

<b>REQUEST</b>	Current Zoning: CC (commercial center) Proposed Zoning: CC SPA (commercial center, site plan amendment)
<b>LOCATION</b>	Approximately 29.01 acres located on the north side of Mallard Creek Road, east of Beard Road and across Amanda Ellen Road. (Outside City Limits)
<b>SUMMARY OF PETITION</b>	The petition proposes the modification of a conditional site plan note to allow the development of a vacant parcel in the King's Grant area with 322 multi-family units with a density of 11.08 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Young E. Garrison Spectrum Properties Jim Guyton, Design Resource Group
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to a needed administrative approval, removal of the street network, required buffers and several requested technical revisions.</p> <p><u>Plan Consistency</u> The proposed residential use is consistent with the recommendation for retail, office and/or multi-family use per the <i>Northeast Area Plan</i>, as amended by the previous rezoning.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The current zoning for the subject property allows the requested multi-family units, but requires that they are placed in mixed use buildings.</li> <li>• Transportation network changes since the approval of the current conditional zoning make commercial development on the site, either free standing or in mixed use buildings, less feasible due to more limited access to the site.</li> <li>• The petition removes the requirement that multi-family be located in mixed use buildings on this site.</li> <li>• While changing the condition under which multi-family can be developed on this site, the petition does not propose to increase the number of allowed multi-family units in the larger development.</li> <li>• The desired mixture of uses will still be provided in the overall development and Interstate I-485 interchange area.</li> </ul>
---------------------------------	---

**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan amendment contains the following changes:
  - Allows the development of 322 multi-family residential units.
  - Removes the requirement that residential uses must be in mixed-use structures in the office area.
  - Removes the office component from the subject site.
  - No other changes are proposed for the original petition.
- **Existing Zoning and Land Use**
  - Rezoning petition 2000-132 rezoned approximately 101 acres located north of Interstate 485 along Mallard Creek Road and Odell School Road to CC (commercial center) in order to allow the development of 600 multi-family units, 350,000 square feet of office uses and 100,000 square feet of retail uses and a 150 room hotel.
  - The subject property under petition 2000-132 showed that multi-family and office buildings could be developed on the site. The plan had a provision that multi-family development would

- be allowed in the office portion within mixed-use structures with office uses.
- The properties to the north and west are currently zoned R-3 (single family residential) and MX-2 (mixed use) and developed with single family residential structures or vacant.
- The properties to the south and east are zoned CC (commercial center) and are vacant.
- See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Petition 2015-043 just northeast of the site along Odell School Road/ Mallard Creek Road rezoned 4.98 acres to NS (neighborhood services) to allow the development of 20,000 square feet of retail, restaurant and office uses.
- **Public Plans and Policies**
  - The *Northeast Area Plan* (2000), as amended by rezoning petition 2000-132, recommends a mix of office, retail and multi-family use for the area in which the subject site is located.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a major thoroughfare near the recently opened I-485 at Mallard Creek Church Road outside of the City limits. The current site plan has outdated base mapping and transportation notes that do not reflect recent coordination CDOT and NCDOT have had with the transportation consultants representing this and the adjacent parcel since the summer of 2016 to incorporate conceptual plans for the extension of Odell School Road and Amanda Ellen Road. While there are no notes on the current site plan that commit the petitioner to this coordination, CDOT anticipates that the petitioner will continue to work toward a mutually acceptable design and construction of the Odell School extension in conjunction with the subdivision ordinance requirements and NCDOT approval process.
  - See Outstanding Issues, Note 3.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: 2080 trips per day (based on 322 multi-family units).
    - Proposed Zoning: 2080 trips per day (based on 322 multi-family units).

#### DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** No comments received.
- **Charlotte Water:** No comments received.
- **Engineering and Property Management:** No comments received.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

#### OUTSTANDING ISSUES

##### Site and Building Design

1. Submit an administrative request for petition 2000-132 and reduce the number of allowed multi-family units by 322 units.
2. Clearly show the required 50 and 75-foot "Class B" buffer along the northern and western edges of the subject site.

##### Transportation

3. Revise the street network and show stub arrows to reflect what was approved under administrative amendment 12-22-2016.

#### REQUESTED TECHNICAL REVISIONS

##### Site and Building Design

4. Remove the "Approved by City Council" Stamp from the site plan.
5. Add "Petition 2017-033" to the site plan and remove "Petition 2000-132."
6. Add the petitioners name to the site plan and remove previous petitioners name Michael J. Fox.
7. Modify the existing Zoning to CC and proposed zoning to CC SPA.
8. Modify the site acreage to the 29.08 acres.
9. Remove the overall square footage allowances for the office, retail and hotel portion.

---

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Transportation Review

**Planner:** Solomon Fortune (704) 336-8326