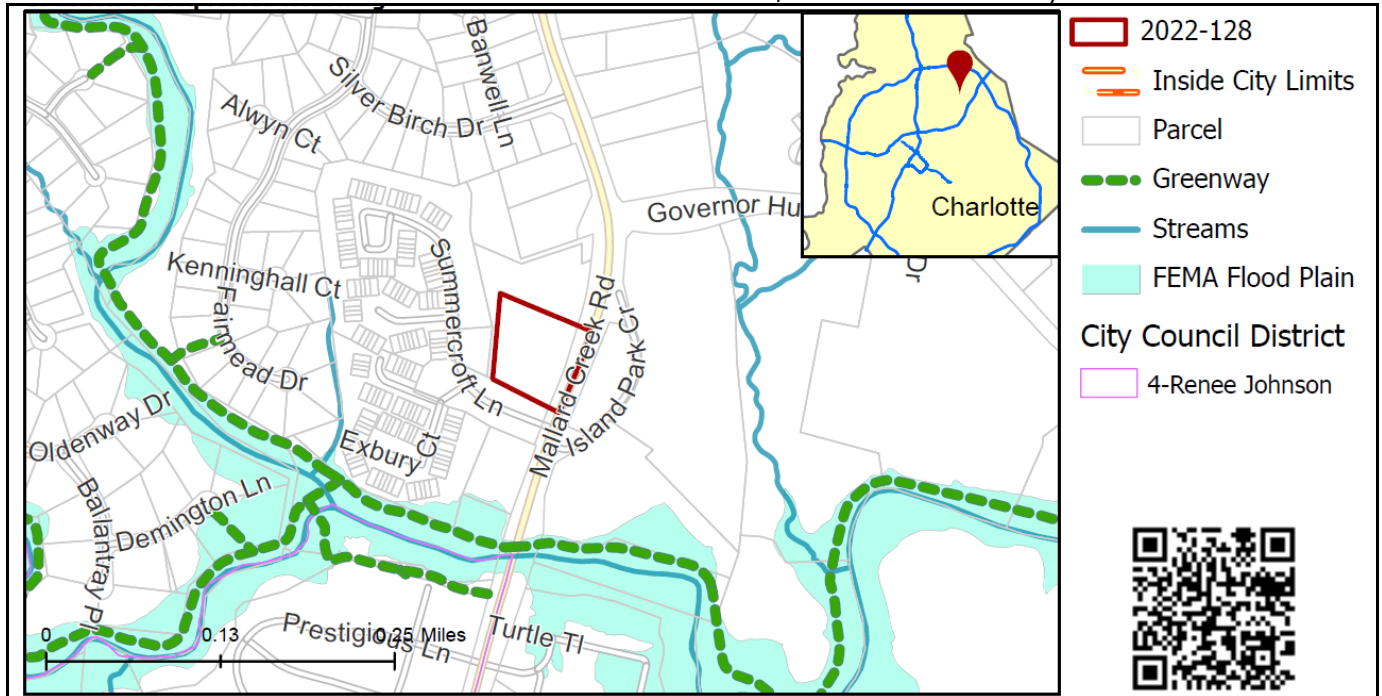


**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

**LOCATION**

Approximately 2.05 acres located on the west side of Mallard Creek Road, south of Silver Birch Drive, and west of David Taylor Drive.



**SUMMARY OF PETITION**

The petition proposes the redevelopment of a parcel with 16 townhomes. The parcel is current developed with one single family home.

**PROPERTY OWNER**

Value Investments Capital, LLC

**PETITIONER**

Kinger Homes, LLC

**AGENT/REPRESENTATIVE**

Dhanesh Kumar, Kinger Homes, LLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 5

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Neighborhood 1.

Rationale for Recommendation

- Fronting Mallard Creek Road, a major thoroughfare, and sharing boundaries with existing multi-family uses and zoning, this is an ideal location for infill development on a site that is generally underutilized.
- The petition proposes up to 16 townhome units at a density slightly below 8 dwelling units per acre. The adjacent townhome development to the west, has a density just below 14 dwelling units per acre. This petition proposes similar land uses to the neighboring development but at a scale that allows for ample open space on the site.
- The proposal commits to an a sizable 40' rear yard on its western boundary against the townhome development, and 20' side yards along the rezoning's northern and southern boundaries.

