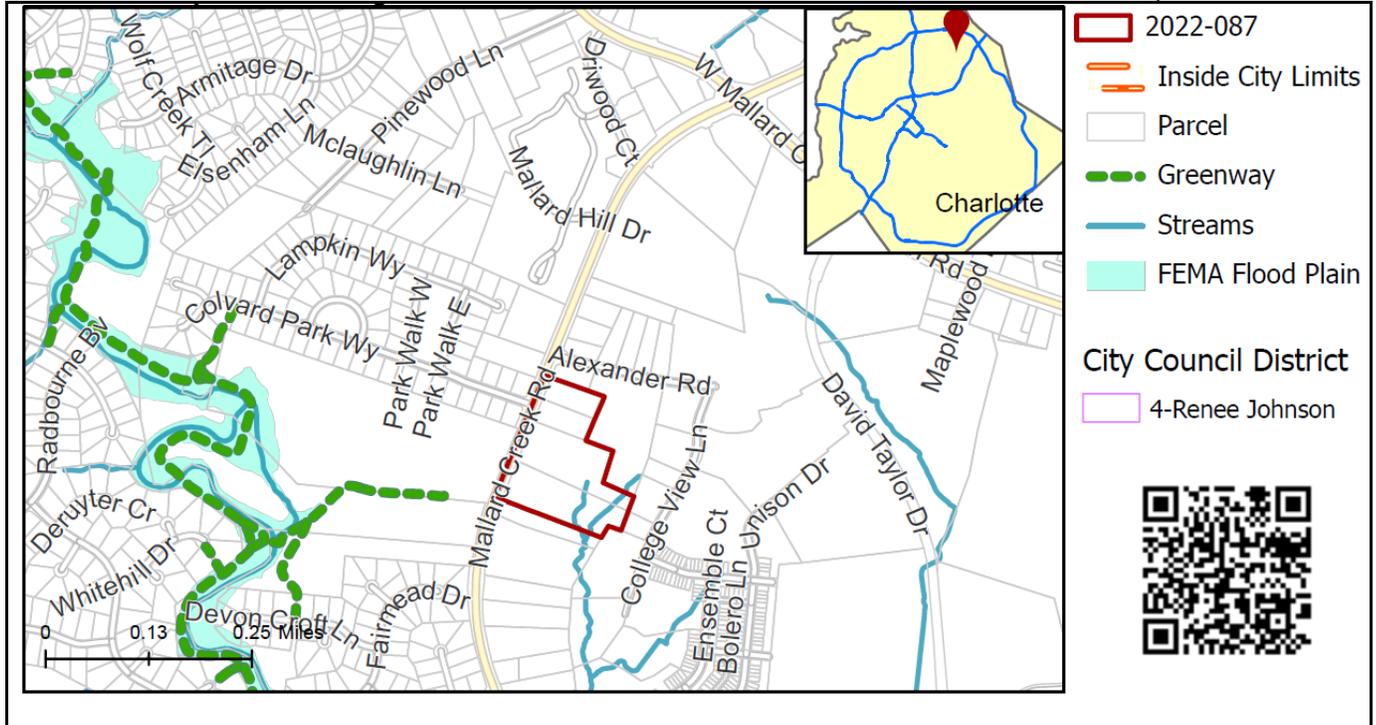


REQUEST

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

LOCATION

Approximately 11.65 acres located on the east side of Mallard Creek Road, north of Governor Hunt Road, and west of David Taylor Drive.



SUMMARY OF PETITION

The petition proposes a residential community of up to 283 multifamily dwelling units together with accessory uses permitted in the UR-2 zoning district.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

John Harvey Alexander & Clyde M. Alexander et al
Appaloosa Real Estate Partners
Bridget Grant, Moore & Van Allen, 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

- The petition would add to the variety of housing options in the area.
- This petition proposes a 50-foot class C buffer along all sides of the property adjacent to single family and low density lots.
- The petition commits to enhanced building design features such as usable porches and/or stoops for the townhome buildings on the site.
- This petition proposes a minimum of 5000 square feet of improved open space at a location central and convenient to future residents to include at

least three of the following: pool area, walking paths, landscaping, or seating areas.

- The petition commits to providing an 8-foot planting strip and 12-foot shared use path along the site's frontage along Mallard Creek Road.
- The increased density proposed by this petition could be supported by the existing bus service along Mallard Creek Road.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

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.

