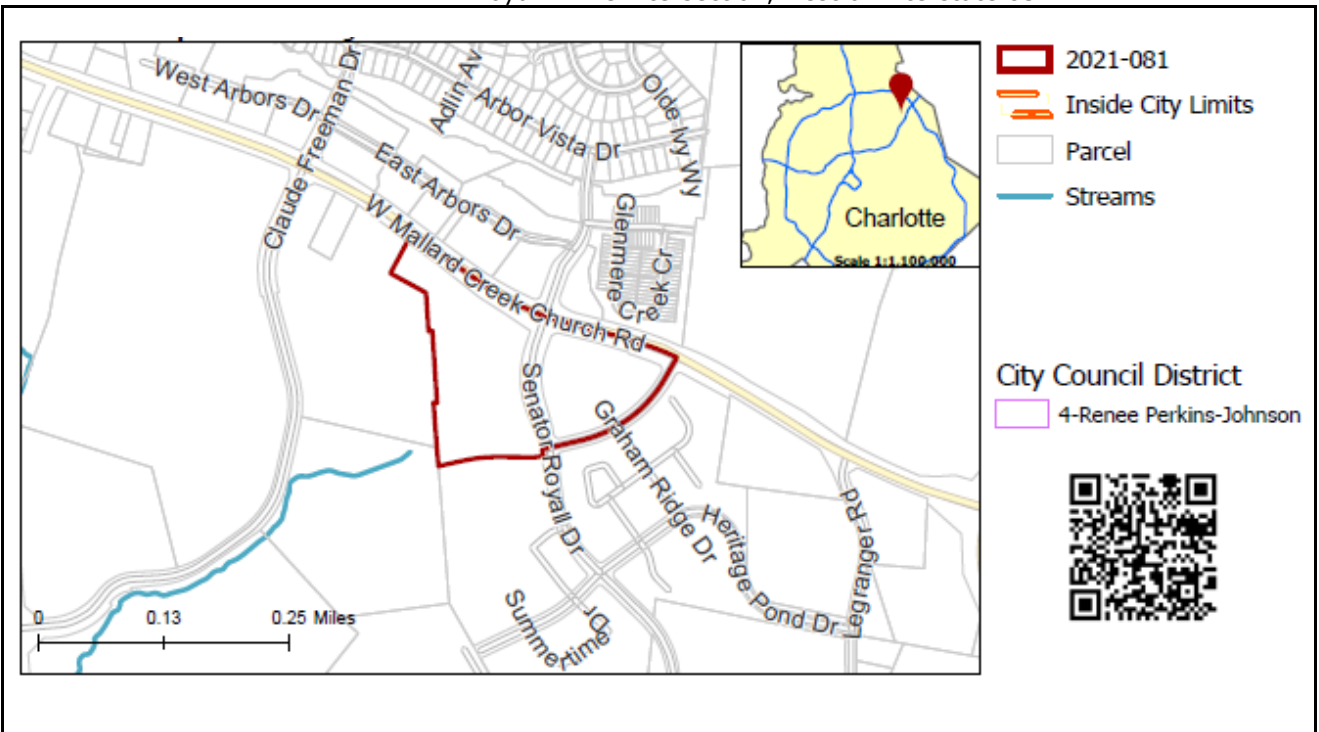


**REQUEST**

Current Zoning: RE-3(O) (research, optional)  
Proposed Zoning: NS (neighborhood services)

**LOCATION**

Approximately 15.98 acres located in the southeast and southwest quadrants of the West Mallard Creek Church Road and Senator Royall Drive intersection, west of Interstate 85.



**SUMMARY OF PETITION**

The petition proposes up to 140 single family attached dwelling units (townhomes) and 20,000 square feet of commercial uses along with any incidental and accessory uses allowed in the NS zoning district.

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

VARP LLC  
Taylor Morrison Inc.  
Collin Brown, Alexander Ricks, PLLC

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 1

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

Plan Consistency

The petition is **consistent** with the *University Research Park Area Plan (2010)* recommendation of Residential/Office/Retail use up to 22+ dwelling units per acre (DUA).

Rationale for Recommendation

- This petition proposes up to 140 single family attached dwelling units and 20,000 square feet of commercial uses. The mixed-use nature of the development and the proposed density at 8.79 dwelling units per acre is consistent with the area plan's recommendation of residential/office/retail use up to 22+ DUA.

- The petition commits to enhancing the pedestrian environment through site design elements such as a minimum 8-foot wide sidewalk and 8-foot planting strip along the site's frontage of Senator Royall Drive and Alexander Village Main Drive, a 12-foot multi-use path along West Mallard Creek Church Road, and internal sidewalks and pedestrian connections throughout the site.
- The proposed mixed-use development will aid in fulfilling the area plan's goal of encouraging a mixture of uses in the area, expanding housing choices, and facilitating a development pattern that leads to a more connected street network.
- The petition proposes a public open space area at the corner of Senator Royall Drive and Alexander Village Main Drive, including amenities such as seating, enhanced landscaping, a gazebo, picnic tables, and a dog park.

