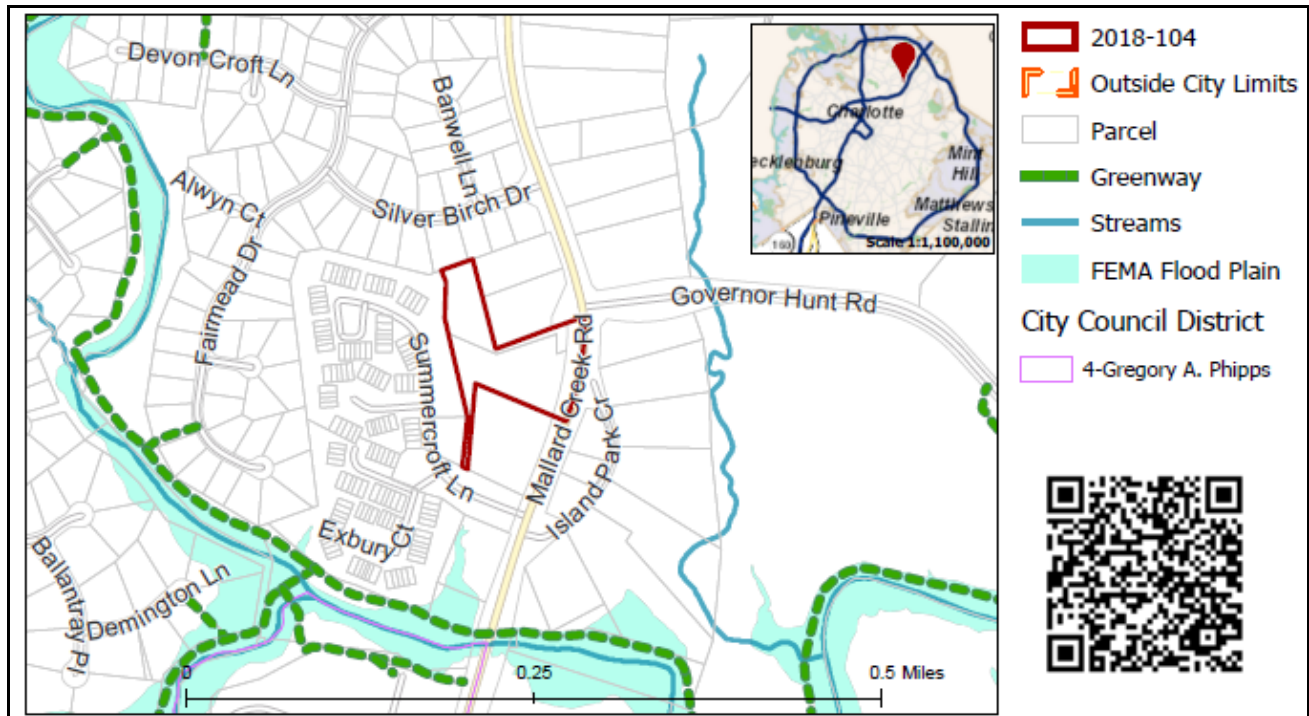


**REQUEST**

Current Zoning: INST(CD) (institutional, conditional)  
Proposed Zoning: INST(CD) SPA (institutional, conditional, site plan amendment)

**LOCATION**

Approximately 3.25 acres located on the west side of Mallard Creek Road, south of Governor Hunt Road.  
(Council District 4 - Phipps)



**SUMMARY OF PETITION**

The petition proposes to allow additional uses on a site currently used as a large day care facility. The site is located between West Mallard Creek Church Road and West W.T. Harris Boulevard.

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

Pal-A-Roos Properties, LLC  
Pal-A-Roos Properties, LLC  
Robert L. Brandon

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 2

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *Northeast District Plan* recommendation for institutional land use for this site, as amended by rezoning petition 1999-028.

Rationale for Recommendation

- The reason for the site plan amendment is to increase the list of potential institutional uses for the site, other than a daycare.
- The proposed uses which include adult daycare centers, religious institutions, health institutions, and vocational schools as listed in the site plan amendment are consistent with the institutional land

- The proposed uses will serve the surrounding neighborhoods.
- The site is already developed for a large daycare facility, which is currently in operation.

