

## SECOND COMMUNITY MEETING REPORT

**Petitioner: Mattamy Homes**  
Rezoning Petition No. 2017-133

This Second Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

### **PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:**

A representative of the Petitioner mailed a written notice of the date, time and location of the Second Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on February 14, 2018. A copy of the written notice is attached hereto as Exhibit B.

### **DATE, TIME AND LOCATION OF MEETING:**

The Second Community Meeting was held on Wednesday, March 7, 2018 at 6:00 p.m. at the Piedmont Unitarian Universalist Church, 9704 Mallard Creek Road, Charlotte, NC 28262.

### **PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):**

The Second Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner was represented at the Second Community Meeting by Elizabeth LoCoco, as well as by Petitioner's agents Collin Brown with K&L Gates and Matt Mandle and Matt Levesque with ESP Associates. Elizabeth McMillan was in attendance on behalf of Crescent Communities, the property owner.

### **SUMMARY OF PRESENTATION/DISCUSSION:**

Mr. Collin Brown welcomed attendees and used a PowerPoint presentation, attached hereto as Exhibit D. Mr. Brown introduced the Petitioner's team and explained that the purpose of this second official community meeting is to update the community on changes that have been made to the rezoning petition since the initial official community meeting held on October 11, 2017. The rezoning petition relates to approximately 38 acres of land located on the north side of Governor Hunt Road, east of Mallard Creek Road.

Mr. Brown explained that the Petitioner has revised the site plan to eliminate the northern-most connection to College View Lane. Although Staff has requested this connection as a requirement of the Subdivision Ordinance, the Petitioner has submitted a "Subdivision Exception Request" to waive the requirement for the College View connection based on the existing soil conditions on the site. At this time, the Subdivision Exception Request is still pending approval by Staff. The Petitioner has taken the position with Staff over the past few months that it would prefer not to provide the College View Connection and that the community would prefer to not see the connection made at this time. Mr. Brown explained that an east-west road would eventually connect back to Mallard Creek Road if other surrounding properties redevelop, but that a connection is not intended as part of this rezoning petition.

At this time, the Petitioner is proposing to extend the right-of-way to the property line adjacent to College View Lane in order to allow a future extension of the road in the event that adjoining properties develop in the future. The adjoining neighbors in attendance at the meeting continued to express their very strong desire for the connection to not be made to College View Lane at this time.

This petition is tentatively scheduled for a public hearing on March 19th, which could lead to a City Council decision on April 16th at the earliest.

In response to an attendee question, the Petitioner's agents responded that the townhomes are currently still in the design phase, but may feature rear patios and possibly have fenced in "yard" areas in the rear.

An attendee asked about the ownership intentions for the townhomes. The Petitioner's agents responded that the Petitioner intends for the townhome units to be sold to individual owners. Although HOA documents have not yet been drafted at this time, they could allow for units to be rented by individuals who lease the units from individual owners.

One attendee inquired into the open space area on the northern portion of the site. The Petitioner's agents responded that since the rezoning is tied to the conditional site plan, units could not be developed in that area since no units are currently shown in that area.

In response to attendee inquires into the water quality areas, the Petitioner's agents responded that the areas have not been designed yet so the Petitioner does not know whether they would be wet or dry ponds. An attendee commented about the area having issues with geese and a concern that the water quality areas and park areas may create a geese problem.

Mr. Brown then concluded the formal portion of the presentation and the Petitioner's representatives continued to answer individual questions. The formal meeting concluded at approximately 7:00 p.m.

Respectfully submitted, this 12th day of March 2018.

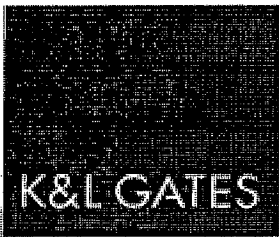
cc: Council Member Greg Phipps  
Claire Lyte-Graham, Charlotte-Mecklenburg Planning Department

