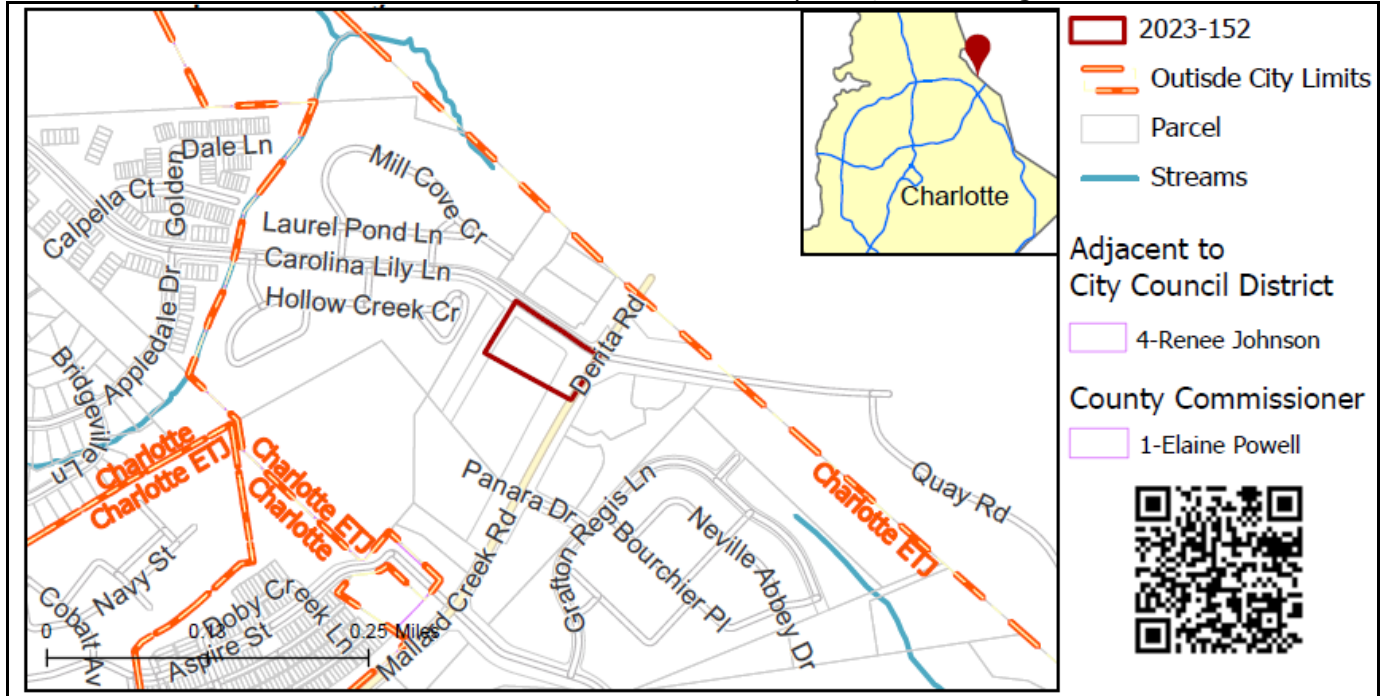


REQUEST

Current Zoning: CC (commercial center)
Proposed Zoning: CG (general commercial)

LOCATION

Approximately 1.1 acres located at the southwest intersection of Mallard Creek Road and Carolina Lily Lane, east of Kings Grant Drive.



SUMMARY OF PETITION

The petition proposes to allow all uses permitted by right and under prescribed conditions in the CG (general commercial) zoning district.

PROPERTY OWNER

Sam's Commercial Properties LLC

PETITIONER

Sam's Commercial Properties LLC

AGENT/REPRESENTATIVE

Anthony Fox – Parker Poe Adams & Bernstein LLP

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 0

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Commercial Place Type.

Rationale for Recommendation

- The CG zoning district is intended to accommodate areas of general commercial development in the City, typically located at key intersections or organized along arterial streets.
- The approved conditional plan allows retail/business uses on this site. This request will provide better flexibility and properly align with the standards of the UDO.
- The petition proposes a commercial land use that has the potential to promote access to amenities, goods, and services.
- The petition proposes a commercial land use that has the potential to promote access to employment opportunity.

