



Planning Department

APPROVED BY CITY COUNCIL

RZP-2024-128

Approved: 02/14/2025



VICINITY MAP

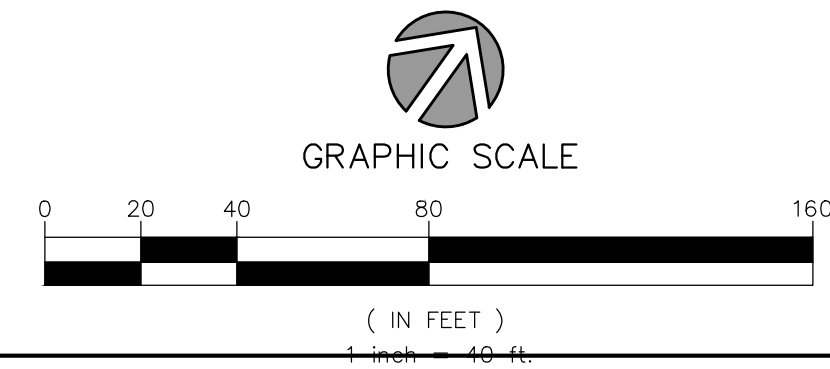


MALLARD CREEK ROAD
VARIABLE WIDTH PUBLIC R/W
per DB 28695 PG 572
NCDOT PROJECT #U-2507A
4+ BOULEVARD

REZONING PETITION #2024-128

DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	043-215-05
TOTAL SITE AREA:	5.24 AC (228,254 SF)
EXISTING ZONING:	INST (CD)
PROPOSED ZONING:	N2-A (CD)
PROPOSED USE:	UP TO (64) MULTI-FAMILY ATTACHED RESIDENTIAL UNITS
REQUIRED GREEN AREA:	32,738 SF (TOTAL SITE AREA - EXISTING EASEMENT X 15%)
REQUIRED OPEN SPACE:	15,760 SF (250 SF PER UNIT)

