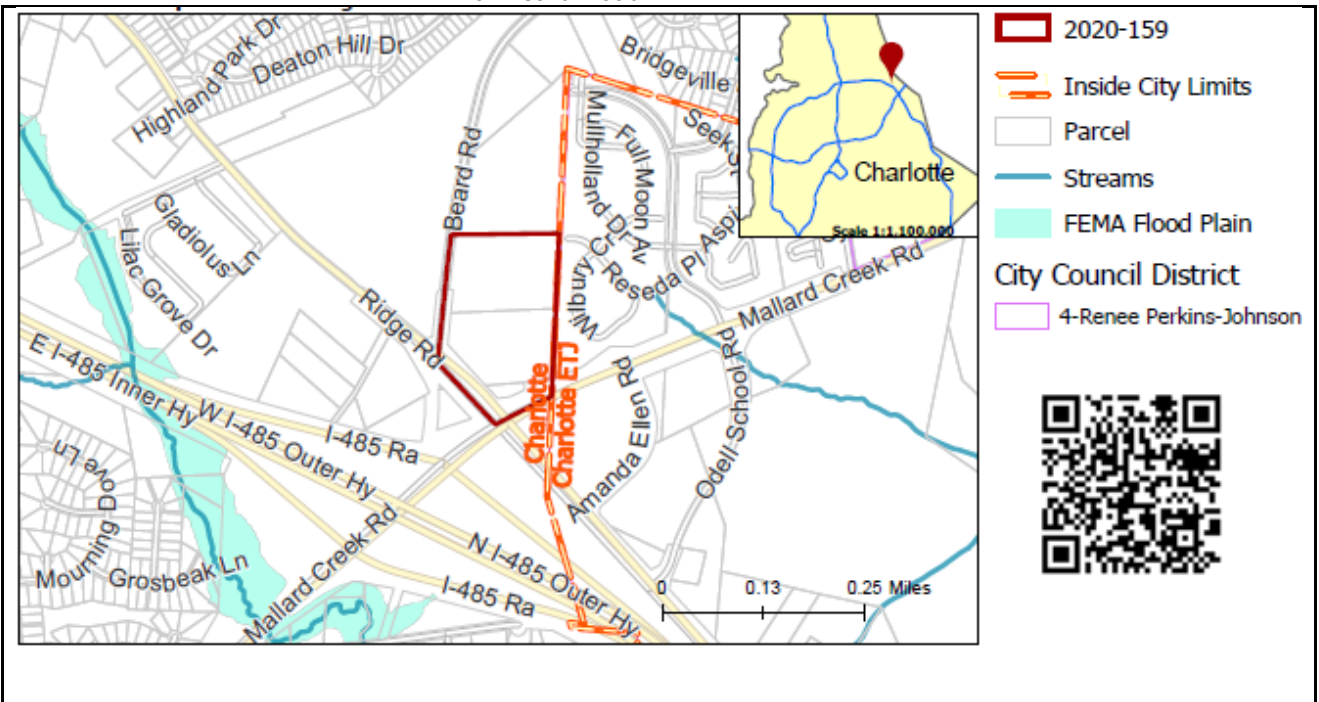


**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)

**LOCATION**

Approximately 14.83 acres bound by the northern side of Mallard Creek Road, the northeast side of Ridge Road, and the eastern side of Beard Road.



**SUMMARY OF PETITION**

The petition proposes to develop up to 325 multi-family residential units in five buildings with a density of 21.9 dwelling units per acre.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

Daniel & Vivian Robbins  
Bainbridge Communities Acquisitions III, LLC  
Justin Houston, Kimley-Horn

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 **consistent** with the *Northeast Area Plan's* (2000) recommendation of multi-family/office/retail uses, up to 12+ dwelling unit per acre (DUA).

