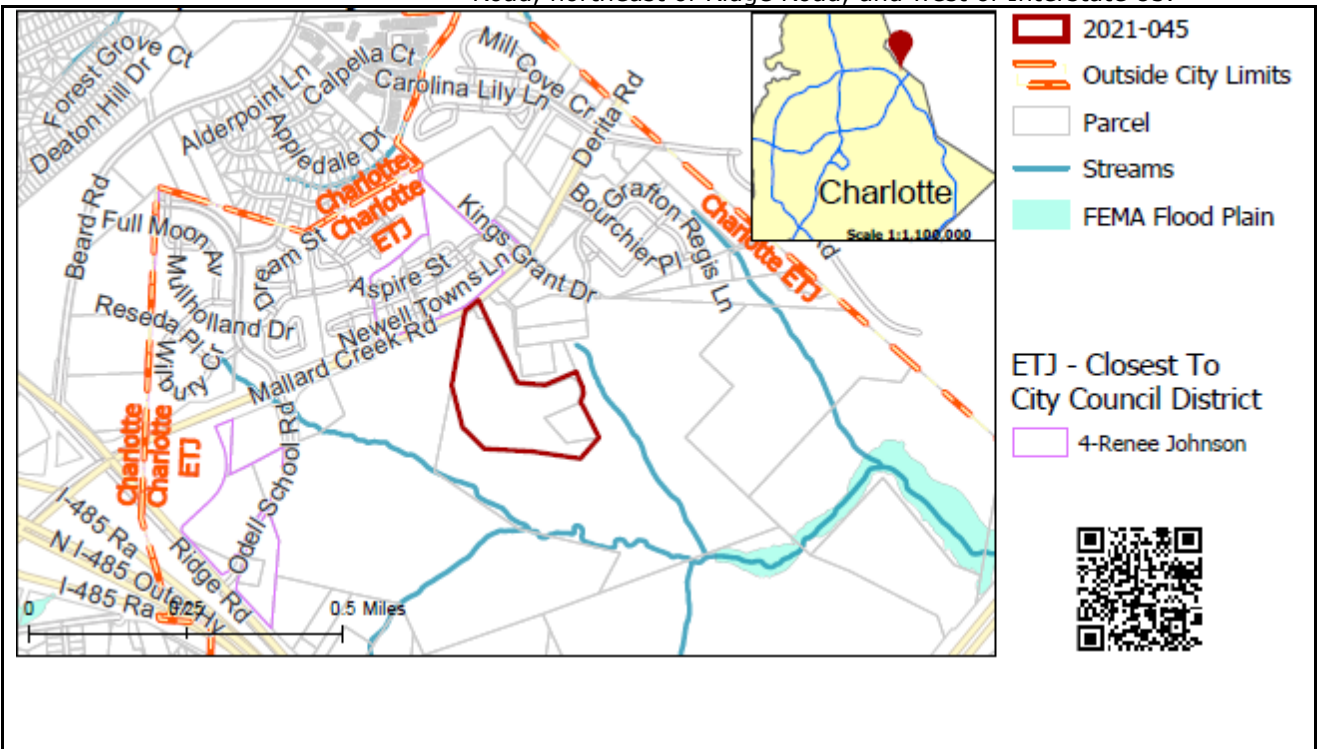


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-17MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 19 acres located on the east side of Mallard Creek Road, northeast of Ridge Road, and west of Interstate 85.



SUMMARY OF PETITION

The petition proposes to develop a residential community allowing up to 288 multi-family dwelling units at a density of 15 dwelling units per acre.

PROPERTY OWNER

Fox Five, LLC

PETITIONER

Madison Capital Group, LLC

AGENT/REPRESENTATIVE

John Carmichael, Robinson Bradshaw & Hinson, PA

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 **consistent** with the *Northeast Area Plan (2000)* recommendation of Single family/Multifamily/Institutional/Office/Retail up to 12+ dwelling units per acre (DUA).

Rationale for Recommendation

- This petition fulfills the area plan's goals of providing a mixture of land uses in this area and of building higher density residential in proximity to bus and other transit lines, as this site is within a 1/3 mile of a University Research Park Route bus stop.

- The petition proposes to construct a public street cutting through a portion of the site, leaving the opportunity for future road extensions to public roads on either side, increasing connectivity among nearby neighborhoods and helping fulfil the area plan's goal of an interconnected street network.
- The petition proposes an amenity area on the site which will include a pool, an open space area, a dog park, and seating areas.
- The petition commits to building a minimum 8-foot sidewalk and 8-foot planting strip along the public street to be constructed within the site.

