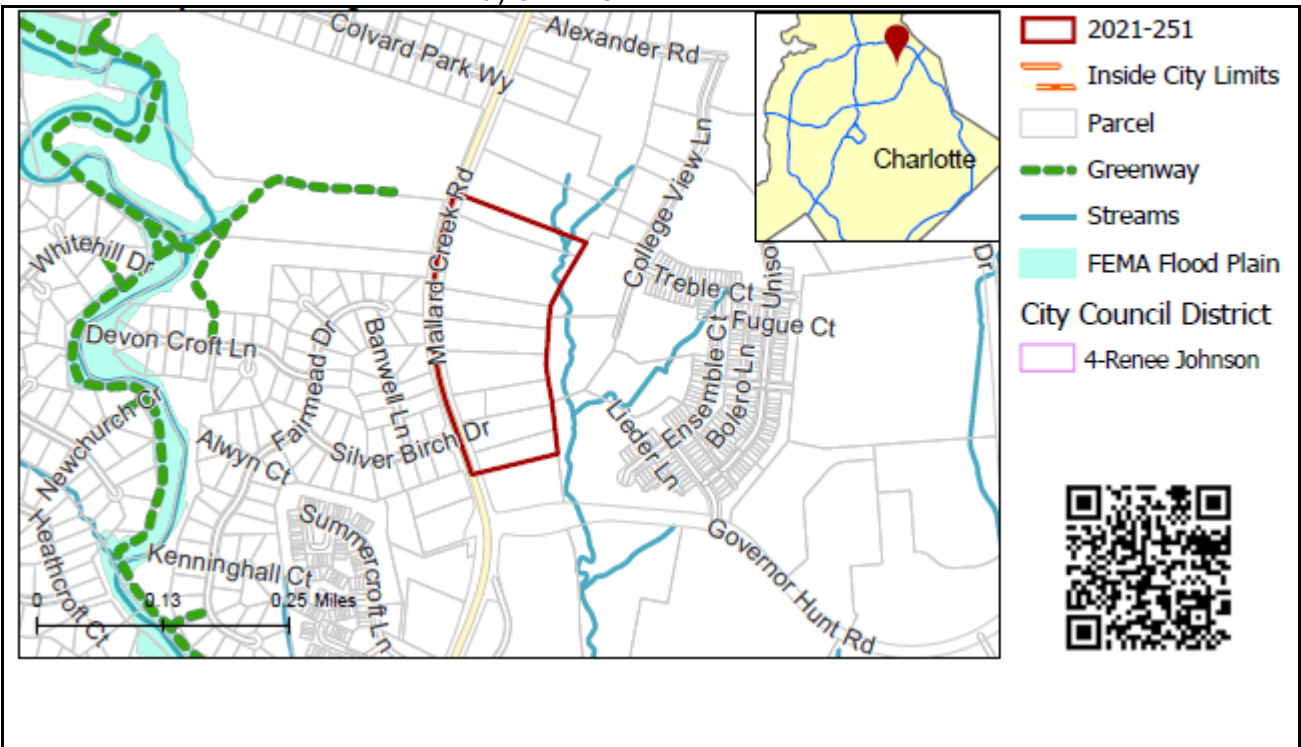


**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 13.08 acres located along the east side of Mallard Creek Road, north of Governor Hunt Road, and west of David Taylor Drive.



**SUMMARY OF PETITION**

The petition proposes to develop a residential community with up to 295 multi-family dwelling units with a density of 22.5 dwelling units per acre.

**PROPERTY OWNER**

Piedmont Unitarian Universalist et al

**PETITIONER**

Delray Ventures, LLC

**AGENT/REPRESENTATIVE**

Collin Brown, Alexander Rick, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 18

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northeast District Plan* recommendation of research related land uses at this site. The petition meets the *General Development Policies* locational criteria for consideration of up to 23 dwellings per acre.

Rationale for Recommendation

- The petition aligns with the area plan's goal of encouraging development of "new neighborhoods that offer a mix of housing types".

