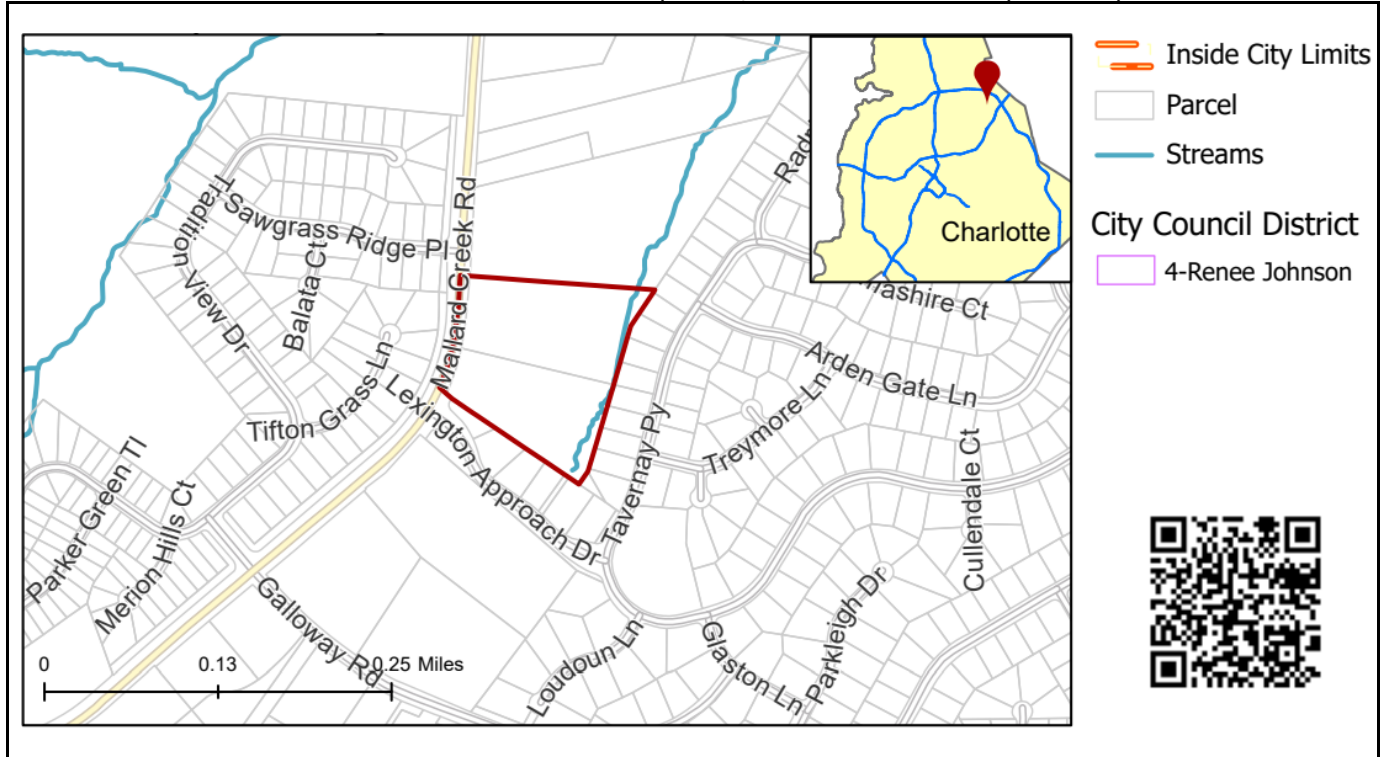


**REQUEST**

Current Zoning: N1-A (neighborhood 1-A)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 9.23 acres located on the east side of Mallard Creek Road, north of Galloway Road, and west of Tavernay Parkway.



**SUMMARY OF PETITION**

The petition proposes a residential community of up to 72 multi-family attached townhome style dwelling units together with accessory uses.

**PROPERTY OWNER**

Leon & Jennifer Chisolm

**PETITIONER**

Leon & Jennifer Chisolm

**AGENT/REPRESENTATIVE**

Anthony Fox, Parker Poe, LLP

**COMMUNITY MEETING**

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

**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

- 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 form is not compatible with the Neighborhood 1 Place Type recommendation for single family uses, duplexes and triplexes.
- The petition proposes to provide an 8-foot wide planting strip and 12-foot wide multi-use path along the site's frontage.