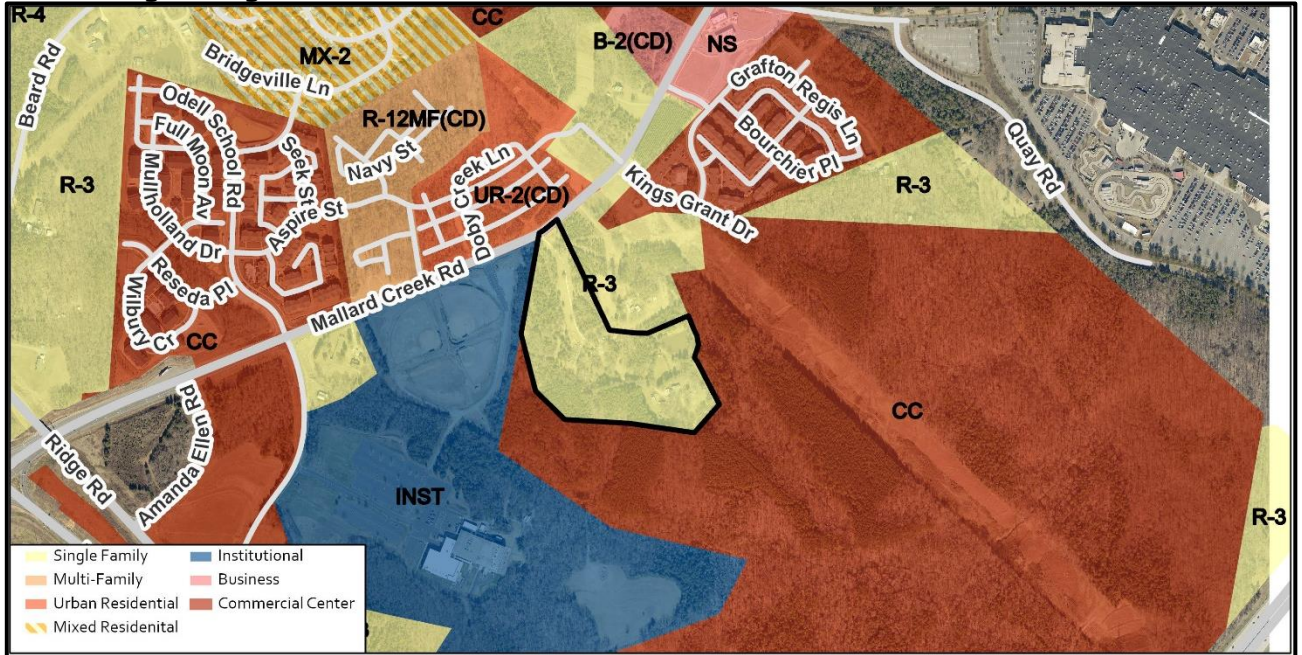
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 288 multi-family dwelling units.
- Commits to minimum of 5% of the units constructed to maintain monthly rents that are income restricted to households earning 80% of the area median income for a period of not less than 15 years.
- Commits to construct a bus waiting pad along the site's frontage on Mallard Creek Road.
- Commits to an 8-foot planting strip and 12-foot multi-use path along the site's frontage on Mallard Creek Road.
- Commits to an 8-foot wide planting strip and 8-foot sidewalk along all other public streets.
- Commits to dedicate public right-of-way for the Mallard Creek/Derita Road widening project along the rezoning site frontage.
- Provides a 14,000 square-foot amenity area with a swimming pool, open space, dog park and seating areas.
- Architectural details include:
 - All buildings will have 30% of the façade be brick, natural stone, pre-cast stone, stucco.
 - Buildings exceeding 120-feet in length will include one or more modulations of the building massing/facade plane such as recesses, projections, and architectural details. Modulations will be a minimum of 10-feet wide and project or recess a minimum of 6-feet extending through the building.
 - Prohibits vinyl siding (but not vinyl handrails, 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.

- Existing Zoning and Land Use



The surrounding land uses include single family, multi-family, religious institution, shopping center and vacant land.



The subject property is denoted by a red star.



The property to the west includes Hickory Grove Baptist Church and the associated playing fields.

