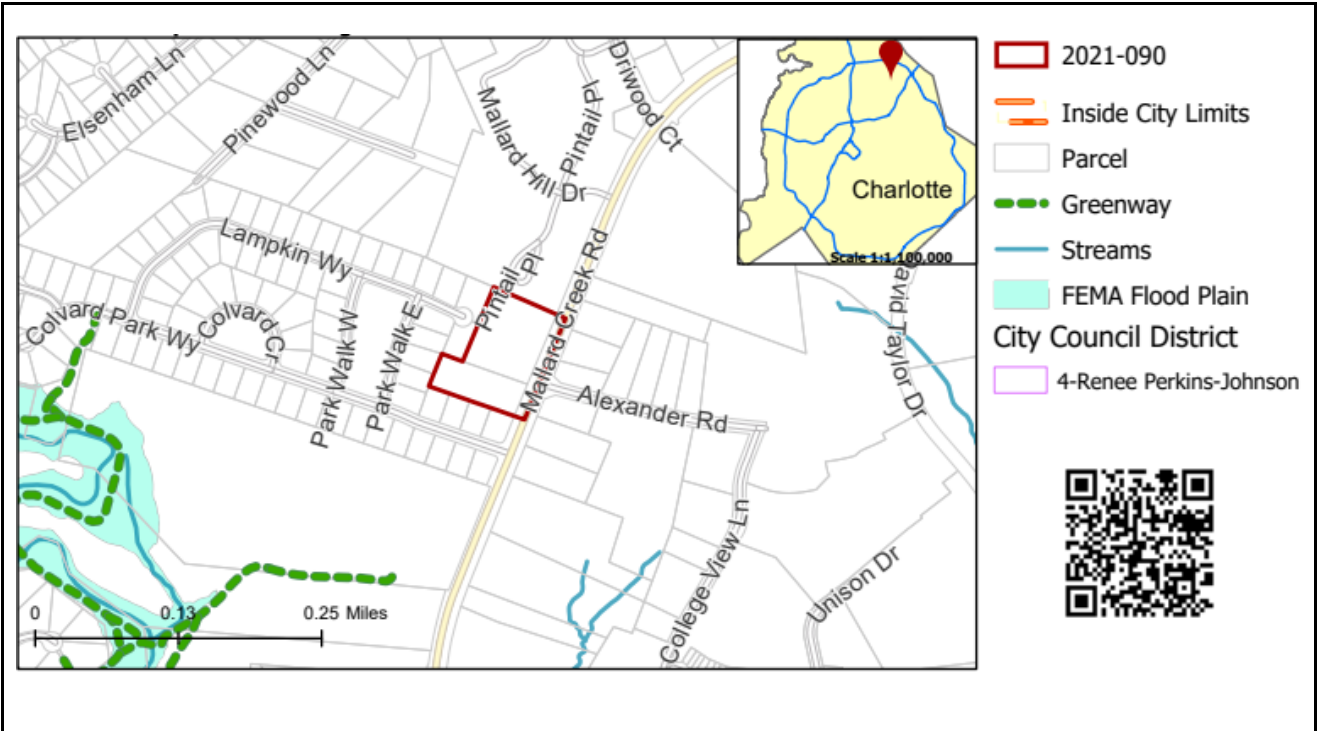


REQUEST

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

LOCATION

Approximately 4.18 acres located on the west side of Mallard Creek Road, northeast of West W.T. Harris Boulevard, and west of Interstate 85.



SUMMARY OF PETITION

The petition proposes a residential community of up to 33 townhome dwelling units for a density of 7.9 dwelling units per acre.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Thomas Dale & Lucille McLaughlin
APM Mallard Creek LLC
William T. Wallace, McMillan, Psaroudis & Markey, PA

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 21

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northwest District Plan* (1990) land use recommendation of Single-Family residential use up to 4 dwelling units per acre, but **consistent** with the *General Development Policies* (GDP), which support a density of up to 8 dwellings per acre.

Rationale for Recommendation

- This petition proposes up to 33 for-sale townhome units for a density of 7.9 dwelling units per acre (DUA).
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. This petition meets the *General Development Policies* locational criteria for consideration of up to 8 DUA.