## PLANNING STAFF REVIEW

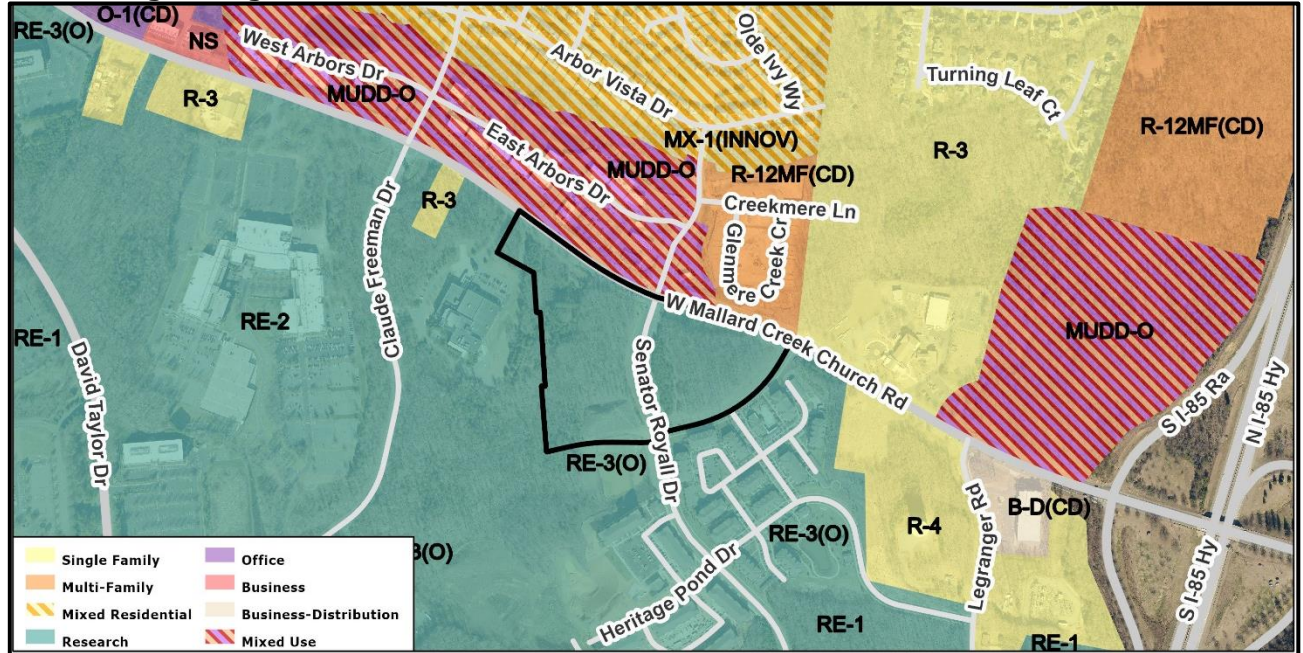
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 140 townhome units and 20,000-square feet of commercial uses.
- Does not allow car washes, gas stations, and automobile service stations.
- Allows a maximum of two accessory drive-through service windows.
- Provides an 8-foot wide sidewalk and 8-foot planting strip along the site's frontage of Senator Royall Drive and Alexander Village Main Drive, a 12-foot multi-use path along West Mallard Creek Church Road.
- Commits to internal sidewalks and pedestrian connections throughout the site.
- Provides a CATS bus stop along West Mallard Creek Church Road.
- Provides a 3-foot masonry screen wall for accessory drive through windows and stacking lanes.
- Provides a minimum 24,200-square feet of open space throughout the site.
- Architectural Details:
  - Building materials will be a combination of glass, brick, metal, stone, simulated stone, pre-cast stone, pre-cast concrete, stucco/EIFS, cementitious siding, and wood.
  - Garage doors visible from public or private streets will contain translucent windows or projecting elements over the garage door.
  - Pitched roofs, if provided, will be symmetrically sloped no less than 4:12, except that roof porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
  - Corner and end units visible from the public street will have enhanced side elevations with windows or other architectural details to limit the maximum blank wall expanse to 15-feet on each level of the unit.



• **Existing Zoning and Land Use**



The site was rezoned by petition 2016-115 to modify the development standards for a portion of the approved project (rezoning 2011-036) to allow up to 300 multi-family dwelling units; 75,000 square feet of retail, eating/drinking/ entertainment establishments; and a 200-room hotel. It was never developed. Surrounding land uses include multi-family, retail, office, commercial, and research-oriented uses.