- The site abuts a lower density, single family residential neighborhood to the west, however, to ensure compatibility the petition includes keeping the building facades closest to the existing neighborhood at no more than 3 stories.
- The petition commits to enhancing the pedestrian environment through design elements throughout the site.
- The petition commits to improving the pedestrian experience and streetscape in the area by providing a 12-foot multi-use trail along the Mallard Creek Road frontage, as well as 8-foot sidewalks on the proposed new public street.
- The petition proposes an amenity area as well as a potential dog park, enhancing the resident experience.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan*, from research related land uses to multifamily residential land uses for the site.

### PLANNING STAFF REVIEW

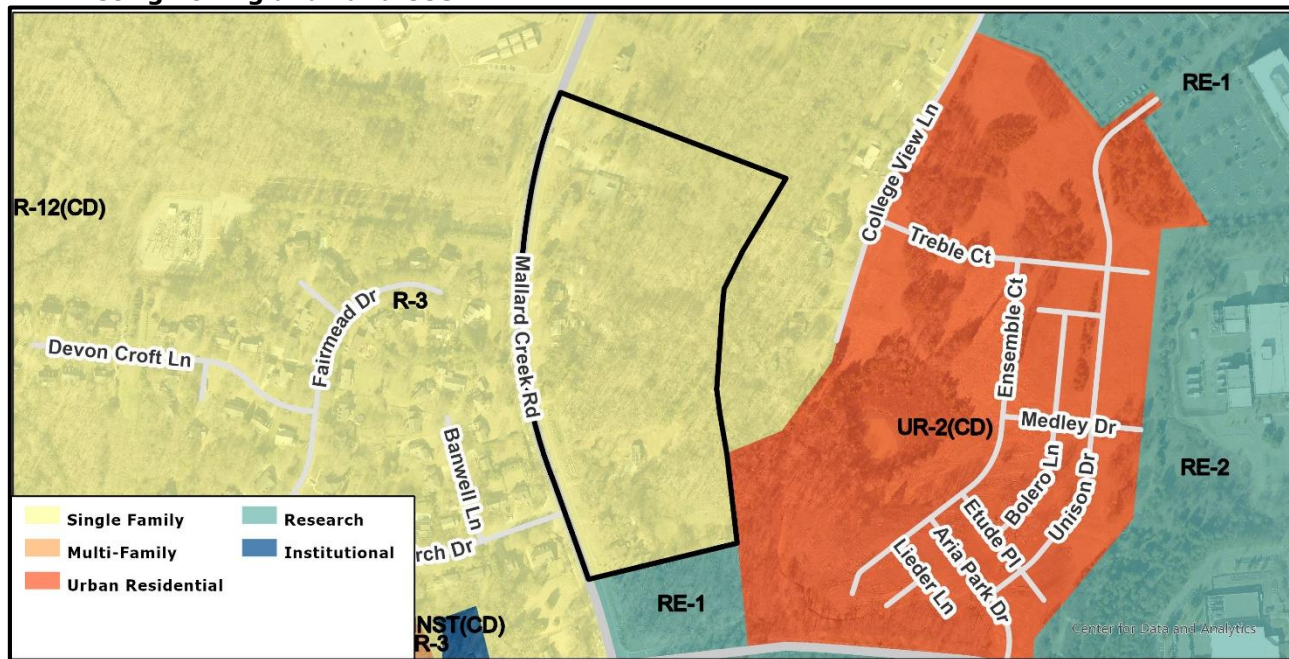
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