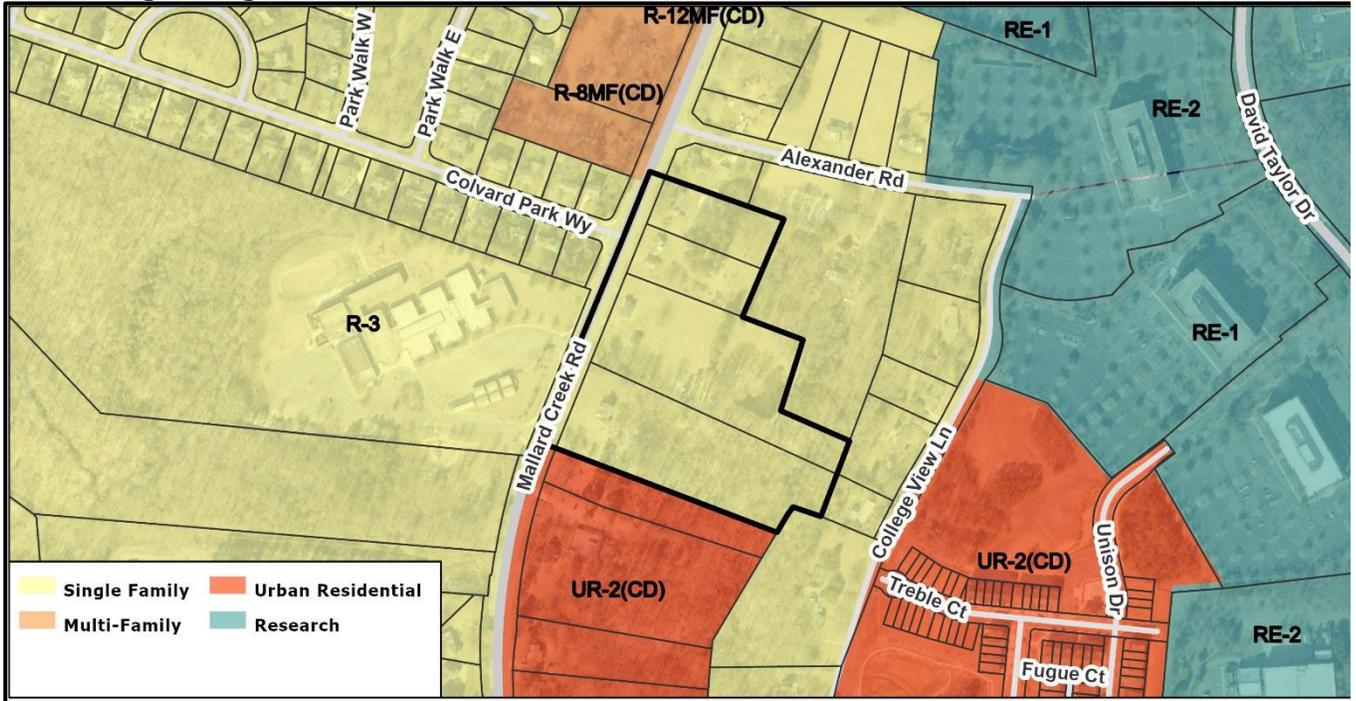
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows of up to 283 multifamily dwelling units.
- Provides an 8-foot planting strip and a 12-foot multiuse path along the site's frontage along Mallard Creek Road.
- Dedicates 50-feet of right-of-way from the centerline of Mallard Creek Road.
- Provides access to the southern portion of the site will be right-in, right-out only and access to the northern portion of the site at Colvard Park Way will be a full movement intersection.
- Provides an ADA compliant bus stop on Mallard Creek Road.
- Commits to a 50-foot Class C buffer to abutting single family properties.
- Provides a 5,000 square feet of improved open space with at least 3 of the following elements: pool area, walking paths, landscaping, seating areas.
- Provides architectural standards including building materials.
- Provides walkways to connect all residential entrances to sidewalks along public and private streets.
- **The Petitioner shall contribute \$50,000 to the City for transportation and multi-modal improvements at the intersection of Mallard Creek Church Road and David Taylor Drive or other transportation improvements in the Mallard Creek Road area.**

• **Existing Zoning**



- The property is zoned R-3. The surrounding land use includes single family, Mallard Creek Elementary School, multi-family, office, and commercial uses.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single family residential)	N1-A (neighborhood 1-A)	N1 (neighborhood 1)



The subject property is denoted with a red star.