- This petition proposes one access point to the site on Mallard Creek Road and no potential connectivity for future development north of the project.
- The proposed residential community of 72 units would only be served by one existing bus line that runs along Mallard Creek Road with stops within a ¼ mile of the site.
- 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.

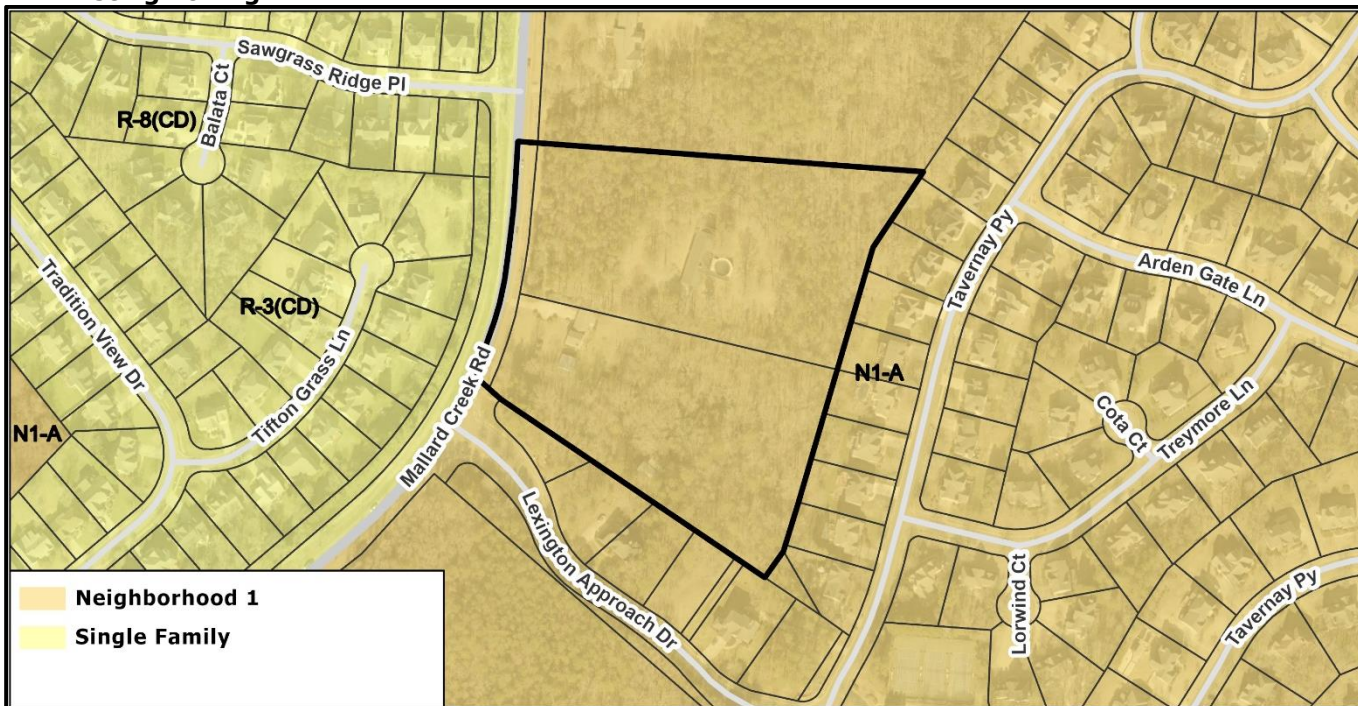
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