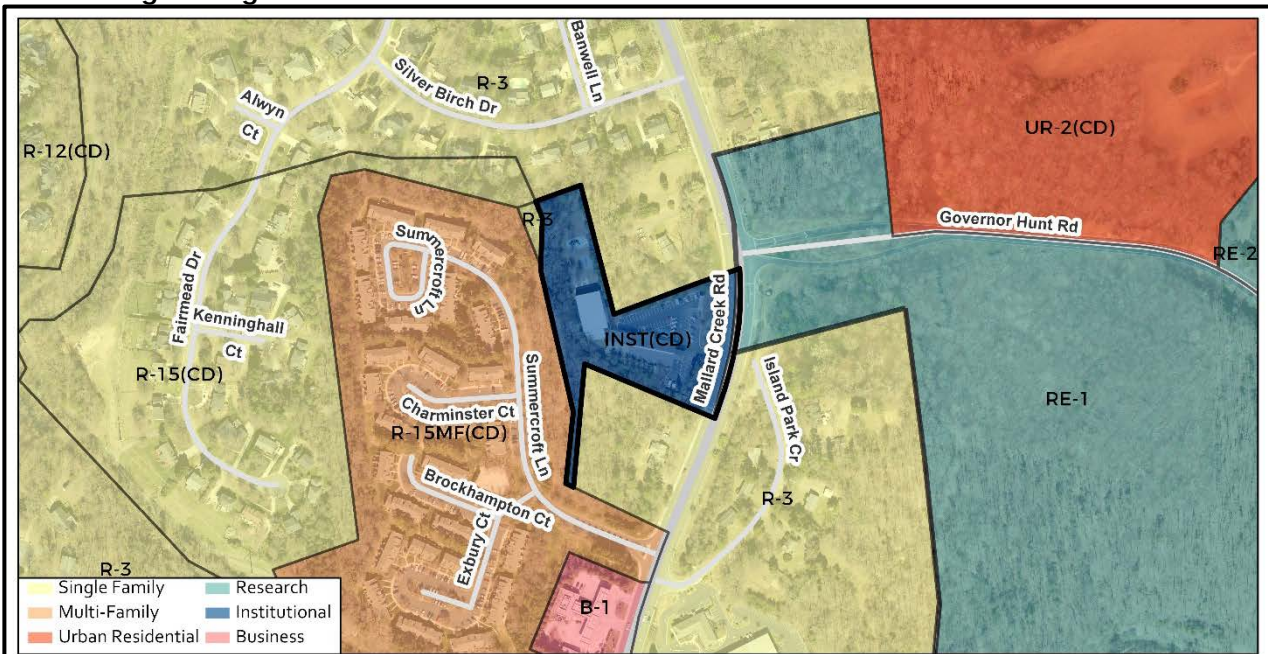
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan amendment contains the following changes:

- Allows the following uses in addition to a day care facility and small church assembly services:
  - Adult day care centers subject to the regulations of Section 12.502
  - Vocational school
  - Elementary or secondary school
  - Religious institutions
  - Health institutions (medium intensity less than 50,000 square feet)
  - Cultural facilities.
- Retains permitted maximum building area of 25,500 square feet.
- Specifies none of the added uses will be allowed to intensify use to require more than the existing Class C Buffer or more than the existing 68 off street parking space.

- **Existing Zoning and Land Use**



- The site is currently developed with an approximate 18,525-square foot building foot currently used as a day care facility and multi-purpose building. An approximate 2.30-acre portion of the site was rezoned from R-15 (multi-family) to R-15MF(CD) (multi-family residential, conditional) via petition 1989-37(c) in order to allow a 7,500-square foot day care facility. Petition 1999-028 rezoned the site to allow expansion of the day care facility and new multi-purpose facility for a building area not to exceed 25,500 square feet.
- The site is surrounded by a mix of single family neighborhoods, apartments, townhomes, institutional, office, and retail uses and vacant land.





The subject property is developed with a daycare facility.



Properties to the north along Silver Birch Drive are developed with single family homes.

