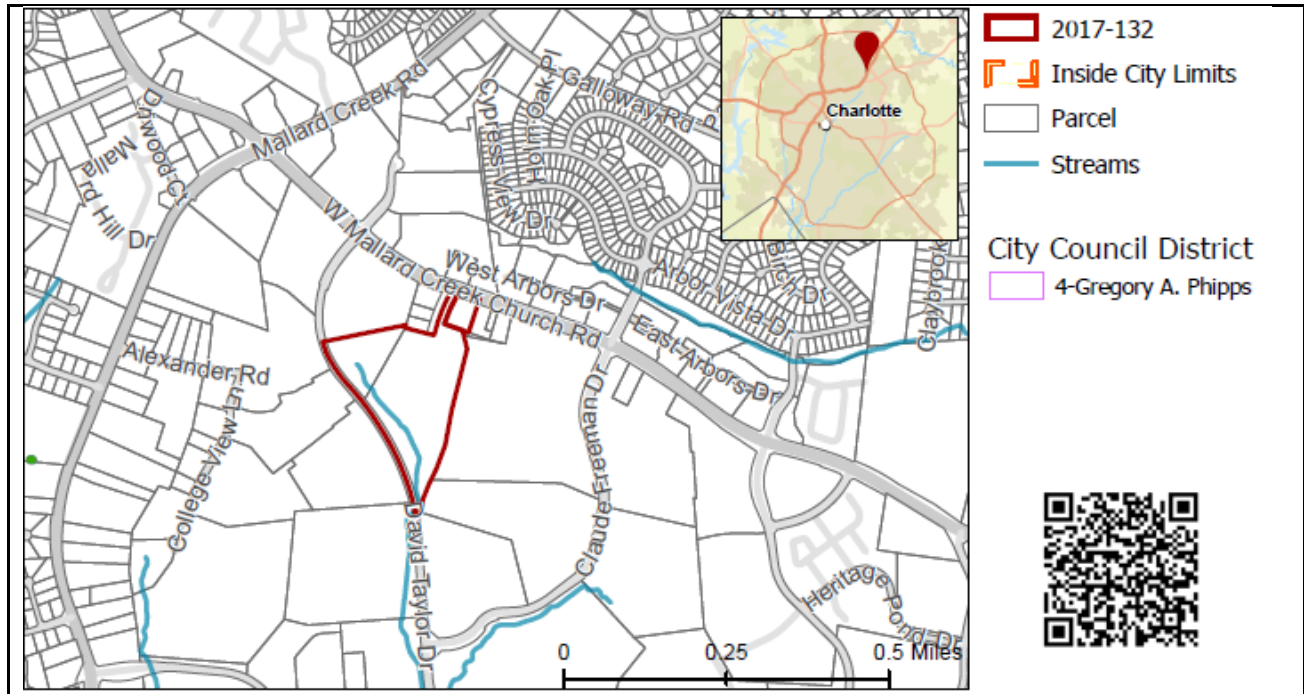


REQUEST Current Zoning: RE-2 (research) and R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights

LOCATION Approximately 21.0 acres located on the south side of West Mallard Creek Church Road and east of David Taylor Drive.
(Council District 4 - Phipps)



SUMMARY OF PETITION The petition proposes to allow the construction of a townhome community on vacant land located within the University Research Park.

PROPERTY OWNER Crescent Communities, LLC
PETITIONER Mattamy Homes
AGENT/REPRESENTATIVE Collin Brown, K&L Gates LLP

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 14

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

Plan Consistency
The petition is inconsistent with the *University Research Park Area Plan* recommendation for office land use. However, the *General Development Policies* support the proposed density of 4.64 units per acre.

Rationale for Recommendation

- Although the area plan recommends office uses for this site, the University Research Park has continued to evolve since the plan was adopted in 2010 with the addition of multi-family into the predominately office and research environment.
- If the site is to be considered for residential, the General Development Policies (GDP) indicate that a density of up to six units per acre is appropriate.
- This proposal will provide another housing choice in the Research

Park by allowing townhome development close to numerous employment opportunities.

- The proposed residential development will have significantly lower traffic impact than the office development recommended by the plan.
- The petition also commits to an internal network of streets that will help support City Council's connectivity goals.