Rationale for Recommendation

- The *Northeast Area Plan* recommends retail and office for this site and requires a residential component as well, up to 12+ DUA. The 21.9 DUA proposed by this plan and the petition's commitment to providing multifamily development on the site is consistent with the plan's land use recommendation

- The site fronts Mallard Creek Road and is across the street from recent rezoning 2019-169, which was approved for multi-family residential at 17 DUA.
- The petitioner commits to enhancing the pedestrian experience by constructing an 8-foot planting strip and 12-foot shared-use path along Ridge Road and Mallard Creek Road.
- The petition is committed to providing improved open space amenity areas with landscaping, seating areas, hardscape elements, and shade structures as applicable and appropriate to the proposal.

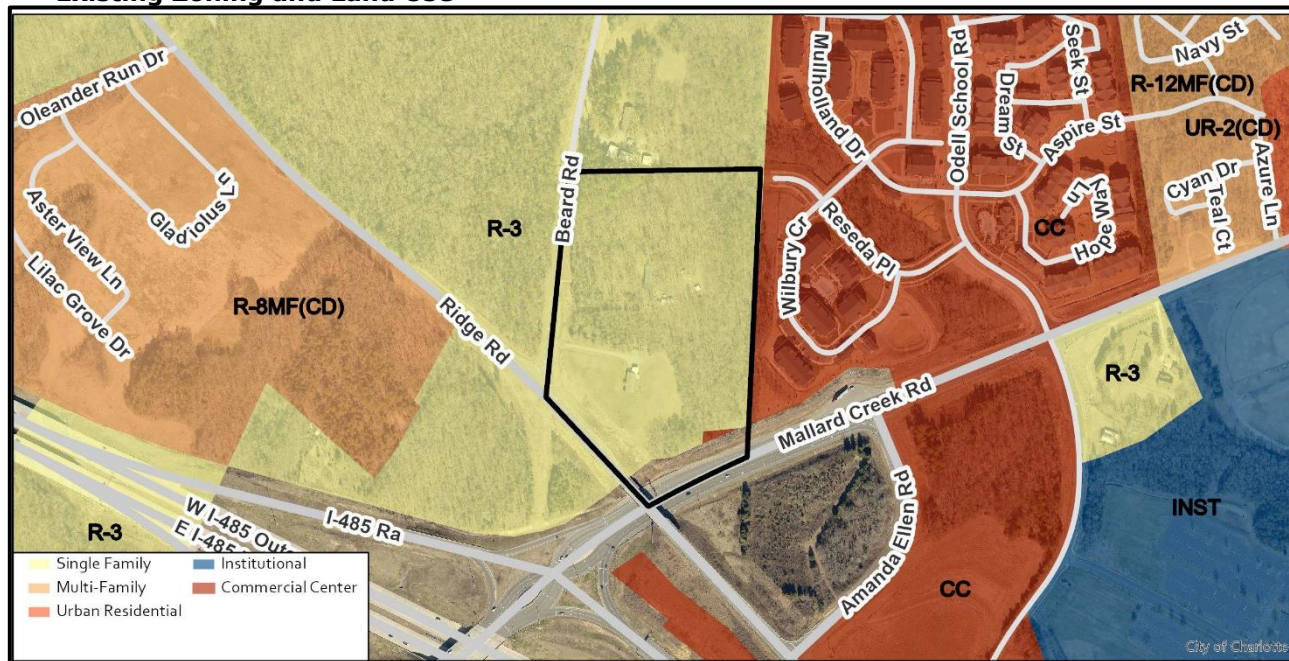
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 325 multi-family units in 5 buildings.
- Commits to an 8-foot planting strip and 12-foot shared-use path along Ridge Road, Beard Road and Mallard Creek Road.
- Access to the site will be from Beard Road.
- Provides a right turn lane on Beard Road with a 100-foot storage lane.
- Provides an 11,000 square-foot amenity area with landscaping, seating areas, hardscape elements, and shade structures.
- Provides a sidewalk and cross-walk network that connects entrances to parking areas.
- Limits detached lighting to 22-feet in height.
- Architectural features include:
  - Principal buildings will use a variety of materials including a combination of glass, brick, metal, stone, simulated stone, pre-cast stone, hardi-plank, or wood/composite wood.
  - Buildings exceeding 120 feet in length shall include one or more modulations of the building massing/facade plane such as recesses, projections, and architectural details.
  - Prohibits Vinyl siding (but not vinyl hand rails, windows, doors, garage doors or door trim) and concrete masonry not architecturally finished.
  - Building elevations designed with vertical bays or articulated architectural facade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
  - Long pitched or flat roof lines will avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.