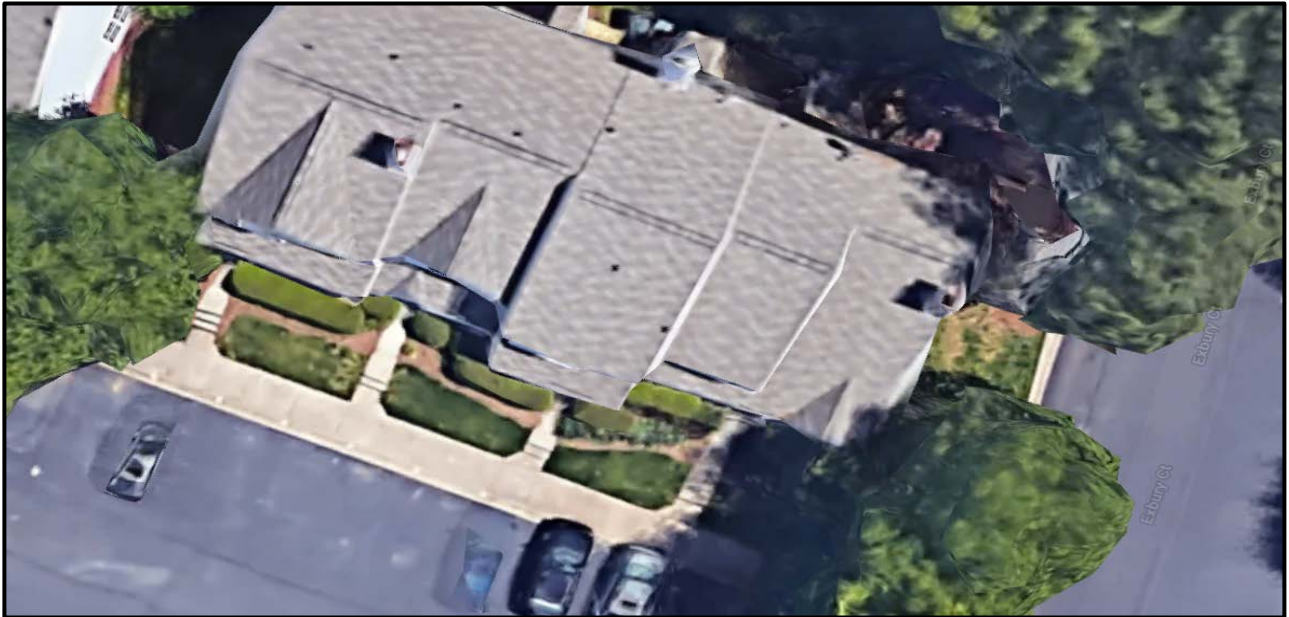


The property to the south along Mallard Creek Road is developed with a single family home.





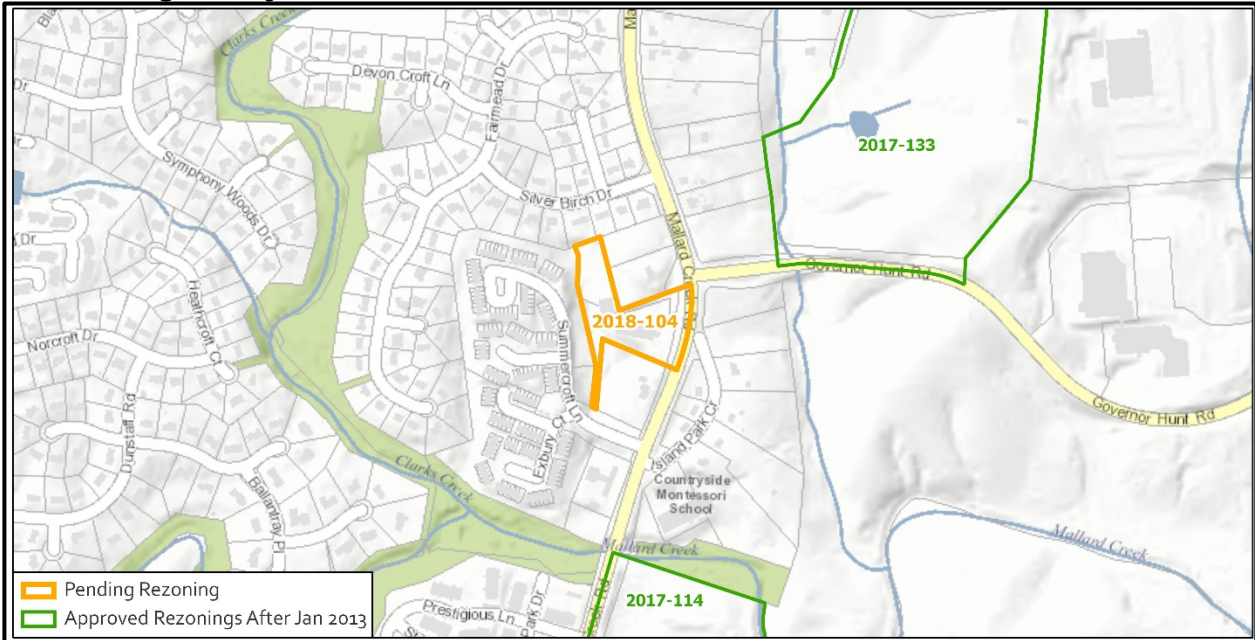
Properties to the east along Island Park Circle are developed with single family homes.



The property to the west along Summercroft Lane is developed with the Mallard Trace apartments.