- The *Northwest District Plan* (1990) has a goal of encouraging a wide range of housing opportunities with an emphasis upon quality of development. This petition will provide increased housing opportunities in this area of Charlotte.
- The petition commits to enhancing the pedestrian environment through site design elements which include a 12-foot shared use path along Mallard Creek Road as well as an 8-foot planting strip.

The approval of this petition will revise the adopted future land use, as specified by the *Northwest District Plan* (1990), from Single Family residential up to 4 DUA to Residential up to 8 DUA for the site.

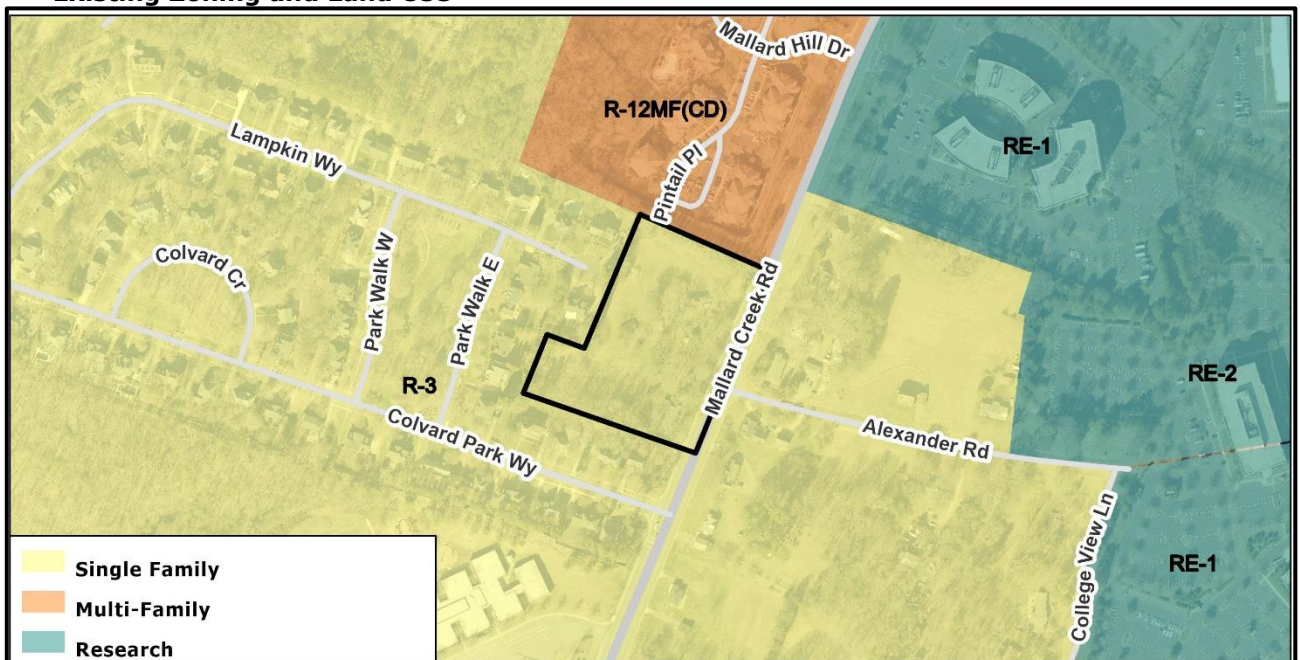
PLANNING STAFF REVIEW

• **Proposed Request Details**

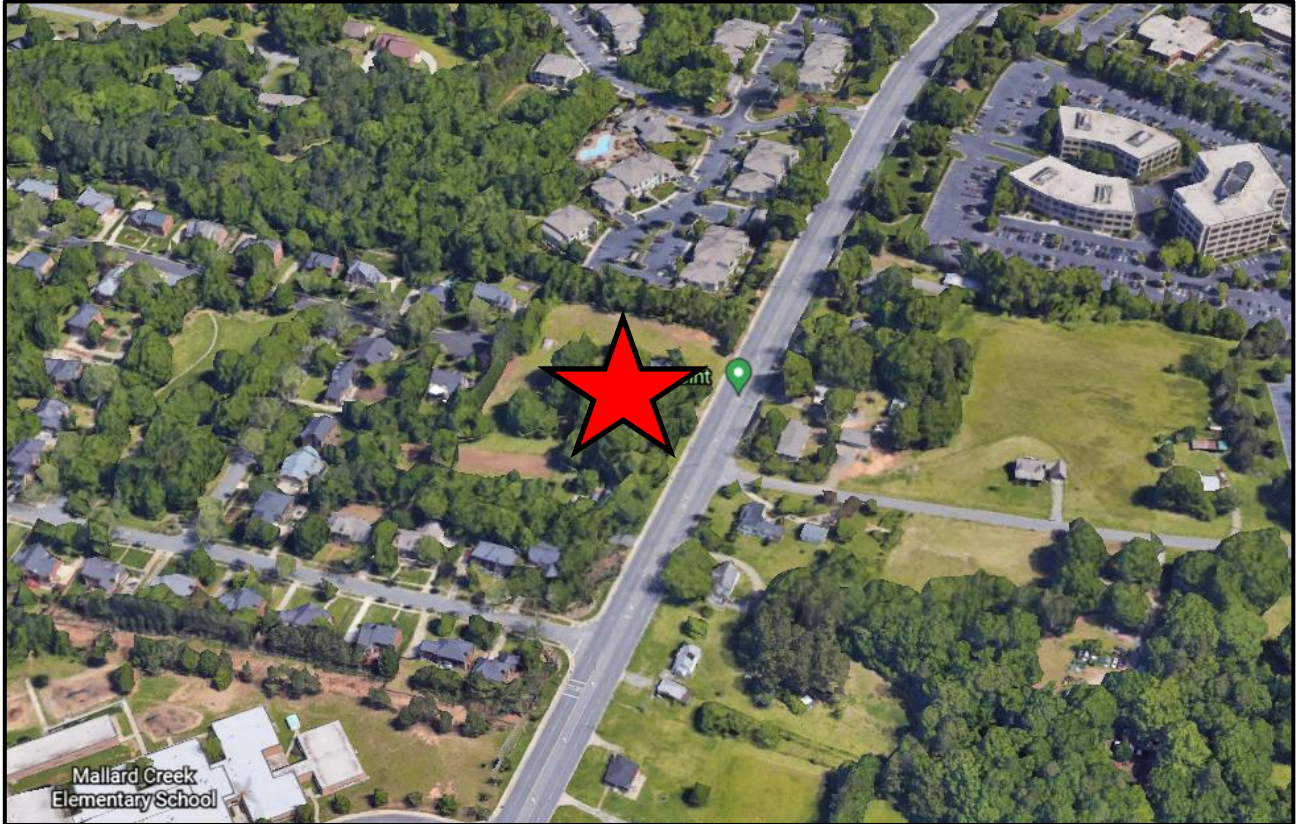
The site plan accompanying this petition contains the following provisions:

- Allows up to 33 for sale townhome units with a density of 7.9 dwelling units per acre.
- Provides a 12-foot multi-use path and an 8-foot planting strip along Mallard Creek Road.
- Commits to a minimum of 14 guest parking spaces.
- Provides a 24-foot Class C buffer to abutting single family homes.
- Provides 9,000 square-feet of open space.
- Limits building height to 40-feet.
- All freestanding lighting fixtures will be uniform in design, boxed and fully shielded and not exceed twenty-two (22) feet in height.
- Commits to create a homeowners association and adopt bylaws prior to the sale of any unit.
- Architectural Details:
 - Building materials will be a combination of fiber cement panel, fiber cement siding, brick, stucco, wood, EIFS, vinyl siding, synthetic stone.
 - Provides stoops or porches with a minimum depth of 5-feet for units facing Mallard Creek Road.
 - Building elevations will be designed with vertical bays or articulated architectural features that will include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
 - Meters, HVAC units and other utility type elements will be screened from adjacent properties.

• **Existing Zoning and Land Use**



The surround land uses include single family, multi-family, office, retail, and Mallard Creek Elementary School.