# **Exhibit A**

Pet_No.	taxpid	ownerlastn	ownerfirst	cownerfirs	cownerlast	malladdr1	malladdr2	city	state	zipcode
2017-133	04713104	SUMMIT AVENUE URP LLC				1440 SOUTH TRYON ST SUITE 104		CHARLOTTE	NC	28203
2017-133	04715201	SNYDER	GLENN H	SYLVIA A	SNYDER	9925 COLLEGE VIEW LN		CHARLOTTE	NC	28262
2017-133	04715206	BLAKELY	SIMONE H			19919 CHURCH ST		CORNELIUS	NC	28031
2017-133	04715208	DAVE	KUNAL			11127 FOUNTAIN GROVE DR		CHARLOTTE	NC	28262
2017-133	04715212	COOK	WILBUR FRANKLIN II			110 VISTA DR		DAVIDSON	NC	28036
2017-133	04715213	NEAL LLC				11035 GOLF LINKS DR UNIT 78052		CHARLOTTE	NC	28271
2017-133	04715215	STRUBE	JOE BROWN	SARAH	STRUBE	9402 MALLARD CREEK RD		CHARLOTTE	NC	28262
2017-133	04715216	SUMMIT AVENUE URP LLC				1440 SOUTH TRYON ST SUITE 104		CHARLOTTE	NC	28203
2017-133	04715222	VLADYKA	BRIAN			9901 COLLEGE VIEW LN		CHARLOTTE	NC	28262
2017-133	04715232	SEAFORD	LANE C	NANCYS	SEAFORD	9717 COLLEGE VIEW LN		CHARLOTTE	NC	28262
2017-133	04715233	JACOBSON	RICHARD E	JINMEI	JACOBSON	9723 COLLEGE VIEW LN		CHARLOTTE	NC	28262
2017-133	04715234	KYZER	KENNETH M	DEBORAH O	KYZER	9807 COLLEGE VIEW LN		CHARLOTTE	NC	28262
2017-133	04715235	NICHOLS	BOBBY		SUSAN MARSHALL	9827 COLLEGE VIEW LN		CHARLOTTE	NC	28262
2017-133	04715236	GULLA	ALFRED R	AMY C	GULLA	98 POPLAR WOODS DR		CONCORD	NC	28027
2017-133	04715237	CRESCENT RESOURCES INC				C/O PROPERTY TAX DEPT		CHARLOTTE	NC	28202
2017-133	04715239	CRESCENT RESOURCES INC				C/O PROPERTY TAX DEPT		CHARLOTTE	NC	28202
2017-133	04715243	MARTIN	DEBORAH C			2855 ALEXANDER RD		CHARLOTTE	NC	28262
2017-133	04715244	MERCK & CO INC	%TAX DEPT			ONE MERCK DRIVE	M/S WS-2F-96	WHITEHOUSE STATION	NJ	08889
2017-133	04715245	LAMBERT	SARAH ANN		BOBBY RAY	6023 ROBERTA RD		HARRISBURG	NC	28075
2017-133	04715246	SMITH	HAROLD A E	MIRIAM N	SMITH	10409 ROCKWOOD RD		CHARLOTTE	NC	28215
2017-133	04715247	HS DATA CENTERS-CHARLOTTE DEVELOPMENT LLC				9320 WILSHIRE BLVD	SUITE 300	BEVERLY HILLS	CA	90212
2017-133	04715248	HS DATA CENTERS-CHARLOTTE LLC				9320 WILSHIRE BLVD	SUITE 300	BEVERLY HILLS	CA	90212
2017-133	04716801	TDCA RESOURCE SQUARE LLC			C/O THE DILWEG COMPANIES LLC	5310 SOUTH ALSTON AVE STE 210	ATTENTION: JEFFREY A BENSON	DURHAM	NC	27713
2017-133	04716822	WBGMT 2007-C38			C/O TORCHLIGHT LOAN SERVICES	701 BRICKELL AVE STE 2200		MIAMI	FL	33131
2017-133	04716827	FOUR RESOURCE SQUARE LLC			C/O RAIT FINANCIAL TRUST CIRA	100 N 18TH STREET,23RD FLOOR		PHILADELPHIA	PA	19104
2017-133	04716828	CRESCENT RESOURCES INC			C/O PROPERTY TAX DEPT	227 W TRADE ST STE 1000		CHARLOTTE	NC	28202
2017-133	04741201	SUMMIT AVENUE URP LLC				1440 SOUTH TRYON ST SUITE 104		CHARLOTTE	NC	28203
2017-133	04741202	ACKERMAN	CHARLES THOMAS	ANNE MANNING	ACKERMAN	2909 EATON SQ		ELLCOTT CITY	MD	21043

