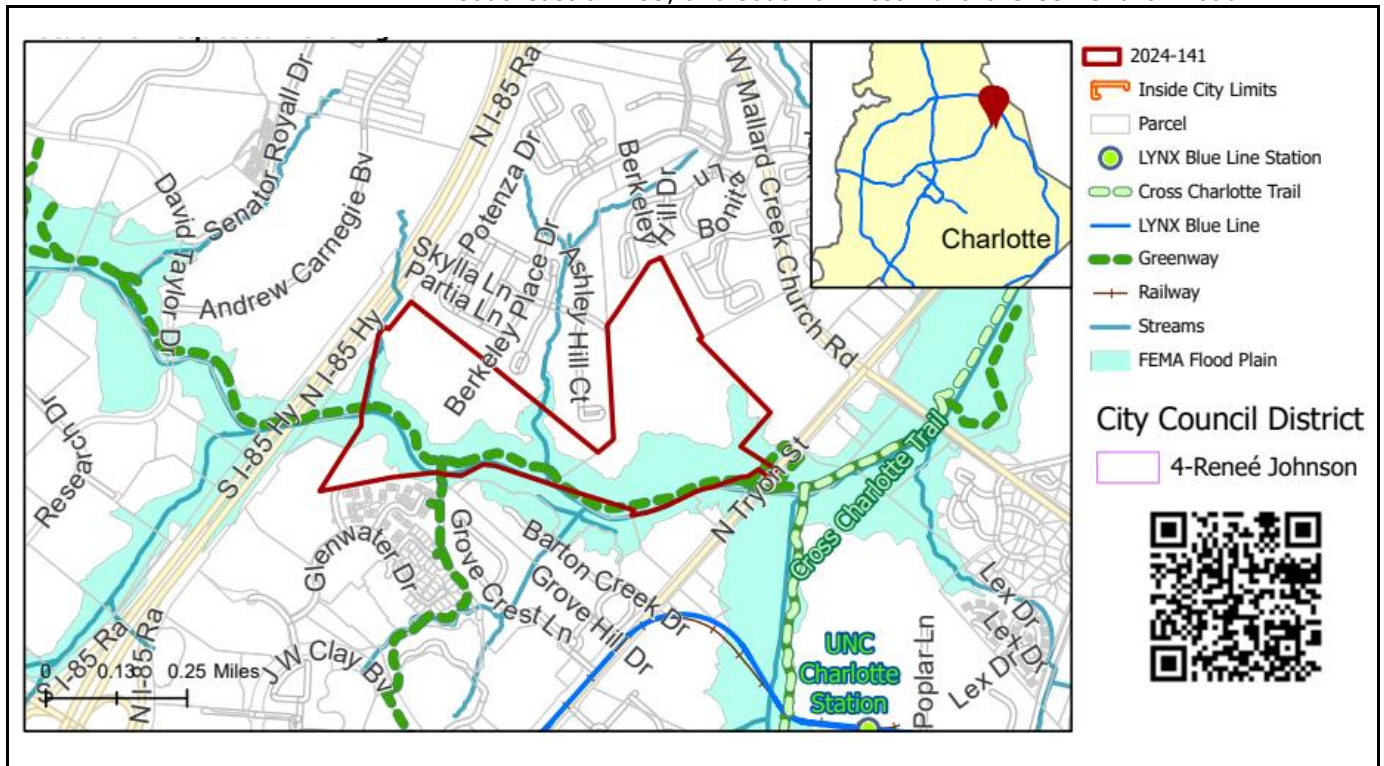


**REQUEST**

Current Zoning: IC-1 (Institutional Campus-1), CG (General Commercial), N1-A (Neighborhood 1-A)  
 Proposed Zoning: N2-B(CD) (Neighborhood 2-B, Conditional)

**LOCATION**

Approximately 107.31 acres located northwest of North Tryon Street, southeast of I-85, and south of West Mallard Creek Church Road.



**SUMMARY OF PETITION**

The petition proposes a residential community of up to 575 multi family attached dwelling units on vacant land.