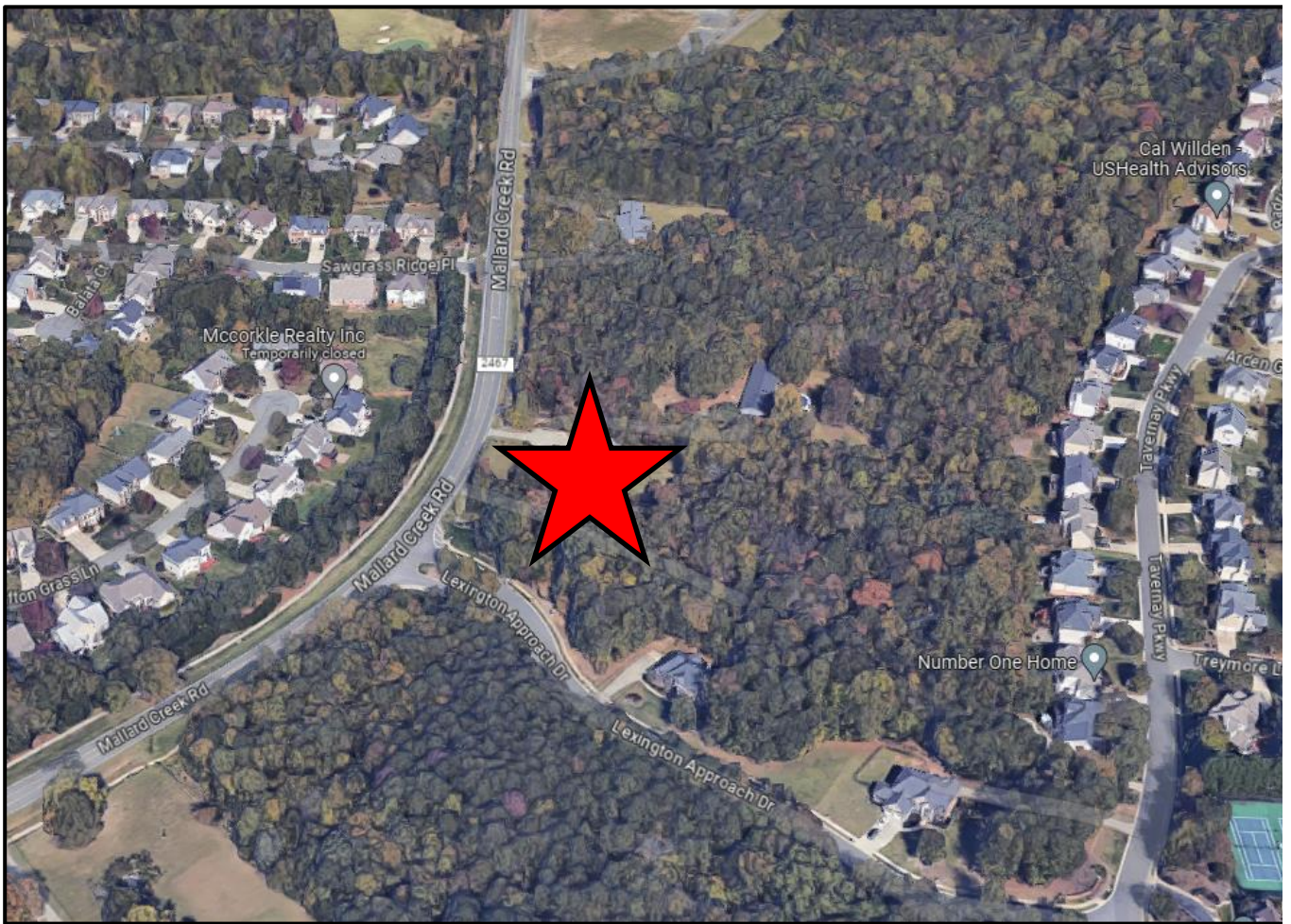
The site plan accompanying this petition contains the following provisions:

- Allows of up to 72 multi-family attached townhome style dwelling units.
- Provides an 8-foot wide planting strip and 12-foot wide multi-use path along the site’s frontage.
- Provides 1 access point into the site on Mallard Creek Road.
- Provides a right turn lane into the site with 100-feet of storage.
- The Petitioner shall provide a minimum of 21,000 square feet of usable common open space areas to be amenitized with benches, enhanced landscaping, or other similar amenities.
- Provides walkways to connects all entrances to sidewalks along all streets.
- Provides architectural standards including building materials.

• **Existing Zoning**



- The surrounding land use is single family homes and vacant land.



the subject property is denoted with a red star.



The property to the south along Lexington Approach Drive is developed with single-family homes.



The property to the east along Tavernay Parkway is developed with single-family homes.