- The application of the Neighborhood 2 Place Type is appropriate for this site given the bordering Neighborhood 2 and Neighborhood 1 Place Types, the frontage along a major thoroughfare, and the general mix of compatible uses already present in the area, including the multi-family and institutional uses abutting the site.
- If approved, this petition would improve the site's pedestrian infrastructure with the installation of a 12' multi-use path 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 Neighborhood 1 to Neighborhood 2 for the site.

## PLANNING STAFF REVIEW

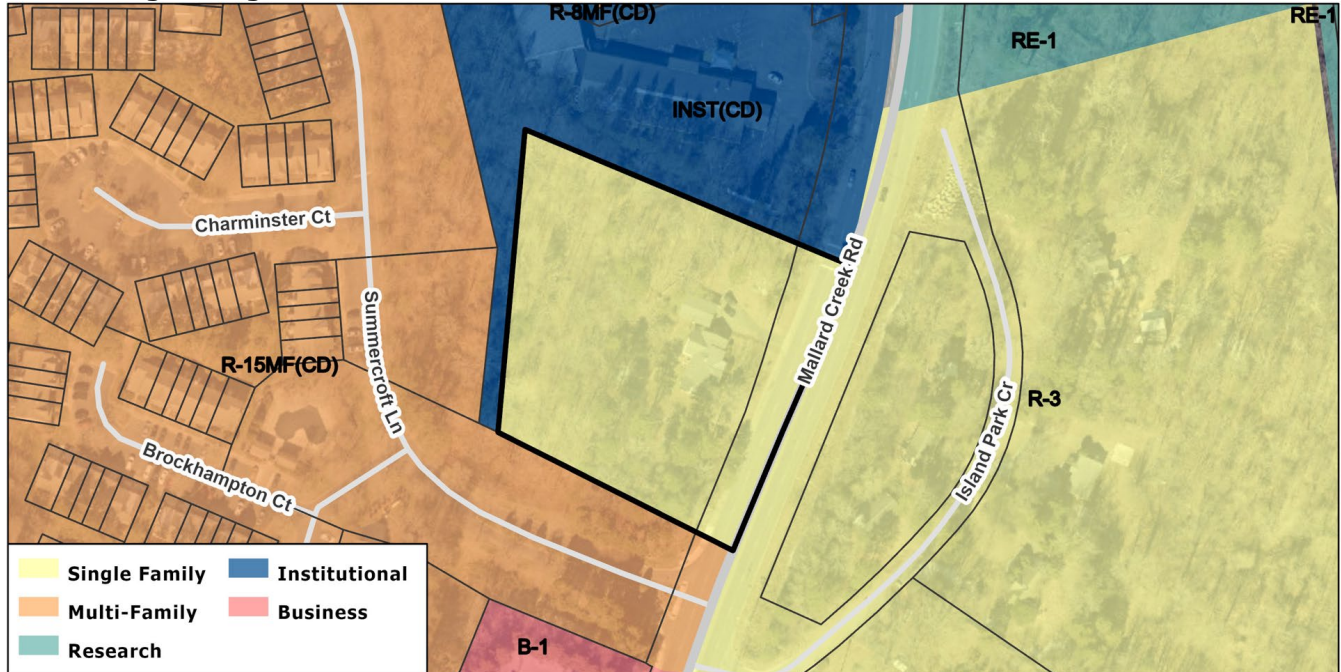
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes up to 16 townhome units with no more than 5 units per building.
- Provides a 30' setback along Mallard Creek Road, a 40' rear yard, and 20' side yards.
- Dedicates a minimum of 50% of the site to open space.
- Dedicates 15% of the site to tree save.
- Provides access to the site from Mallard Creek Road and will construct internal private drives for individual unit access.
- Commits to a 12' multi-use path and 8' planting strip along Mallard Creek Road **extending down to Summerville Lane**, and 5' sidewalks along the internal private drives. Each residential entrance will have a walkway connection to a sidewalk.
- Lighting fixtures will be fully capped and shielded with a maximum height of 21' for freestanding fixtures.
- **Commits to install an ADA compliant bus stop.**
- Commits to provide a 2-car garage in each unit.
- Provides architectural details committing to primary building materials, usable porches and stoops, raised residential entrances, pitched roofs, garage door treatments, and individual unit walkways.