Pet_No.	ORGANIZATI	FIRST_NAME	LAST_NAME	STREET_ADD	UNIT_NUM	CITY	STATE	ZIP
2017-133	Arbor Hills Homeowners Association	Sarah	Ziegler	10701 Claude Freeman Dr		Charlotte	NC	28262
2017-133	Ashley Creek Homeowners Association	John	Higdon	3111 Parker Green Tl		Charlotte	NC	28269
2017-133	Avensong Homeowners Association	Debbie	Durrell	10701 Claude Feeman Dr		Charlotte	NC	28209
2017-133	Bank Of America (University City)	Jesse	Cureton	3325 Radbourne Boulevard		Charlotte	NC	28269
2017-133	Chatham	Paul	Corkery	3008 Parker Green Trail		Charlotte	NC	28269
2017-133	Chestnut Commons Homeowners Association	Guy E.	Derby, Jr	3111 Parker Green Tl		Charlotte	NC	28269
2017-133	Churchill Downs	Kelly	Voler	10701 Claude Feeman Dr		Charlotte	NC	28209
2017-133	Claybrooke Neighborhood Association	Anthony	Wooding	10179 Claybrooke Dr		Charlotte	NC	28262
2017-133	Clearcreek Acres II	James R	Malone	3325 Radbourne Boulevard		Charlotte	NC	28269
2017-133	Colvard Park Homeowners Association	Kevin	Archer	3008 Colvard Park Wy		Charlotte	NC	28269
2017-133	Greater Vision Development Corporation, Inc.	Billy	Hopkins	9632 Mersham Court		Charlotte	NC	28269
2017-133	Highland Trace Neighborhood	Howard	Carmichael	10701 Claude Feeman Dr		Charlotte	NC	28209
2017-133	Highland Trace Neighborhood	Willie	Caldwell	3111 Parker Green Tl		Charlotte	NC	28269
2017-133	Holly Ridge Neighborhood Association	Donald	Woodard	3325 Radbourne Boulevard		Charlotte	NC	28269
2017-133	Lexington	Robert	Davis	2345 Treymore Lane		Charlotte	NC	28262
2017-133	Mallard Ridge Homeowners Association	Jose	Chirino	5603 Mallard Grove Rd		Charlotte	NC	28269
2017-133	Mallard Trace At Rossmore Homeowners Association	Pamela	Smith	3103 Summerville Ln		Charlotte	NC	28269
2017-133	Mallard Trace At Rossmore Homeowners Association	Susan	Donnelly	9146 Exbury Ct		Charlotte	NC	28269
2017-133	Mallard Trace Homeowner's Association	Robert H.	May	9607 Fairmead Drive		Charlotte	NC	28269
2017-133	Prosperity Point Homeowners Association	Alan	McDonald	10010 Gardendale Ct		Charlotte	NC	28269
2017-133	Quail Hollow II Homeowners Association	Tom H.	Roberts	3511 Edgepine Dr		Charlotte	NC	28269
2017-133	Radbourne Homeowners Association	Radbourne HOA Board		3325 Radbourne Blvd.		Charlotte	NC	28269
2017-133	Radbourne Homeowners Association	Todd	Arnold	3337 Whistley Green Dr		Charlotte	NC	28269
2017-133	Ramblewood Neighborhood Association	Denise	Hallett	11020 David Taylor Dr		Charlotte	NC	28262
2017-133	Ramblewood Neighborhood Association	Woody	Schmidt	11020 David Taylor Dr		Charlotte	NC	28262
2017-133	Villa Heights Community Organization	Hatti	Watkins	3820 Saxonbury Wy		Charlotte	NC	28269

# **Exhibit B**



February 14, 2018

Collin W. Brown  
collin.brown@klgates.com

T +1 704 331 7531  
F +1 704 331 7598

**NOTICE TO INTERESTED PARTIES OF FOLLOW-UP COMMUNITY MEETING**

**Date:** Wednesday, March 7th at 6:00 p.m.  
**Location:** Piedmont Unitarian Universalist Church  
9704 Mallard Creek Road  
Charlotte, NC 28262  
**Petitioner:** Mattamy Homes, LLC  
**Petition No.:** 2017-133

Dear Charlotte Resident,

We represent Mattamy Homes (the "Petitioner") in its plans to redevelop an approximately 38 acre property located on the north side of Governor Hunt Road, east of Mallard Creek Road (the "Property"). The Petitioner requests to rezone the Property from the RE-1 zoning district to the UR-2(CD) zoning district in order to accommodate the development of a single-family (attached) residential community.

The Petitioner originally held an Official Community Meeting for the Rezoning Petition on October 11, 2017. Since then, the Petitioner has revised several aspects of the Rezoning Plan in response to community feedback. Therefore, the Petitioner is hosting a second meeting to serve as a follow-up to the initial discussions.

Accordingly, on behalf of the Petitioner, we invite you to attend the Official Community Meeting regarding this Petition on **Wednesday, March 7th at 6:00 p.m.** to meet with the Petitioner and its design and development team. We will give a brief overview of the redevelopment concept and then provide an opportunity for you to meet and talk with individuals that are involved in planning the project.

Please contact me if you are unable to attend and would like additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Collin W. Brown", is written over the typed name.

Collin W. Brown

cc: Council Member Greg Phipps  
Claire Lyte-Graham, Charlotte-Mecklenburg Planning Staff

# **Exhibit C**





# **Exhibit D**

The top of the slide features a white square in the upper left corner containing the text 'K&L GATES' in white, sans-serif, uppercase letters. The rest of the top half of the slide is a blue background with a bokeh effect of out-of-focus light spots.