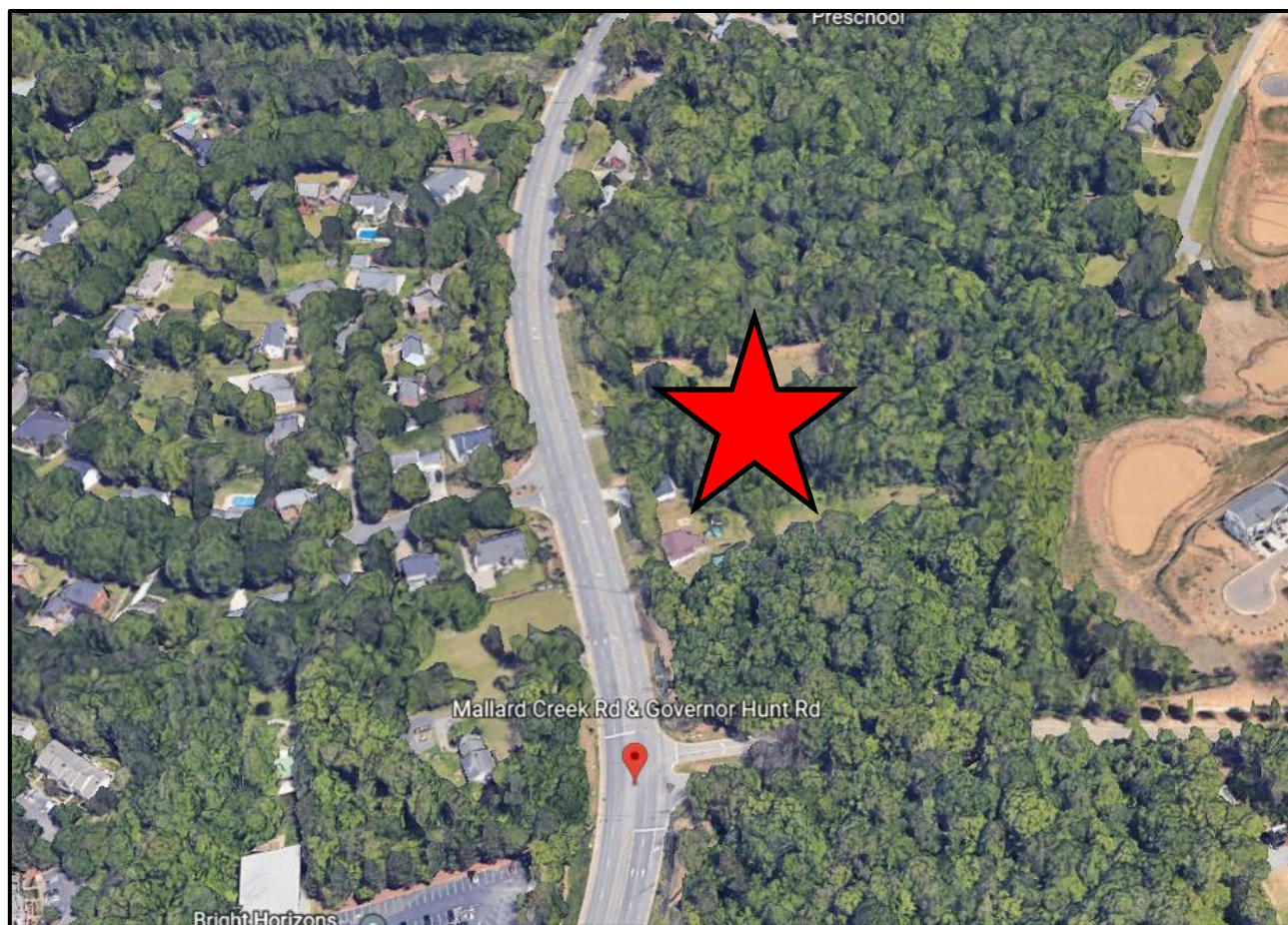
- Allows up to 295 multi-family units in 5 buildings.
- Limits building height to 60-feet.
- Provides turn lane improvements along Mallard Creek Road with turn lane storage.
- Dedicates 50-feet of right-of-way from the road centerline on Mallard Creek Road.
- Provides an ADA compliant bus waiting pad along Mallard Creek Road.
- Commits to an 8-foot planting strip and a 12-foot multi-use trail along the Mallard Creek Road frontage.
- Provides 20,000 square-feet of amenity/open space with a pool and clubhouse.
- Architectural details:
  - Exterior Building materials includes brick, stone, simulated stone, pre-cast stone, and stucco. Vinyl siding as a building material is prohibited.
  - Buildings shall be placed to present a front or side façade to all network required streets.
  - Buildings exceeding 120-feet in length shall include modulations of 10-feet wide and shall project or recess a minimum of 5-feet extending to the soffit of the building.
  - Building elevations shall be designed with vertical bays or articulated façade features.
  - Building elevations shall not have expanses of blank walls greater than 20-feet in all directions.