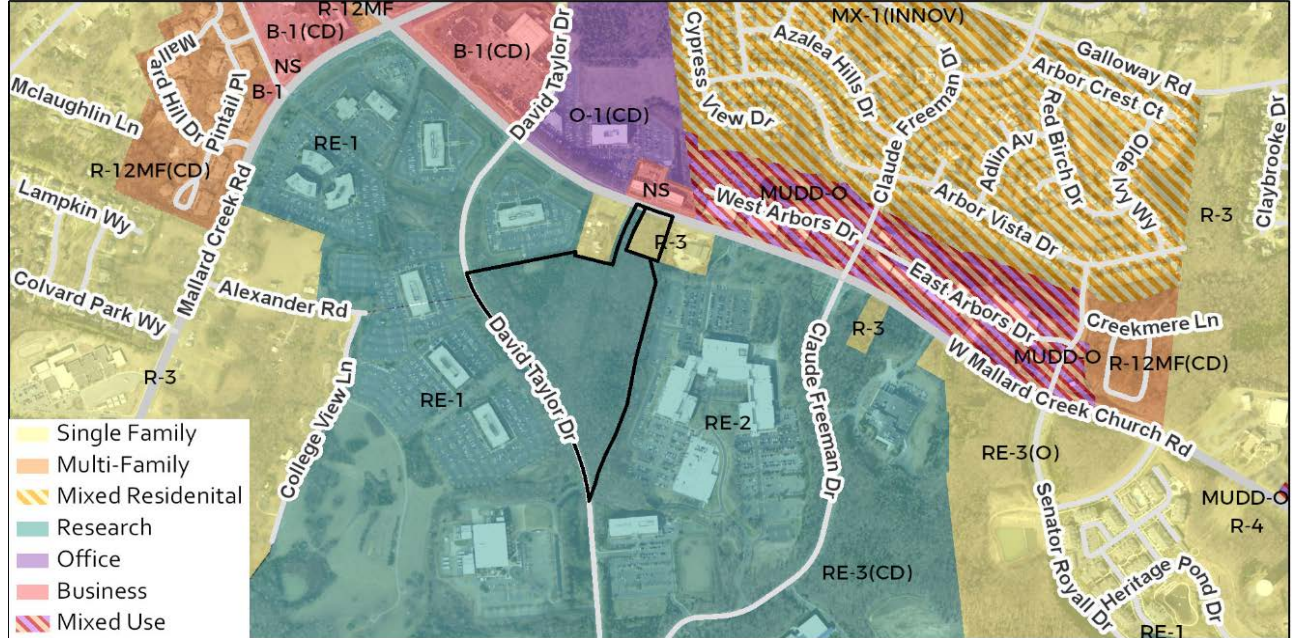
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 97 for sale townhomes with a mix of alley loaded and front loaded units at a density of 4.64 units per acre.
- Maximum building height of three stories not to exceed 45 feet.
- Identifies 100-foot building setback from West Mallard Creek Church Road.
- Provides access via West Mallard Creek Church Road and David Taylor Drive.
- Provides an internal network of public and private streets with on-street parking. Provides stub connections to abutting properties to the northwest and to the east.
- Commits to working with adjacent property owners to coordinate the abandonment of the unopened right-of-way east of the site's frontage on Mallard Creek Church Road.
- Constructs two new waiting pads for two new bus stops, with one on the site's frontage along West Mallard Creek Church Road and one on the site's frontage along David Taylor Drive.
- Commits to substantially completing all transportation improvements before the site's first building certificate of occupancy is issued.
- Provides six-foot sidewalks and eight-foot planting strips along both sides of all internal proposed public and private streets.
- Provides a minimum eight-foot wide planting strip and minimum 12-foot wide multi-use path along the site's frontage on West Mallard Creek Church Road, or the petitioner will make a payment to the City of Charlotte to fund the multi-use path project in lieu of construction.
- Provides a six-foot wide sidewalk located on the back side of the existing tree line along the site's David Taylor Drive frontage.
- Commits to architectural standards regarding entrances; pitched roofs; usable porches or stoops; corner/end units; recessed garage doors; provision of walkways; and a maximum of six units per building.
- Provides front and alley loaded cross sections.
- Proposes refuse collection throughout site in the form of roll-out containers but also shows proposed location of large waste container area in the event roll-out containers are not utilized.
- Provides Class A and Class C buffers along property lines, reduced in some areas with a fence.
- Identifies 100-foot undisturbed PCSO buffer and tree save areas, existing wetlands, and potential water quality area with natural trail area.
- Illustrates open space locations and concepts (i.e. roundabout park concept, pocket park concept, linear green).