K&L GATES

Second Community Meeting

**Rezoning Petition  
No. 2017-132  
Mattamy Homes**

March 7, 2017

@ Piedmont Unitarian Universalist Church





**Site**

RE-1

RE-1

R-3

R-3

INST(CD)

RE-2

RE-3(CD)

R-3

R-3

NS

MUDD-O

C-1(CD)

Charlotte

Alexander Rd

Governor Hunt Rd

Mallard Creek Rd

David Taylor Dr

Clayton Freeman Dr

West Arbor Dr

Silver Birch Dr

Fairmead Dr

Park Walk East

Park Walk West

Lampkin Wy

Colvard Park Wy

Mallard Hill Dr

Pine Hill Pl

Howard Cr

Barson Ln

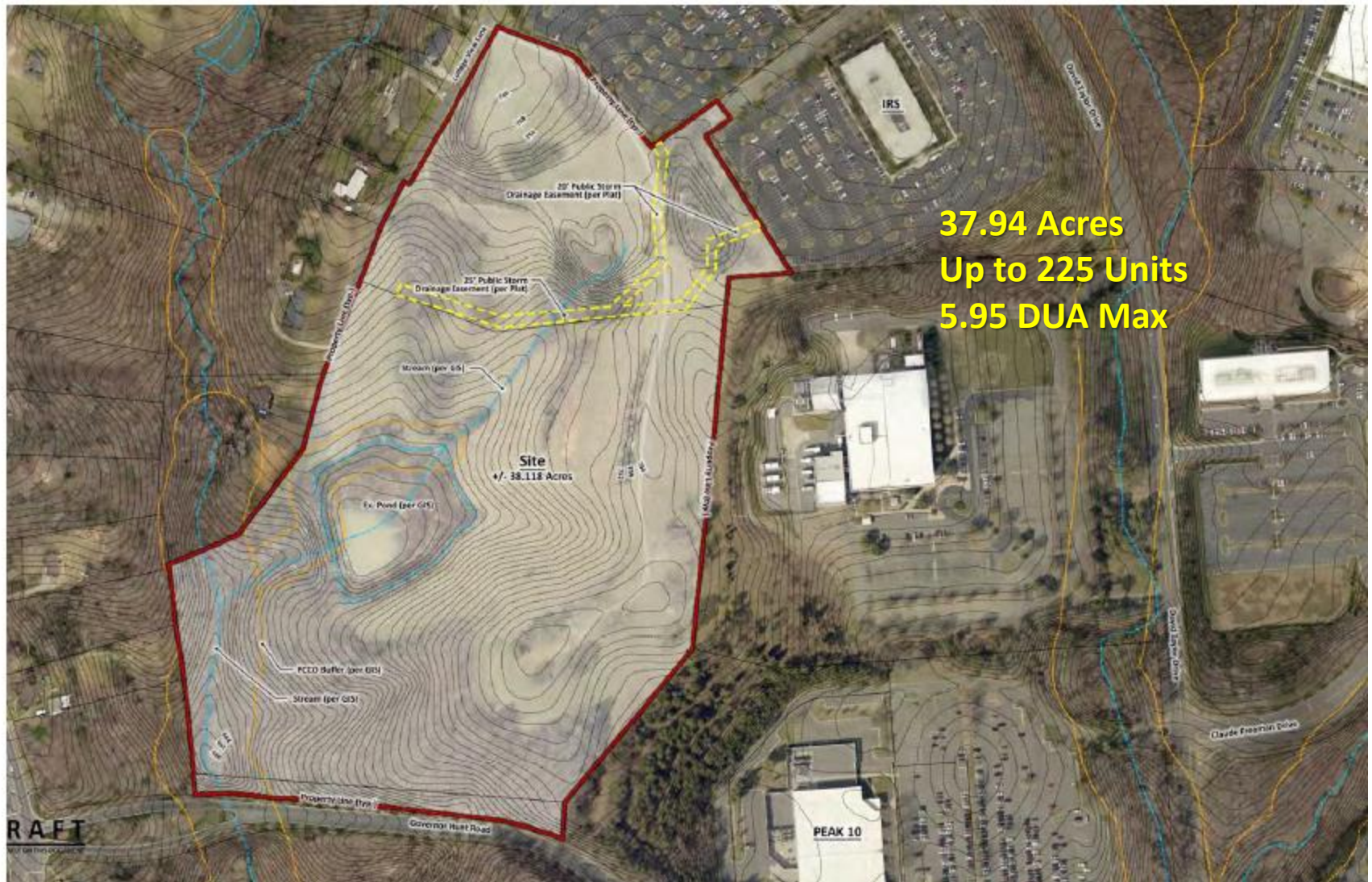
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# Mallard Creek Site - Aerial