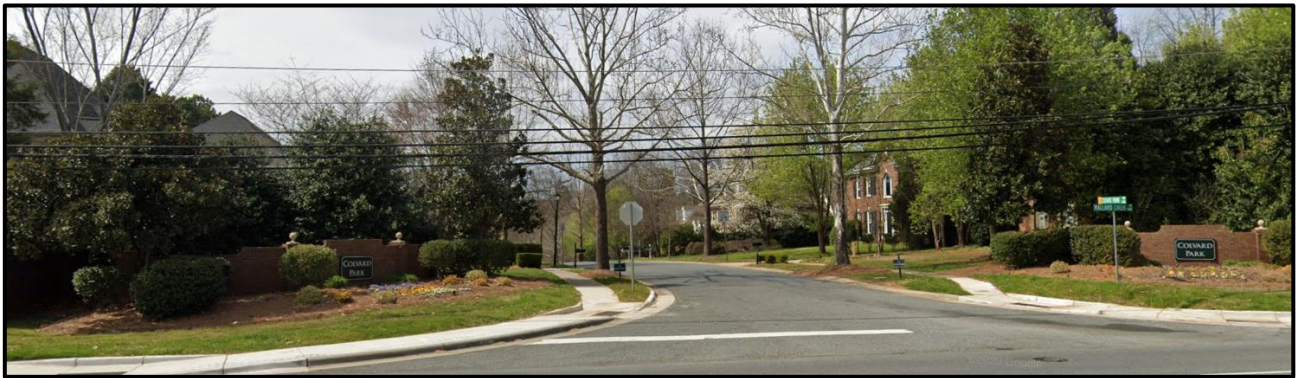
The subject property is denoted with a red star.



The property to the north along Mallard Creek Road is developed with apartments.



The property to the east along Mallard Creek is developed with single family homes.



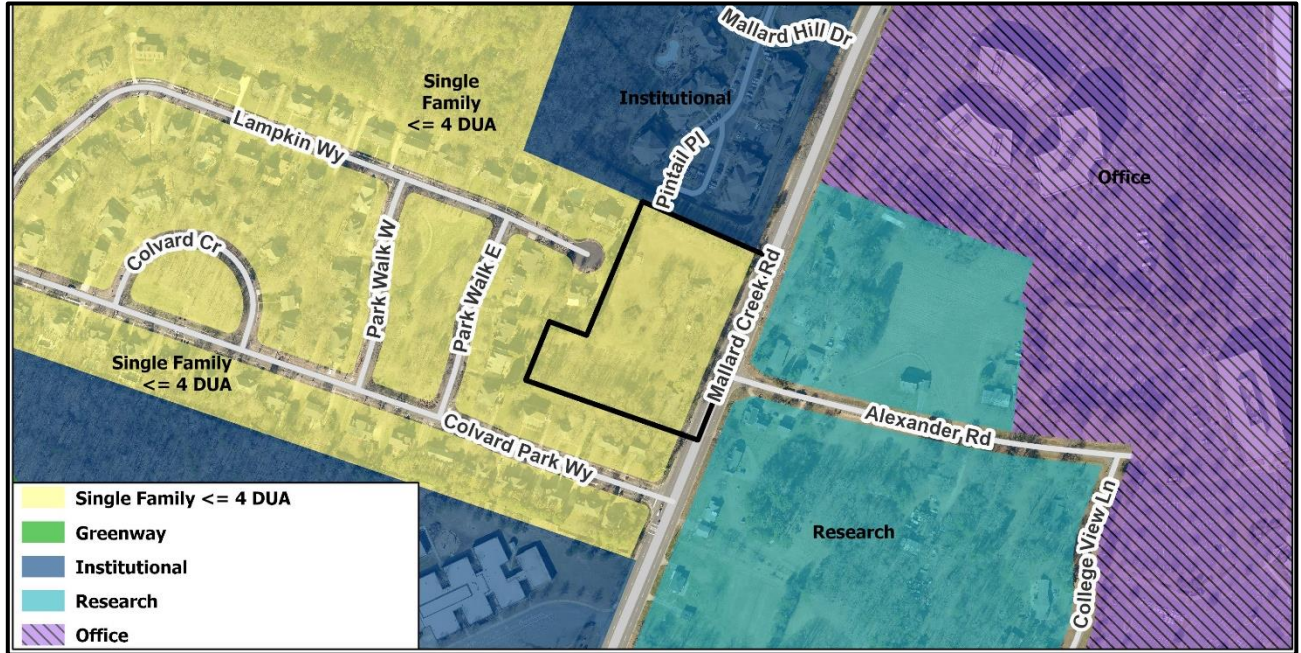
The property to the south and west along Colvard Park Way is developed with single family homes.