The subject property denoted by a red star.





The property to the northwest along West Mallard Creek Church Road is developed with retail uses.

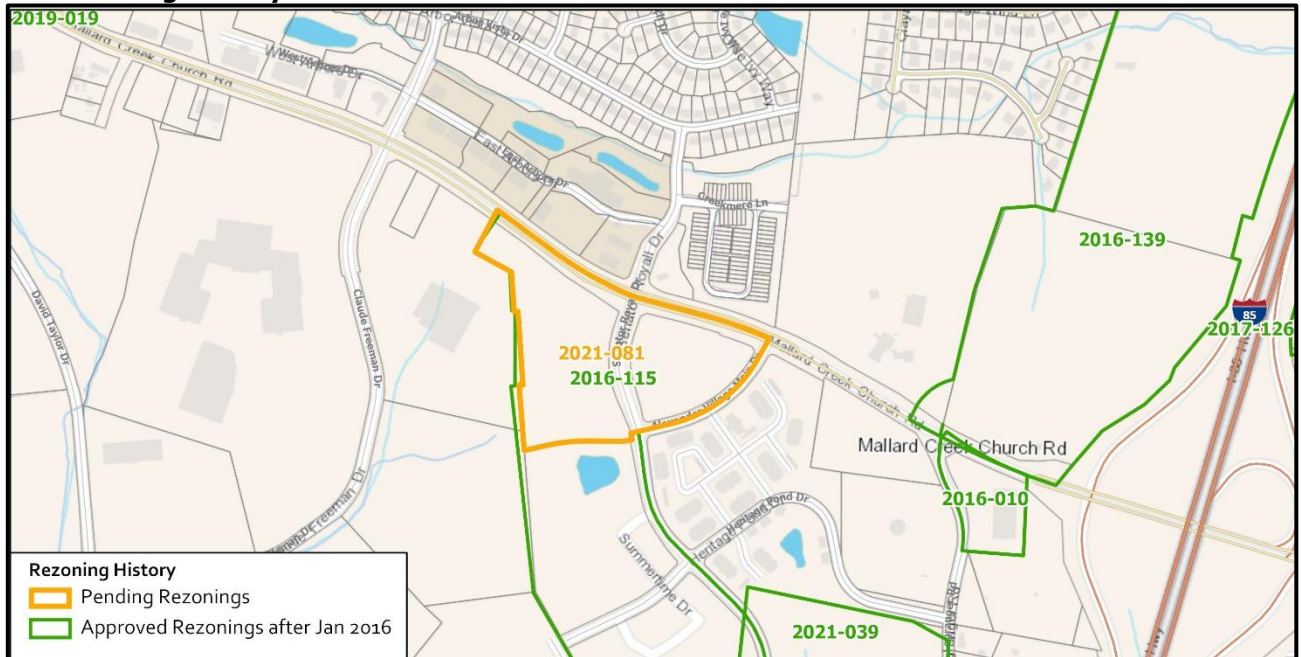


The property to the southeast along Alexander Village Main Drive is developed with apartments.



The property to the south along Senator Royall Drive is developed with apartments.