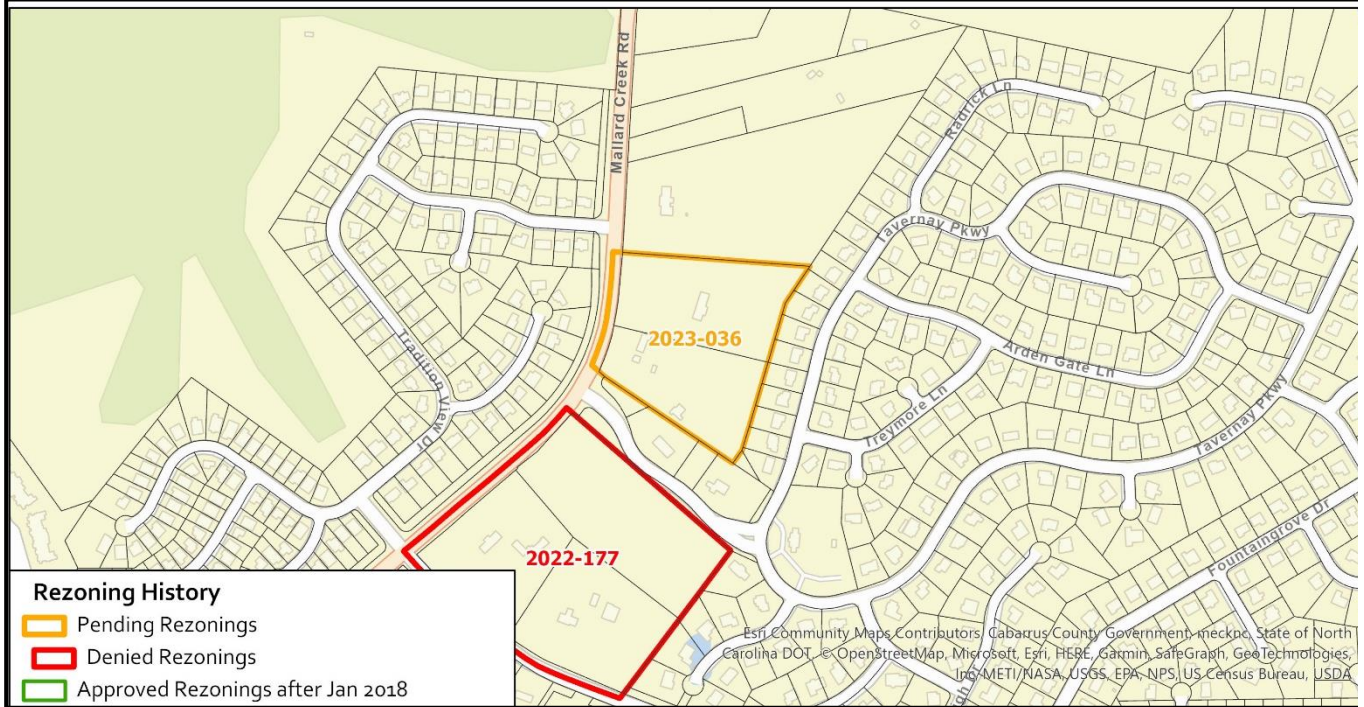


The property to the west across Mallard Creek Road is developed with single family homes.