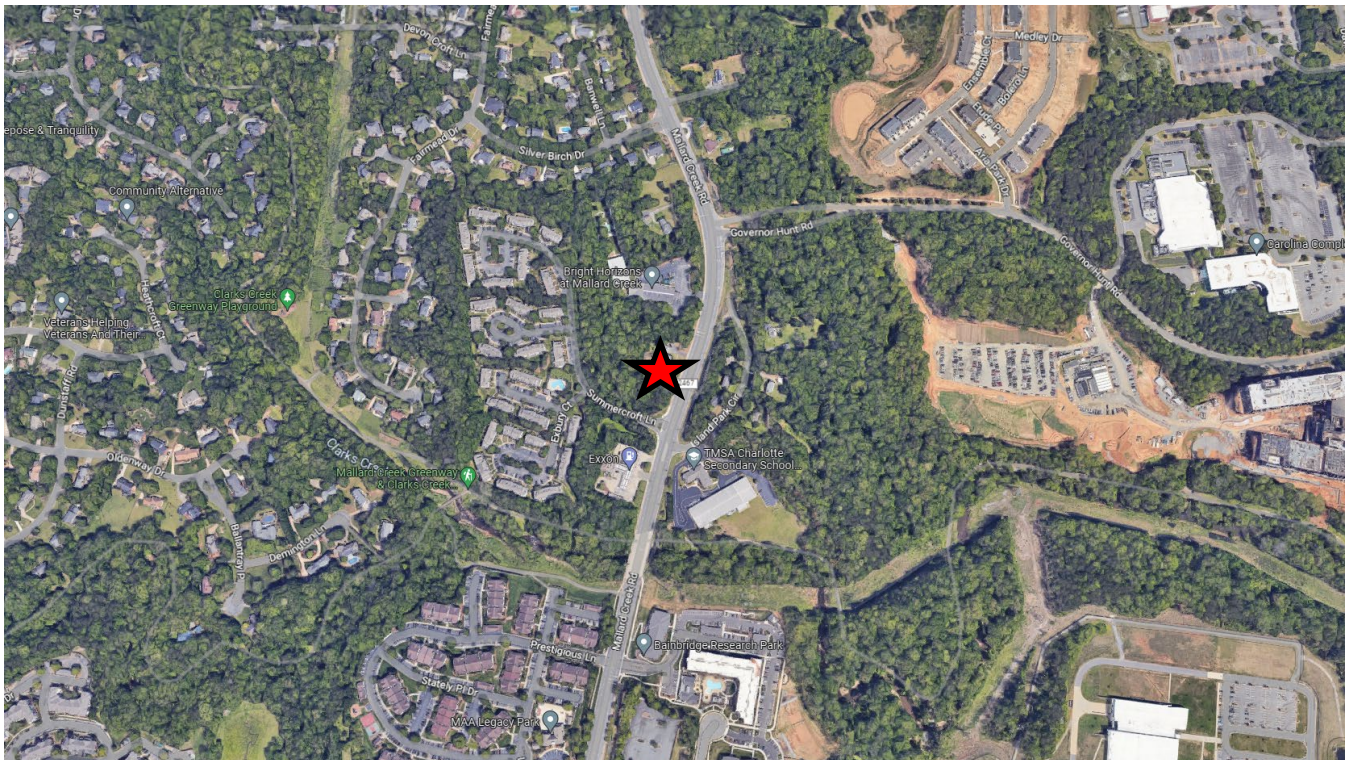


- Existing Zoning**



- The site is currently zoned R-3 and is in an area with R-15MF(CD), INST(CD), B-1, R-3, and RE-1 zoning.

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



- The subject site is denoted with a red star and is in an area with multi-family residential, single family residential, open space, institutional, office, commercial, and warehouse uses.





- North of the site is a preschool.



- East of the site are several single family homes.



