

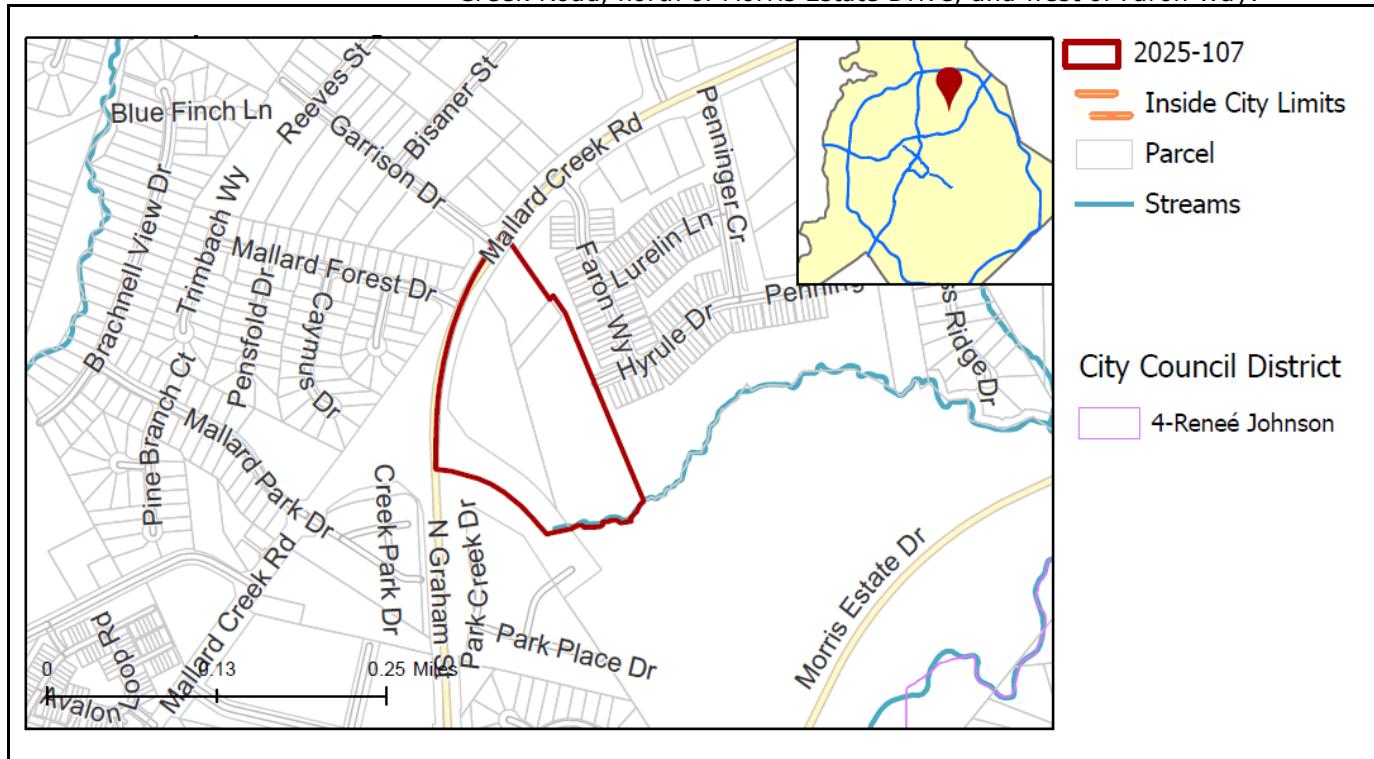


**REQUEST**

Current Zoning: N1-A (Neighborhood 1-A), RE-3 (Research-3)  
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, Conditional)

**LOCATION**

Approximately 9.72 acres located along the southeast side of Mallard Creek Road, north of Morris Estate Drive, and west of Faron Way.



**SUMMARY OF PETITION**

The petition proposes to develop a residential community of up to 85 multi-family attached (townhomes) dwelling units on vacant land.

