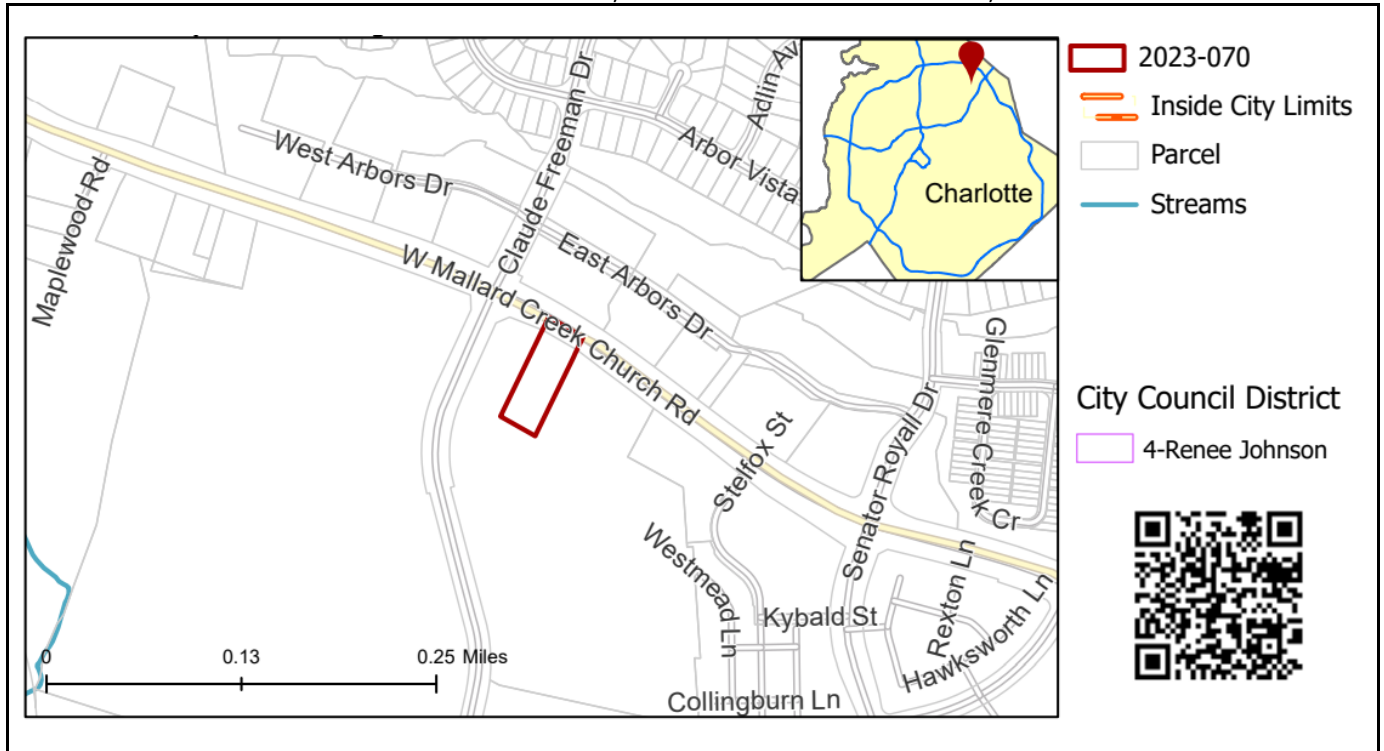


REQUEST

Current Zoning: N1-A (Neighborhood 1-A)
Proposed Zoning: CG (CD) (General Commercial, Conditional)

LOCATION

Approximately 0.97 acres located on the south side of West Mallard Creek Church Road, east of Claude Freeman Drive, and west of Stelfox Street.



SUMMARY OF PETITION

The petition proposes to develop a small scale shopping center with up to 8,650 square-feet of commercial/retail space as allowed in the General Commercial Zoning District.

PROPERTY OWNER
PETITIONER

Sharjeel Ahmad
Ahmad Developers, LLC

AGENT/REPRESENTATIVE

Sharjeel Ahmad

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 Campus Place Type.