- The parcel has frontage along Mallard Creek Road, a State-maintained major arterial.
- The site is served by CATS route #54. CATS is requesting a bus stop with the final location to be coordinated with the developer during the Land Development plan review process.
- The parcel is surrounded by a mix of residential uses, retail, and vacant land.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 8: Diverse & Resilient Economic Opportunity

PLANNING STAFF REVIEW

• **Background**

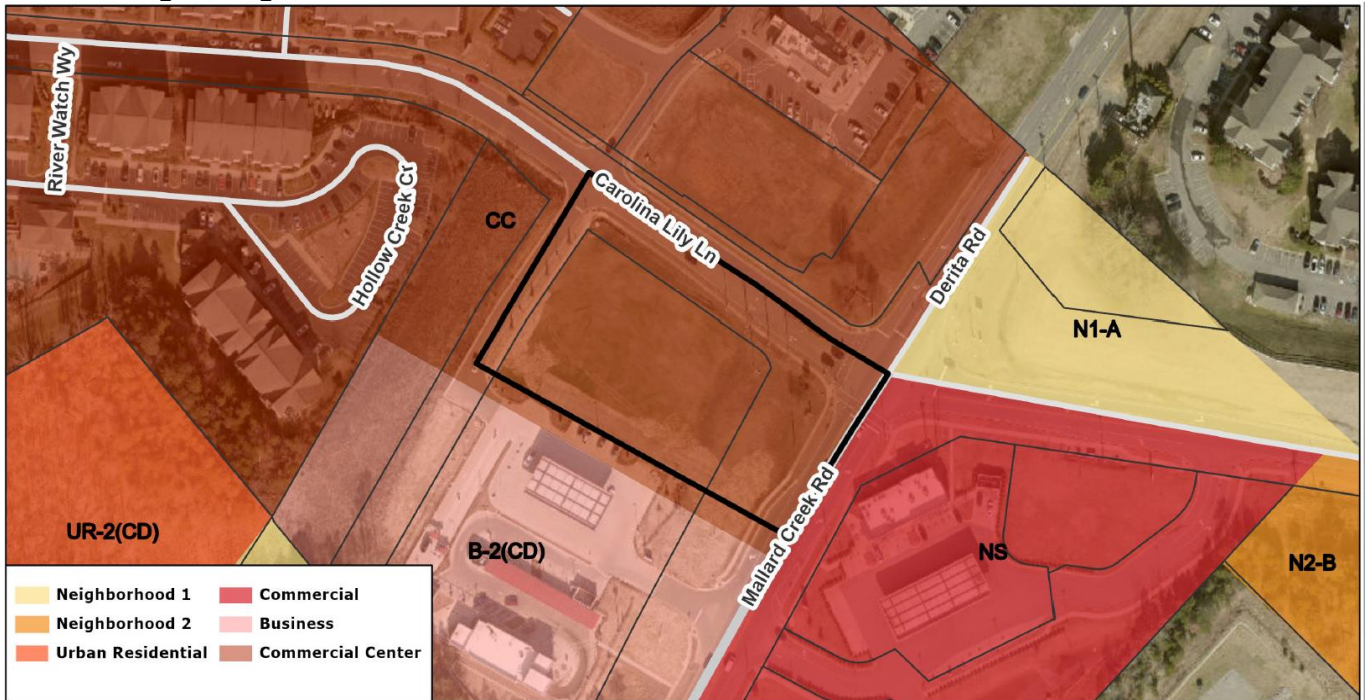
The rezoning site is part of a larger 92.6-acre site rezoned to CC and MX-2 via petition 1998-46c to allow up to 100,000 square feet of retail/business, up to 430 multi-family residential units, up to 156 single family attached residential units, up to 120 single family detached residential lots, and approximately 5.48 acres of open space.

