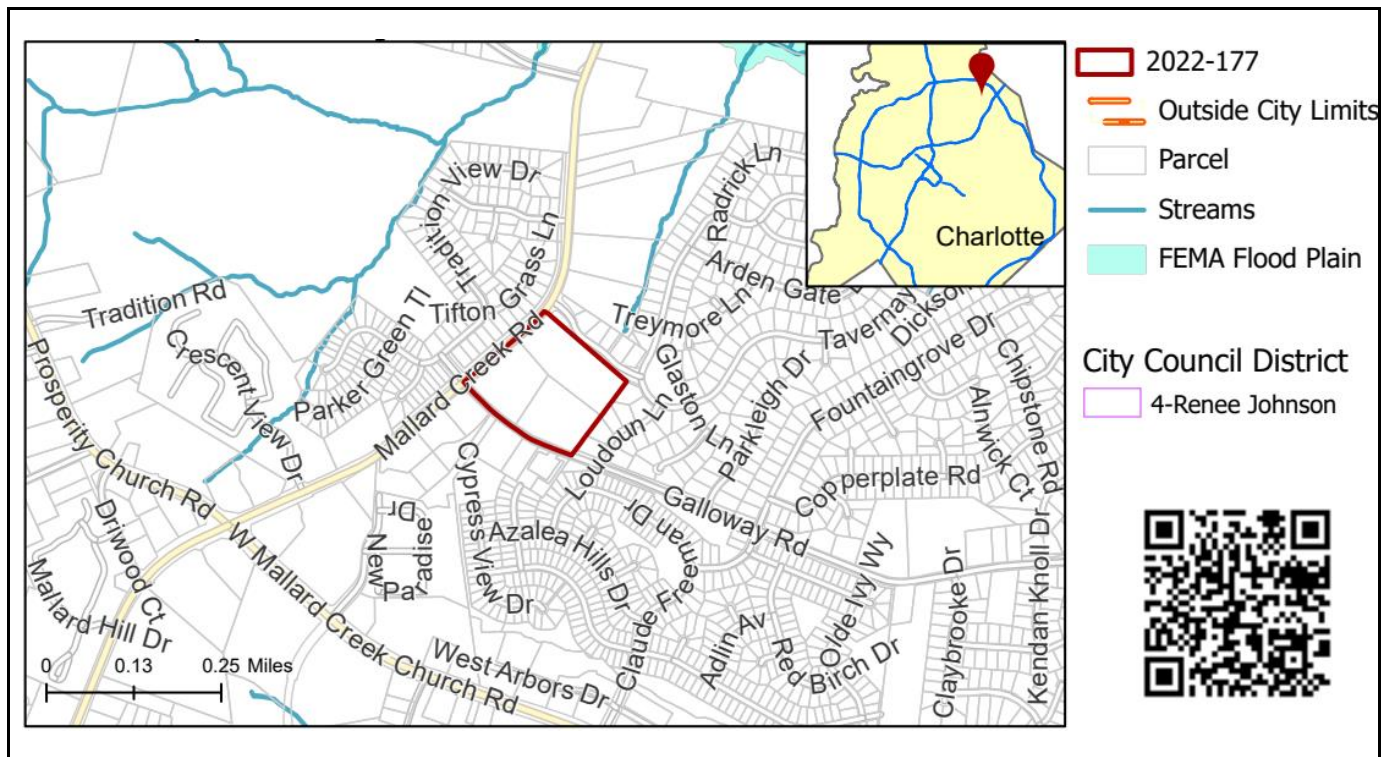


REQUEST

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

LOCATION

Approximately 15.52 acres located at the southeast intersection of Mallard Creek Road and Galloway Road, west of Lexington Approach Drive.



SUMMARY OF PETITION

The petition proposes a residential community of up to ~~186~~ 156 multi-family attached townhome style dwelling units together with accessory uses.

PROPERTY OWNER

Dave Pina, Dave Kunal & Mohammed Almersal

PETITIONER

Appaloosa Real Estate Partners

AGENT/REPRESENTATIVE

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: (Delete if meeting is not required)

**STAFF
RECOMMENDATION**

Staff does not recommend approval of this petition in its current form.

Plan Consistency

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

Rationale for Recommendation

- The proposed form is not compatible with the Neighborhood 1 place type recommendation for single family uses, duplexes and triplexes.
- While the petition would add to the variety of housing in the area, the intense form and significant increase in density is not appropriate considering the surrounding context of single-family low density residential in the area.