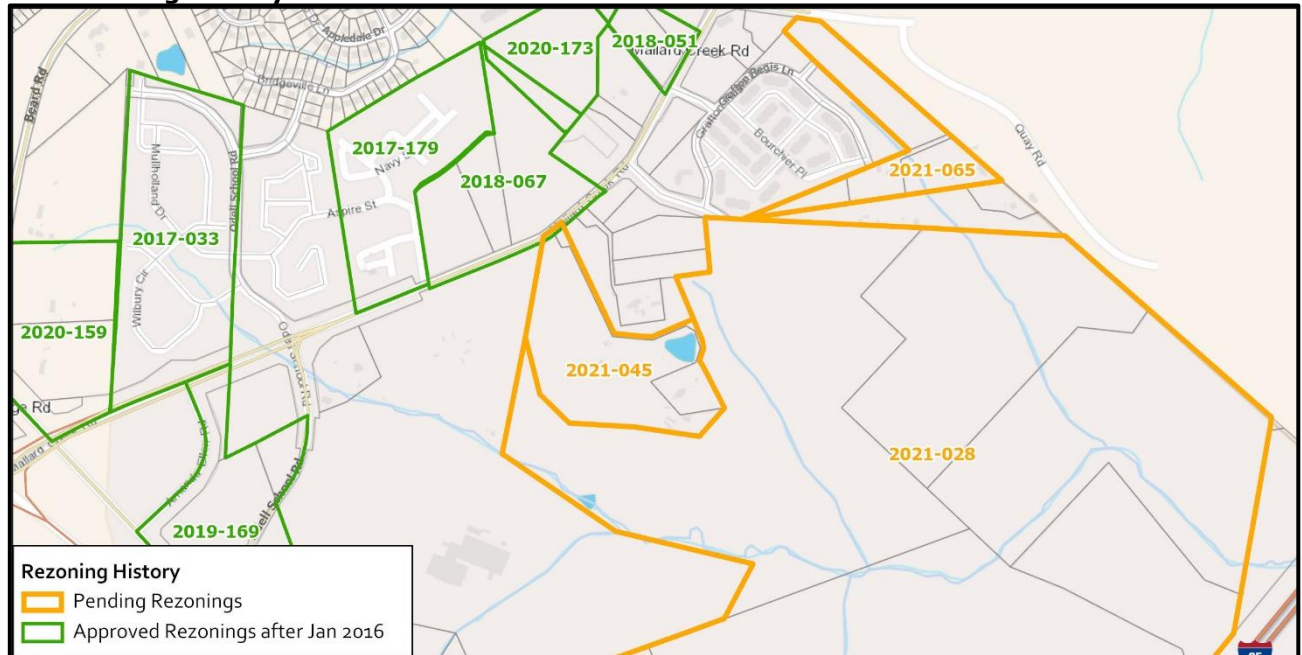


The property to the east includes large lot single family homes and vacant land.