**PROPERTY OWNER**

Sarah Land Alexander et al

**PETITIONER**

NVR, Inc

**AGENT/REPRESENTATIVE**

John Carmichael, Robinson Bradshaw & Hinson, P.A.

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 22

**STAFF RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to site design.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for the Neighborhood 2 Place Type.

Rationale for Recommendation

- The petition is appropriate and compatible with the surrounding land uses as the site is designated a Neighborhood 2 Place Type by the *2040 Policy Map* and is adjacent to several multi-family projects to the north and south of the site.

- The site is adjacent to Neighborhood Center, Community Activity Center, and Campus Place Types allowing for potential access to goods and services.
- Petitioner proposes to convey a minimum 5.3-acre portion of the site as a proposed public park to Mecklenburg County for a future public park.
- The site is located within a ½ mile of the JW Clay Boulevard Station on the LYNX Blue Line.
- The site is adjacent to the Mallard Creek and Barton Creek greenways with 2 public access trails provided by the petitioner.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 4: Trail & Transit Oriented Development
  - 7: Integrated Natural & Built Environments

## PLANNING STAFF REVIEW

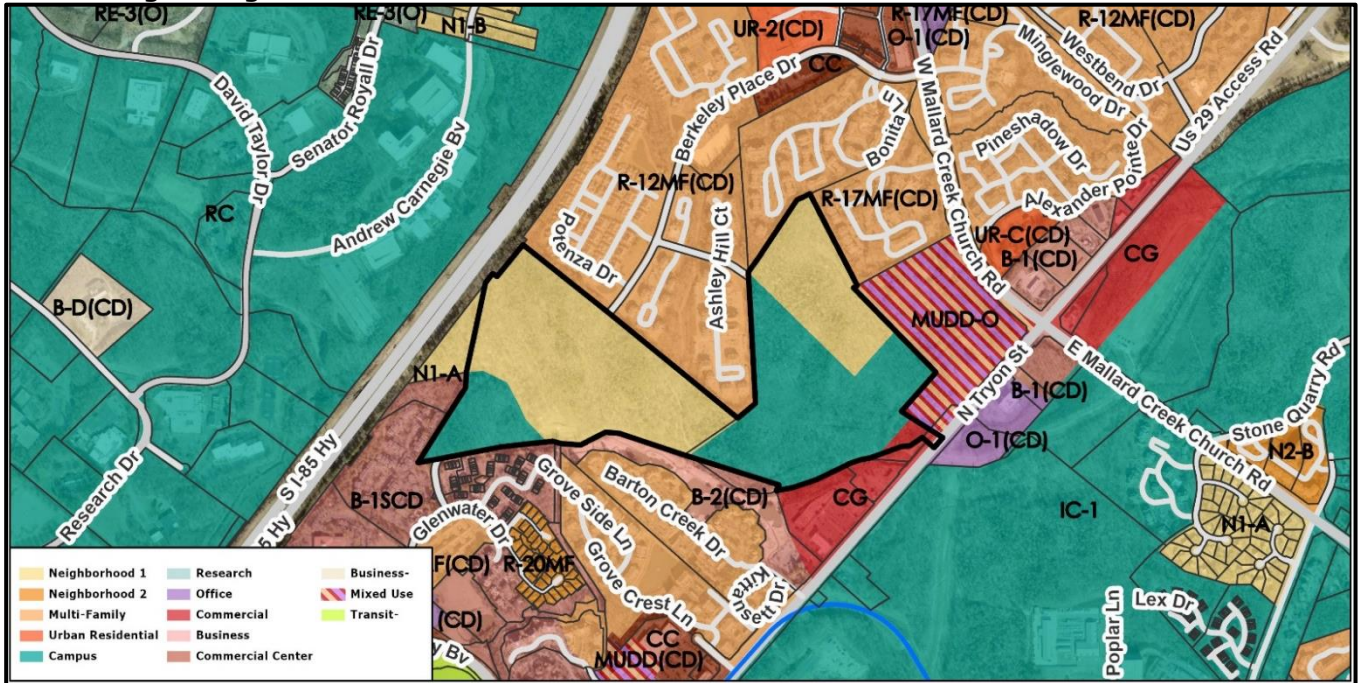
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