- The proposed plan lacks sensitivity to the existing single-family neighborhoods.
- The proposed residential community of ~~186~~ 156 units would only be served by one existing bus line that runs along Mallard Creek Road.
- The proposed plan lacks sufficient street connectivity considering the number of units proposed.
- The access to amenities in the area lack the needed infrastructure to serve the significant increase in density proposed by this petition.
- 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.

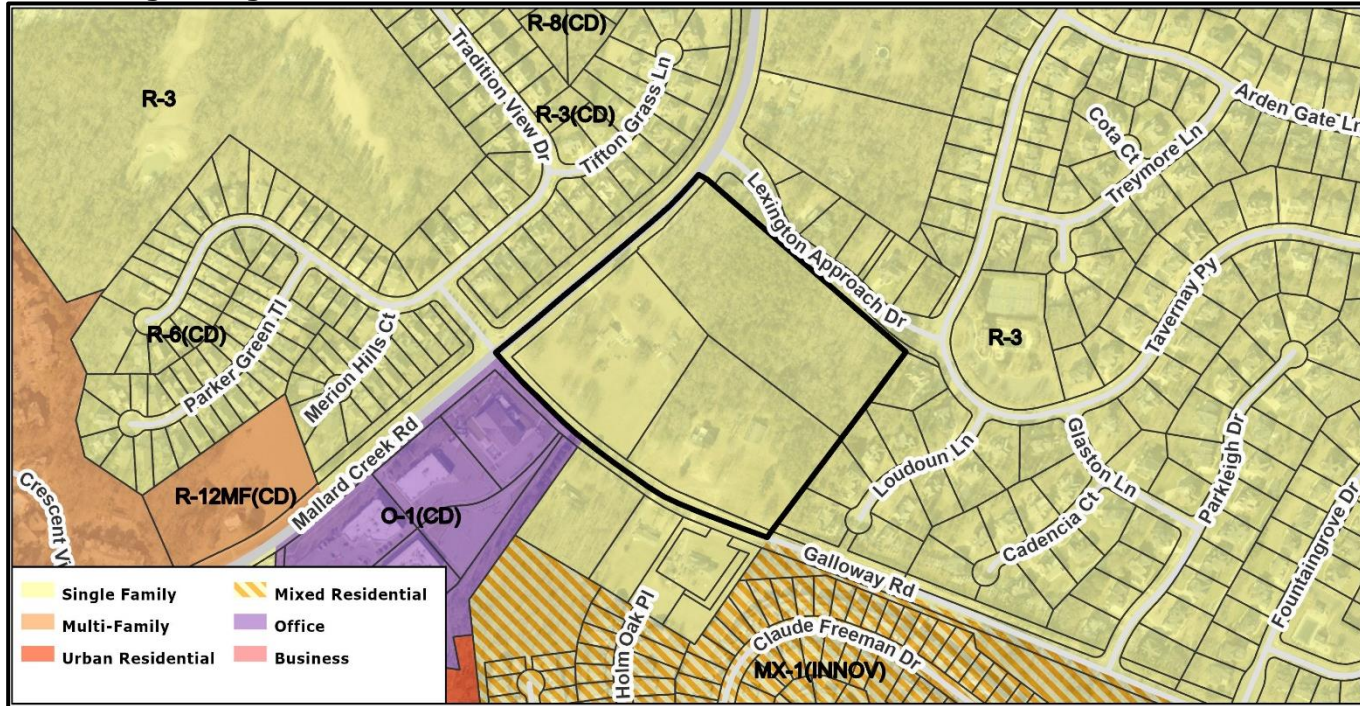
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to ~~186~~ 156 for sale rent townhome style units.
- The residential uses shall be for sale with no more the 20% of the units shall be permitted for rent at any given time subject to the ability to increase above 20% in response to extenuating circumstances.
- Limits height to 40-feet.
- Limits the total number of principal buildings to ~~43~~ 41 buildings.
- Provides an 8-foot planting strip and 12-foot multi-use sidewalk along the Mallard Creek Road frontage and an 8-foot planting strip and 8-foot sidewalk along the Galloway Road frontage.
- Provides an ADA compliant bus pad along Mallard Creek Road.
- Provides access to the site from Mallard Creek Road and Galloway Road.
- Commits to a 30-foot setback from the future back of curb along Mallard Creek Road and Galloway Road.
- Provides useable common open space throughout the site.
- Provides walkways to connects all entrances to sidewalks along public and private streets.
- Provides architectural standards including building materials.
- Proposes a 6-foot-tall privacy fence along the north and east property lines of the site.
- Proposes 8 potential visitor parking spaces.
- Principal buildings will have front facades with brick accents.
- Limits units to no more than 4 units in a building.
- Increased distance of units from the property lines.