Rationale for Recommendation

- This property is a remnant parcel not attached or accessible from the rest of the Campus but would support the daily access for workers within the Campus.
- According to the Equitable Growth Framework (EGF) access to essential amenities, goods and services is a high priority need in this area, this petition has the potential to provide access to daily needs for the businesses and workers of the University Research Campus.

- Retail uses as ancillary to a larger office campus are important to support the Campus and provide additional retail sector jobs.
- Property along the north side of Mallard Creek Church Road is improved with similar small-scale retail uses. Said properties are zoned MUDD-O with a Place Type of General Commercial.
- The proposed development is consistent and compatible with the existing development pattern to the north. The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 8: Diverse & Resilient Economic Opportunity

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Campus Place Type to General Commercial Place Type for the site.

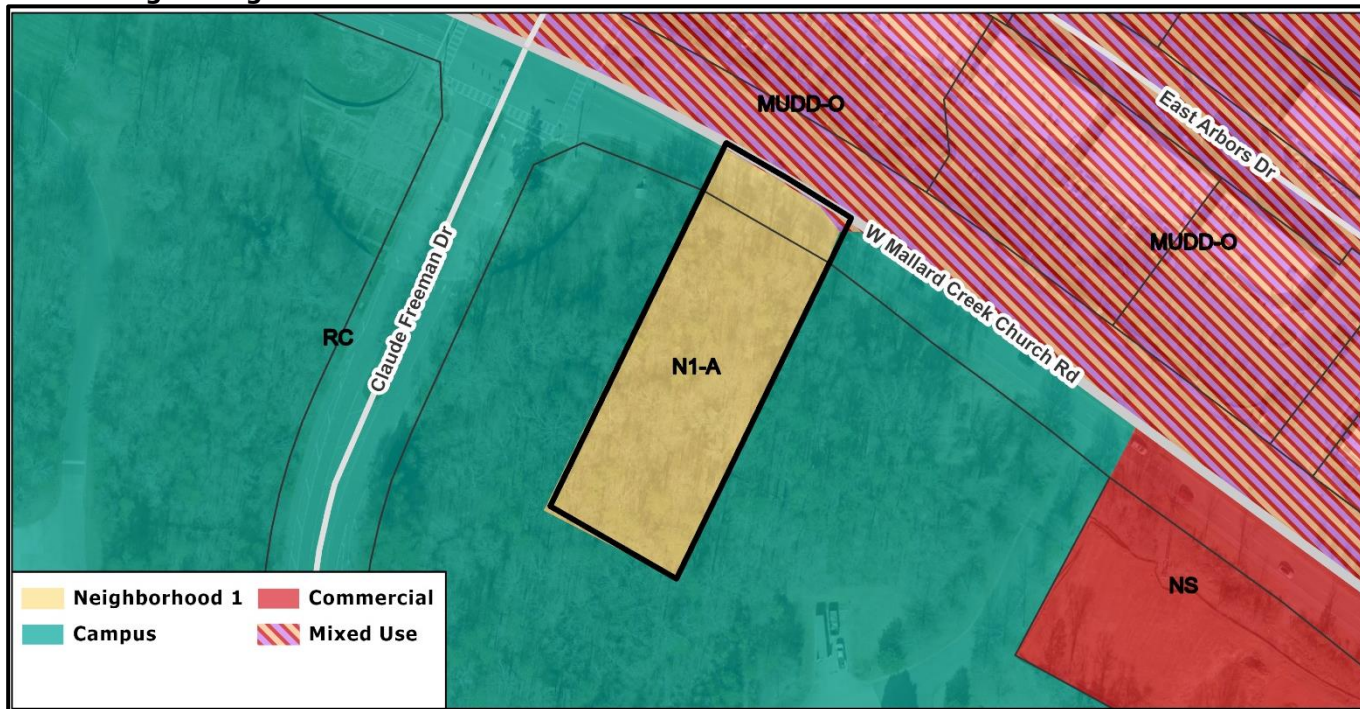
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 8,650 square-feet of commercial/retail space.
- Dedicates 50-feet of right-of-way from road centerline.
- Provides cross access to both adjacent parcels.
- Limits height to 50-foot maximum.
- A 12-foot wide shared use path along the site’s frontage has been completed.