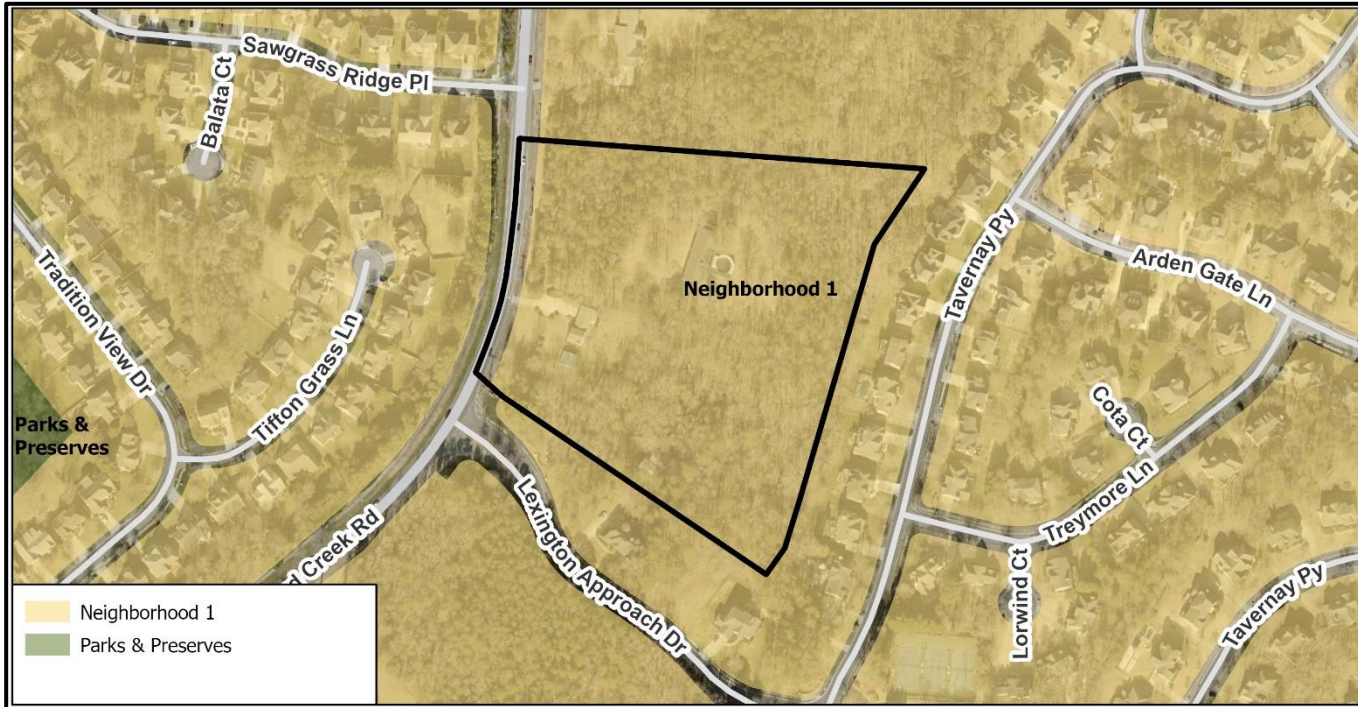
The property to the north along Mallard Creek Road is developed with single family homes.

**Rezoning History in Area**



Petition Number	Summary of Petition	Status
2022-177	Proposed to rezone 15.5 acres from N1-A to UR-2(CD) to allow up to 156 multi-family attached dwelling units.	Denied

**Public Plans and Policies**



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

**TRANSPORTATION SUMMARY**

- The site is located adjacent to Mallard Creek Road, a State-maintained major arterial, north of Lexington Approach Drive, a City-maintained local street. A Traffic Impact Study (TIS) is not required for this site due to the site generating less than 2500 daily trips. CDOT and NCDOT have coordinated with the petitioner to provide a 12-foot Shared-Use Path along the site’s frontage and

a dedicated Right Turn Lane into the site. The petitioner has also agreed to continue to coordinate with NCDOT STIP U-6028 during the permitting phase of the project. All outstanding CDOT comments have been addressed.

- **Active Projects:**
  - NCDOT STIP U-6028
    - Widen Mallard Creek to four lanes from Mallard Creek Church to Breezewood Drive.
    - ROW: 2027
    - Construction: 2030
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 20 trips per day (based on 2 single family detached dwelling units).
    - Entitlement: 305 trips per day (based on 27 single family dwelling units).
  - Proposed Zoning: 500 trips per day (based on 72 single family attached dwelling units).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See Outstanding Issues, Note 1
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 0 students, while development allowed with the proposed zoning may produce 13 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 13.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Mallard Creek Elementary remains at 79%.
    - Ridge Road Middle remains at 103%.
    - Mallard Creek High remains at 113%.
- **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. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest sewer gravity main is approximately 90 feet north of the rezoning boundary along Mallard Creek Road. A developer donated project will be required in cases there is not direct service 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. The site is served by CATS bus route #54. CATS requests the construction of ADA compliant bus standard detail 60.02A, 50 feet beyond the development entrance. The final location will be coordinated with the developer during the Land Development plan review process.
2. Site and Building Design
3. 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.
4. Limit architectural note 5 to a maximum of 3 units per building along Mallard Creek Road.
5. Provide visitor parking spaces.
6. Limit height to 40-feet.
7. Add a street connection to the parcel to the north.

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Michael Russell (704) 353-0225