**PROPERTY OWNER**

Morris Holdings, LLC

**PETITIONER**

Morris Holdings, LLC

**AGENT/REPRESENTATIVE**

Colin Brown, Alexander Ricks, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 2

**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

- While the site is designated as a Neighborhood 1 Place Type by the *2040 Policy Map*, this petition is consistent with the growing Neighborhood 2 development along Mallard Creek Road and would be well served by the Neighborhood Center to the southwest along Derita Avenue and the commercial node to the northeast along W. T. Harris Boulevard, containing goods and services for residents.
- The petition establishes a vehicular and pedestrian connection to Hyrule Drive to support local connectivity and access.

- The petition meets preferred variables for changing to a Neighborhood 2 Place Type given its adjacency to the Neighborhood 1 and 2 Place Types, its location within ½ mile of major transportation corridor, its acreage, and its frontage along an arterial street.
- The petition proposes to add to the number of housing units in the area, potentially increasing the variety of housing options available.
- The site is served by public transit via CATS Route 22, which provides local bus service between the JW Clay Park and Ride at the LYNX Blue Line and the Charlotte Transportation Center (CTC).
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 2: Neighborhood Diversity & Inclusion

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.

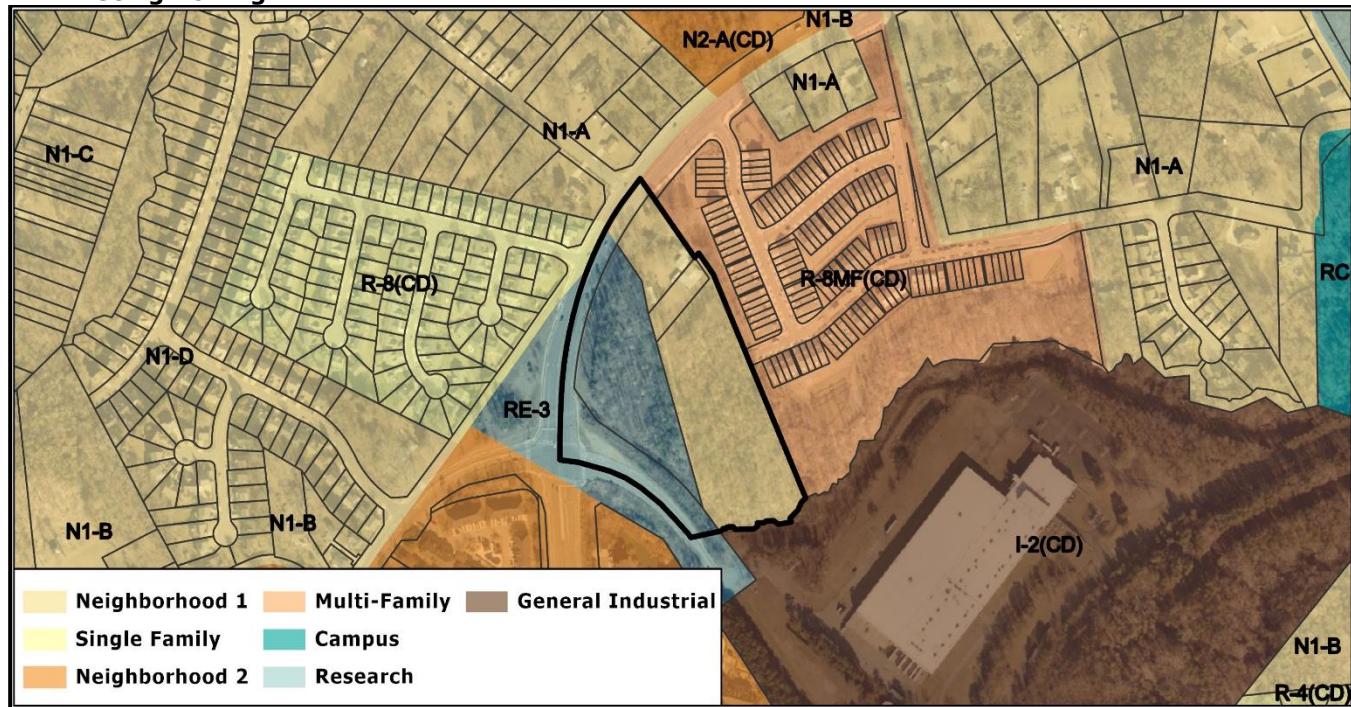
## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 85 multi-family attached (townhomes) dwelling units.
- Buildings shall contain a maximum of 5 multi-family attached (townhome) units per building.
- Provides an 8-foot wide sidewalk and an 8-foot wide planting strip along the site's frontage of Morris Estate Drive including internal streets.
- Provides a 12-foot wide shared-use path and an 8-foot wide planting strip along the Site's frontage of Mallard Creek Road.
- Dedicates 42-feet of right-of-way from the road centerline along Morris Estate Drive and 55-feet of right-of-way from the road centerline along Mallard Creek Road.
- Provides a roadway and sidewalk connection to Hyrule Drive.
- Commits to constructing the curb and gutter along its Morris Estates Drive frontage allowing for a 5-foot bike lane to be installed.
- Commits to a dedicated right-turn lane with 100-feet of storage on Mallard Creek Road into the proposed site.
- Provides amenitized common open space areas that shall consist of a minimum of 4 or more of the following potential components: Enhanced plantings, specialty paving materials, shading elements, seating options, public art, Interactive elements decorative lighting, and consist of a minimum dimension of 50-feet or more measured in all directions.
- Provides at least one common open space area accessible from all residential lots within 1,000-foot radius of the common open space area.
- Provides architectural and design guidelines.
- All units shall have access to a public sidewalk via an internal sidewalk network.
- **Petitioner shall contribute \$5,000 to community beautification efforts at the northwest intersection of North Graham Street and Morris Estate Drive/Mallard Creek Road (west of the Rezoning Site), in coordination with the Derita-Statesville Road Community Organization or other community designee. This contribution shall occur prior to the issuance of the first building certificate of occupancy.**