• **Existing Zoning**



- The site is a remnant parcel zoned N1-A adjacent to the large University Business Park. Surrounding land uses include retail/commercial, multi-family and single-family development.



The subject property is denoted with a red star.



The property to the north across W. Mallard Creek Church Road is developed with retail uses.

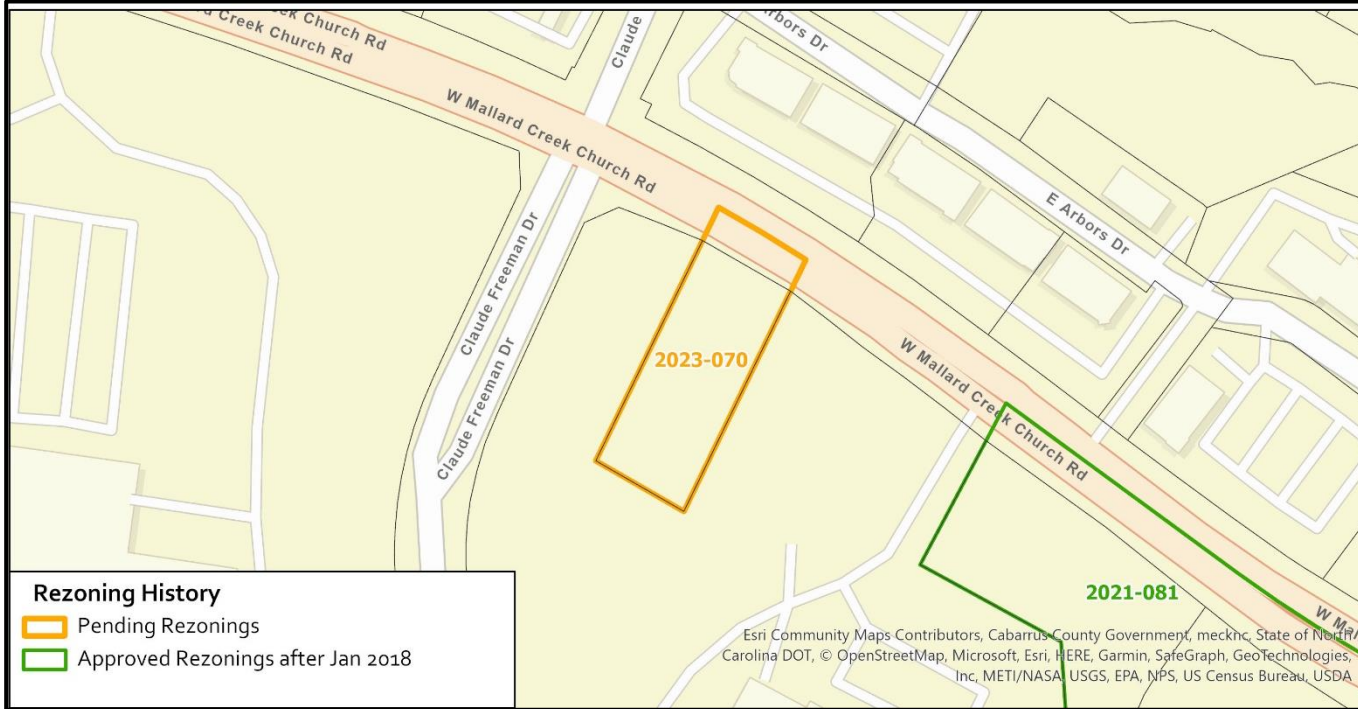


The property to the east across Claude Freeman Drive is developed with an office park.