- General Provisions:
- These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Penmth Holdings, LLC (the "Petitioner") to accommodate the development of a multi-family attached (townhome) residential community, on an approximate 5.24 acre site located at the intersection of Mallard Creek Road and Hubbard Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 043-215-05.
 - Development of the Site shall be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Unified Development Ordinance (the "Ordinance").
 - Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the N2-A zoning district shall govern the development and use of the Site.
 - The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the final layout, location and sizes of the development and site elements depicted on the Rezoning Plan are graphic representation of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard(s), landscaping and green area requirements set forth on the Rezoning Plan and the Development Standards, provided, however, that any such alterations and modification shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
 - Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Article 37 of the Unified Development Ordinance. Minor alterations to the Rezoning Plan are subject to Article section 37.3 of the Ordinance.
- Permitted Uses:
- Uses allowed within the rezoning area of this Petition are up to 64 Multi-Family Attached dwelling units along with any incidental and accessory uses relating to and allowable within the N2-A zoning district.
- Transportation:
- Vehicular access to public rights of way will be as generally depicted on the Rezoning Plan. Final locations, placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to minor modification required to accommodate final permitting and construction plan adjustments as required by NCDOT and CDOT for approval.
 - The site shall be served by a combination of public roads and/or non-network required private alleys as depicted on the Rezoning Plan. Final locations of these drives are subject to minor modifications and adjustments to accommodate final permitting and construction plans as required to obtain final approval.
 - A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing city-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.
 - All transportation improvements will be approved and constructed before the site's first certificate of occupancy is issued.
 - Dedication of noted transportation rights of way within the Site Plan shall be conveyed fee simple prior to the site's first certificate of occupancy being issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.
 - All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad northeastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
 - The Petitioner shall dedicate 53' of right-of-way from the centerline of Mallard Creek Road. An 8' planting strip and 12' SUP shall be constructed at the future back of curb location.
 - The Petitioner shall dedicate 33.5' of right-of-way from the centerline of Hubbard Road. An 8' planting strip and 8' sidewalk shall be constructed at the future back of curb location.
 - The Petitioner shall dedicate 33.5' of right-of-way from the centerline of Bisaner Street. An 8' planting strip and 8' sidewalk shall be constructed at the future back of curb location.
 - The portion of Bisaner Street along the property frontage shall be constructed to CLDSM U-03 standards. On street parking shall be provided where feasible.
 - Site access on Hubbard Road shall maximize the distance from Mallard Creek Road. Access shall be 20' from the property line or 50' from the nearest adjacent driveway as measured from the curb return. Final location to be determined in coordination with CDOT.
 - The Petitioner shall coordinate with CDOT and NCDOT on appropriate ramps to be used and constructed at the corner of Hubbard Road and Mallard Creek Road, on both side of Hubbard Road.
 - The Petitioner shall coordinate with CDOT and NCDOT on all signal related equipment and pavement markings placement and relocation.
 - CATS requires the renovation of existing bus amenities to meet ADA-compliant standards, specifically detail 60.03A, along Mallard Creek Road. The final location of the stop will be coordinated during the land development process.
- Architectural and Design Standards:
- In addition to design provisions contained within Article 5 & 18 of the Unified Development Ordinance for the N2-A district, the development of the site will be governed by the following provisions and standards produced by the Petitioner and which will be binding on the development of the site.
 - A variety of principal building materials may be utilized on site and will be a combination of the following: Masonry, brick, concrete, pre-cast concrete, stone, precast stone, pre-finished metal, aluminum, steel, stucco, wood, ceramic tile, cementitious fiber board and glass fiber reinforced concrete. Vinyl, as a building material, will only be allowed on windows, soffits, and trim features.
 - Building placement and site design of the multi-family attached units on site shall focus on and enhance the pedestrian environment when located adjacent public streets through the following:
 - Usable porches or stoops may form an element of the building design. Dimensions of stoops and/or porches shall be a minimum 4' in depth, 6' in width, and follow Article 18 of the Ordinance.
 - Direct pedestrian connections shall be provided from residential units to adjacent public streets.
 - Height of residential structures on site shall be limited to 48 feet. Building height shall be measured on site as described within the Unified Development ordinance.
 - All HVAC and mechanical shall be screened from public right of way view.
 - Pitched roofs shall be symmetrically sloped no less than 5:12 except for roofs for porches that shall be no less than 2:12.
 - Proposed buildings shall be limited to two-stories in height as defined by the Ordinance.
 - The Site shall comply with Article 21 of the Ordinance. Dumpster and recycling service areas associated with residential uses shall be as generally depicted on the Site plan and shall be screened from public view and described within the ordinance. Final locations of dumpster locations shall be determined during the land development review permit process.
 - Multi-Family Attached dwellings depicted on the Rezoning Plan shall be limited to two (2) stories in height as defined by the Ordinance.
 - Buildings on the Rezoning Plan fronting public streets shall present their front facade to the street.
 - Buildings fronting Bisaner Street shall be limited to duplexes and triplexes as shown on the Rezoning Plan.
 - A maximum of five (5) dwelling units shall be permitted per building.
- Amenities, Streetscape and Landscaping:
- The Petitioner shall comply with Article 20 of the Unified Development Ordinance.
 - The Petitioner may subdivide the Site and create sublots within the Site with no side or rear yards as part of the unified development plan.
 - The Petitioner shall provide landscape buffers as generally depicted on the Rezoning Plan, in compliance with Article 20 of the Ordinance.
 - The Petitioner shall provide "overstory" and "understory" trees along the "residential" alley between buildings where feasible, as generally depicted on the rezoning site plan.
- Environmental Features:
- The Petitioner shall comply with Part IX of the Unified Development Ordinance.
 - The petitioner shall comply with the Charlotte City Council approved and adopted Unified Development ordinance, Stormwater Articles 23 through 28.
 - The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
 - Development within any SWM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions.
- Signage:
- The Petitioner shall comply with the Article 22 of the Unified Development Ordinance.
- Lighting:
- All attached and detached lighting will be full cutoff fixtures and downwardly directed. However, upward facing architectural and landscape accent lighting shall be permitted.
 - Detached lighting on the site, except street lights located along public streets, will be limited to twenty-one (21') feet in height.
- Amendments to Rezoning Plan:
- Future amendments to these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Article 37 of the Ordinance.
 - Further alterations or modifications to the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Site Plan or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Article 37 of the Ordinance, as applicable.
- Binding Effect of the Rezoning Documents and Definitions:
- If this Site Plan Amendment is approved, all conditions applicable to development of the Site imposed under the Site Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
 - Throughout these Development Standards, the terms, "Petitioner" and "owner" and "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.





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10/07/2024

Penmth Holdings, LLC

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Mallard Townes RZ

Rezoning Site Plan

7123 Mallard Creek Rd Charlotte NC, 28262

NO.	DATE:	BY:	REVISIONS:
01	12.16.2024	UDP	Revision 01
02	01.23.2025	UDP	Revision 02

Project No: 24-CLT-207

Date: 10.07.2024

Sheet No:

RZ-1.0