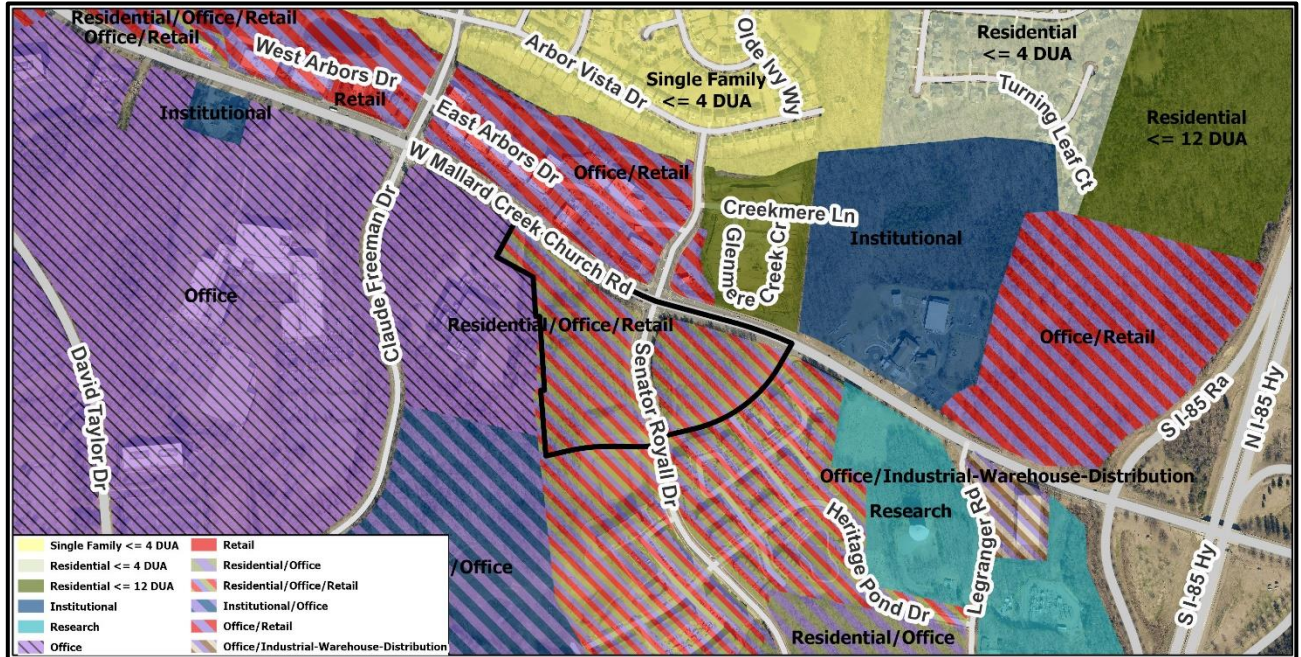
- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-010	Rezoned 4.3 acres to allow up to 107,000-square foot climate-controlled storage facility.	Approved
2016-115	Rezoned 37.54 acres to modify the development standards for a portion of an approved project, to allow up to 300 multi-family dwelling units; 75,000 square feet of retail, eating/drinking/ entertainment establishments; and a 200-room hotel.	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
2021-039	Rezoned 21.5 acres to allow up to 350 multi-family dwelling units and up to 30 single-family attached townhome dwelling units.	Approved



- **Public Plans and Policies**



- The *University Research Park Area Plan (2010)* calls for Residential/Office/Retail for this site. Up to 22+ DUA is appropriate for residential density.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to West Mallard Creek Church Road, a State-maintained major thoroughfare, Senator Royall Drive, a City-maintained local street, and Alexander Village Main Drive, a City-maintained local street). A Traffic Impact Study (TIS) was approved as a part of Rezoning Petition 2016-115 and is not needed to be amended for this petition. There are multiple transportation improvements proposed by various land development projects that create further comprehensive network. The proposed improvements included Senator Royall Drive Widening and pedestrian improvements (12-foot multi-use path) in accordance to NCDOT approved roadway plans. In addition to installing a new CATS Bus Stop, 12-foot MUP will be provided along Mallard Creek Church Road. Site plan revisions are needed to meet outstanding items including, but not limited to showing the right-turn lane from Mallard Creek Church Road into the site.

- **Active Projects:**

- Mallard Creek Church Road Shared-Use Path (Mallard Creek Rd to Claude Freeman Dr)
  - Schedule/Phasing (Planning, Design, Construction – Quarter/Year)

- **Transportation Considerations**

- See Outstanding Issues, Notes 1, 2

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 6,775 trips per day (based on 75,000 square-feet of retail and 200 hotel rooms).

Proposed Zoning: 3,030 trips per day (based on 140 townhome units and 20,000 square-feet of retail).

**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:** No outstanding issues.
- **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 38 students, while the development allowed under the proposed zoning may produce 25 students. Therefore, there is no net increase in the number of students generated from existing zoning to proposed zoning.

- 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 to remain at 125%.
  - Mallard Creek High to remain at 121%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 24-inch water distribution main located along W Mallard Creek Church Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Senator Royall Road. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **City Arborist:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)

#### **OUTSTANDING ISSUES**

##### Transportation

1. Add conditional note to require the right turn lane from Mallard Creek Church Road into the site.
2. Update Note 3 for Transportation notes to reflect current bicycle and pedestrian accommodations shown in site plan and typical sections. Modify verbiage to reflect 8-foot planting strip and 8-foot sidewalk on the site's frontage of Alexander Village Main Drive (remove Senator Royall Drive from that sentence). Specify 12-foot multi-use path on both sides of Senator Royall Drive.

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





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

## Goals Relevant to Rezoning Determinations











### Rezoning Petition # 2021-081

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<b>Goal 1: 10- Minute Neighborhoods</b> All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	<b>Goal 2: Neighborhood Diversity &amp; Inclusion</b> Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✓
	<b>Goal 3: Housing Access for All</b> Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	<b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b> Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A



	<p><b>Goal 5: Safe &amp; Equitable Mobility</b></p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p><b>Goal 6: Healthy, Safe &amp; Active Communities</b></p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p><b>Goal 7: Integrated Natural &amp; Built Environments</b></p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p><b>Goal 9: Retain Our Identity &amp; Charm</b></p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	
	<p><b>Goal 10: Fiscally Responsible</b></p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>