- Existing Zoning



- The site is currently split zoned N1-A (Neighborhood 1-A) and RE-3 (Research-3). The surrounding zoning includes R-8MF(CD) (Multi-family, Conditional), N1-A (Neighborhood 1-A), N1-B (Neighborhood 1-B), N1-D (Neighborhood 1-D), N2-A(CD) (Neighborhood 2-A, Conditional), I-2(CD) (General Industrial, Conditional).



The site (indicated by the red star) is located along the southeast side of Mallard Creek Road, north of Morris Estate Drive, and west of Faron Way.



The property to the south across Morris Estate Drive is developed with townhomes.



The property to the east along Morris Estate Drive is developed with the Morris Costumes Corporate Center.

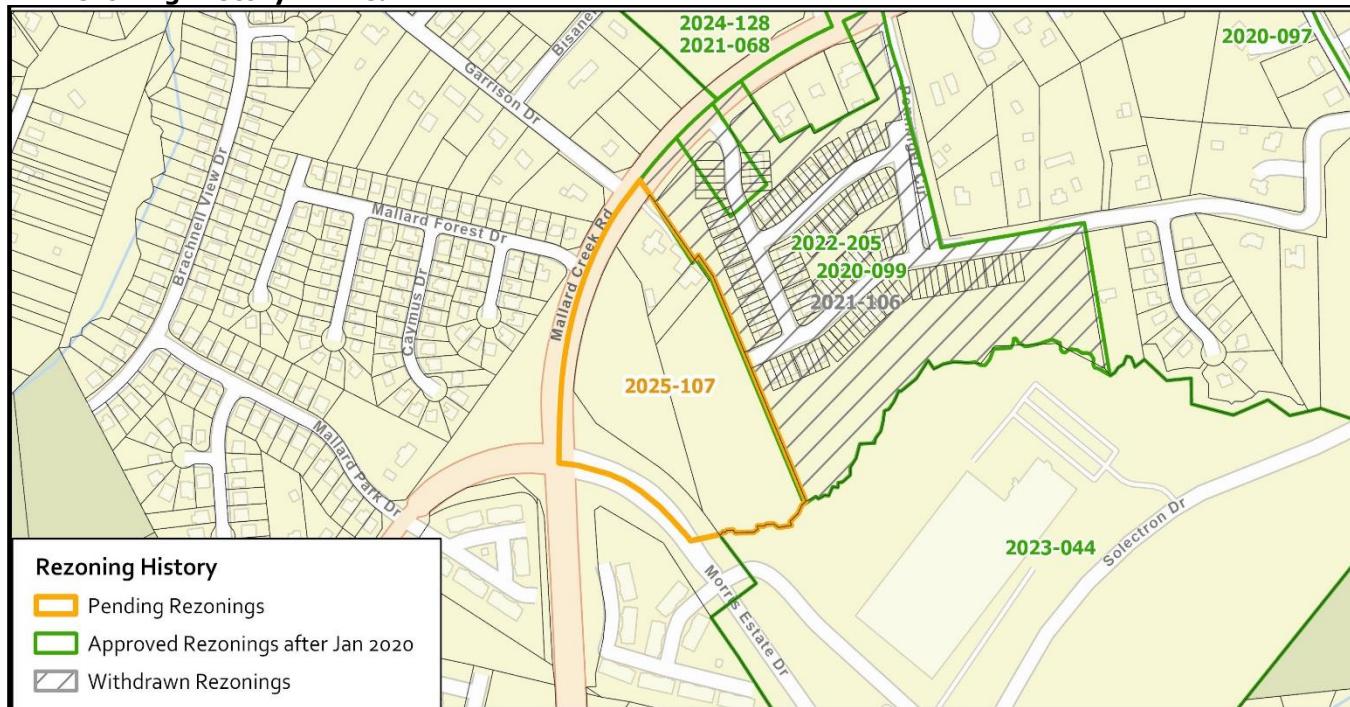


The property to the west along Mallard Forest Drive is developed with single family homes.



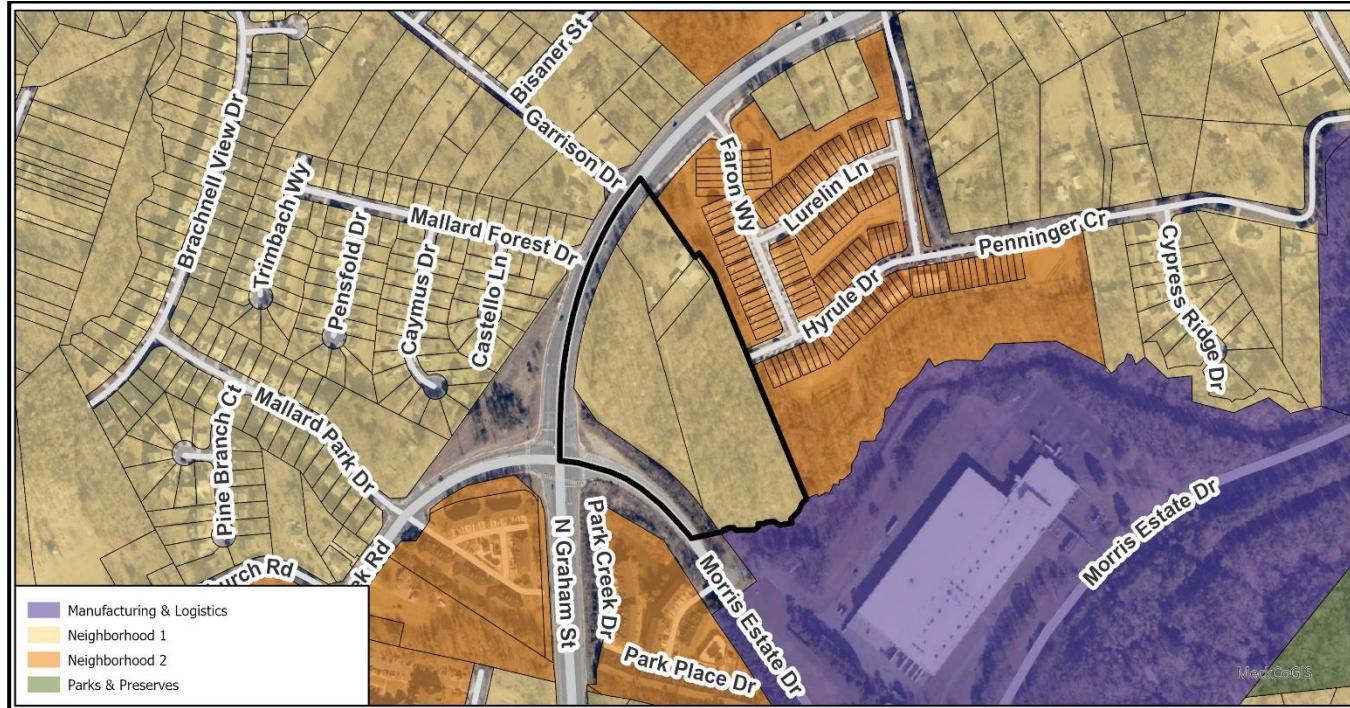
The property to the north along Faron Way is developed with townhomes.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-097	Rezoned 12.4 acres from RE-1(CD) (Research, Conditional) and INST(CD) (Institutional, Conditional) to RE-1(CD) (Research, Conditional) and RE-1(CD) SPA (Research, Conditional, Site Plan Amendment) to allow up to 50,000 square feet of facilities to accommodate uses including medical health clinics, offices, financial institutions, laboratories, and research uses.	Approved