**37.94 Acres**  
**Up to 225 Units**  
**5.95 DUA Max**





## Mallard Creek Site – Illustrative Master Plan









# Mallard Creek Road Site

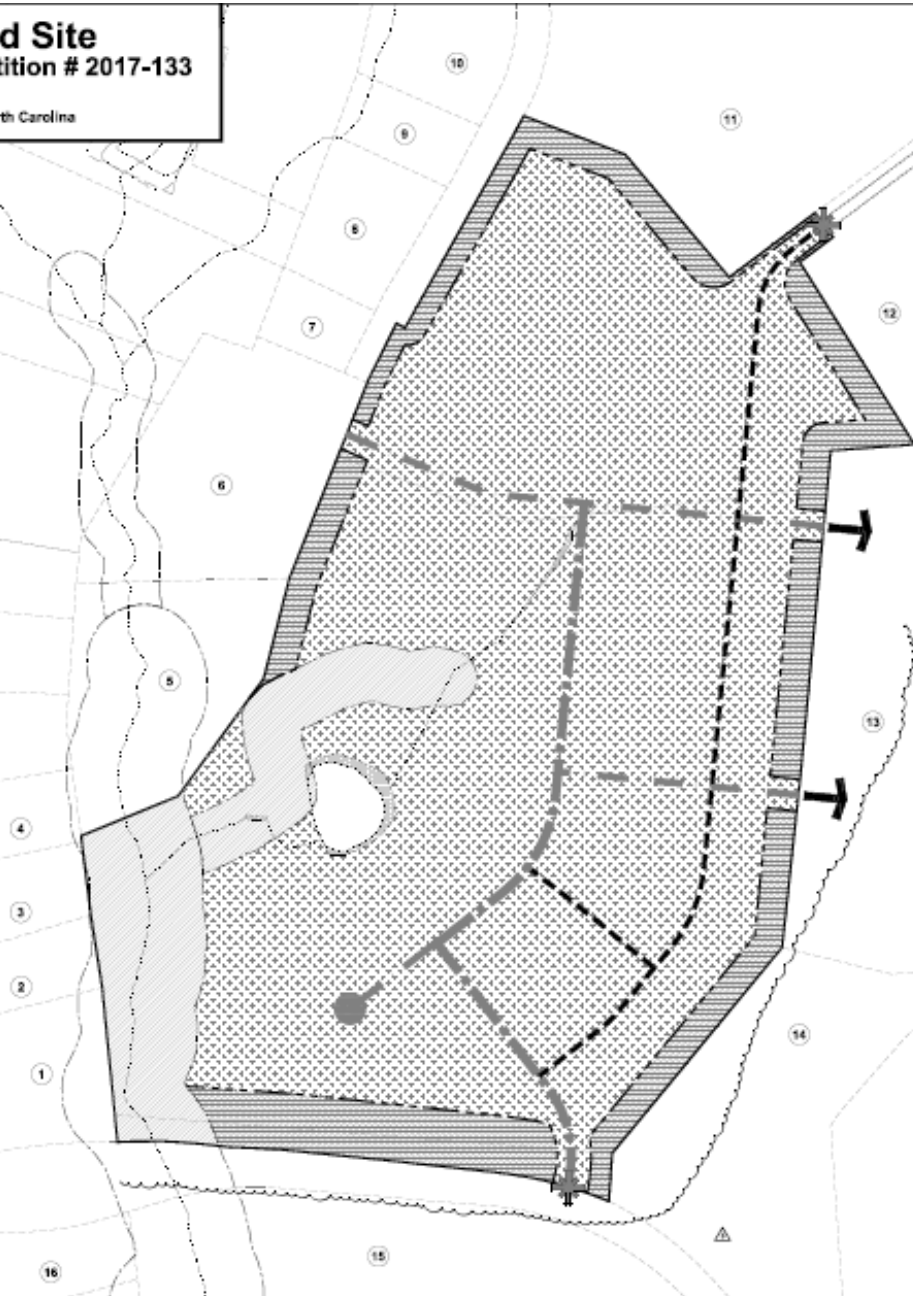
## Conditional District Rezoning - Petition # 2017-133

Located In:  
City of Charlotte / Mecklenburg County, North Carolina

INDEX OF SHEETS	SHEET NO.	SHEET NAME	REVISION DATE	REVISION DATE
1 of 5	CONCEPTUAL SITE PLAN	8/23/2017	10/13/2018	
2 of 5	TECHNICAL DATA SHEET & CONFORMANCE CONCEPTS	8/23/2017	10/13/2018	
3 of 5	MASTER PLAN	8/23/2017	10/13/2018	
4 of 5	CONCEPTUAL MASTER PLAN	8/23/2017	10/13/2018	
5 of 5	ARCHITECTURAL ELEVATIONS	8/23/2017	10/13/2018	

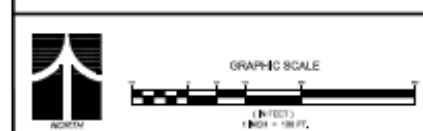
Property Owners	Address	Owner	Rating
1	34715828	Chesapeake Communities, LLC	100.0
2	34715829	Chesapeake Communities, LLC	100.0
3	34715830	Chesapeake Communities, LLC	100.0

