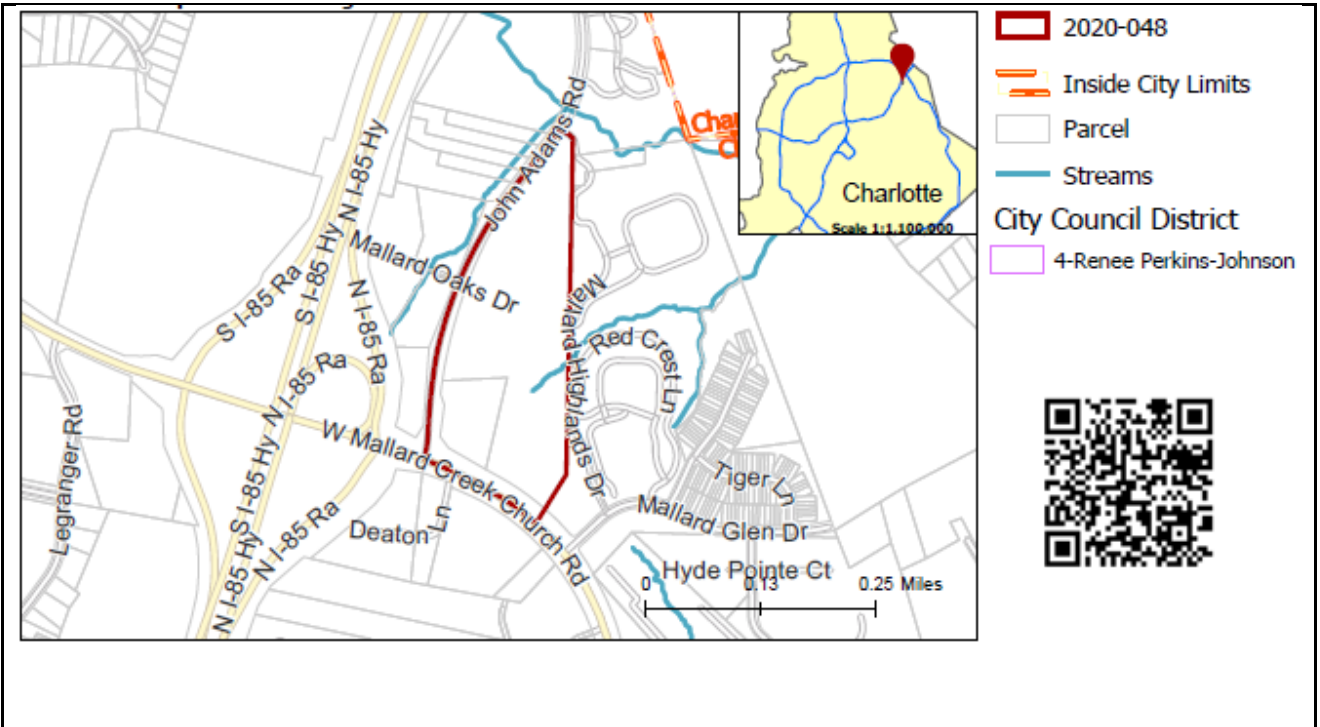


**REQUEST**

Current Zoning: B-1(CD) (neighborhood business, conditional), O-1(CD) (office district, conditional)  
Proposed Zoning: MUDD-O (mixed-use development, optional)

**LOCATION**

Approximately 24.605 acres located along the eastern side of John Adams Road, north of Mallard Creek Church Road, and east of Interstate 85.



**SUMMARY OF PETITION**

The petition proposes to allow up to 366 multi-family residential dwelling units, 56 single family attached townhome units, and up to 10,000 square feet of office and non-office commercial uses on vacant land.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

John Wayne Adams  
Flournoy Development Group  
Bridget Grant, Moore & Van Allen

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 0

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northeast Area Plan (2000)* recommendation for a mixture of research/office/retail land uses on parcel 02965102 and retail uses on parcel 02965101.