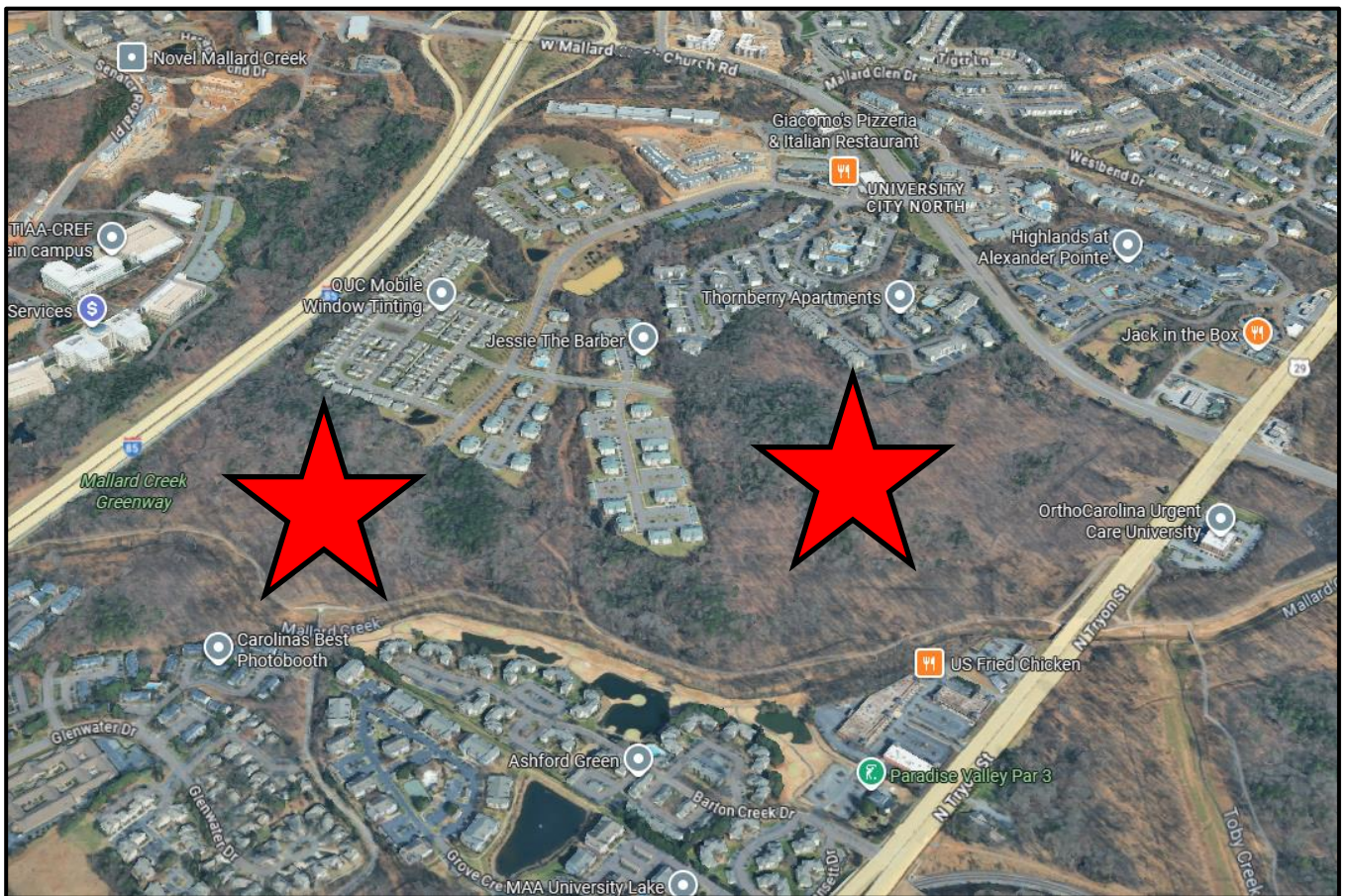
- Allows up to 575 multifamily attached dwelling units.
- Provides an 8-foot-wide planting strip and an 8-foot-wide sidewalk on both sides of all internal streets.
- Vehicular access to the site is provided by connections to Berkely Place Drive, Salerno Drive, and Emerald Cove Drive.
- Dedicates right of way on the westernmost street over the stream to accommodate the potential future extension of this public street over the stream to connect the southern and northern portions of this public street.
- Commits to reconstruct the accessible curb ramps on all four corners of the intersection of West Mallard Creek Church Road and Berkeley Place Drive and upgrade the pedestrian signals to accessible pedestrian signals.
- Commits to upgrade the traffic signal at the intersection of West Mallard Creek Church Road and Berkeley Place Drive to accommodate APS functionality and to install right turn FYA signal heads on the eastbound, westbound, and southbound approaches.
- Extends the northbound left turn lane on West Mallard Creek Church Road at the intersection of West Mallard Creek Church Road and Berkely Place Drive to provide 500 feet of storage.
- Provides walkways to connect all residential entry ways to sidewalks along abutting streets.
- Conveys and dedicates a minimum 5.3-acres to Mecklenburg County for a future public park.
- Provides a minimum of two access trails from new public right of way on the site to the existing greenway on the site.
- Dedicates and conveys to Mecklenburg County a greenway easement for those portions of the site located within the 100-foot SWIM buffer.
- Open Space:
  - Provides 5 open space areas. Each multi-family attached dwelling unit shall be located within 1,000 feet of at least one amenitized open space area.
  - Provides a community swimming pool in one of the open space areas.
  - Each amenitized open space area shall have a minimum dimension of 50-feet or more measured in all directions.
  - Amenitized open space areas will, at a minimum, contain one of the following: shading elements such as shade structures or additional trees in a manner to provide consistent shade in the space, public art in the form of a sculpture with a minimum height of 4 feet, or decorative lighting elements that include uplighting of trees or other open space elements and additional ambient lighting elements.
- Architectural Details:
  - Vinyl, EIFS or masonite may not be used as an exterior building material.
  - Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
  - The front elevation of each multi-family attached dwelling unit shall have windows or other architectural details that limit the maximum blank wall expanse to 10-feet on each level of the dwelling unit.
  - Each corner or end multi-family attached dwelling unit shall have windows or other architectural details on the side of the multi-family attached dwelling unit that limit the maximum blank wall expanse to 15-feet on each level of the dwelling unit.
  - Each multi-family attached dwelling unit shall have a covered front stoop. The front stoop may be covered by an awning, canopy, roof extension or other architectural feature.