Adjacent Property Owners	Address	Owner	Rating
4	34715214	SUNSHINE AVENUE LRP LLC	100.0
5	34715215	JOHN BROWN STRONG & SONS STRONG	100.0
6	34715216	SARAH ANN LAMBERT & SONS BAY	100.0
7	34715217	ANDREW A. SMITH & MORGAN SMITH	100.0
8	34715218	ANDREW A. SMITH & MORGAN SMITH	100.0
9	34715219	ANDREW A. SMITH & MORGAN SMITH	100.0
10	34715220	ANDREW A. SMITH & MORGAN SMITH	100.0
11	34715221	ANDREW A. SMITH & MORGAN SMITH	100.0
12	34715222	ANDREW A. SMITH & MORGAN SMITH	100.0
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21	34715231	ANDREW A. SMITH & MORGAN SMITH	100.0
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69	34715279	ANDREW A. SMITH & MORGAN SMITH	100.0
70	34715280	ANDREW A. SMITH & MORGAN SMITH	100.0
71	34715281	ANDREW A. SMITH & MORGAN SMITH	100.0
72	34715282	ANDREW A. SMITH & MORGAN SMITH	100.0
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89	34715299	ANDREW A. SMITH & MORGAN SMITH	100.0
90	34715300	ANDREW A. SMITH & MORGAN SMITH	100.0
91	34715301	ANDREW A. SMITH & MORGAN SMITH	100.0
92	34715302	ANDREW A. SMITH & MORGAN SMITH	100.0
93	34715303	ANDREW A. SMITH & MORGAN SMITH	100.0
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98	34715308	ANDREW A. SMITH & MORGAN SMITH	100.0
99	34715309	ANDREW A. SMITH & MORGAN SMITH	100.0
100	34715310	ANDREW A. SMITH & MORGAN SMITH	100.0



Site Data	
Site Address:	0415888, 0415889 & 0415890
Total Acreage:	± 32.84 Acres (Per GIS)
Location:	City of Charlotte
Existing Zoning:	RS-1
Proposed Zoning:	UR-1 (200) with 5 year vested rights
Building Use:	Vacant
Proposed Use:	Single Family Residential (Attached)
Permitted # of Units:	Up to 100 Non-Single Detached Units
Proposed Density:	Not to Exceed ± 4.40 Units/Acre
Maximum Building Height:	Two-Story (20) Feet
Parking:	Shall satisfy or exceed M.U. 2 Minimum Requirements
Private Open Space:	Minimum of 400 SF per Unit
Amended Open Space:	± 4.5 Acres (Minimum)
Tree Data:	± 0.30 Acres (10%)
Required:	± 0.30 Acres (10%) minimum
Provided:	
General Notes	
1.	Base information obtained from Mecklenburg County GIS.
2.	Survey / Wetland information is based on "Current" West A Charlotte, North Carolina, GIS Project No. 2007-0070" wetlands report provided by Carolina Wetland Services dated August 1, 2011.

Legend	
	Residential Development Area - Building & Parking Envelope
	75' Public ROW
	50' Public ROW
	Private Street (30' Clear Zone)
	Proposed Access Location
	Proposed Bulk Location
	Proposed Buffer



Conditional District Rezoning - (Petition # 2017-133)  
 Mallard Creek Road Site  
 City of Charlotte

Project Number: 2017-133  
 Drawing By: [Name]  
 Checked By: [Name]  
 Project Manager: [Name]  
 Date: 10/13/2018

Project Number: 2017-133  
 Drawing By: [Name]  
 Checked By: [Name]  
 Project Manager: [Name]  
 Date: 10/13/2018

Project Number: 2017-133  
 Drawing By: [Name]  
 Checked By: [Name]  
 Project Manager: [Name]  
 Date: 10/13/2018

Project Number: 2017-133  
 Drawing By: [Name]  
 Checked By: [Name]  
 Project Manager: [Name]  
 Date: 10/13/2018



# Mallard Creek Road Site - Petition #2017-133 Conditional District Rezoning - Development Standards

## I. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Mallard Creek (the "Petitioner") to accommodate the development of a residential community on the approximately 27.24 acre site located on the south-west side of College View Lane and north of Governor Road Road, more particularly depicted on the Rezoning Plan (the "Plan"). The site is comprised of Tax Parcel Numbers 04N16040, 04N16041, and 04N16042.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Chaska's Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UO2 zoning district shall govern the development and use of the Site.
- The development and street layout depicted on the Rezoning Plan are intended to reflect and are intended to assist the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate location, features and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree law requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
- Future amendments to the Rezoning Plan under these Development Standards may be applied for by the Petitioner of the Site in accordance with the provisions of Chapter 5 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.02 of the Ordinance.