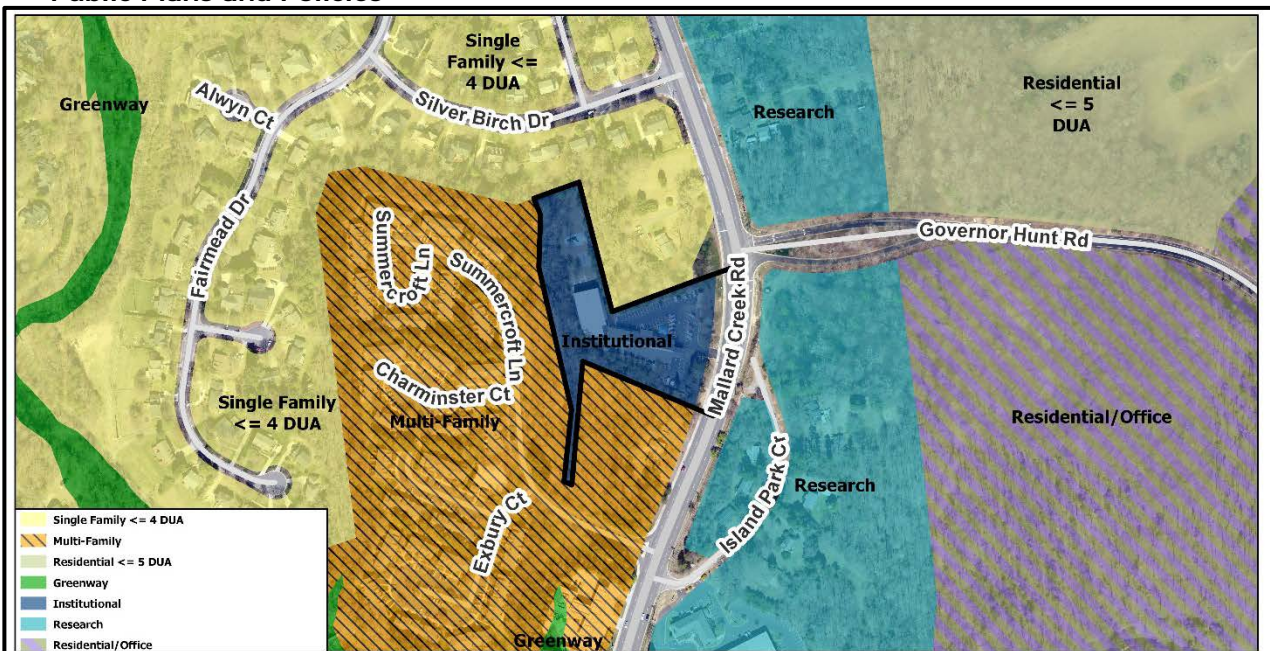


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-133	Rezoned approximately 38 acres from RE-1 (research) to UR-2(CD) (urban residential, conditional, five-year vested rights) in order to allow up to 167 for sale townhomes at a density of 4.40 units per acre.	Approved
2017-114	Rezoned approximately 26.26 acres from O-1(CD) (office, conditional) and RE-1 (research) to R-12MF(CD) (multi-family residential, conditional)	Approved

- Public Plans and Policies**



- The *Northeast District Plan* (1996) recommends institutional land use for this site, as amended by rezoning petition 1999-028.

- **TRANSPORTATION CONSIDERATIONS**

- The site is located on Mallard Creek Road and is served by CATS bus route #50. The site plan should accommodate space for the future bicycle facility along Mallard Creek Road.
- ~~See Outstanding Issues, Notes 1-4. Addressed.~~
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 1,490 trips per day (based on 20,150-square foot day care center).
    - Entitlement: 1,890 trips per day (based on 25,500-square foot day center).
  - Proposed Zoning: 1,570 trips per day (based on 50,000-square foot health institution).

**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 Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Mallard Creek Rd. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along the western side of the rezoning boundary.
- **Engineering and Property Management:**
  - **Arborist:** No outstanding issues.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** ~~See Outstanding Issues, Note 5. Addressed~~
  - **Storm Water Services:** ~~See Outstanding Issues, Note 5. Addressed~~
  - **Urban Forestry:** Site must comply with Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Transportation

1. ~~Revise the site plan and conditional note(s) to provide space from the existing back of curb for a future eight-foot buffered bike lane, and implement an eight-foot planting strip and six-foot sidewalk along the site's Mallard Creek Road frontage, prior to the site's first next building CO is issued. Addressed~~
2. ~~Revise the site plan and conditional note(s) to depict and dimension existing and proposed rights-of-way, building setback lines, future buffered bike lane, planting strip, and sidewalk as measured from Mallard Creek Road's existing centerline and/or future back of curb line. Addressed~~
3. ~~Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's next building certificate of occupancy is issued. CDOT requests right of way set at two feet behind back of sidewalk where feasible. Addressed~~
4. ~~Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's next building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Rescinded as the petitioner is not making any transportation improvements.~~

Environment

5. ~~Add the following note to the rezoning plan: The Site shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance. The Site shall not be eligible for any exemptions referenced in Section 18-105(a)(7) of the Post-Construction Stormwater Ordinance. Addressed~~

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

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

- Charlotte Area Transit System Review
- Charlotte Fire Department 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