- **Existing Zoning and Land Use**

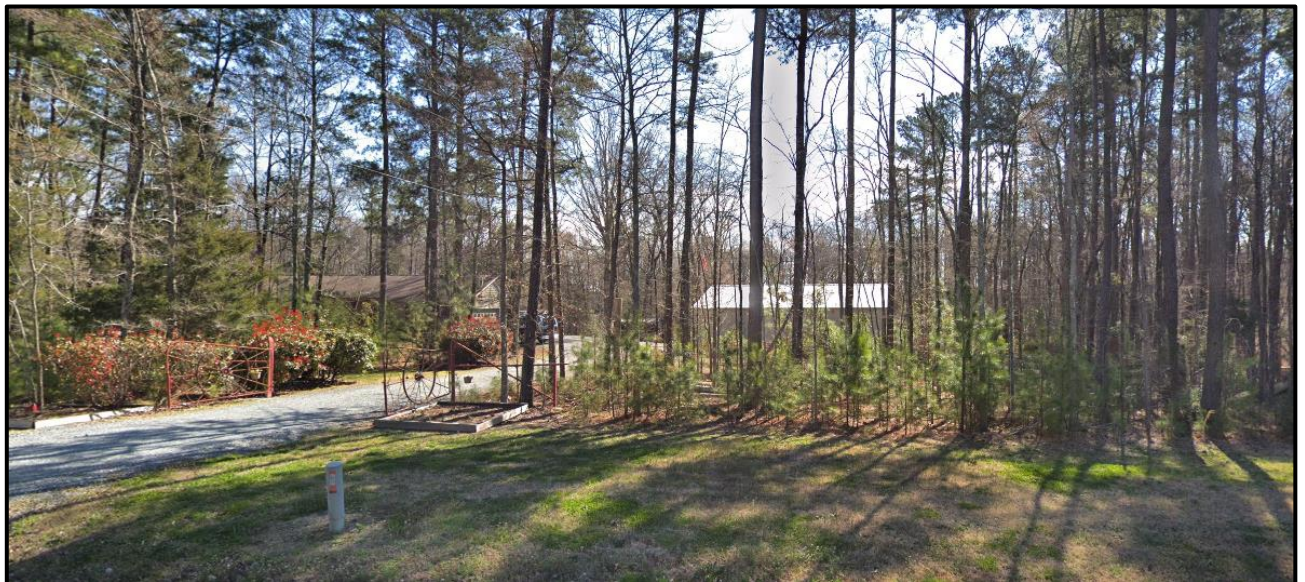


The subject site is currently zoned R-3. The surround land uses include single family homes, multi-family apartments and undeveloped land.





The subject property is denoted by the red star.



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





The property to the south across Mallard Creek Road is undeveloped.

