

REQUEST	Current Zoning: R-3 (single family) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 4.98 acres located on the south side of Mallard Creek Road between Kings Grant Drive and Carolina Lily Lane. (Outside City Limits)
SUMMARY OF PETITION	The petition proposes a maximum of 20,000 square feet of commercial uses allowed in the NS (neighborhood services) district with one accessory drive-through service window.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Northeast District Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	CDS Family Limited Partnership and Frank & Joan Helms Prime Business, LLC David W. Murray/ The Odom Firm
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Up to 20,000 square feet of commercial uses, with one accessory drive-through service window.
 - Maximum of five principal structures.
 - Access to the site is provided along Mallard Creek Road, Grafton Regis Lane, and Carolina Lily Lane. Up to five access points proposed along the site's frontages and private drive.
 - The site has been divided into five building and parking envelopes.
 - Four-sided elevations of the proposed structure.
 - Large expanses of wall exceeding 20 feet in length will be avoided through the introduction of articulated facades, using various materials such as glass, brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, stucco, cementitious siding, EIFS or wood.
 - Detached lighting limited to 25 feet in height and will utilize full cut-off luminaires.
 - Proposed public street and internal driveway with possible on-street parking.
 - Opaque and landscape screening will be provided for any part of the development that adjoins and would be visible from the right-of-way of Grafton Regis Lane for the portions of any use that would require screening per the ordinance.
- **Existing Zoning and Land Use**
 - The subject property is currently zoned R-3 (single family residential) and is vacant. The adjacent properties are zoned R-3 (single family residential) and CC (commercial center) and are vacant or developed with residential structures.
- **Rezoning History in Area**
 - Petition 2011-052 rezoned 2.80 acres northwest of the site for a site plan amendment to CC (commercial center) to allow the reduction of a required berm with a fence.
- **Public Plans and Policies**
 - The *Northeast District Plan* (2000) recommends residential, institutional, office and/or retail uses for the subject property.
 - This petition is consistent with the *Northeast District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.

- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT has the following comments:
 1. CDOT requests the petitioner implement two (2) pedestrian refuge right-turn islands. These islands need to be located on the southeast and southwest quadrants of Carolina Lily Lane and Mallard Creek Road (MCR) intersection. CDOT will work with the petitioner on the appropriate channelized island design.
 2. The proposed full access intersections on Mallard Creek Road and Carolina Lily Lane are under review and are potentially too close to the existing and/or future signalized intersections. CDOT requests the petitioner revise the site plan to take advantage of Grafton Regis Lane, and eliminate the proposed full-access intersection along Mallard Creek Road between Kings Grant Drive (a future signalized intersection) and Carolina Lily Lane. The distance between these two intersections is approximately 1,100 feet. Grafton Regis is an existing public street serving the proposed development, and was designed to provide site access to parcels fronting onto Mallard Creek Road. Mallard Creek Road is designated as a major thoroughfare and will most likely be a four-lane divided roadway in the future.
 3. CDOT requests the petitioner revise the site plan so that the proposed public street that connects Mallard Creek Road to Grafton Regis Lane aligns with an existing driveway on Grafton Regis Lane (approximately 80 feet to the east).

Mallard Creek Road and Carolina Lily Lane

4. CDOT requests the petitioner implement two (2) pedestrian refuge right-turn islands. These islands need to be located on the southeast and southwest quadrants of Carolina Lily Lane and Mallard Creek Road (MCR) intersection. CDOT will work with the petitioner on the appropriate channelized island design. The petitioner will be responsible for all traffic/pedestrian signal modifications at MCR and Carolina Lily Lane intersection associated with the pedestrian refuge islands and accessible ramps, including pedestrian signalization for crossing two (2) of the four intersection approaches.