- Each multi-family attached dwelling unit shall have a garage.

• **Existing Zoning**



- The current site is zoned IC-1 (Institutional Campus-1), CG (General Commercial), N1-A (Neighborhood 1-A). The surrounding zonings include a mix of conditional legacy and current zoning districts: R-12MF(CD) (Multi Family Residential, Conditional), R-17MF(CD) (Multi Family Residential, Conditional), MUDD-O (Mixed Use Development District-Optional), CG (General Commercial), IC-1 (Institutional Campus-1), B-2(CD) (General Business, Conditional), N1-A (Neighborhood 1-A), B-1 SCD (Neighborhood Business, Shopping Center District), and O-1(CD) (Office, Conditional).



The site (indicated by the red stars above) is located northwest of North Tryon Street, southeast of I-85, and south of West Mallard Creek Church Road. The area is situated between the major commercial corridor of North Tryon Street and the commercial node at University Place and I-85.



The property to the north along Berkeley Place Drive is developed with multifamily units.



The property to the north along West Mallard Creek Church Road is developed with multifamily units.

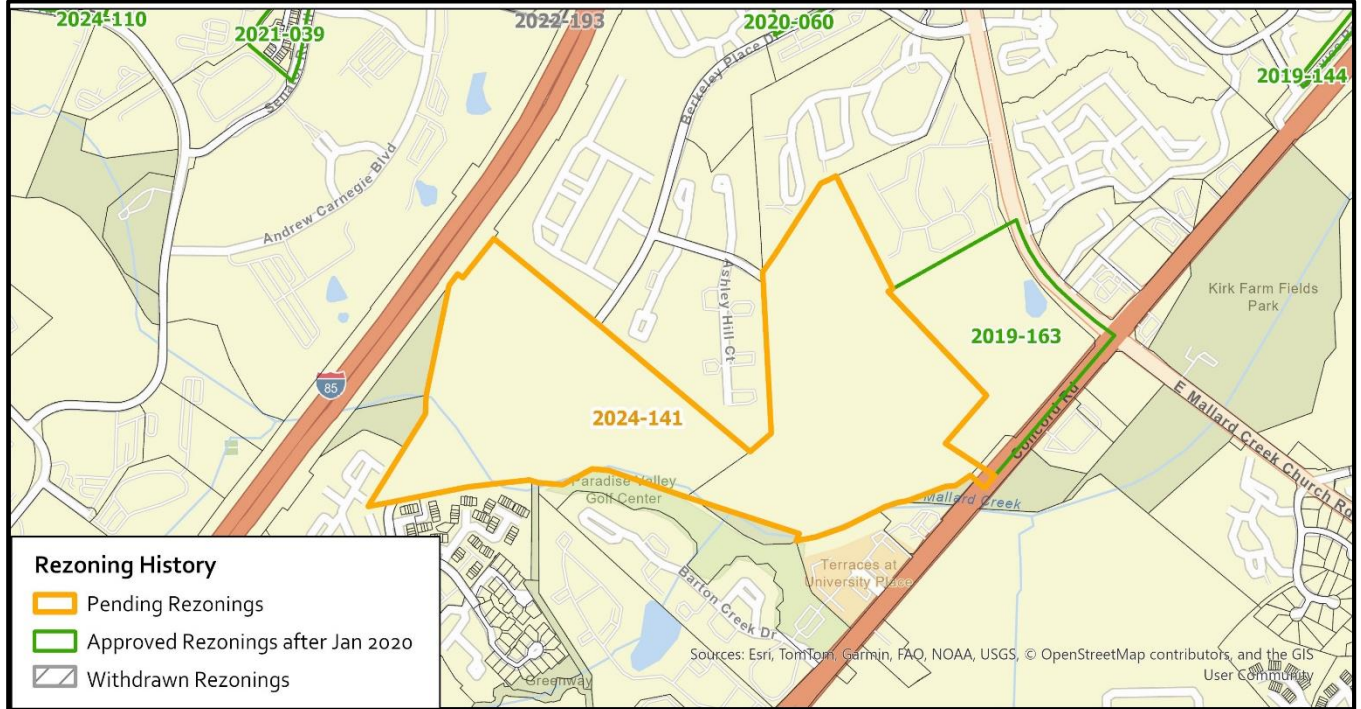


The property to the south along Stanborough Court is developed with multifamily units.



