



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2021-068

August 3, 2021

REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: INST(CD) (institutional, conditional)

LOCATION

Approximately 5.24 acres located at the northwest intersection of Mallard Creek Road and Hubbard Road, south of West W.T. Harris Boulevard, and east of West Sugar Creek Road.
(Council District 2 - Graham)

PETITIONER

DreamKey Partners

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

The petition is consistent with the *Northeast District Plan* (1996) recommendation of residential use, but inconsistent with the plan's density recommendation of up to 4 dwelling units per acre (DUA), and inconsistent with the *General Development Policies* criteria for over 17 DUA.

- The plan recommends single family residential up to 4 dwelling unit per acre.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- This petition's proposal of 107 age-restricted dwelling units meets the Northeast District Plan goals of adding more residential development along Mallard Creek Road and increasing the mix of housing types available to residents.
- While the petition's proposed 20.4 DUA does not meet *General Development Policies* criteria for allowing over 17 DUA, the petition's location alongside Mallard Creek Road and its proximity to R-8MF(CD) zoning across the street and R-17MF(CD) to the south make the higher density compatible with the surrounding areas.
- The petition proposes a 32-ft Class C buffer or reduced buffer with a compatible fence or berm (per the zoning ordinance) as an appropriate barrier between the site and the adjacent single-family homes, therefore mitigating impacts to the surrounding neighborhood.

- This petition's commitment to constructing age-restricted dwelling units will help to accommodate the growing senior population in Charlotte.
- The petition is committed to increasing pedestrian mobility and safety by including an eight-foot planting strip and a 12-foot multi-use path alongside Mallard Creek Road, and an eight-foot sidewalk and planting strip alongside Hubbard Road.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan*, from Single Family Residential up to 4 DUA to Residential up to 22 DUA for the site.

Motion/Second: Ham / Welton

Yeas: Ham, Rhodes, Samuel, Spencer, Blumenthal and Welton

Nays: None

Absent: None

Recused: Chirinos

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER

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