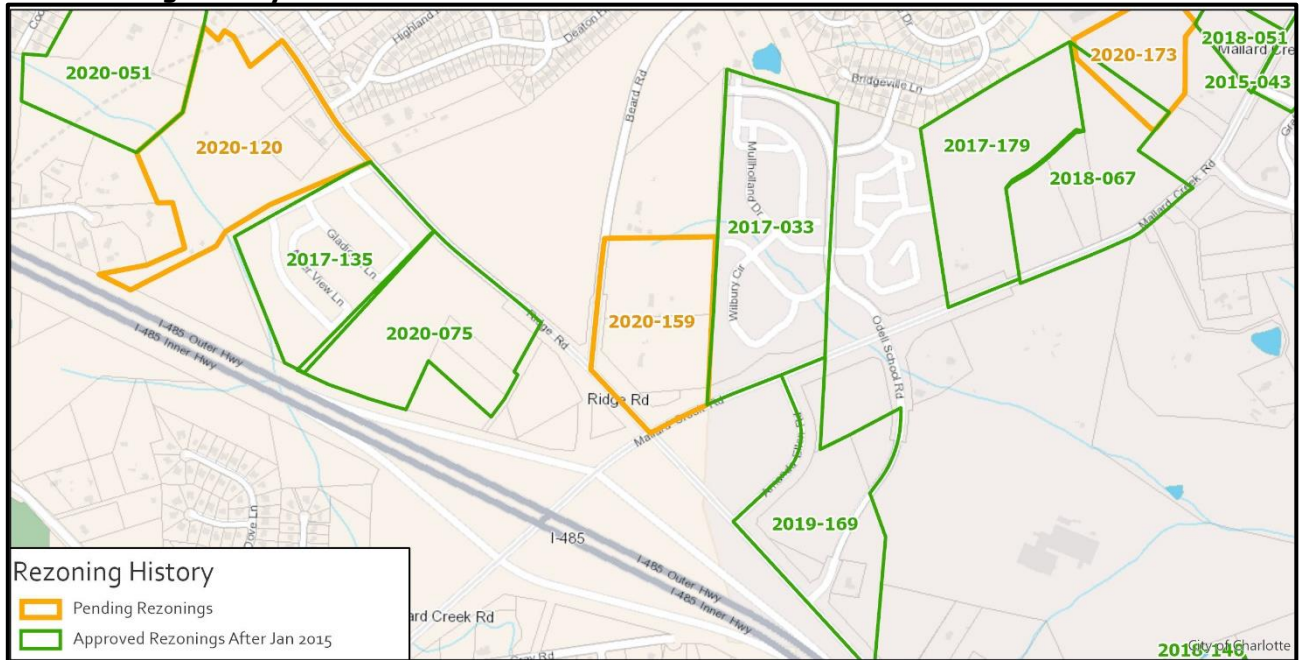


The property to the east along Odell School Road is developed with multi-family apartments.



The property to the west along Ridge Road is undeveloped.