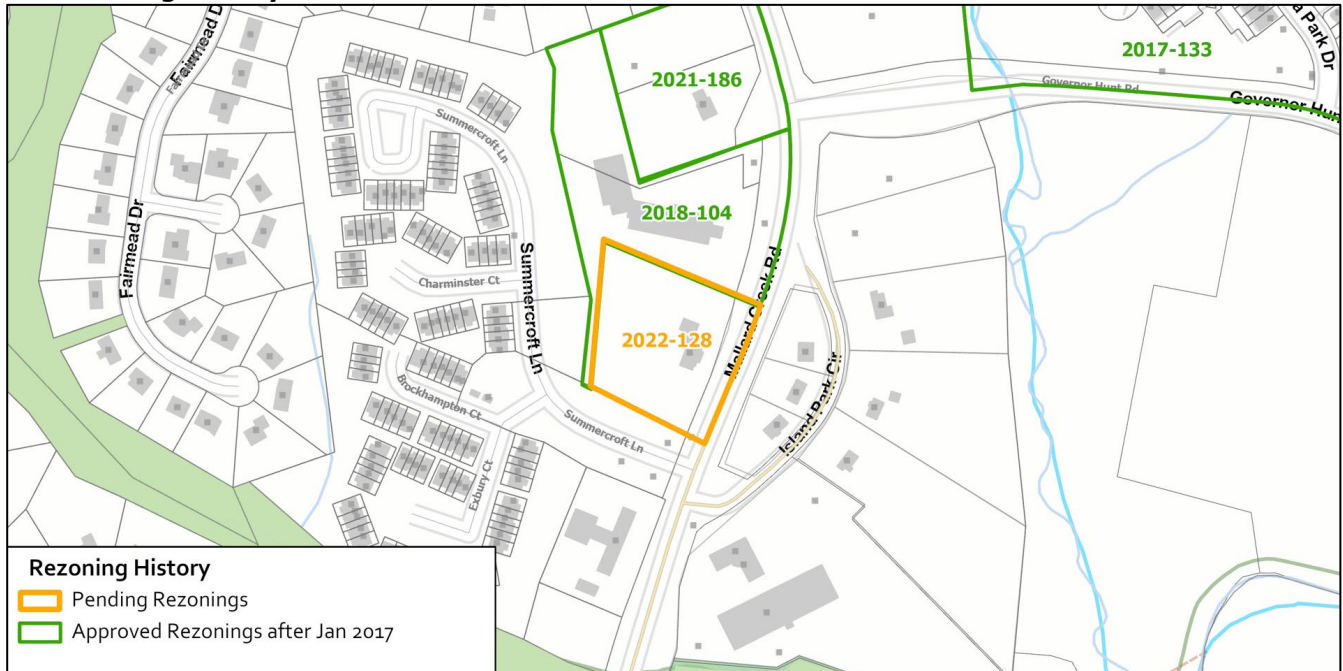
- South of the site is a gas station facility with a car wash and convenience store.





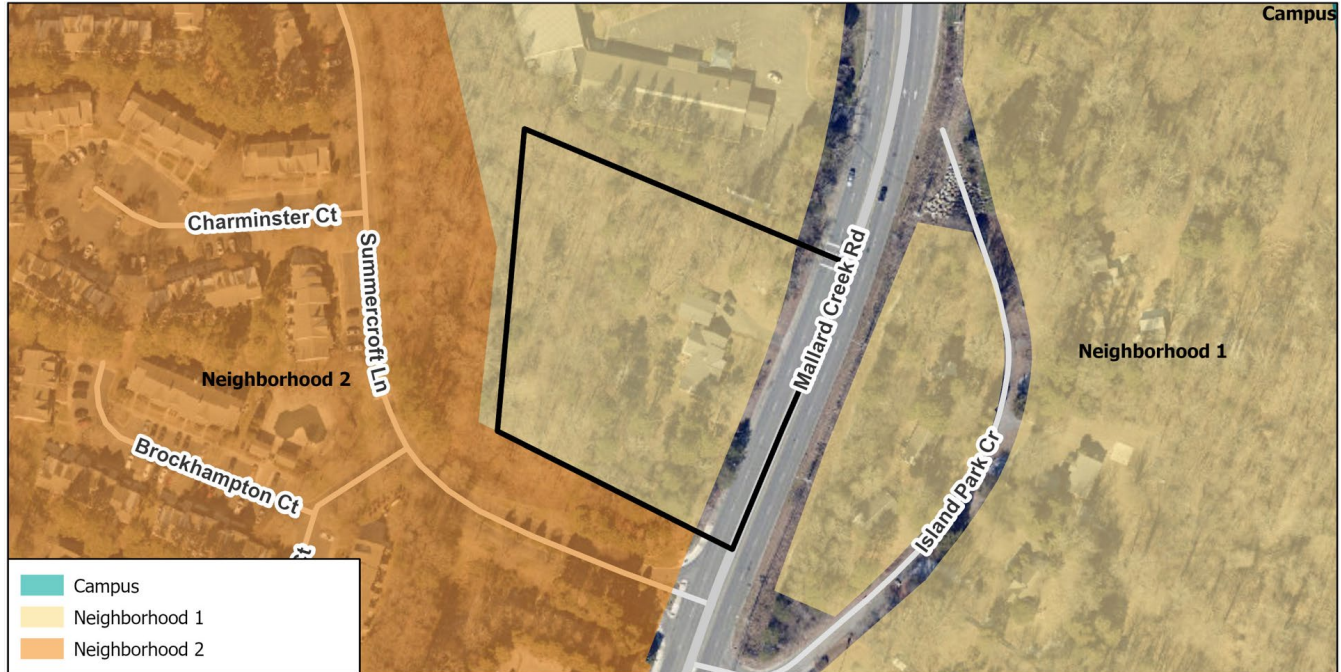
- West of the site is a townhome community (no street view image available).