Rationale for Recommendation

- While the *Northeast Area Plan (2000)* does not call for residential uses for this site, it does identify this site as a neighborhood center, which can include residential uses.

- The plan recommends higher density residential uses in areas proximate to a transit corridor. This site's density proposal of 17.15 dwelling units per acre and its proximity to the W Mallard Creek Church road and I-85 intersection are in appropriate for what the plan recommends for areas close to a transit corridor.
- This petition will add to the mixed uses desired in a neighborhood center by providing office and non-office uses in addition to the proposed residential uses.
- The petition commits to an open space amenity that will include hardscape areas, landscaping, lighting, and walkways.

The approval of this petition will revise the adopted future land use as specified by the *Northeast Area Plan (2000)*, from research/office/retail and retail uses to residential/office/retail uses for the site.

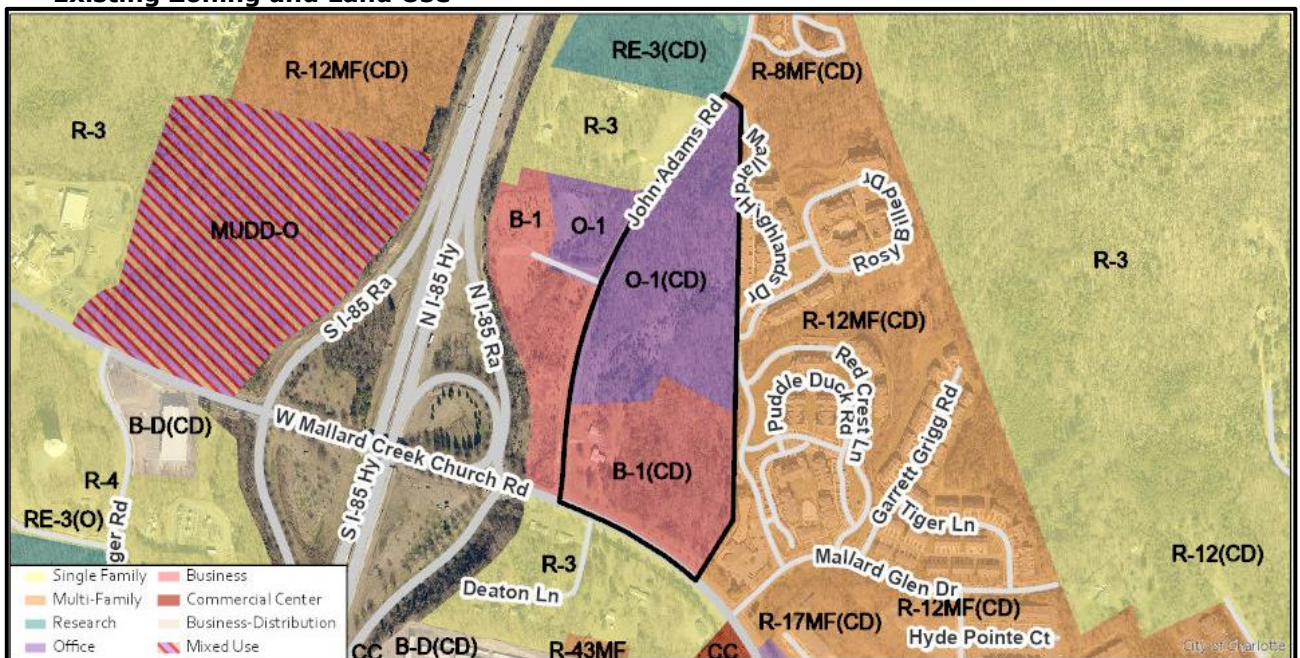
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 366 multi-family residential dwelling units, 56 single family attached townhome units, and up to 10,000 square feet of office and non-office commercial uses on vacant land.
- Limits individual office or commercial space to 2,500-square feet or less.
- Optional Provision: to allow parking and circulation between the buildings and street in Areas A and B.
- Access to the site will be from John Adams Road and West Mallard Creek Church Road.
- Provides a public street to connect to Mallard Highlands Drive.
- Provides an 8-foot planting strip and a 12-foot sidewalk along frontage of West Mallard Creek Church Road.
- Provides an 8-foot planting strip and an 8-foot sidewalk along John Adams Road.
- Provides a 30-foot setback along West Mallard Creek Church Road and a 20-foot setback along John Adams Road.
- Commits to a 15,000-square foot open space amenity area with landscaping, hardscape, walkways, lighting, and seating area.
- Provides internal sidewalk connections between buildings and streets.
- Commits to the following building materials: brick, stone, precast stone, precast concrete, fiber board, stucco, EIFS, and wood.
- Detached lighting shall not exceed 22-feet.