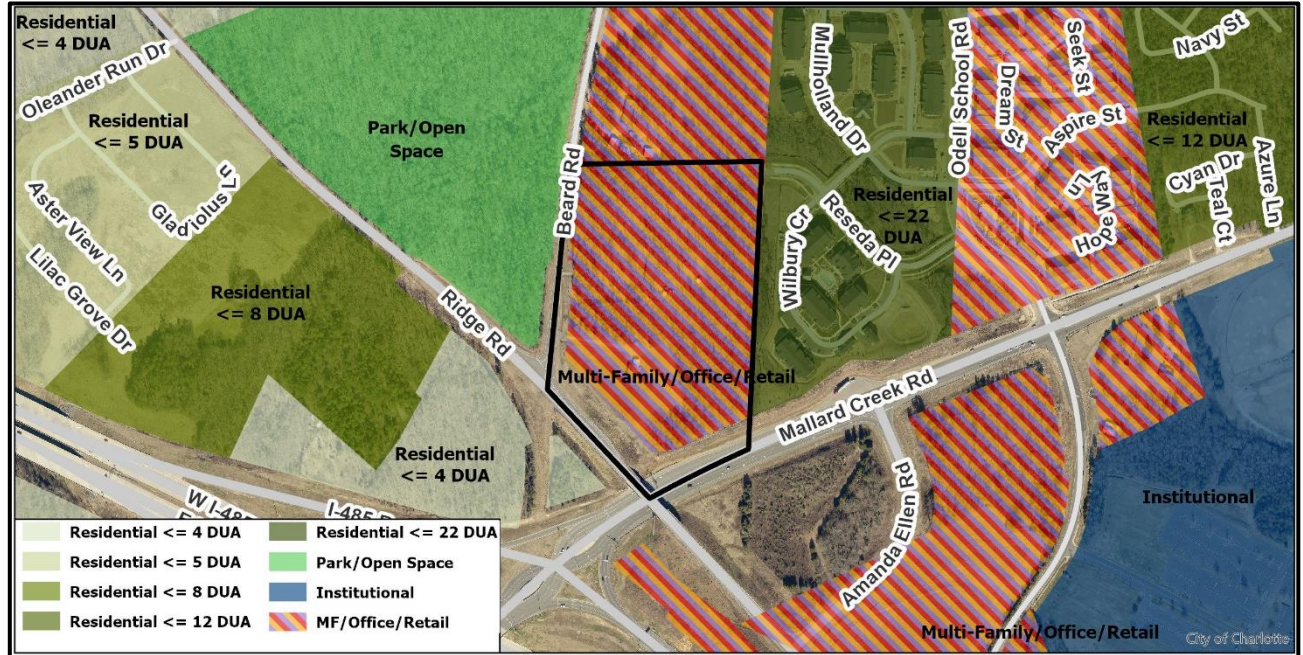
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-043	Rezoned 4.98 acres to allow 20,000 square-feet of commercial uses with one accessory drive-through window.	Approved
2017-033	Rezoned 29.01 acres to modify a conditional site plan note to allow up to 322 multi-family units.	Approved
2017-135	Rezoned 20.54 acres to allow up to 102 multi-family units.	Approved
2017-179	Rezoned 19.52 acres to allow up to 234 multi-family units.	Approved
2018-051	Rezoned 3.72 acres to allow a car wash and fuel pumps.	Approved
2018-067	Rezoned 18.06 acres to allow up to 186 townhomes.	Approved
2019-169	Rezoned 15.9 acres to allow up to 280 multi-family units.	Approved
2020-051	Rezoned 21.9 acres to allow up to 98 townhomes.	Approved
2020-075	Rezoned 19.6 acres to allow up to 139 townhomes.	Approved
2020-120	Proposes to rezone 24.74 acres to allow up to 108 townhomes.	Pending
2020-173	Proposes to rezone 9.3 acres to allow up to 150 senior multi-family units.	Pending



## • Public Plans and Policies



- The *Northeast Area Plan (2000)* calls for multi-family/office/retail for the site up to 12+ DUA.

## • TRANSPORTATION SUMMARY

- The site is located on a State-maintained, major thoroughfare road (Mallard Creek Road). While a Traffic Impact Study (TIS) is not triggered for this site, in accordance with the policies in the Transportation Action Plan (TAP) and Vision Zero principles, the petitioner has committed to improving the Beard Rd & Ridge Rd. intersection with added safety measures of incorporating a multi-way stop, to account for the proposed increase in residential units from 43 single-family units (480 daily vehicle trips) to 325 multi-family units (1,770 daily vehicle trips). The review of this petition was conducted in partnership with NCDOT to align with their separate permitting process. The petitioner will install 8-foot sidewalks and 8-foot planting strips along Resada Place and Beard Road, in addition to constructing a right-turn lane on Beard Road. An 8-foot planting strip and 12-foot shared-use path will be constructed along Ridge Road, in accordance with Charlotte BIKES. The petitioner will coordinate with CDOT and NCDOT to establish a network between the proposed shared-use path within this rezoning petition to the proposed multi-modal network that is included within the NCDOT TIP #U-6032 project on Mallard Creek Road. All outstanding issues are addressed.
- **Active Projects:**
- Mallard Creek Road Widening (NCDOT TIP U-6032) – Source: NCDOT Amended STIP: 12/2020
- Widen Mallard Creek Road to 6 lanes from I-485 to Concord Mills Boulevard.
- ROW acquisition in 2022; construction in 2025 – schedule subject to delay
- On hold; pending FHWA approval

## • Transportation Considerations

○ See Outstanding Issues, Notes 1-9. Addressed

## • Vehicle Trip Generation:

Current Zoning:

Existing Use: 20 trips per day (based on 2 single family dwellings).

