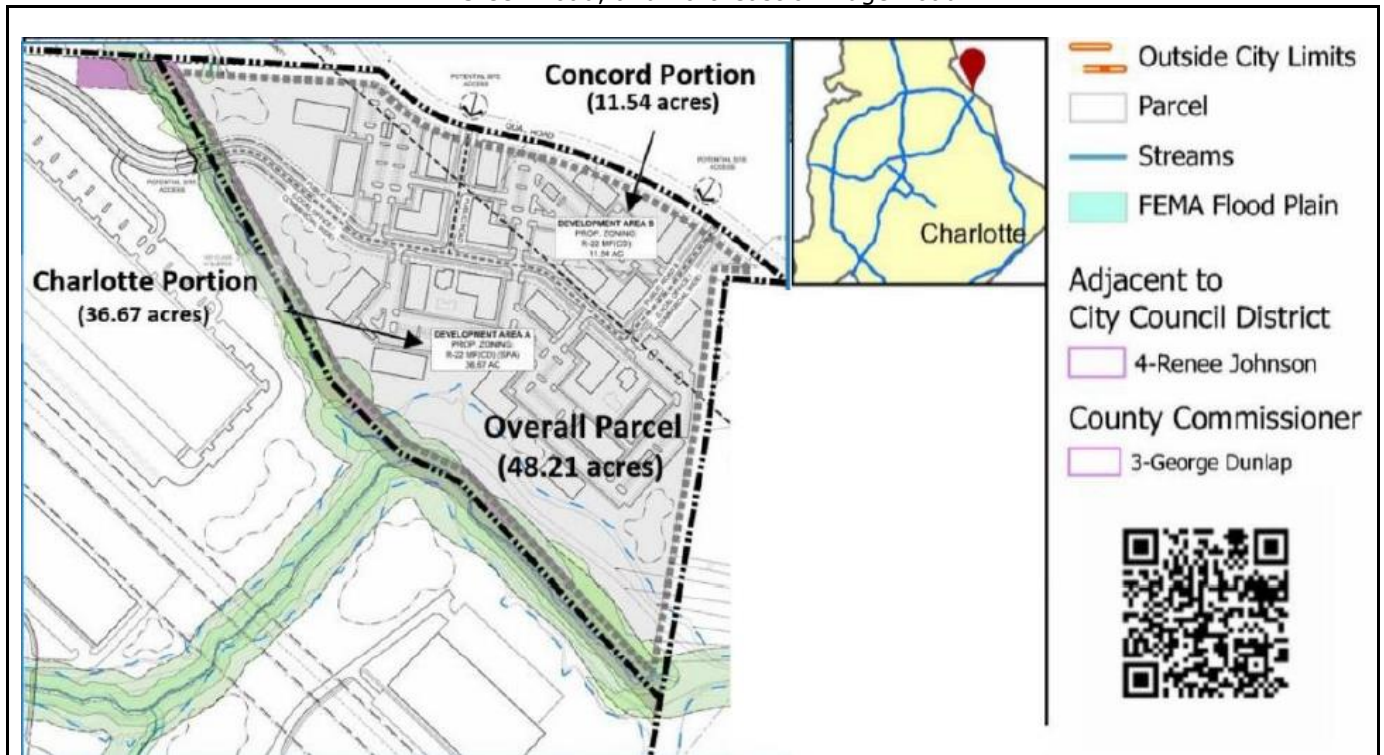


REQUEST

Current Zoning: R-22MF(CD) and C-2 for the City of Concord portion.
Proposed Zoning: R-22MF(CD) SPA and R-22MF(CD) with five year vested rights.

LOCATION

Approximately 48.21 acres located west of Quay Road, south of Mallard Creek Road, and northeast of Ridge Road.



SUMMARY OF PETITION

The petition proposes a unified development plan with common uniform zoning and development regulations for the development of a residential multi-family community on the entire 48.21 acre site which includes both the 36.67 acre Charlotte portion and the 11.54 acre Concord portion. The petition proposes up to 700 multi-family dwelling units.

PROPERTY OWNER

CK Kings Grant Land, LLC

PETITIONER

Childress Klein Properties

AGENT/REPRESENTATIVE

Keith MacVean, Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 0 (2 meetings held)

STAFF RECOMMENDATION

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

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for the Neighborhood 2 Place Type.

Rationale for Recommendation

- This petition proposes to add to the variety and access to housing in the area.