2020-099	Rezoned 20.8 acres from R-3 (Single Family Residential) to R-8MF(CD) (Multi-family Residential, Conditional) to allow up to 130 townhouse style dwelling units.	Approved
2021-068	Rezoned 5.2 acres from R-3 (Single Family Residential) to INST(CD) (Institutional, Conditional) to allow 107 age-restricted units in one building.	Approved
2021-106	Proposed to rezone 21.9 acres from R-8MF(CD) (Multi-family, Conditional) and R-3(Single Family Residential) to R-8MF(CD) SPA (Multi-family, Conditional, Site Plan Amendment) to allow up to 175 dwelling units.	Withdrawn
2022-205	Rezoned 21.1 acres from N1-A (Neighborhood 1-A) to R-8MF (CD) SPA (Multi-family Residential, Conditional, Site Plan Amendment) to add an additional 4 townhome buildings for a total of 20 additional townhome units to the project and 116 units total for the site. This rezoning plan was previously approved under rezoning petition 2020-099.	Approved
2023-044	Rezoned 63.2 acres from RE-3 (Research) to I-2(CD) (General Industrial, Conditional) to allow up to 325,000 square feet of light manufacturing, assembly, warehousing, climate controlled self-storage, offices, outdoor storage, and wireless communication as well as other principal and accessory uses.	Approved
2024-128	Rezoned 5.2 acres from INST(CD) (Institutional, Conditional) to N2-A(CD) (Neighborhood 2-A, Conditional) to up to 64 multi-family attached dwelling units.	Approved