• Existing Zoning and Land Use



- The site is currently vacant and is surrounded by a mix of single family homes, and office and commercial uses. The site is situated within University Research Park.



The site is currently vacant and wooded.



The adjacent properties to the east, south, and west are large research office parks.

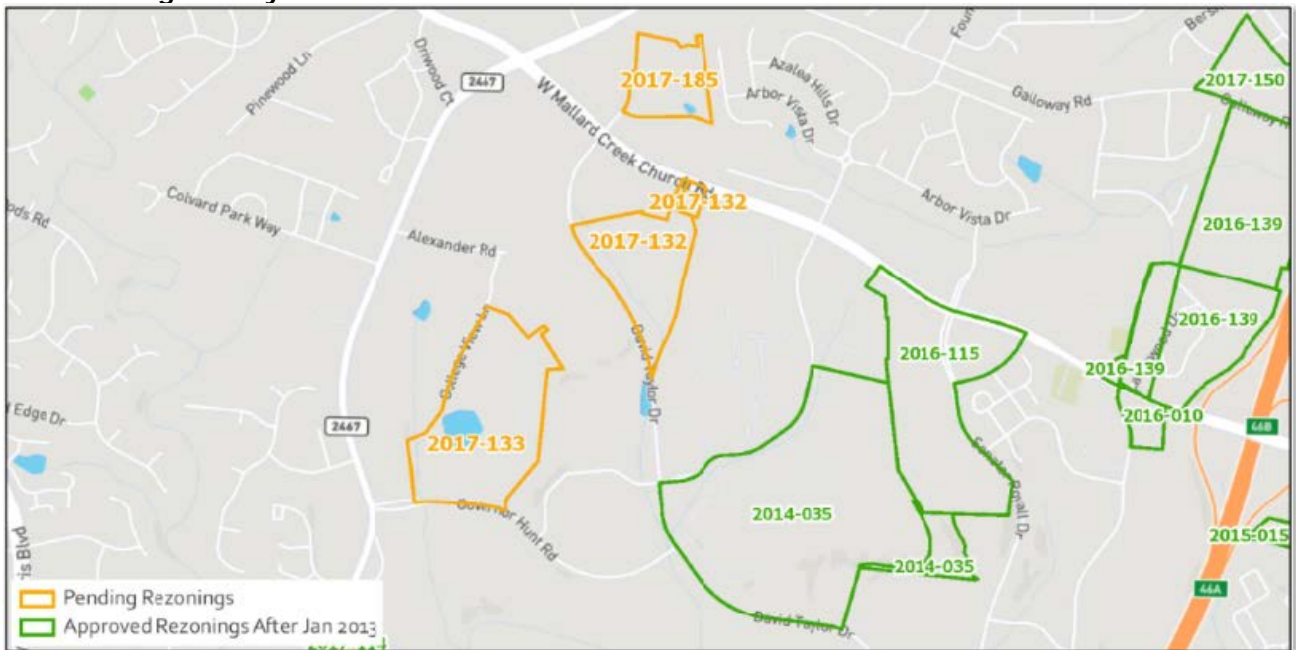


Properties to the north are developed with retail and office uses.



The Arbor Hills subdivision is located across West Mallard Creek Church Road.