- The petitioner proposes to voluntarily provide a workforce housing program that would ensure that no fewer than 5% of the total amount of rental units maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a minimum of 15 years.
- The proposed multifamily residential site would be well supported by the commercial and activity center type uses in the area.
- The petition proposes to dedicate a minimum of 12 acres of open space to Mecklenburg County Parks and Rec for the development of parks or greenway trails and associated shelters and seating areas.
- This petition also proposes a trail network linking the multi-family residential area to adjacent uses with a minimum of 6-foot wide trails.
- The petitioner is proposing 50-foot Class C and 100-foot Class A buffers, respectively, between the site and the surrounding area to offer sensitivity to the adjacent streams, wetlands, and varying land uses.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 3: Housing Access for All
 - 5: Safe & Equitable Mobility

PLANNING STAFF REVIEW

• Background

- The City of Charlotte adopted a resolution entitled "Resolution of King Grant split jurisdiction authority" on August 28th, 2023; and the City of Concord adopted a resolution entitled "Resolution of Concord City Council for application of Sec. 160D 203 & 204 split jurisdiction authority" on June 8th, 2023. These resolutions approved the utilization of Charlotte ETJ planning/development regulations to the 11.54 acres located in Concord upon approval of this rezoning petition by the City of Charlotte.
- The 36.67 acres in the Charlotte ETJ portion was previously rezoned (RZP-2021-028) to allow up to 488 multi-family dwelling units. The entitlements remain the same.

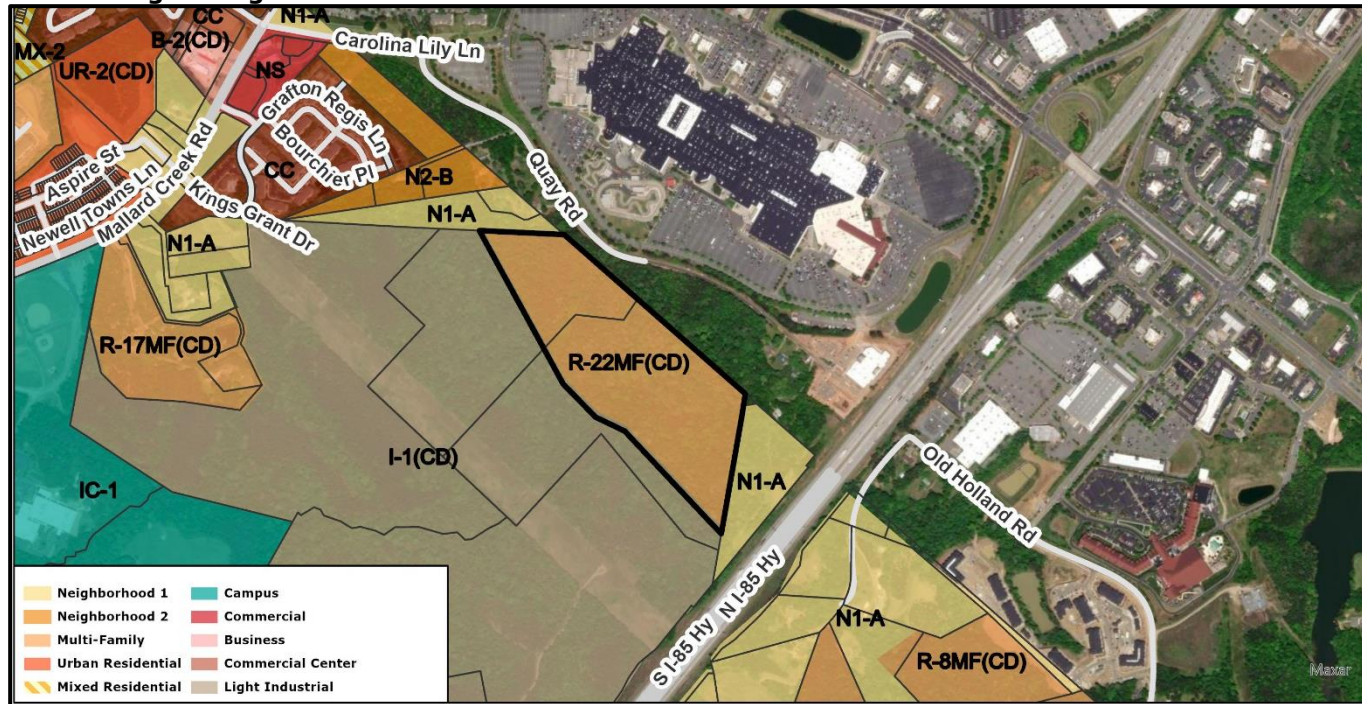
• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes up to 700 multi-family units in two development areas. Development area A proposes up to 488 multi-family dwelling units and Development area B proposes up to 212 multi-family dwelling units.
- The transportation improvements previously committed to as part of rezoning petition 2021-028 will be applicable to the development occurring within both development areas.
- **Road B to be a publicly maintained within Mecklenburg County.**
- Limits the principle number of buildings to 27 buildings.
- Limits building heights to 65-feet.
- Provide a workforce housing program that would ensure that no fewer than 5% of the total amount of rental units developed within Development Area A maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a minimum of 15 years.
- Proposes to dedicate a minimum of 12 acres of open space to Mecklenburg County Parks and Recreation for the development of parks or greenway trails and associated shelters and seating areas.
- Proposes a trail network linking the multi-family residential area to adjacent uses with a minimum of 6-foot wide trails.
- Proposes a 50-foot Class C and 100-foot Class A buffers, respectively, between the site and the surrounding area.
- Commits to working with the owner of Concord Mills to create a pedestrian walkway from Quay Road to access the mall parking lot to improve proximity to the existing bus stop on the mall property.
- Architectural Standards:
 - Buildings shall be placed to present a front or side façade to Public Road A & B, and Quay Road.
 - A minimum of 30% of the building's entire façade facing a network street will be a combination of the following: brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director. Vinyl shall be prohibited except for handrails, windows, or door trim.
 - Building elevations will not have expanses of blank walls greater than 20-feet in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
 - Building elevations will be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.