• **Rezoning History in Area**



There have been no recent rezonings in this area.

• **Public Plans and Policies**



- The *Northwest District Plan* (1990) calls for Single Family residential up to 4 DUA.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the General Development Policies locational criteria for consideration of up to 8 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	3
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 13

• **TRANSPORTATION SUMMARY**

- The site is located on a major thoroughfare, Mallard Creek Road. A Traffic Impact Study (TIS) is not needed for this site. The petitioner will construct an 8-foot planting strip adjacent to Mallard Creek Road with a 12-foot multi-use path to accommodate pedestrians and bicyclists. The petitioner has committed to dedicating right-of-way to 2-feet behind the proposed multi-use path. All CDOT comments have been addressed.
- **Active Projects:**
- None
- **Transportation Considerations**
- See Outstanding Issues, Notes 1-3 Addressed
- **Vehicle Trip Generation:**
- Current Zoning:
 - Existing Use: 20 trips per day (based on 2 single family dwellings).
 - Entitlement: 150 trips per day (based on 12 single family dwellings).
- Proposed Zoning: 210 trips per day (based on 33 townhome units).

DEPARTMENT COMMENTS (see full department reports online)

- **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

- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 6 students, while the development allowed under the proposed zoning may produce 6 students. Therefore, there is no net increase in the number of students generated from existing zoning to proposed zoning.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Mallard Creek Elementary remains at 75%.
 - Ridge Road Middle remains at 125%.
 - Mallard Creek High remains at 121%.
- **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. See advisory comments at www.rezoning.org
- **City Arborist:** See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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:** See Outstanding Issues, Note 7 [Addressed](#)

OUTSTANDING ISSUES

Transportation

1. ~~The site plan reflects dedicating 90 feet of right of way from the road centerline. Based on the street classification and street/streetscape elements, this right of way width is not needed and can be reduced to the distance from the road centerline to 2 feet behind the back of the shared-use path. Revise site plan to label and dimension the right of way from the road centerline based on the above. Revise site plan to locate the planting strip adjacent to the back of curb and the shared use path between the planting strip and the site. [Addressed](#)~~
2. ~~A site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued is needed. As noted above, CDOT requests rights of way be set at 2 feet behind the back of shared use path where feasible. [Addressed](#)~~
3. ~~All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad north-central Mecklenburg area, by way of a private/public partnership effort or other public sector project support. [Addressed](#)~~

Site and Building Design

4. ~~Label required buffer along all property lines. [Addressed](#)~~
5. ~~Provide the minimum area and amenities located in the designated open spaces. [Addressed](#)~~
6. ~~Clarify note 4g to state stoops or porches shall be required along all units facing Mallard Creek Road and shall have a minimum depth of 5 feet. [Addressed](#)~~

Environment

7. ~~Remove all reference to planting area dimensions for internal trees. Adjustments to site design and/or planting area dimensions may be required at time of permitting. [Addressed](#)~~

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org








Planner: Michael Russell (704) 353-0225









Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-090

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<p>Goal 1: 10- Minute Neighborhoods</p> <p>All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.</p>	
	<p>Goal 2: Neighborhood Diversity & Inclusion</p> <p>Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.</p>	
	<p>Goal 3: Housing Access for All</p> <p>Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.</p>	
	<p>Goal 4: Trail & Transit Oriented Development (2-TOD)</p> <p>Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.</p>	N/A

	<p>Goal 5: Safe & Equitable Mobility Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	
	<p>Goal 10: Fiscally Responsible Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>