- Existing Zoning and Land Use



The surrounding land uses include single family, multi-family, Mallard Creek Elementary School, and large office parks.

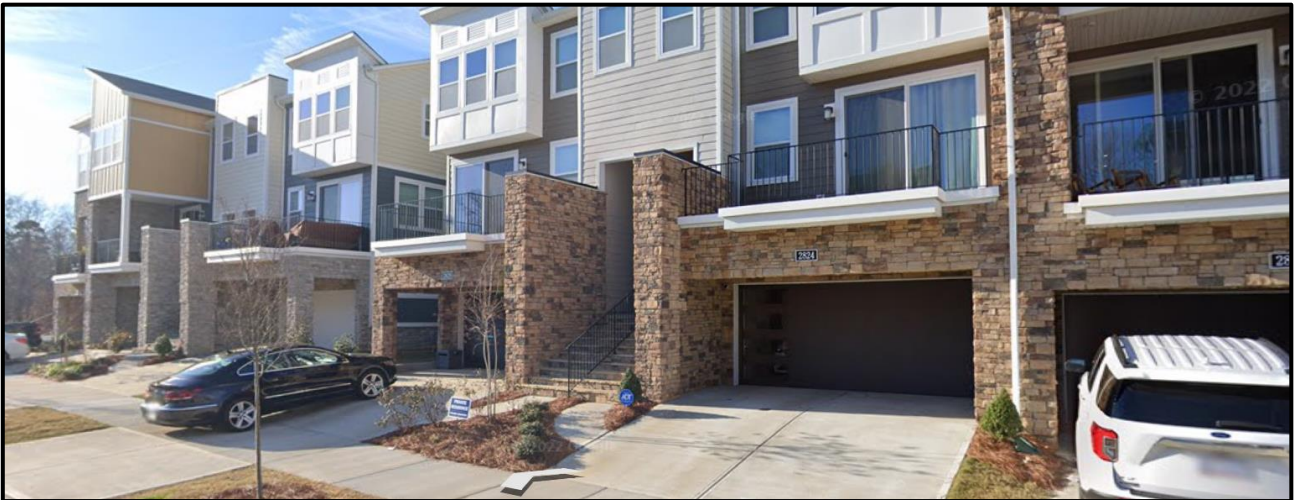


The subject property is denoted with a red star.





The property to the west along Mallard Creek Road is developed with single family homes in the Mallard Trace Subdivision.



The property to the east on Ensemble Court is developed with townhomes.