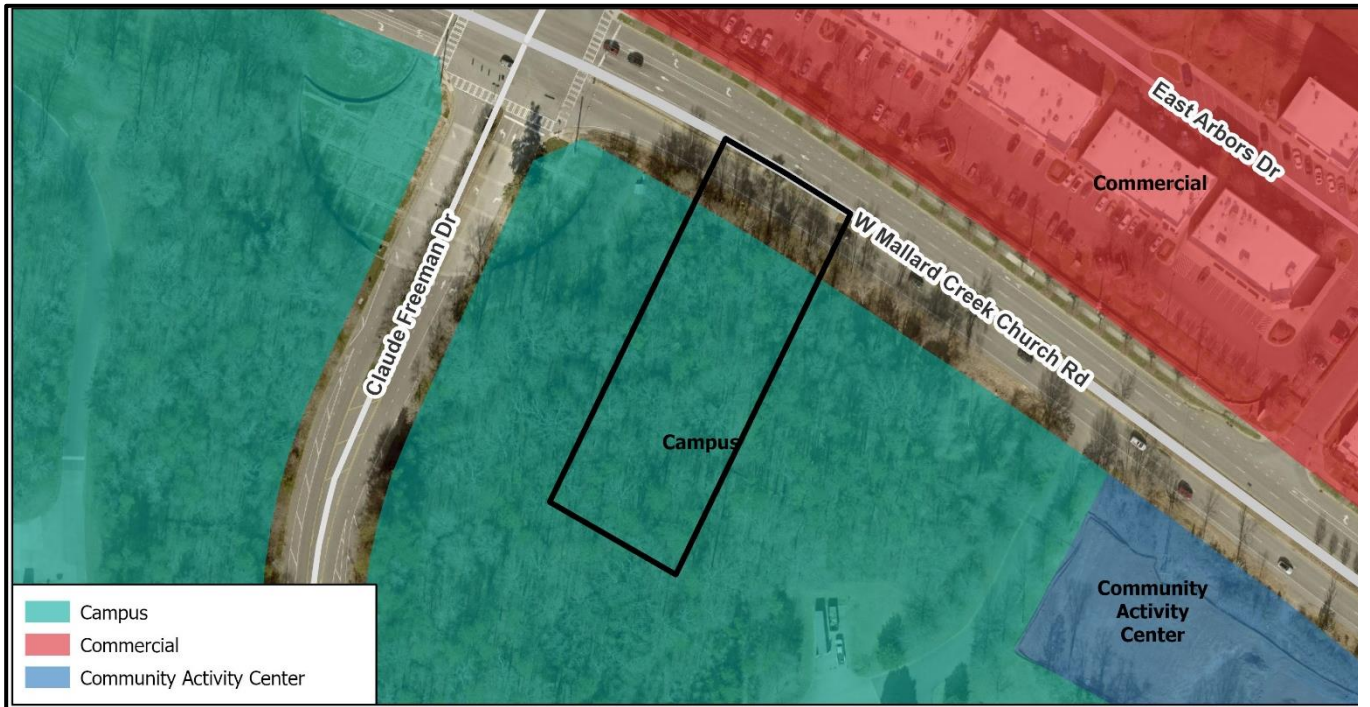
The property to the east along W. Mallard Creek Church Road was recently rezoned to allow up to 140 townhomes.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-081	Rezoned 15.98 acres from RE-3(O) to NS to allow up to 140 townhome units.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Campus Place Type for this site.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Mallard Creek Church Road, a State-maintained major arterial, east of Claude Freeman Drive, a City-maintained minor collector. 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. All outstanding CDOT issues have been addressed.
- **Active Projects:**
 - Mallard Creek Church Road Shared-Use Path (Mallard Creek Road to Claude Freeman Drive)
 - Provide a 12-foot wide shared use path along the south side of West Mallard Creek Church Road from Mallard Creek Road to Claude Freeman Drive. Will also include intersection work at Claude Freeman Drive.
 - Completed
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 20 trips per day (based on 2 single family dwelling units).
 - Proposed Zoning: 595 trips per day (based on 8,650 square feet of retail uses).

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
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 24-inch water transmission main located along W Mallard Creek Church Road. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest sewer gravity main is approximately 1200 feet south of the rezoning boundary along Claude Freeman Drive. A developer donated project will be required in cases there is not direct service. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **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:** ~~See Outstanding Issues, Notes 1-4~~ **Addressed**

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Environment

1. ~~There is a 10-foot no-build zone around tree-save area.~~ **Addressed**
2. ~~Can not have sight triangles within tree-save area.~~ **Addressed**
3. ~~Provide a tree survey.~~ **Addressed**
4. ~~Must provide a minimum of 15% tree save.~~ **Addressed**

Site and Building Design

5. ~~Remove note 12 and state lighting will meet section 16.2 requirements.~~ **Addressed**

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