Entitlement: 480 trips per day (based on 43 single family dwellings).

Proposed Zoning: 1,770 trips per day (based on 325 apartments).

## DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **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 22 students, while the development allowed under the proposed zoning may produce 40 students. Therefore, the net increase in the number of students generated from existing zoning to proposed 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 80% to 83%.
    - Ridge Road Middle maintains at 126%.
    - Mallard Creek High from 123% to 124%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Beard Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Beard Road. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **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.

## OUTSTANDING ISSUES

### Transportation

1. ~~Add the proposed site plan improvements to the conditional notes. Revise site plan and conditional note(s) to commit to construct the required 8-foot planting strip and suggested 12-foot shared-use path, in lieu of the ordinance required 8-foot sidewalk, along Ridge Road and Mallard Creek Road. While an 8-foot sidewalk is required per Chapters 19 and 20 of the City Code, CDOT requests the 12-foot shared-use path in accordance with the Charlotte BIKES Plan.~~ Addressed
2. ~~Add the proposed site plan improvements to the conditional notes. In accordance with Charlotte Land Development Standards Manual (CLDSM) std. no. U-07—Local Collector Street Typical Section, revise site plan and conditional note(s) to commit to dedicate 36-ft of right-of-way from the Beard Road centerline. Label and dimension the right-of-way from the road centerline.~~ Addressed
3. ~~The proposed dwelling units exceeds 12 per acre. Per Chapter 20 Subdivision ordinance, site plan and conditional note(s) revisions are needed to commit to construct an 8-foot planting strip and 8-foot sidewalk along Beard Road. The wider sidewalk also meets the Charlotte WALKS Policy.~~ Addressed
4. ~~Add the proposed site plan improvements to the conditional notes. In coordination with NCDOT, site plan and conditional note(s) revisions are needed to redesign the proposed private Allgood Street intersection with Beard Road, to accommodate 1 ingress and 2 egress lanes, with a northbound right turn lane on Beard Road, designed to NCDOT standards, with 100-foot storage and 100-ft taper, unless otherwise required by NCDOT. Please show the existing striping on Beard Road on the site plan for reference.~~ Addressed
5. ~~Include the public cross-access easement with a recorded deed book and page number. Site plan and conditional note(s) revisions are needed to confirm that a street connection may be established with Reseda Place, since Reseda Place which is currently a stubbed street, east of this site, is private street. Please confirm that a public cross-access easement will be recorded with the adjacent property owner or has already been obtained.~~ Addressed
6. ~~Add the proposed site plan improvements to the conditional notes. In coordination with NCDOT, site plan and conditional note(s) revisions are required to improve the existing Beard Road & Ridge Road intersection skew and sight distance issues, by re-striping and implementing a flasher indicated all-way stop controlled intersection design.~~ Addressed
7. ~~Revise conditional note Section IV.b. of the site plan specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued is needed. CDOT requests rights-of-way set at 2 feet behind back of sidewalk or shared-use path, where feasible.~~ Addressed



- ~~8. Reconcile the conditional notes IV. Transportation d and XII Phasing a. Sidewalks are considered a part of transportation improvements, which are required to be completed with the first Certificate of Occupancy. Addressed~~
- ~~9. In coordination with NCDOT, site plan and conditional note(s) revisions are required to clarify the limits of NCDOT's C/A along Mallard Creek Road and Ridge Road. Addressed~~

**REQUESTED TECHNICAL REVISIONS**Land Use

- ~~10. Label 30-foot setback. Addressed~~
- ~~11. Show buffer and height restriction next to single family residential zoned property. Addressed~~
- ~~12. Revise site plan notes to show R-22MF(CD) rather than CC zoning district. Addressed~~

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

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