- Existing Zoning**



- The surrounding land uses include single family homes, medical offices, daycare center, and other commercial uses.

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



The subject property denoted with a red star.



The property to the north of Mallard Creek Road on Tradition View Drive is developed with single family homes.

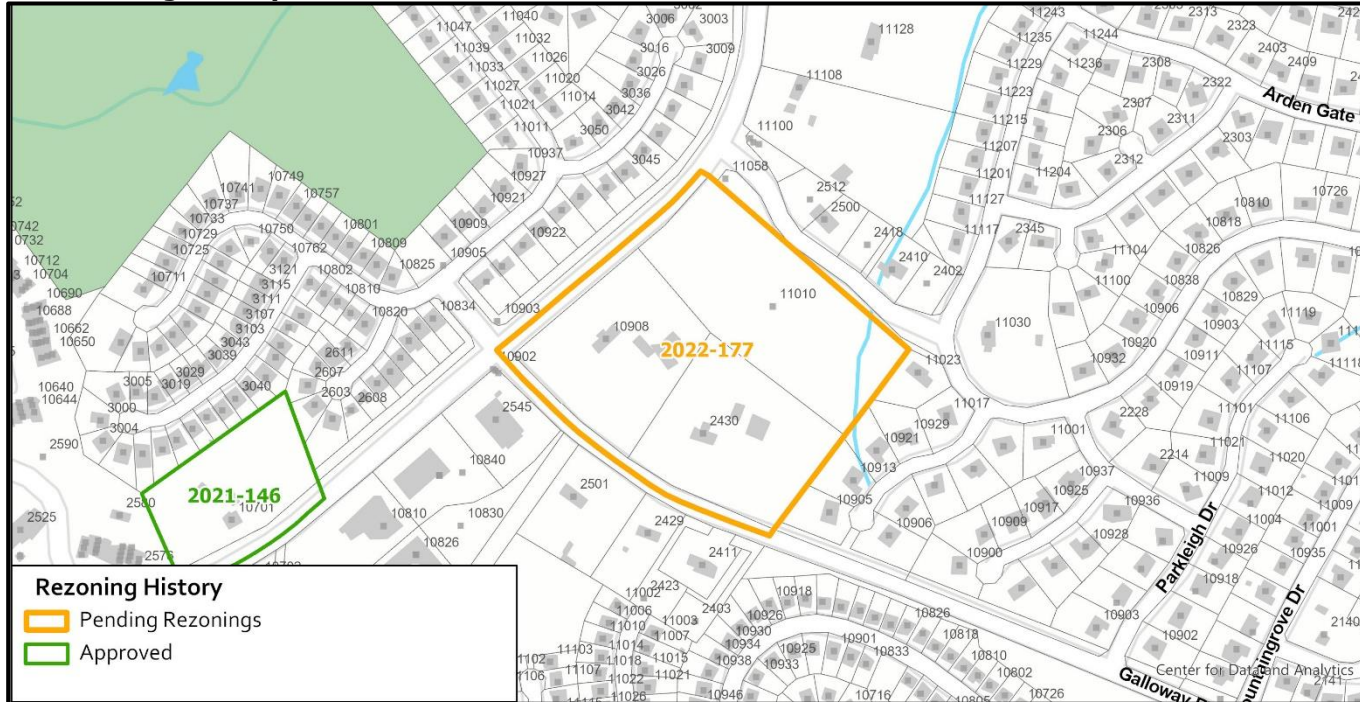


The property to the south along Mallard Creek Road is developed with medical offices and clinics.