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-133	Rezoned 38 acres from RE-1 to UR-2(CD).	Approved
2018-104	Rezoned 3.25 acres from INST(CD) to INST(CD) SPA.	Approved
2021-186	Rezoned 2.84 acres from R-3 to R-8MF(CD).	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Neighborhood 1.

- **TRANSPORTATION SUMMARY**

- The site is located on a State-maintained, major thoroughfare. A Traffic Impact Study (TIS) is not required for this site due to the site not generating 2500 daily trips. Site plan and/or conditional note revisions are needed to relocate the site entrance to towards the northern property line and/or provide conditional note revisions. CDOT request that streetscape is extended south to Summercroft lane.

- **Active Projects:**

- There are no active projects near the site.

- **Transportation Considerations**

- See Outstanding Issues, Notes 1, 2, 3. See Technical Revisions, Note 5 and 6.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family detached unit).

Entitlement: 80 trips per day (based on 6 single family detached units).

Proposed Zoning: 75 trips per day (based on 16 single family attached units).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See Outstanding Issues, Note 3.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **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 3 students, while development allowed with the proposed zoning may produce 3 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 0.
  - 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 77%
    - Ridge Road Middle at 115%
    - Mallard Creek High at 122%.
- **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. No outstanding issues.
- **Erosion Control:** No comments submitted.

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- **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 comments submitted.
  - **Stormwater Services Land Development Engineering:** No comments submitted.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry / City Arborist:** See Outstanding Issues, Note 4.

#### OUTSTANDING ISSUES

##### Transportation

- ~~1. Extend the proposed multi-use path to terminate at Summercroft Lane.~~ **Addressed**
- ~~2. Show Intersection Sight Distance (ISD) being met due to existing conditions along Mallard Creek Road or add conditional note that ISD will be required to be met during permitting.~~ **Addressed**
- ~~3. Per CATS request, add a conditional note committing to the construction of an ADA compliant bus stop.~~ **Addressed**

##### Environment

- ~~4. The minimum tree save width should be modified to 30' for protected tree save.~~ **Addressed**

#### REQUESTED TECHNICAL REVISIONS

##### Transportation

- ~~5. Remove the statement, "THE PETITIONER ALSO COMMITS TO CONSTRUCT A BICYCLE FACILITY ALONG THE 12-FT MULTI-USE PATH." The multiuse path will serve as a bicycle facility itself.~~ **Addressed**
- ~~6. In note C. under Transportation, add that the internal sidewalks will be 5' as shown on the site plan.~~ **Addressed**
- ~~7. Remove "unless otherwise stated herein" from conditional note E of the transportation conditions.~~ **Addressed**

##### Site and Building Design

- ~~8. Clarify in the conditional notes how the open space requirement is being met whether through private open space, common open space, or a combination.~~ **Addressed**

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Holly Cramer (704) 353-1902