- Long pitched or flat roof lines will avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers, or parapets.

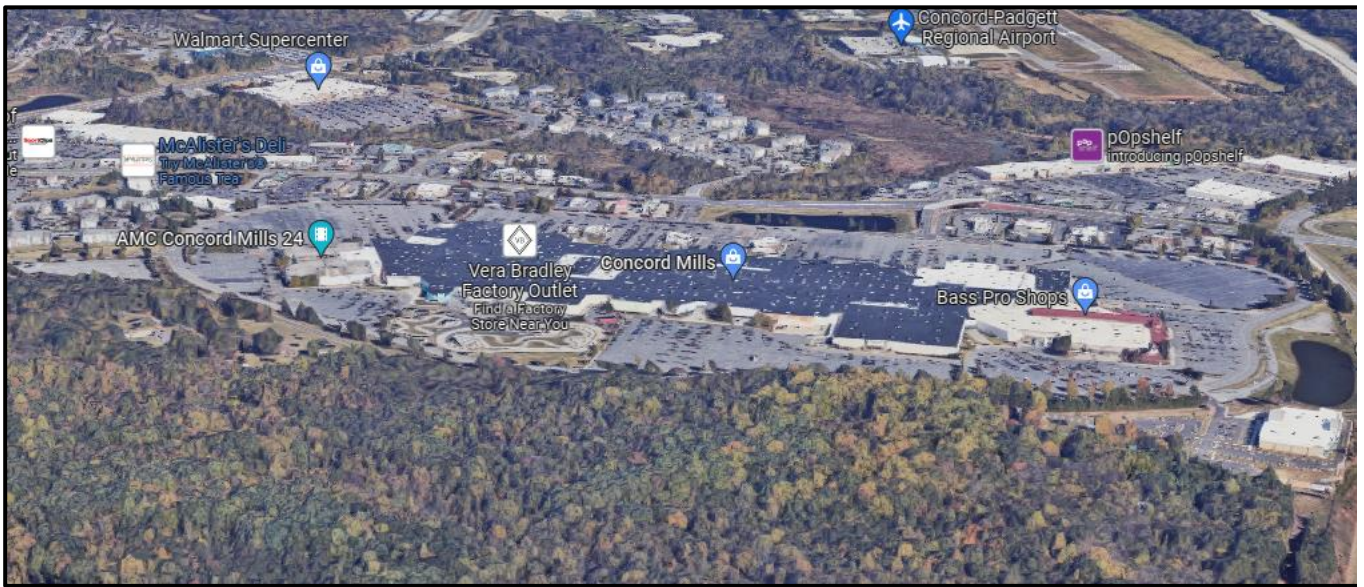
• **Existing Zoning**



- The 36.67 acres located in the Mecklenburg County portion was rezoned (RZP-2021-028) to allow 488 multi-family residential units. The surrounding land uses include multi-family, single family, industrial/distribution, Concord Mills Mall, other retail, and office uses.