### • Existing Zoning and Land Use





The subject property was rezoned as part of a 9.55-acre development via petition 2012-074 that allowed the existing entitlements to be amended to allow replacement of a proposed 24,000-square foot child care center and 30,000 square feet of restaurants with up to four buildings with uses allowed in the B-1 (neighborhood business) district. Permitted B-1 uses include residential, office, retail, institutional, and civic uses. However, it limited it to no more than one convenience store/automobile service station, and one use that may have a drive-through window.

The subject property is undeveloped. The surrounding land uses include multi-family apartments, single-family homes, retail, and office uses.



The subject property is undeveloped. Denoted by red star.

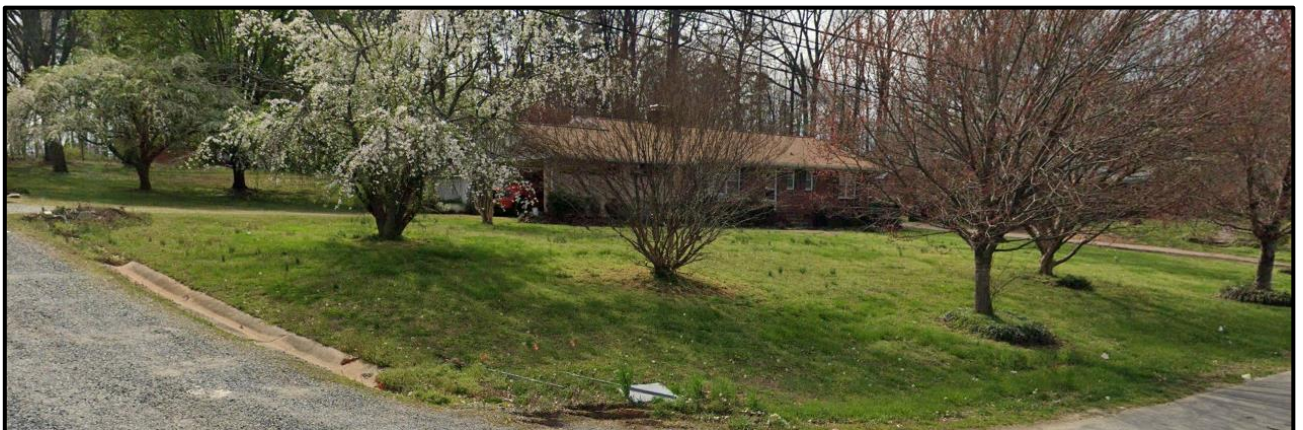




Property to the west along John Adams Road is undeveloped.