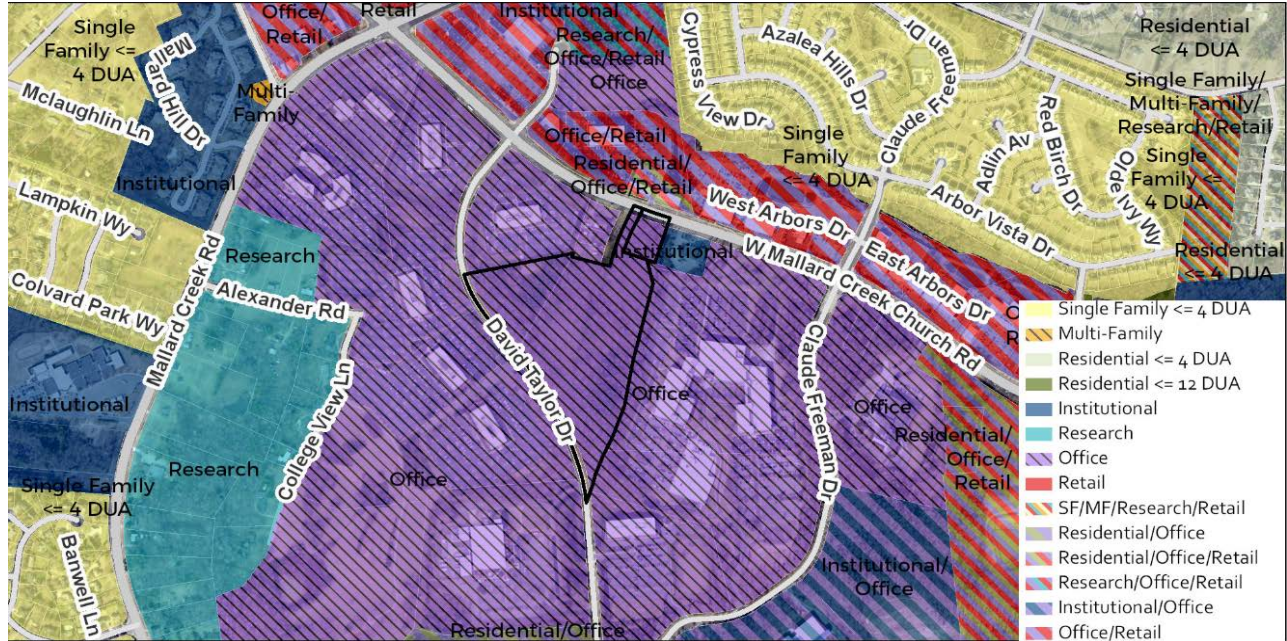
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-133	Proposed rezoning for approximately 37.94 acres to allow up to 167 for sale townhouse units.	Pending
2017-185	Proposed rezoning for approximately 11.75 acres to allow up to 260 multi-family residential units.	Pending

2016-139 2016-115 2015-015 2014-035 2013-110	There have been multiple rezonings in the immediate area for multi-family residential and non-residential uses.	Approved
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• **Public Plans and Policies**



- The *University Research Park Area Plan* (2010) recommends office land use for this site and surrounding area.
- The plan specified the intent for this area is for it to remain a predominately office district, and as market conditions create more demand for multi-tenant office space, this area should first be considered for those uses. Reuse of existing buildings is encouraged, and eventually infill opportunities should accommodate additional space needs.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to eight dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 6 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	2
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 10	Total Points: 11

• **TRANSPORTATION CONSIDERATIONS**

- The site is located between a major thoroughfare and a minor collector within the University Research Park. The site plan commits to an internal network of streets that will help to develop the overall connectivity of the area. The petitioner has agreed to work with the adjacent property owners to abandon unopened right-of-way west of the site’s western property line.
- See Outstanding Issues, Notes 1 and 2.
- See Requested Technical Revisions, Note 3.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: N/A trips per day (based on vacant land).
 Entitlement: 4,600 trips per day (based on 519,845 square feet of office).
 Proposed Zoning: 630 trips per day (based on 97 townhomes).

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:** The site plan shows locations for trash and recycling stations in accordance with Solid Waste requirements.
- **Charlotte Fire Department:** No on street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning for 115 townhomes will produce 25 students.
 - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Mallard Creek Elementary from 93% to 94%
 - Ridge Road Middle from 119% to 120%
 - South Mecklenburg High from 123% to 123%.
- **Charlotte Water:** Charlotte Water has water system infrastructure accessible for the rezoning boundary via an existing 12-inch water distribution main located along David Taylor Drive.

In relation to the parcels under review, Charlotte Water has sanitary sewer system accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along West Mallard Creek Church Road and David Taylor Drive.

- **Engineering and Property Management:**
 - **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets (West Mallard Creek and David Taylor) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right-of-way.

The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right-of-way. No trees can be removed from the right-of-way (David Taylor) without explicit authorization from the City Arborist or his designee.

The petitioner shall submit a tree survey for all trees two-inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight-inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUESTransportation

1. Existing back-of-curb can remain as is to accommodate a two-lane undivided avenue with buffered bike lanes as identified in the area plan.
2. CDOT requests additional alleys paralleling David Taylor Drive between the proposed roundabout and parcel no. 04716212 instead of front loaded driveways onto the public street.

REQUESTED TECHNICAL REVISIONSTransportation

3. The petitioner should revise the site plan to show the sidewalk along the David Taylor frontage as described in conditional note V 1.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report

- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Department of Solid Waste Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Claire Lyte-Graham (704) 336-3782