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



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

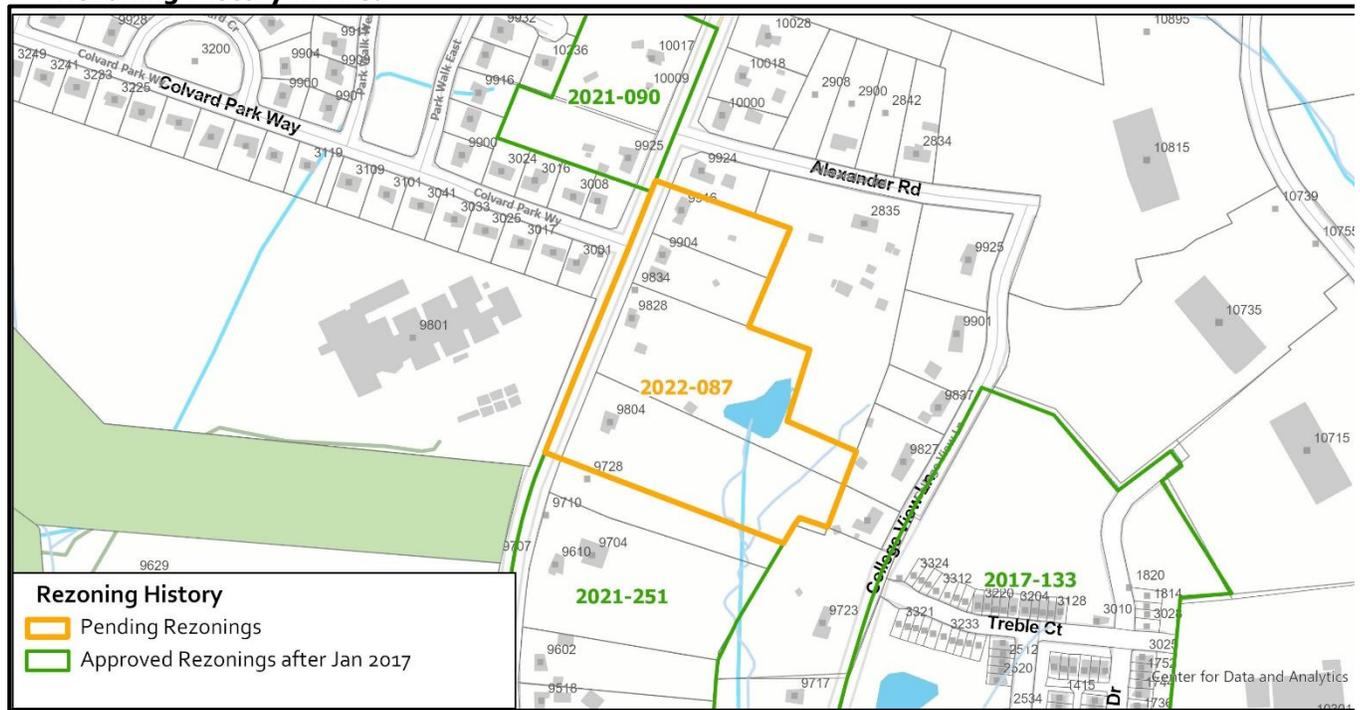


The property to the south along Mallard Creek Road is a church and school.