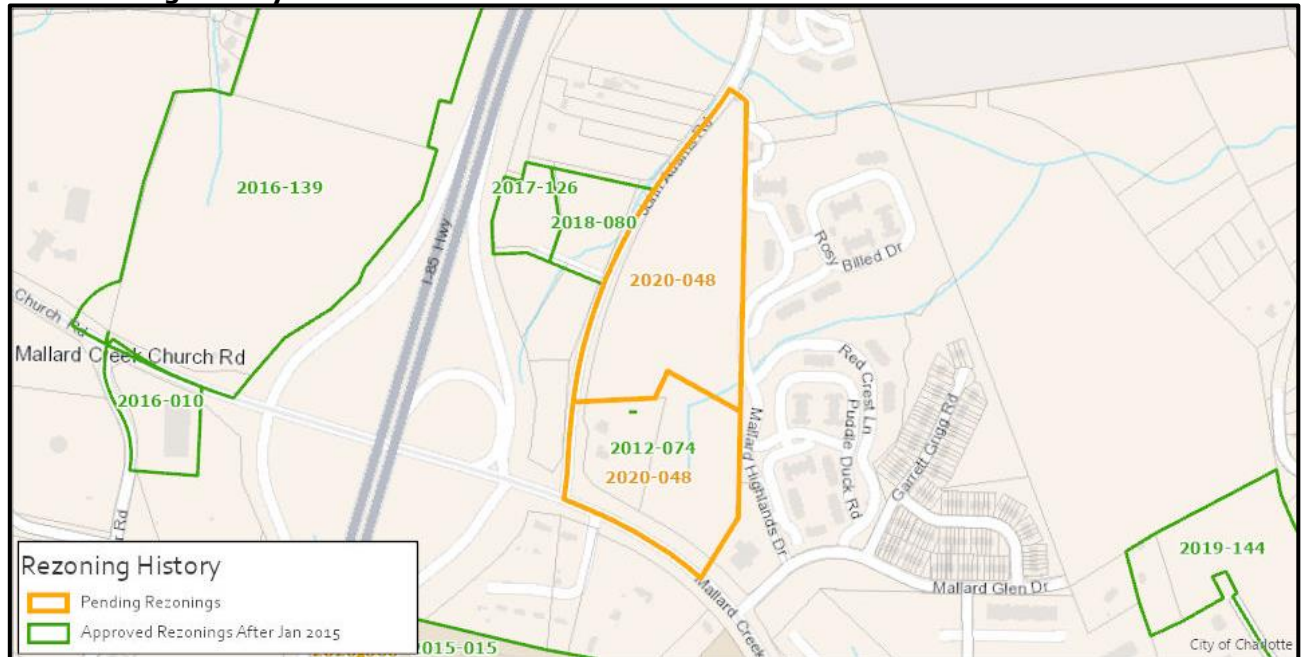


Property to the east along Mallard Highlands Drive is developed with apartments.



Property to the south across West Mallard Creek Church Road is developed with single-family homes.