## II. Permitted Uses

- The Site may be developed only as a residential community containing a maximum of 100 single-family detached dwelling units and any incidental and accessory uses relating thereto that are allowed in the UO2 zoning district.

## III. Transportation

- Vehicle access shall be primarily depicted on the Rezoning Plan. The standards and considerations of the vehicle access depicted on the Rezoning Plan shall be subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- As depicted on the Rezoning Plan, the Site will be served by internal public and private drives, and minor adjustments to the locations of the internal private drives shall be allowed during the construction permitting process.
- Petitioner shall dedicate all right-of-way in fee simple conveyance to the City of Chaska before the State first building certificate of occupancy is issued or obtained for the development plan. Right-of-way shall be set to at least one (1) foot below the back of sidewalk where located.
- Petitioner shall substantially complete all transportation improvements before the State first building certificate of occupancy is issued.
  - Substantial completion shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for buildings on the Site in connection with future development phases, then CDOT will retain regulatory authority to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to ensure completion of the applicable improvements.

## IV. Architectural Standards

- The Site is subject to the Declaration of Restrictive Covenants and Easements for University Research Park which purports that "proposed building elevations and a description of exterior materials of all improvements" be submitted and approved by the University Research Park's review committee. Standards, architectural standards for the Site shall be administered in accordance with the University Research Park's Declaration and not this Rezoning Plan.
- To provide privacy, all residential entrances within 100 feet of a sidewalk shall be recessed from the average sidewalk grade a minimum of twenty-four (24) inches.
- Pitched roofs, if provided, may be of a contemporary style with asymmetrical low roof slopes of no less than 4:12, with the exception of flat roof accents or porches, which may be provided in strategic locations.
- Unleveled porches or stoops shall form a predominant feature of the building design and be located on the front exterior side of the building. Sloops and entry-level porches may be covered but shall not be enclosed.
- For all connected units that face a public or private street, stoops shall face the public street and corner units shall have recessed side stoops with a front stoop.
- Storage doors shall be recessed behind a balcony or building projection so that a minimum of two (2) feet of the driveway will be covered by a balcony or building projection to mitigate the appearance of the garage.
- For townhome units that are attached, stoops shall be provided to connect all residential entrances to sidewalks along public and private streets. For townhome units that are freestanding, the stoops shall be set to the driveway in order to ensure landscaping treatment in between driveway entrances.
- Attached dwelling units shall be limited to a maximum of five (5) townhome units per building.
- Roof overhangs, eaves, cornices, chimneys, porches, vents, bay windows, planters, pillars, open porches (if provided), and other architectural elements may project up to twenty-four (24) inches into the required setbacks.
- Refuse collection throughout the Site shall be in the form of roll-out containers.
- Streetscape and Landscaping
  - The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum six (6) foot wide sidewalk along both sides of all proposed public and private streets. A minimum eight (8) foot wide planting strip and a minimum six (6) foot wide sidewalk shall be provided along both sides of all proposed private streets.
  - The Petitioner may subdivide the Site and create lots within the Site with no side or rear yards as part of a unified development plan.
  - Petitioner shall provide a minimum setback of at least twenty (20) feet from the proposed back of curb for town-based units fronting public and private streets, a minimum setback of twenty (20) feet from the proposed back of curb for attached units fronting public streets, and a minimum setback of fourteen (14) feet from the proposed back of curb for attached units fronting private streets. Sloops and stoops may encroach three (3) feet into the setback as a "transition zone."

- For all attached units, driveway lengths shall be a minimum of 24' or 20' and greater measured from the back of curb to face of garage.
- For freestanding units, driveway lengths shall be a minimum of 22' measured from the back of sidewalk to face of garage.
- Environmental Features
  - The Petitioner shall comply with the Chaska City Council approved and adopted Post Construction Stormwater Ordinance. The location, size, and type of stormwater management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submitted and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and related site discharge points.
- Open Spaces
  - The Petitioner shall comply with tree save requirements.
  - The Petitioner shall provide a minimum of 4% areas of common open space areas within the Site, as generally depicted on the Rezoning Plan, to include unenclosed areas which may contain, but not be limited to, decorative features, landscaping, benches, picnic areas, and/or walking paths.
- Lighting
  - All freestanding lighting fixtures installed on the Site (including tower, decorative lighting that may be installed along the driveway and sidewalks as landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that light illumination does not extend past any property line of the Site.
  - The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-five (25) feet.
  - Any lighting fixture attached to the buildings to be constructed on the site shall be decorative, capped and downwardly directed.
- Amendments to Rezoning Plan
  - Future amendments to the Rezoning Plan and these Development Standards may be applied for by the Petitioner or Owners of a particular lot within the Site involved in accordance with the provisions of Chapter 5 of the Ordinance.
  - Shading Effect of the Rezoning Documents and Definitions
    - If the Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards shall, unless amended in the manner provided under the Ordinance, be binding upon and have the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