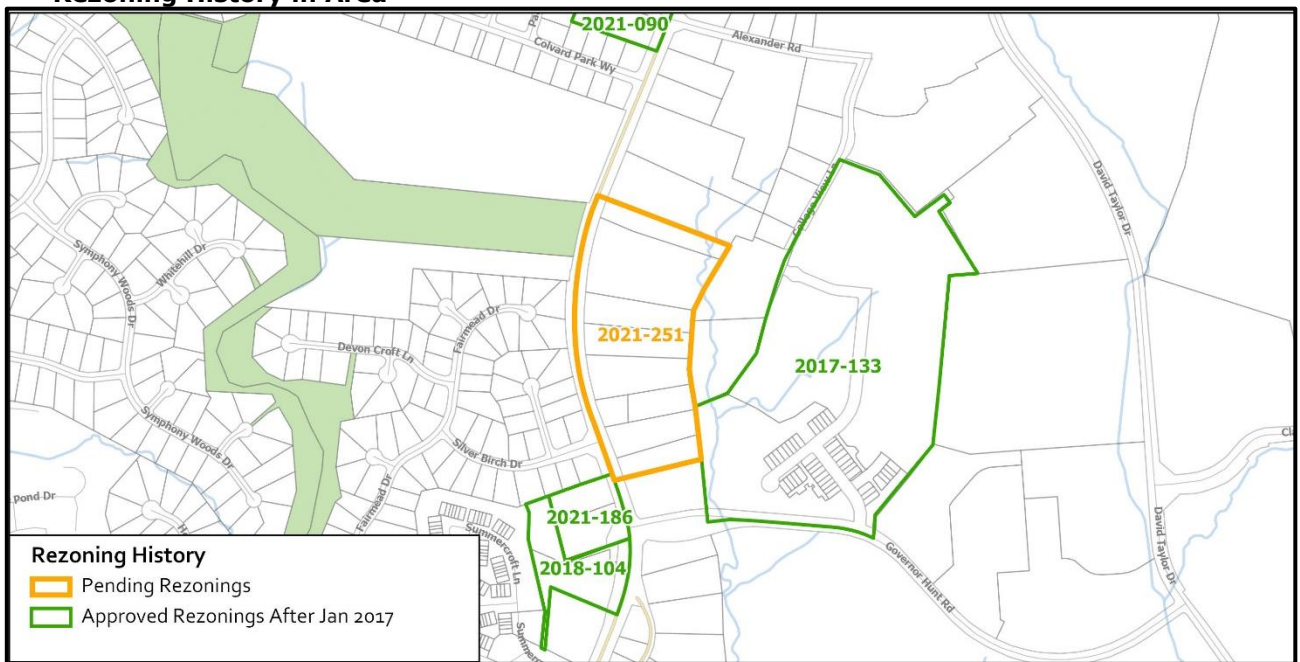
The property to the south at Mallard Creek Road and Governor Hunt Road is vacant.





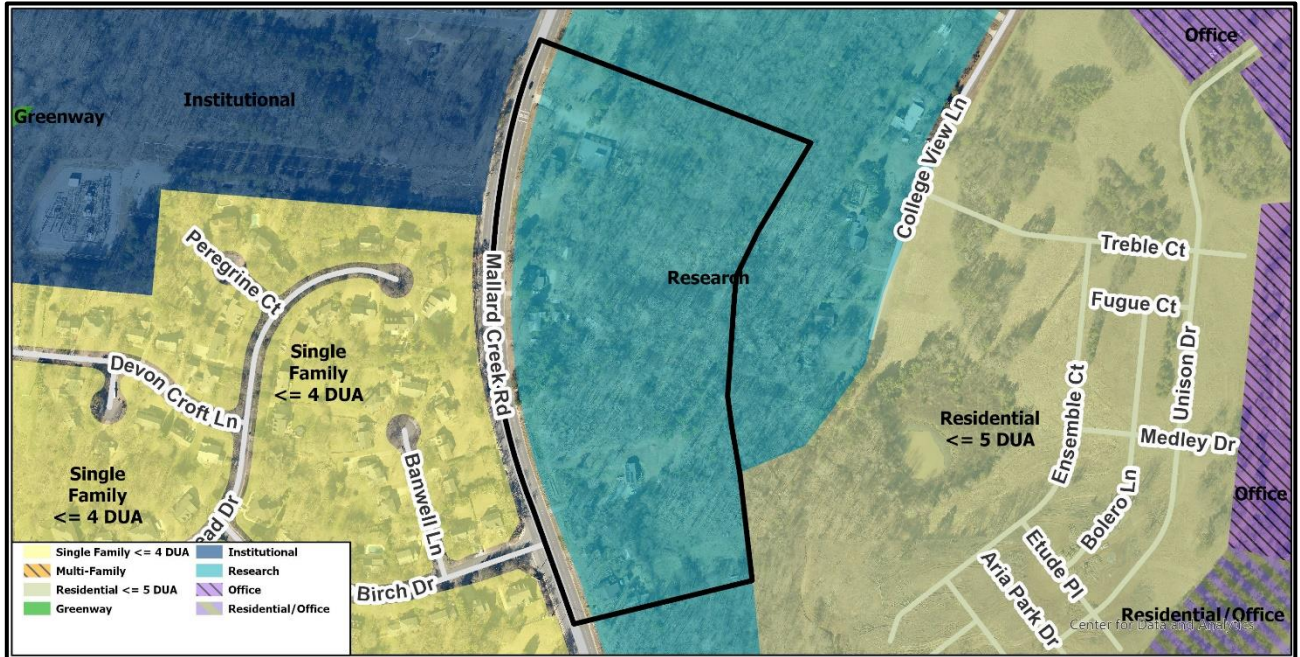
The property to the north along Mallard Creek Road is developed with single family homes.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-133	Rezoned 38 acres to allow up to 167 townhome units.	Approved
2018-104	Rezoned 3.25 acres to allow additional uses on a site currently used as a large day care facility.	Approved
2021-090	Rezoned 4.18 acres to allow up to 33 townhome units.	Approved
2021-186	Rezoned 2.84 acres to allow up to 22 townhome units.	Approved

