



Zoning Committee

---

---

**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

**LOCATION**

Approximately 4.18 acres located on the west side of Mallard Creek Road, northeast of West W.T. Harris Boulevard, and west of Interstate 85.  
(Council District 4 - Johnson)

**PETITIONER**

APM Mallard Creek LLC

---

**ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Northwest District Plan (1990)* recommendation of Single-Family residential use up to 4 dwelling units per acre, but consistent with the *General Development Policies (GDP)*, which support a density of up to 8 dwellings per acre based on the information from the staff analysis and the public hearing, and because:

- The plan recommends single family residential up to 4 dwelling units per acre.
- The General Development Policies support up to 8 dwelling units per acre.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- This petition proposes up to 33 for-sale townhome units for a density of 7.9 dwelling units per acre (DUA).
- The *General Development Policies (GDP)* provides policy guidance for evaluating proposed residential densities greater than four units per acre. This petition meets the *General Development Policies* locational criteria for consideration of up to 8 DUA.
- The *Northwest District Plan (1990)* has a goal of encouraging a wide range of housing opportunities with an emphasis upon quality of development. This petition will provide increased housing opportunities in this area of Charlotte.
- The petition commits to enhancing the pedestrian environment through site design elements which include a 12-

foot shared use path along Mallard Creek Road as well as an 8-foot planting strip.

The approval of this petition will revise the adopted future land use, as specified by the *Northwest District Plan* (1990), from Single Family residential up to 4 DUA to Residential up to 8 DUA for the site.

Motion/Second: Ham / Welton

Yeas: Blumenthal, Chirinos, Ham, Samuel, Spencer and Welton

Nays: None

Absent: Rhodes

Recused: None

### **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

Commissioner Chirinos asked for clarification on the transportation improvements to be made by the petitioner. Staff responded that the petitioner commits to providing a 12-foot multi-use path and an 8-foot planting strip along Mallard Creek Road and dedicates right-of-way to 2-feet behind the proposed multi-use path.

Chairperson Samuel asked for clarification of stormwater mitigation measures for the proposed townhomes on adjacent property owners. Staff responded that the site is required to address the increase in stormwater runoff generated from the site's impervious area with an engineered stormwater control measure through the Post Construction Stormwater Ordinance. Additionally, the petitioner has committed via a site plan note to do an analysis of the existing downstream drainage system which may show that additional stormwater measures need to be implemented in order to avoid adverse impacts to those properties.

There was no further discussion of this petition.

### **PLANNER**

Michael Russell (704) 353-0225