Through these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

## CONCEPT A Linear Park Concept



## LOCATION MAP NOT TO SCALE



## CONCEPT B Pocket Park Concept



Conditional District Rezoning - UO2 (C20)  
Technical Draft Sheet & Open Space Concepts  
Petition # 2017-133

**MALLARD CREEK ROAD SITE**

Mallard Creek  
City of Chaska

2 of 5

PROJECT NUMBER: 133  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 10/10/17

PROJECT NUMBER: 133  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 10/10/17





[illegible]

# Front & Alley Loaded Cross Sections



Front Loaded Cross Section - NTS



Alley Loaded Cross Section - NTS



ESP ASSOCIATES, LLC  
1000 N. 10th St., Suite 100  
Tulsa, Oklahoma 74103  
Phone: (918) 438-1111  
Fax: (918) 438-1112  
www.ESPAssociates.com

NO.	DATE	DESCRIPTION
1	01/15/11	Initial Design
2	02/01/11	Revised Design
3	02/15/11	Final Design

Conditional Zoning Resolution - Ord. 2011-01  
And Related Ordinance - Ord. 2011-02

**MALLARD CREEK ROAD SITE**

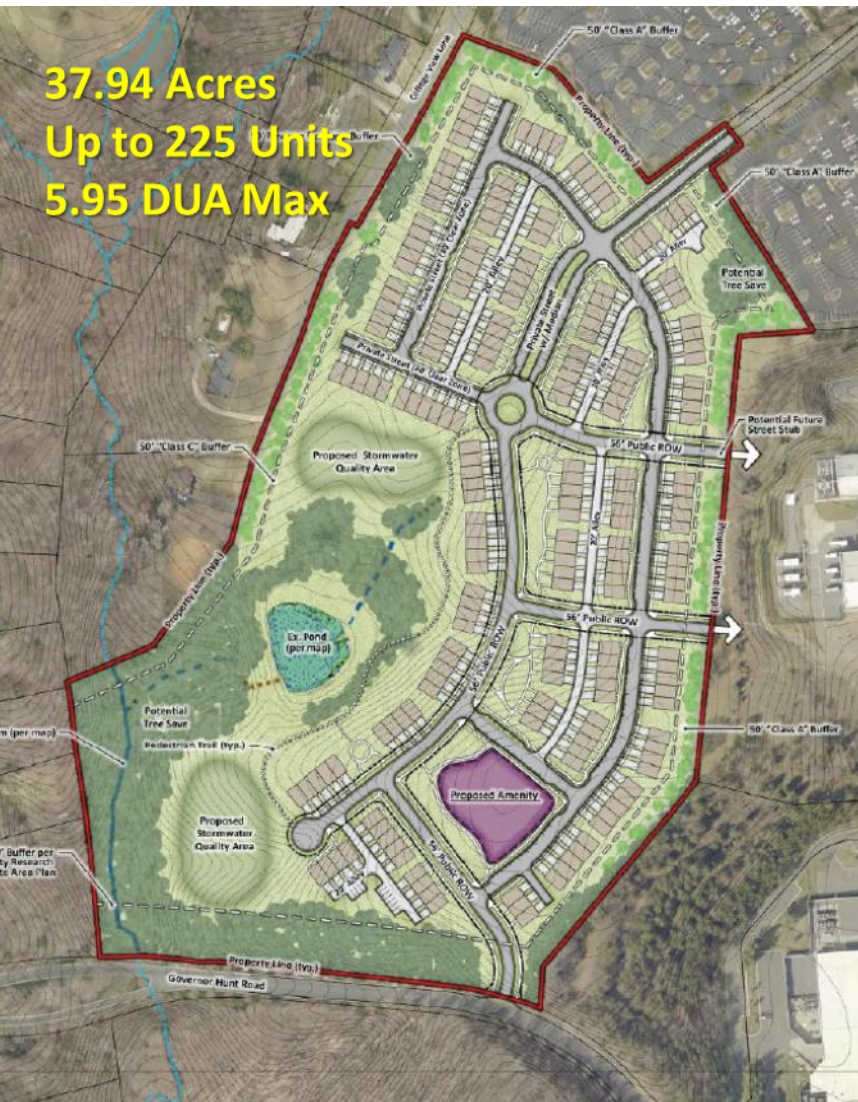
City of Oklahoma

PROJECT NUMBER	DATE
2011-01	01/15/11
2011-02	02/01/11
2011-03	02/15/11

5 of 5



**37.94 Acres**  
**Up to 225 Units**  
**5.95 DUA Max**



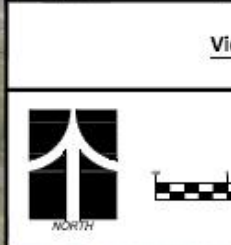
**Up to 167 Units**  
**4.40 DUA Max**











K&L GATES