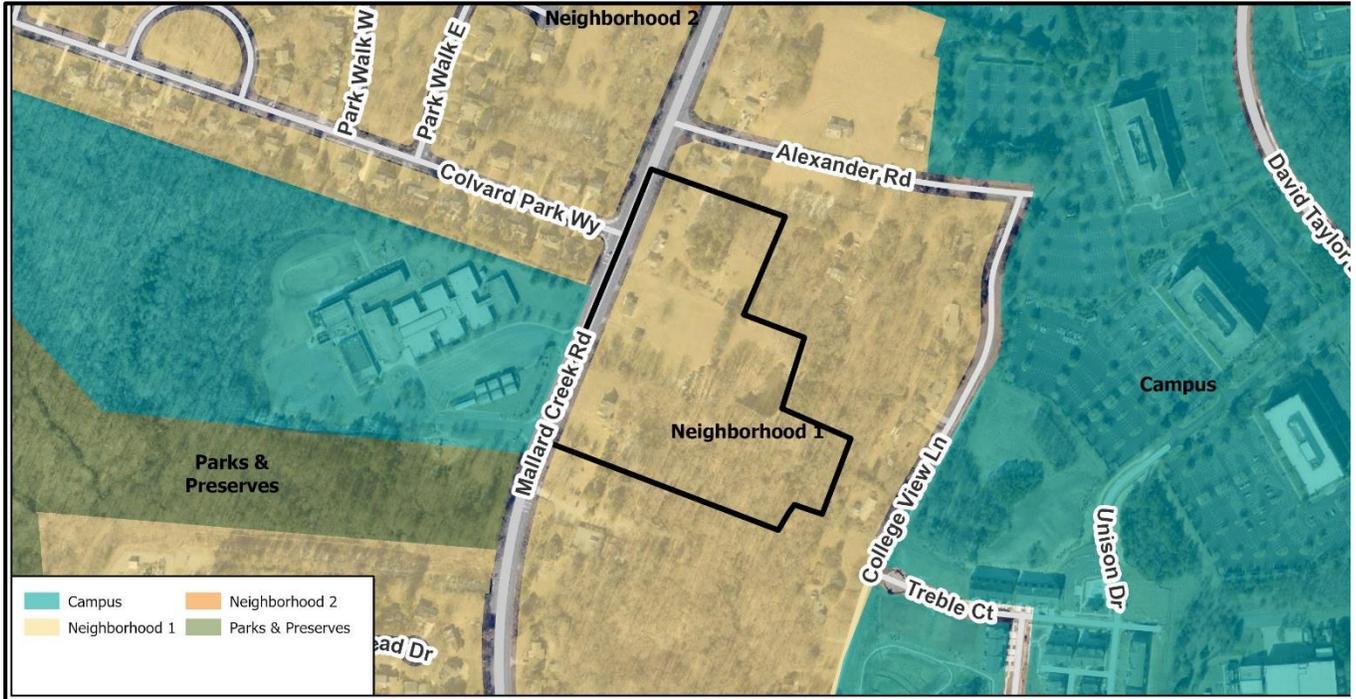
The property to the east along College View Lane is developed with single family homes.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-133	Rezoned 38.0 acres to allow up to 167 townhomes for sale.	Approved
2021-090	Rezoned 4.18 acres to allow up to 33 townhome units.	Approved
2021-251	Rezoned 13.08 acres to allow up to 295 multifamily units.	Approved

• **Public Plans and Policies**



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

• **TRANSPORTATION SUMMARY**

- The petition is located on the east side of Mallard Creek Road, a State-maintained major throughfare south of Alexander Road, a City-maintained local road. A Traffic Impact Study (TIS) is not needed for this site. Petitioner committed to constructing Private Street A and Private Street B as public roads, installing a 12-foot multi-use path and 8-foot planting strip along Mallard Creek Road, and coordinating access changes during permitting. CDOT has no outstanding issues.

• **Active Projects:**

- N/A

• **Transportation Considerations**

○ See Outstanding Issues, Notes 1-5 - Addressed

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 35 trips per day (based on 4 single family units).

Entitlement: 355 trips per day (based on 32 single family units).

Proposed Zoning: 1,305 trips per day (based on 283 multifamily, single family attached 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:** Development allowed with the existing zoning could generate 16 students, while development allowed with the proposed zoning may produce 34 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 18 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 78%.
 - Ridge Road Middle from 115% to 116%.
 - Mallard Creek High remains at 122%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution mains located in Mallard Creek Road. Charlotte Water has

sanitary sewer system infrastructure accessible for the rezoning boundary via existing 12-inch gravity sewer main located in Mallard Creek Road. See advisory comments at www.rezoning.org

- **Erosion Control:** No outstanding issues.
- **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:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES

Transportation

1. ~~Private Street A and Private Street B will both need to be public streets per coordination with subdivision. Remove all references to private access easements for Private Streets A and B.~~
Addressed
2. ~~Modify median to ensure full movement for development adjacent can be retained from parcels 04715225 and 04715210. What is being proposed will create a change of access for the development adjacent to property.~~ **Addressed**
3. ~~Either remove conditional note L or add as approved by NCDOT/CDOT at the end.~~ **Addressed**
4. ~~Remove word "potential" on callout for right turn lanes at site accesses. This is an NCDOT requirement. Add conditional note regarding right turn lanes at each site access. Label and dimension right turn lanes.~~ **Addressed**
5. ~~Remove "assuming NCDOT approval" on callout for 12-foot multi-use trail.~~ **Addressed**

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Michael Russell (704) 353-0225