- **Public Plans and Policies**



- The *Northeast District Plan* calls for research related land uses at this site.
- 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 23 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 23 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	4
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 14</b>	<b>Total Points: 14</b>

- **TRANSPORTATION SUMMARY**

- The petition is located east of Mallard Creek Road, a State-maintained major thoroughfare and north of Governor Hunt Road, a City-maintained minor thoroughfare. A Traffic Impact Study (TIS) is not necessary for the complete review of this petition due to the site generating less than 2,500 daily trips. CDOT has coordinated with the developer to provide right-of-way dedication on Mallard Creek Road, turn lane improvements at the site driveways, and a 12-foot multi-use path along Mallard Creek Road. All outstanding CDOT comments have been addressed
- **Active Projects:**
- Centene Development
  - This private land development project is located south of Governor Hunt Road and east of Mallard Creek Road.
  - The project is proposing roadway and signal improvements at the intersection of Mallard Creek Road and Governor Hunt Road.
- **Transportation Considerations**
  - See Outstanding Issues, Note 1 Addressed
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 155 trips per day (based on 6 single family dwellings and 4,386 square-foot church).
    - Entitlement: 440 trips per day (based on 39 single family dwellings).
  - Proposed Zoning: 1365 trips per day (based on 295 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:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 20 students, while the development allowed under the proposed zoning may produce 36 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 16 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Mallard Creek Elementary from 76% to 79%.
    - Ridge Road Middle remains at 115%.
    - Mallard Creek High from 122% to 123%.
- **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](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 to show and label SUE on site plan located at 2 ft behind back of multi-use path along Mallard Creek Road.~~ Addressed

**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

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







## Goals Relevant to Rezoning Determinations









### Rezoning Petition # 2021-251

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
	<b>Goal 1: 10- Minute Neighborhoods</b> 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.	X
	<b>Goal 2: Neighborhood Diversity &amp; Inclusion</b> 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.	X
	<b>Goal 3: Housing Access for All</b> 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.	X
	<b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b> 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.	N/A



	<p><b>Goal 5: Safe &amp; Equitable Mobility</b></p> <p>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><b>Goal 6: Healthy, Safe &amp; Active Communities</b></p> <p>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><b>Goal 7: Integrated Natural &amp; Built Environments</b></p> <p>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><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></p> <p>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><b>Goal 9: Retain Our Identity &amp; Charm</b></p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p><b>Goal 10: Fiscally Responsible</b></p> <p>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>