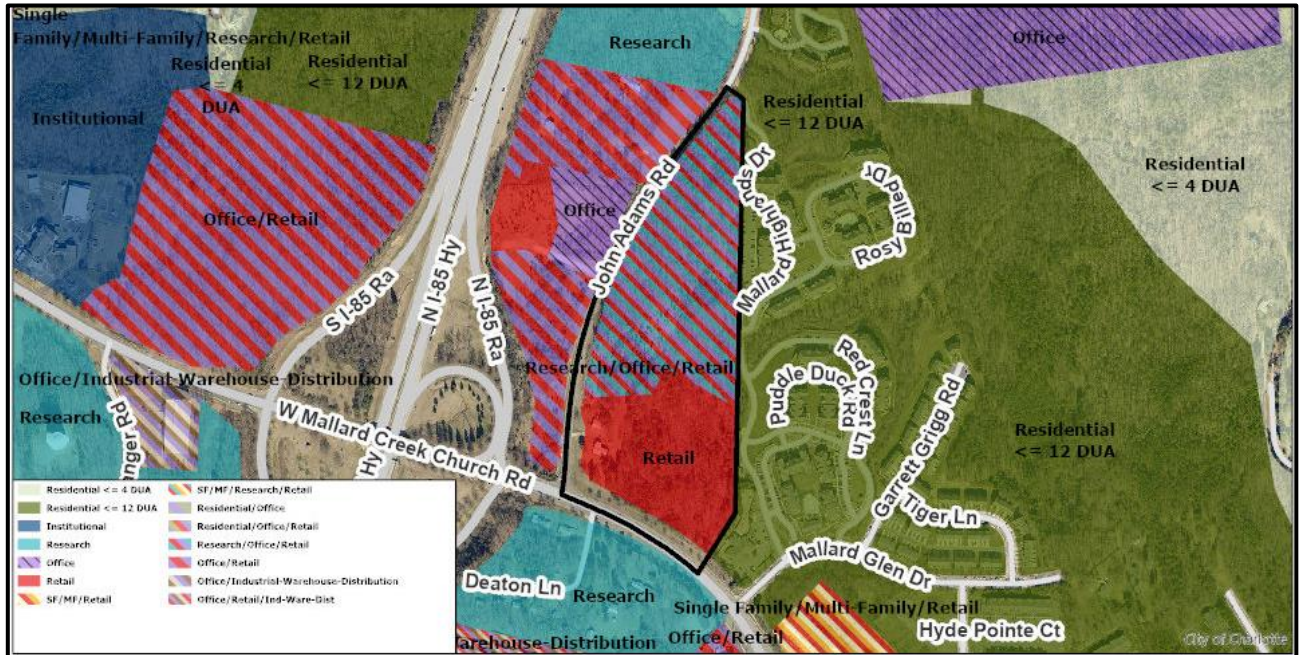
- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2012-074	Rezoned 9.55 acres to allow an amendment to existing entitlements for an unbuilt business development in the University City North area to allow 30,000 square feet of uses permitted in the B-1 district. Although other uses may be located on the site, only one convenience store/automobile service station and one use with an accessory drive-through service window will be allowed.	Approved
2015-015	Rezoned 18.03 acres to exchange existing development rights and zoning for a 130,000-square foot self-storage facility with the development rights and zoning for a 258,000-square foot retail/office component.	Approved
2016-010	Rezoned 4.3 acres to allow a maximum 107,000-square feet climate controlled self-storage facility.	Approved
2016-139	Rezoned 65.7 acres to allow up to 395 multi-family residential units and up to 160,000 square feet of uses as allowed in MUDD.	Approved
2017-126	Rezoned 2.5 acres to allow all uses permitted in the B-1 (neighborhood business) district.	Approved
2018-080	Rezoned 3.22 acres to allow development of the site with all uses permitted in the office district.	Approved
2019-144	Rezoned 23.99 acres to allow up to 194 multi-family dwelling units in no more than 41 principle buildings.	Approved



### • Public Plans and Policies



- The plan calls for Research/Office/Retail uses and Retail uses for the site.
- **TRANSPORTATION SUMMARY**
  - The site is located along a major thoroughfare. NCDOT and CDOT required and approved a traffic study with recommended transportation improvements to mitigate the trips generated by the development. The site plan commits to providing roadway improvements based on the traffic study. In addition, the site plan commits to providing a road network that meets the City of Charlotte Subdivision Ordinance.
  - The petitioner commits to constructing an 8-foot planting strip, and an 8-foot sidewalk to promote a more walkable community in accordance with the City Council Adopted Charlotte Walks Policy. The petitioner also commits to constructing a 12-foot shared-use path along West Mallard Creek Church Road, providing Bicycle facilities in accordance with the City Council Adopted Charlotte Bikes Plan.
  - **Active Projects:**
    - Mallard Creek Church Road interchange reconfiguration
    - Scope: Not yet identified
    - Phase: Not started
    - ROW year: 2029 or later
    - Construction year: 2030 or later
    - PM: NCDOT
    - TIP #: I-6017
- **Transportation Considerations**
  - No Outstanding Issues
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on 1 single family house).

Entitlement: 13,570 trips per day (based on 5,000-square foot convenience market with gas pumps and a 15,000-square foot bank with drive-through).

Proposed Zoning: 2,380 trips per day (based on 366 apartments and 56 townhomes).

### DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 65 students, while the development allowed under the proposed zoning may produce 52

students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.

- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
  - Stoney Creek Elementary from 110% to 114%
  - James Martin Middle from 74% to 75%
  - Zebulon Vance High at 129%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along John Adams Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along John Adams Road. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** 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.

#### **REQUESTED TECHNICAL REVISIONS**

##### Site and Building Design

- ~~1. Revised conditional note 3a to state "buildings in Areas A and B".~~ Addressed

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

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