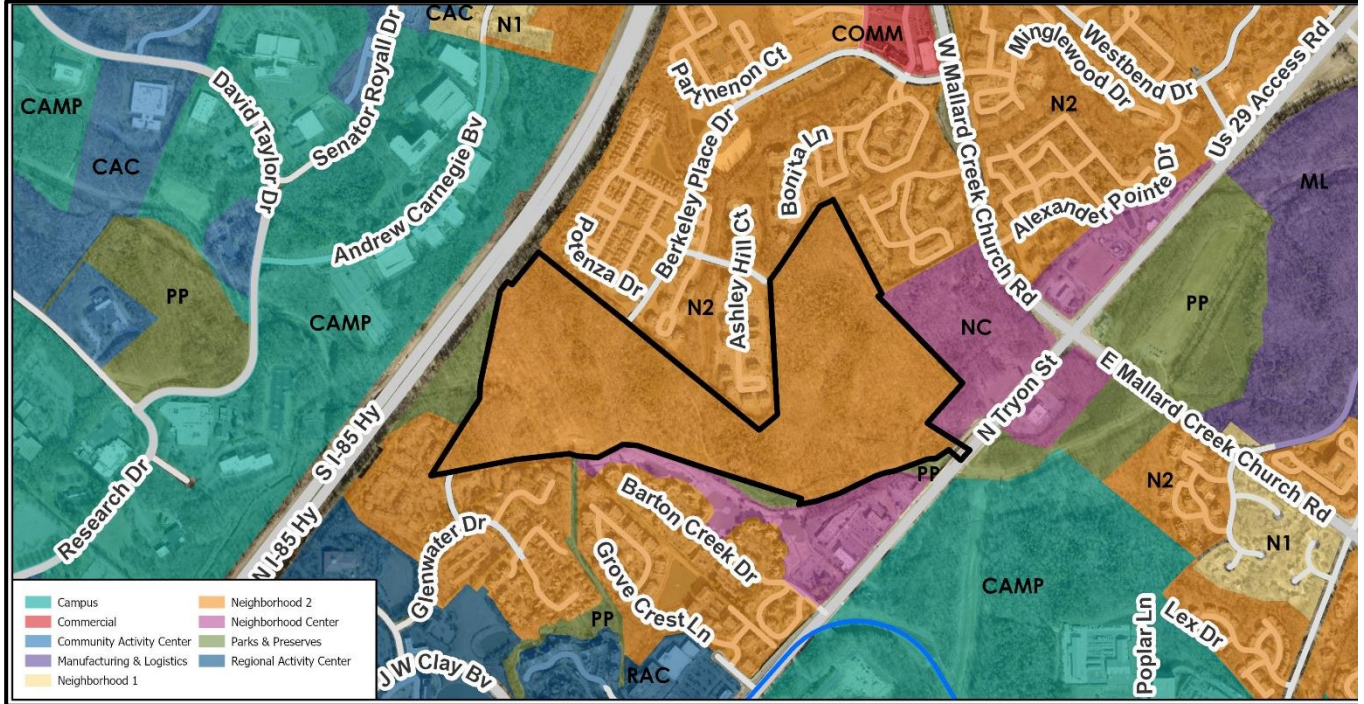
The property along North Tryon Street is developed with a shopping center.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-144	Rezoned 23 acres from R-3 (Single Family Residential) to R-12MF(CD) (Multi-family Residential, Conditional) to allow up to 194 multi-family units.	Approved
2019-163	Rezoned 23.7 acres from MUDD-O (Mixed Use Development-Optional) to MUDD-O SPA (Mixed Use Development-Optional, Site Plan Amendment) to allow up to up to 144,000 gross square feet of medical and general office uses with optional provisions.	Approved
2020-060	Rezoned 11.6 acres from CC (Commercial Center) to UR-2(CD) (Urban Residential 2, Conditional) to allow up to 198 multi-family residential dwelling units.	Approved
2021-039	Rezoned 21.5 acres from RE-1 (Research 1) to RE-3(O) (Research 3, Optional) to allow up to 380 multi-family dwelling units.	Approved
2024-110	Rezoned 51.7 acres from O-1(CD) (Office 1, Conditional) and RE-3 (O) (Research 3, Optional) to CAC-1 EX (Community Activity Center-1, Exception).	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type.

• **TRANSPORTATION SUMMARY**

- The site is located at the end of Berkeley Place Drive, a City-maintained local street, west of Mallard Creek Church Road, a State-maintained major arterial. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the low intensity development. Based on the 4,331 daily trips, this will trigger a Traffic Impact Study and Tier 3 multimodal assessment. TIS was approved on 5/16/2025. 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: 1,988 trips per day (based on 209 single family dwelling units for N1-A zoning, trip generation unavailable for IC-1 and CG portions of the site).

Proposed Zoning: 4,331 trips per day (based on 575 single 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:** This development may add 104 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:
    - Stoney Creek Elementary from 113% to 121%.
    - James Martin Middle from 58% to 60%
    - Julius L. Chambers High from 127% to 128%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Emerald Cove Road and an existing 12-inch water distribution main along Berkeley Place Road. Charlotte Water currently has sewer system accessible for the rezoning boundary under review. 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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 1

#### **OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING**

##### Site and Building Design

1. Site plan shows tree save within the dedicated ROW and below the 30-foot width. Tree save cannot be within the ROW.
2. Please match the number of units shown on the plan to the number of units proposed in the notes.
3. Commit to a minimum dimension for the covered front stoop.

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

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