The subject property is denoted with a red star.



Concord Mills is to the north of the site.

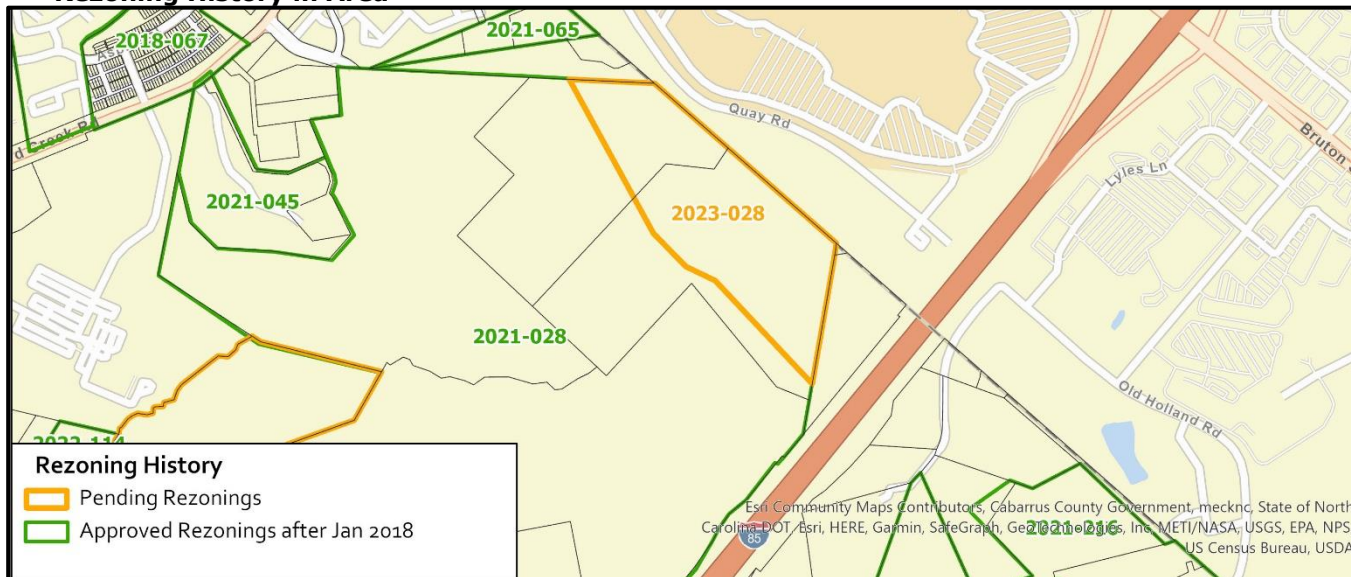


The property to the northwest along Grafton Regis Lane is developed with multi-family apartments.



The property to the south and east is currently vacant land and Interstate 85.