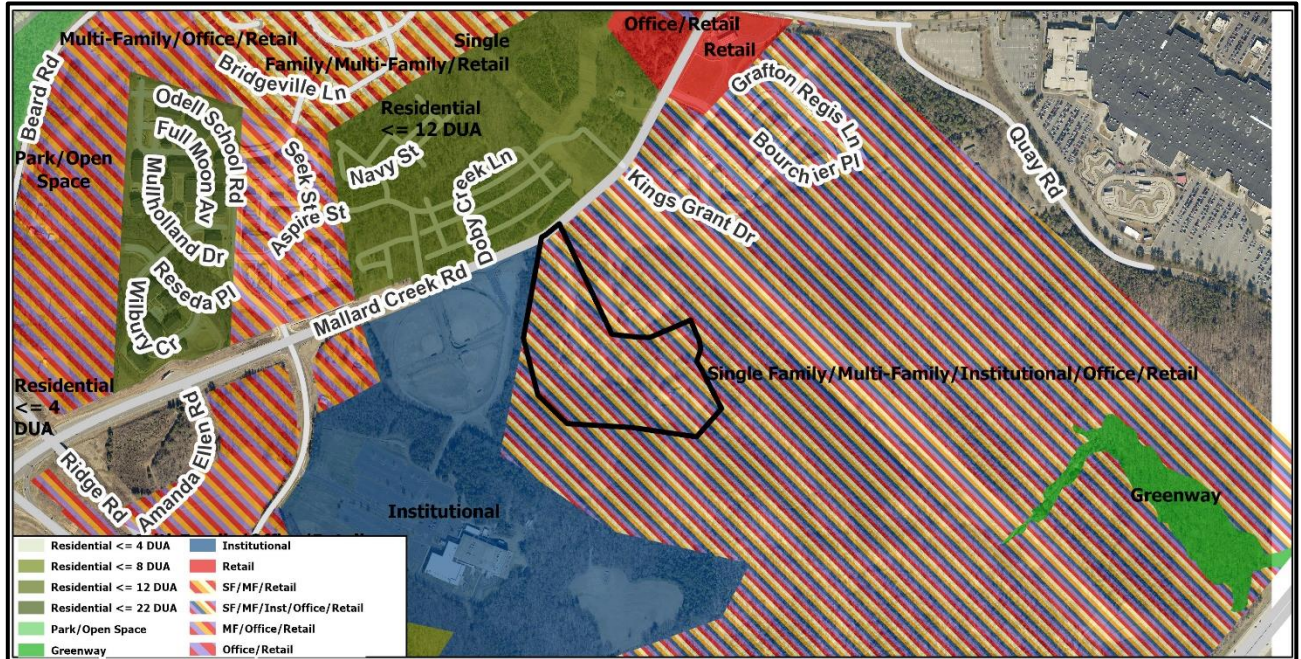
The area to the north is currently vacant but has been rezoned to allow multi-family units. Red star indicates subject property.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-033	Rezoned 29.01 acres to modify a conditional site plan note to allow the development of a vacant parcel in the King's Grant area with 322 multi-family.	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 with a fuel canopy.	Approved
2018-067	Rezoned 18.06 acres to allow up to 186 townhome units.	Approved
2019-169	Rezoned 15.9 acres to allow up to 280 multi-family units.	Approved
2020-159	Rezoned 14.83 acres to allow up to 325 multi-family units.	Approved
2020-173	Rezoned 9.3 acres to allow up to 150 age-restricted multi-family units.	Approved
2021-028	Proposes to rezone 287.71 acres to allow up to 2.75 million square-feet of warehouse and distribution uses, and up to 488 multi-family residential units.	Pending
2021-065	Proposes to rezone 13 acres to allow all uses in the R-22MF zoning district.	Pending

• Public Plans and Policies



- The *Northeast Area Plan (2000)* calls for Single-Family/Multi-Family/Institutional/Office/Retail up to 12+ DUA.

• TRANSPORTATION SUMMARY

- The site is located on a State-maintained, major thoroughfare road (Mallard Creek Road) within the extraterritorial jurisdiction (ETJ). CDOT encourages the petitioner to continue to coordinate with NCDOT to confirm the interim widening improvements and commitments that will be required for the future NCDOT STIP U-6032 Mallard Creek Road widening project, which will increase the number of lanes from two to seven. The petitioner has committed to dedicate public right-of-way needed for this STIP project along the rezoning site frontage and will either build or contribute toward a shared-use path along Mallard Creek Road. CDOT has no outstanding items with this petition
- **Active Projects:**
 - Mallard Creek Road/Derita Road Widening (I-485 to Concord Mills Blvd)
 - NCDOT STIP# U-6032
 - ROW 2022/ Construction 2025 (Pending FHWA approval)
- **Transportation Considerations**
 - See Outstanding Issues, Notes 1-3. Addressed
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 10 trips per day (based on 1 single family dwelling).
 - Entitlement: 620 trips per day (based on 57 single family dwellings).
 - Proposed Zoning: 1,570 trips per day (based on 288 multi-family dwellings).

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
- **Charlotte Fire Department:** No outstanding issues.

- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 29 students, while the development allowed under the proposed zoning may produce 35 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 6 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Mallard Creek Elementary from 75% to 78%
 - Ridge Road Middle remains at 125%
 - Mallard Creek High remains at 121%
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 600 feet east of the rezoning boundary on Kings Grant Drive. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 4000 feet west of the rezoning boundary on Ridge Road. See advisory comments at www.rezoning.org
- **City Arborist:** No comments submitted.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **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:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise the conditional note E. to specify that all right-of-way will be dedicated prior to the first building CO.~~ Addressed
2. ~~Revise all required improvements to be constructed prior to first CO, unless a phasing plan is provided to CDOT for review and approval.~~ Addressed
3. ~~Replace all conditional note references regarding a permanent sidewalk easement to a sidewalk utility easement.~~ Addressed

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Michael Russell (704) 353-0225