• **Proposed Request Details**

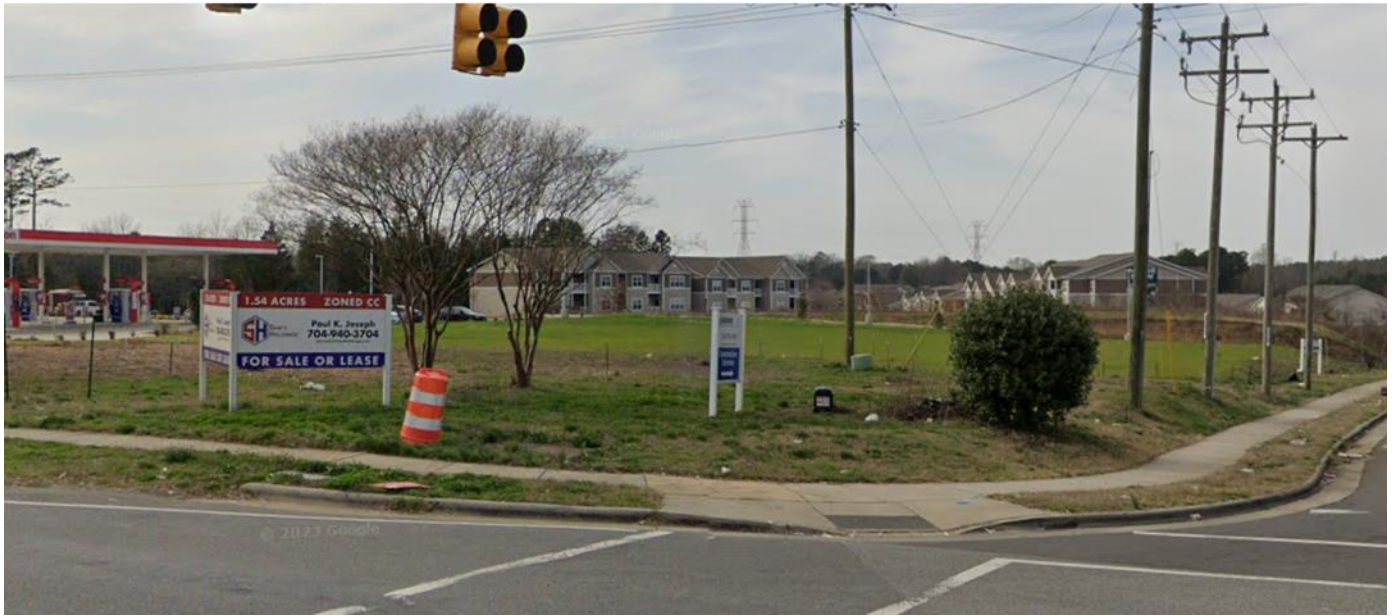
This is a conventional rezoning petition with no associated site plan.

- Allow all uses permitted by right and under prescribed conditions in the CG zoning district.

• **Existing Zoning**



- The rezoning site is currently vacant and surrounded by a mix of residential communities, retail uses, and vacant acreage on parcels zoned N1-A, N2-B, UR-2(CD), NS, B-2(CD), and CC.



The site is currently vacant.



Along Mallard Creek Road (north and south) are residential and retail uses (above and below pics).