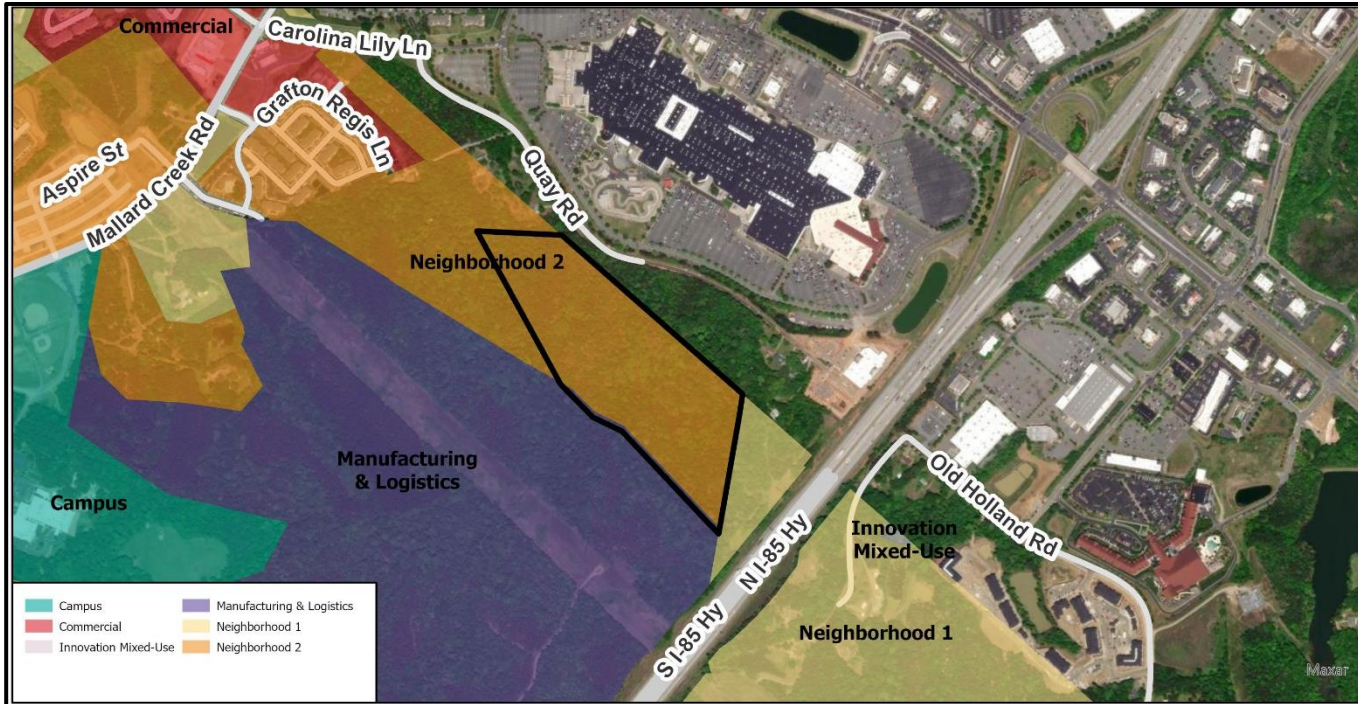
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-067	Rezoned 18.02 acres from R-3 to UR-2(CD) to allow up to 186 townhome units.	Approved
2021-028	Rezoned 287.71 acres from CC and R-8MF(CD) to I-1(CD) and R-22MF(CD) into two development areas. Development area 1 (274.33 acres) proposes 2,750,000 square feet of warehousing, distribution, logistics, office, manufacturing, and all other uses permitted by right as allowed in the I-1 zoning district. Development area 2 (36.67 acres) proposes up to 488 multi-family residential units.	Approved

2021-045	Rezoned 19 acres from R-3 to R-17MF(CD) to allow up to 288 multi-family dwelling units.	Approved
2021-065	Rezoned 13 acres from CC and R-3 to R-22MF to allow all uses in the R-22MF zoning district.	Approved
2021-216	Rezoned 41.26 acres from R-3 to R-8MF(CD) to allow up to 50 dwelling units.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type for this site.

• **TRANSPORTATION SUMMARY**

- The site is located adjacent to Quay Road, a road located in Cabarrus County, and south of Carolina Lily Lane, a State-maintained local street. Site plan and/or conditional note revisions are needed to commit to revising conditional notes in coordination with CATS. Further details are listed below.

• **Active Projects:**

- N/A

• **Transportation Considerations**

- See Outstanding Issues, Note 3

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 3,295 trips per day (based on 700 multi-family dwelling units).

Proposed Zoning: 3,295 trips per day (based on 700 multi-family dwelling units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org

- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 27 students, while development allowed with the proposed zoning may produce 60 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 33 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Mallard Creek Elementary from 79% to 81%.
 - Ridge Road Middle from 103% to 104%.
 - Mallard Creek High from 113% to 114%.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. A developer donated project will be required in cases there is not direct service. Due to the limited treatment capacity with WSACC, Charlotte Water will accept design plans through Accela followed by applications for the Capacity Assurance Program (CAP) review. Charlotte Water is not accepting Pre-Capacity Assurance (previously Willingness to Serve) requests currently. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **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.

OUTSTANDING ISSUES

Transportation

1. ~~Label and call out 8-foot planting strip and 8-foot sidewalk on roads on site plan.~~ Addressed
2. ~~Based on latest conversation with Land Development Subdivision, please label Road B as publicly maintained within Mecklenburg county on site plan and alter conditional notes in sections 3, 4, and 5 to reflect changes.~~ Addressed
3. Revise site plan and conditional notes(s) to commit to coordinating with CATS to provide a public connection to the nearest CATS bus stop to the North of the site.

Site and Building Design

4. ~~Minimum open space for R-22MF is 40%. Update plan.~~ Addressed
5. ~~In section 1e. the number of principle buildings (24 or 27) don't match.~~ Addressed
6. ~~Setbacks will apply to all internal required streets.~~ Addressed
7. ~~Make Road B public.~~ Addressed

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Michael Russell (704) 353-0225