- **Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is located at the intersection of Mallard Creek Road, a State-maintained major arterial, and Morris Estate Drive, a State-maintained minor arterial. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. This petition is meeting ordinance requirements. The petition has committed to installing a 12-foot Shared-Use Path on Mallard Creek Road and an 8-foot sidewalk along the Morris Estates Drive frontage(s). This petition has also committed to constructing the curb and gutter in the final location along its Morris Estates Drive frontage allowing for a 5-foot bike lane to be installed and installing a dedicated right-turn lane on Mallard Creek Road into the proposed site. The internal roads within this petition will extend network required connections through the site and provide an 8-foot sidewalk and 8-foot planting strip on all internal public roadways. All outstanding CDOT issues have been addressed.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 689 trips per day (based on 19 single family dwelling units and 35,400 square feet of office).

Proposed Zoning: 386 trips per day (based on 85 multi-family attached 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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** This development may add 15 students to the schools in this area.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Governors' Village K-8 from 74% to 75%.
    - Julius L. Chambers High remains at 127%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main 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 Forest Drive. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 PRIOR TO PUBLIC HEARING**

##### Site and Building Design

1. ~~Include the following language and description for public art:~~  
~~Public art, either in the form of murals, sculpture, or other mediums alongside the details of the art intervention (inclusive of type, size, and location) shall be provided.~~ **Addressed**
2. ~~For each open space component utilized with no prescriptive standard (interactive element, decorative element, shading elements) provide a note to include additional detail during the land development process: When this element is utilized, the petitioner shall provide the details/technical notes on the element along with the location of installation.~~ **Addressed**
3. ~~Provide more detail on site plan: (location of open space, building footprints or bubble diagram). Also note if building will be rear or front loaded.~~ **Addressed**

#### **REQUESTED TECHNICAL REVISIONS PRIOR TO PUBLIC HEARING**

##### Site and Building Design

4. ~~Provide a minimum stoop depth.~~ **Addressed**

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

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