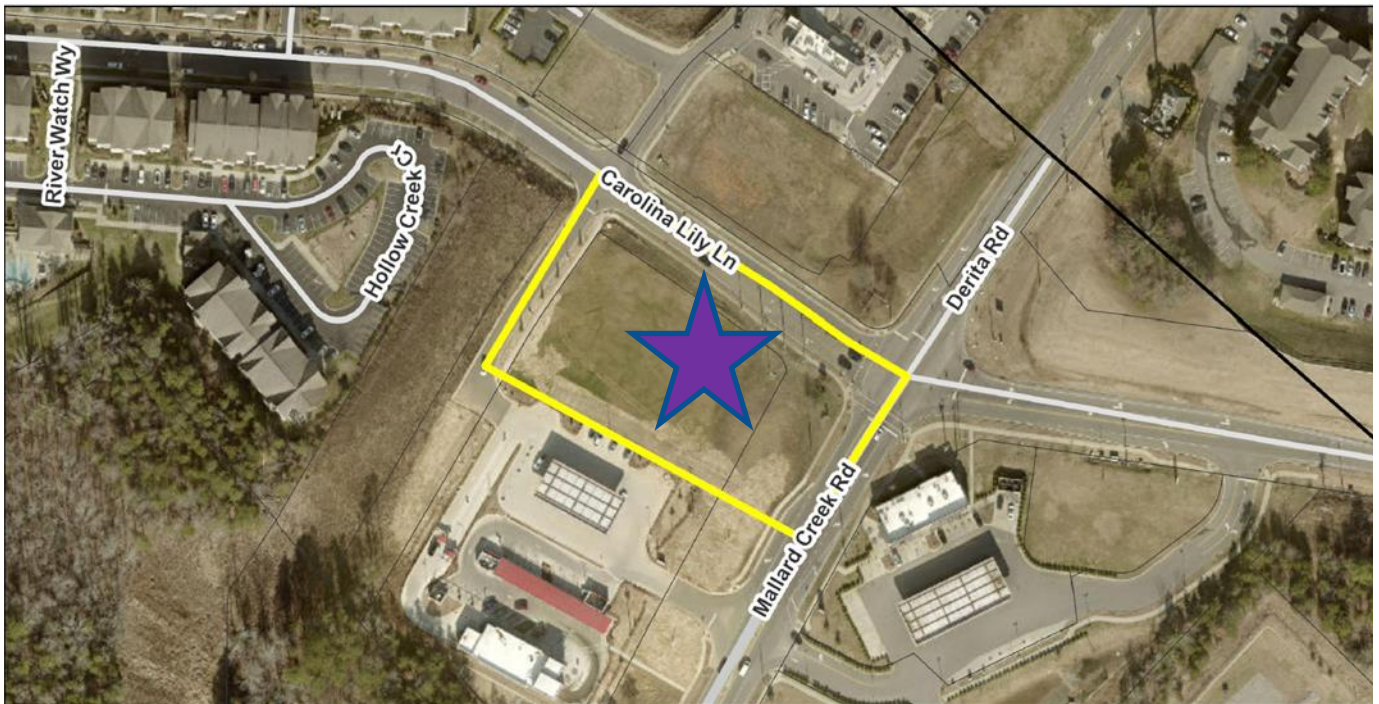




North and northwest are townhomes, apartments, and vacant land.

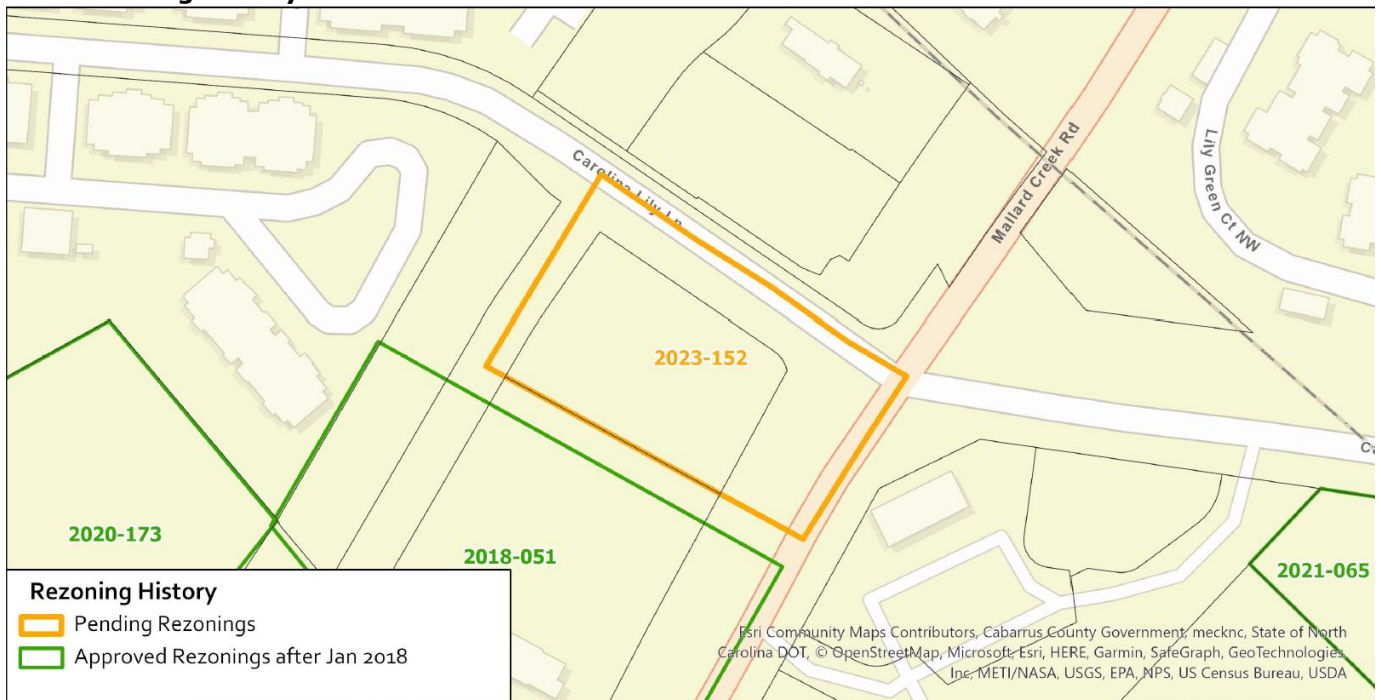


Southeast are residential communities.