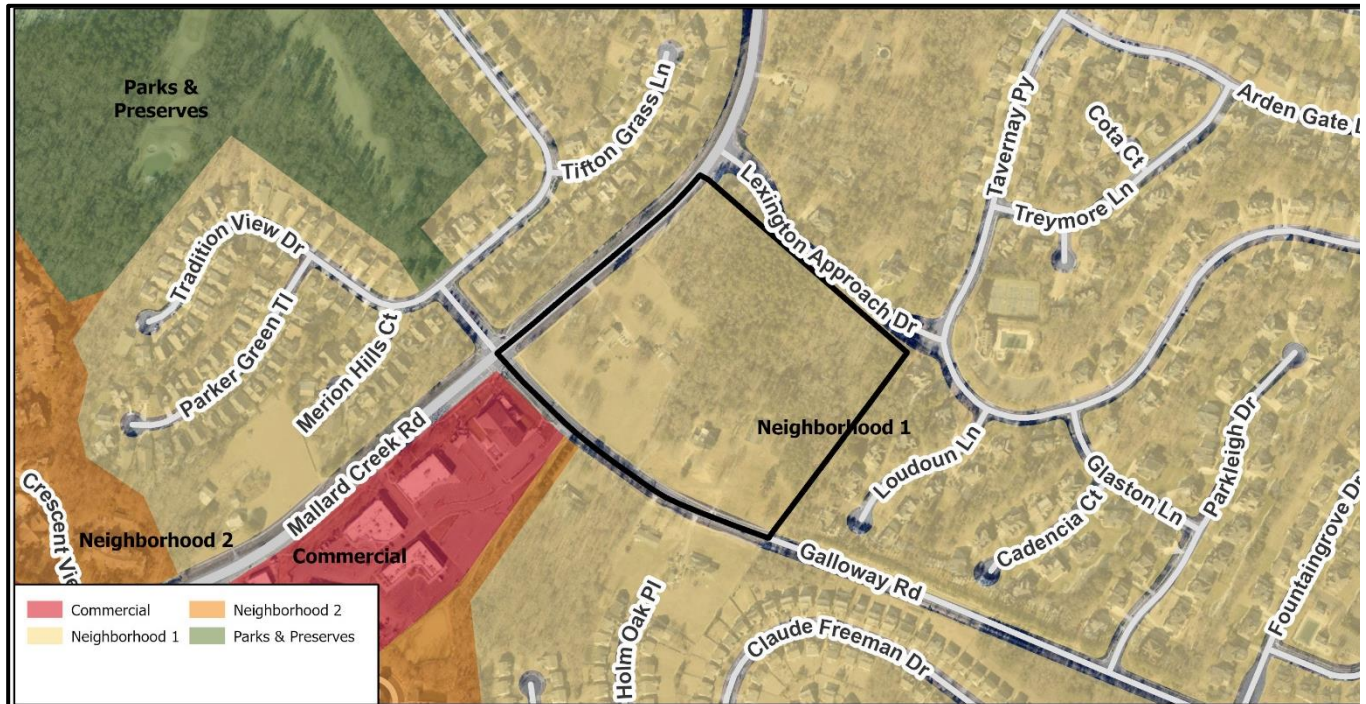
The property to the west is single family homes of the Lexington community.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2021-146	Rezoned 3.70 acres to allow up to 34 townhome 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 north of Galloway Road, a City-maintained minor collector. A Traffic Impact Study (TIS) is not required for this site due to the site generating less than 2,500 trips. Petitioner committing to constructing a dedicated right-turn lane into the site on Mallard Creek Road with 100-feet of storage. All outstanding CDOT comments have been addressed.

- **Active Projects:**
- N/A
- **Transportation Considerations**
 - ~~See Outstanding Issues, Note 1~~ Addressed
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 20 trips per day (based on 2 single family dwelling units).
 - Entitlement: 495 trips per day (based on 46 single family dwelling units).
 - Proposed Zoning: 1,370 trips per day (based on 186 single family attached 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:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 24 students, while development allowed with the proposed zoning may produce 33 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 9 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 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 16-inch water transmission main located along Mallard Creek Road, and existing 8-inch water distribution mains located on Lexington Approach Drive and Galloway Drive. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Galloway Drive and an existing 8-inch gravity sewer main located along Lexington Approach Drive. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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 by labeling internal public roadway as CLDSM U-03~~ Addressed

Site and Building Design

1. Reduce unit count and number of buildings with a mix of single family, duplexes, and triplexes to be consistent with the Neighborhood 1 place type.
2. Increase open space with amenities.
3. ~~Improve connectivity for portion of project south of the entry road off Mallard Creek Rd.~~ Addressed
4. Remove the note concerning the ability to increase rental units above 20% in response to extenuating circumstances.

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

Planner: Michael Russell (704) 353-0225