Mallard Creek Road and Access "C"

5. The proposed full access intersections on Mallard Creek Road and Carolina Lily Lane are under review and are potentially too close to the existing and/or future signalized intersections. CDOT requests the petitioner revise the site plan to take advantage of Grafton Regis Lane, and eliminate the proposed full-access intersection along Mallard Creek Road between Kings Grant Drive (a future signalized intersection) and Carolina Lily Lane. The distance between these two intersections is approximately 1,100 feet. Grafton Regis Lane is an existing public street serving the proposed development, and was designed to provide site access to undeveloped parcels fronting onto Mallard Creek Road. Mallard Creek Road is designated as a major thoroughfare and currently planned as a four-lane divided roadway.
 - a. Before the MCR TIP (four-lane divided widening) is implemented, CDOT recommends site access "C" be restricted to a RI/RO/Left-In traffic movement controlled by a southbound leftover using a raised four-foot wide median from Access "C" to Carolina Lily Lane. The southbound MCR leftover needs to have a minimum 150-foot left-turn storage and appropriate bay taper length. This would also restrict Access "B" to RI/RO movements, as proposed in the TIS. The proposed public street on the west side of the site will need to be designed as a commercial/office wide street to provide for recessed parking and two 11-foot travel lanes. The northbound travel lane needs to be marked as a right-turn only lane.

Carolina Lily Lane and Access "A"

6. Initially Access "C" can operate as a full-access, however in the future access at this location may need to be restricted to a RI/RO movements (implemented by others), should traffic operations caused by the close proximity of this driveway to MCR occur in the future. Please add this statement in the TIS and the rezonings conditional Transportation Notes.

Mallard Creek Church and Carolina Lily Frontage Improvements

7. CDOT recommends the proposed future curb lines along the site's MCR and Carolina Lily Lane frontage should be set to accommodate the planned MCR TIP, including the proposed southbound leftover to serve Access "C" and a 5-foot bike lane. Also an 8-foot wide planting strip and 6-foot sidewalk needs to be implemented on the site's public street frontages. To this end, the DRG needs to develop a 1"=30' conceptual geometric plan for MCR frontage between Carolina Lily Lane (north side) and Access "C", including a typical section. This plan needs to clearly depict the proposed southbound leftover storage length and taper, two (2) northbound travel lanes, northbound left-turn storage length at Carolina Lily Lane, right-turn lanes proposed by NCDOT, right turn pedestrian refuge islands (see comment #1), proposed pavement markings, existing and proposed right-of-way lines as measured from MCR's existing centerline. Should any additional right-of-way be needed to set the future MCR curb line, CDOT requests the petitioner dedicate right-of-way as fee simple.
8. CDOT requests the petitioner revise the site plan so that the proposed site's western side public

street which connects Mallard Creek Rd. to Grafton Regis Lane align with an "existing" driveway on the eastside of Grafton Regis Lane (approximately 80 feet to the east).

- **Vehicle Trip Generation:**
Current Zoning: 860 trips per day.
Proposed Zoning: 12,500 trips per day.
 - **Connectivity:** See comments above.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Facilitates the use of alternative modes of transportation by providing sidewalk and planting along the internal drive.

OUTSTANDING ISSUES

- The petitioner should:
 1. Label eight-foot planting strips and six-foot sidewalks along Carolina Lily Lane and Mallard Creek Road.
 2. Clarify that a six-foot planting strip and five-foot sidewalk will be provided along one side of the private drive and label on the site plan.
 3. Add a note that the drive-through lane will be screened with a low masonry wall and landscaping if located along a public street.
 4. Under transportation, modify Note "e" to read an eight-foot planting strip and six-foot sidewalk will be provided along site's frontage.
 5. Add a note that residential dwelling units are a prohibited use.
 6. Add a note that the building façade facing the corner of Mallard Creek Road and Carolina Lily Lane will have clear glass windows and an operable door connected to the public sidewalk.
 7. Label building setbacks along Mallard Creek Road and Carolina Lilly Lane.
 8. Address Transportation comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Solomon Fortune (704) 336-8326