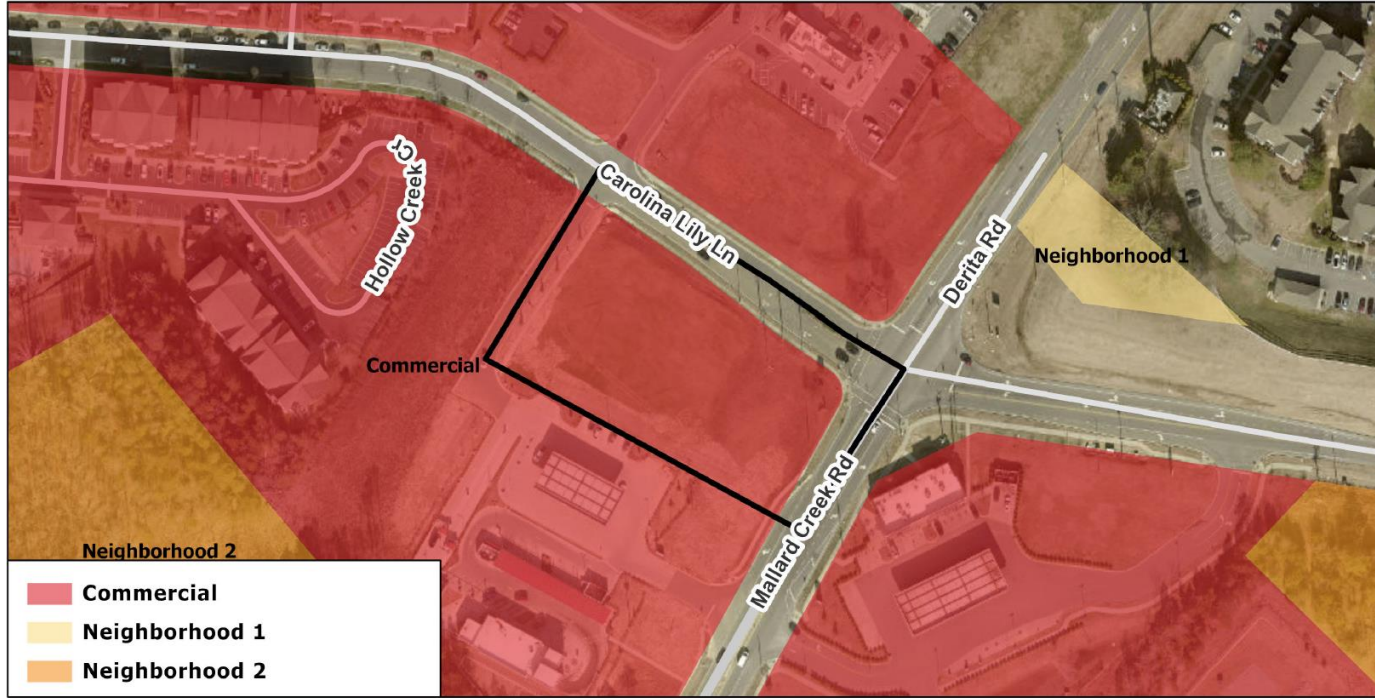
The rezoning site (denoted by purple star) is surrounded by residential communities, retail uses and vacant land.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2023-152	Rezone 1.1 acres from CC to CG.	Pending
2021-065	Rezoned 13 acres from R-3 (N-1A) and CC to R-22MF (N2-B).	Approved
2020-173	Rezoned 9.3 acres from R-3 (N-1A) to UR-2(CD) to allow an age restricted community.	Approved
2018-051	Rezoned 3.72 acres from CC to B-2(CD) to allow a car wash with a fuel canopy.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Commercial Place Type.

• **TRANSPORTATION SUMMARY**

The petition is located at the intersection of Carolina Lily Lane, a privately-maintained local road, and Mallard Creek Road, a State-maintained Major Arterial. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the conventional rezoning. A CTR will be required during permitting if the site generates site trips over ordinance thresholds. The site will be subject to transportation improvements in accordance with the UDO and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated with this place type and zoning district.

- **Active Projects:**
 - STIP U-6032: Mallard Creek Road from I-485 to Concord Mills Boulevard (SR 2894) to be widened to six lanes.
- **Transportation Considerations**
 - No outstanding issues. Petitioner will be required to coordinate with STIP project U-6032 regarding frontage improvements and site access locations in coordination
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: Vacant land (based on Tax Record).
 - Entitlement: Too many uses to determine.
 - Proposed Zoning: Too many uses to determine.

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** The site is located at 13721 Mallard Creek Road. It is served by CATS route #54. CATS is requesting a bus stop detail 60.02A. The final location will be coordinated with the developer during the Land Development plan review process. See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Carolina Lily Lane. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Carolina Lily Lane. See advisory comments at www.rezoning.org
 - **Erosion Control:** No outstanding issues.
 - **Long Range Planning:** See advisory comments at www.rezoning.org.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
 - **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
 - **Stormwater Services Land Development Engineering:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry / City Arborist:** No outstanding issues.
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Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Claire Lyte-Graham (704) 336-3782