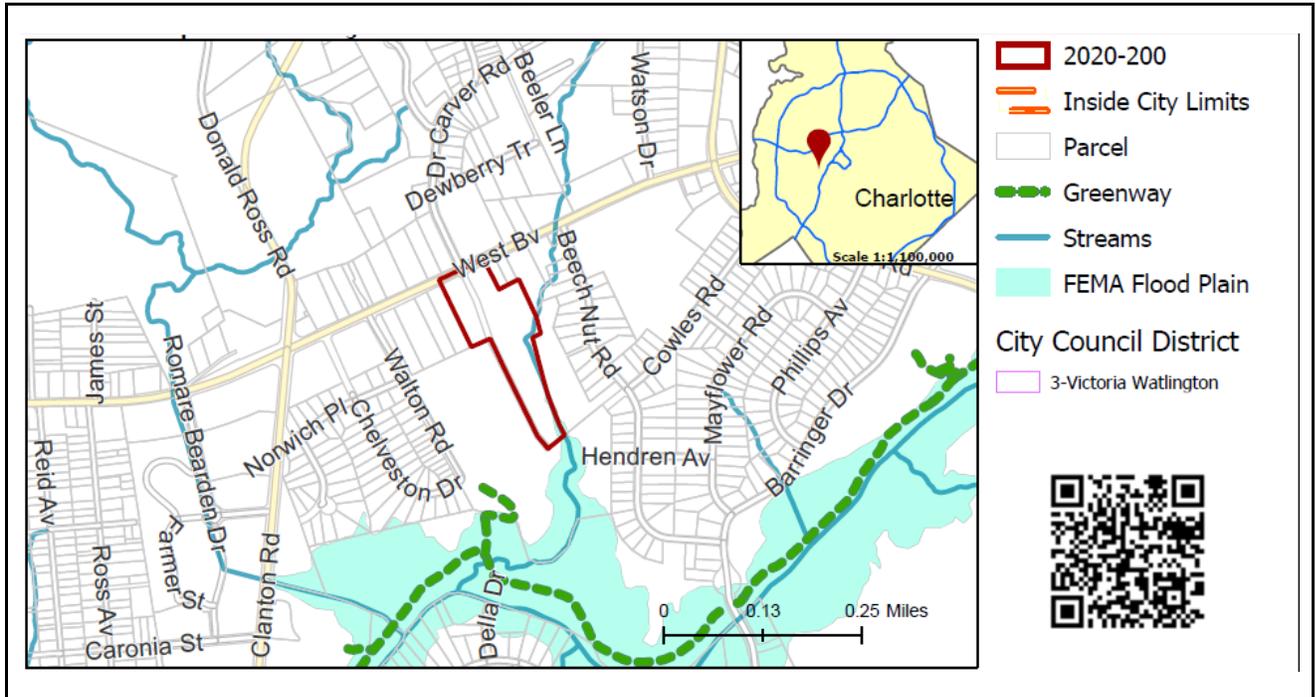


REQUEST

Current Zoning: R-22MF (multifamily residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 8.862 acres located on the south side of West Boulevard, the west side of Beech Nut Road, and east of Clanton Road.



SUMMARY OF PETITION

The petition proposes to allow a multi-family residential development on a vacant parcel located in West Charlotte.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Trotter Properties LLC
Elmington Capital Group
Collin Brown and Brittany Lins/Alexander Ricks PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 39

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Central District Plan* recommendation of multifamily residential with no specified density for the majority of the site and **inconsistent** with the recommendation for institutional for the remainder of the parcel. The *General Development Policies* support a residential density of over 17 units per acre.

Rationale for Recommendation

- The *Central District Plan* supports residential for a majority of the parcel, while the *General Development Policies* supports the proposed density.
- The surrounding area consists of a mix of single family and multifamily residential communities.

- The site is located adjacent to, and within walking distance of Barringer Academic Center, a school facility. The streetscape improvements along West Boulevard associated with the proposed project will enhance the walkability and support neighborhood accessibility to the school facility.
- The request will commit to several transportation improvements in affiliation with the development.
- The proposed development provides several architectural commitments with respect to building materials, façade treatments, and avoidance of expanse of blank walls.
- The development commits to provision of amenities on the site.
- The development provides a Class C buffer along all property lines in residential use and/or zoning.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from current recommended institutional use for a portion of the site to the recommended multifamily residential over 17 units per acre for that portion of the site.

PLANNING STAFF REVIEW

• Proposed Request Details

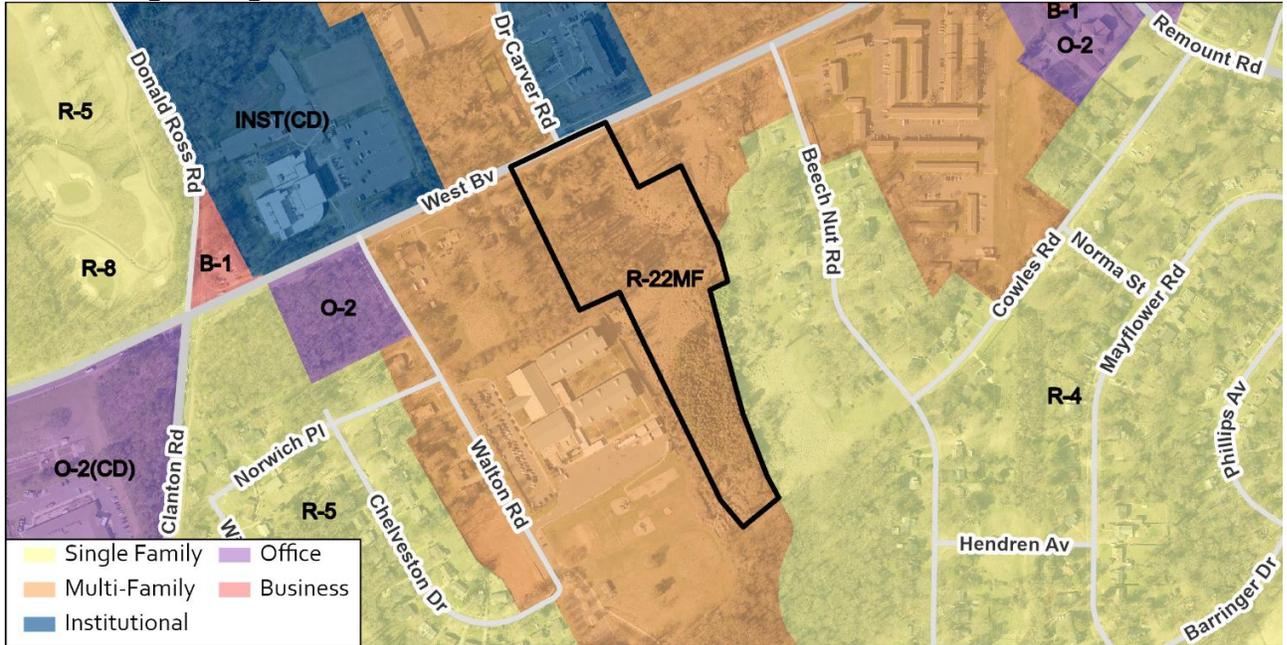
The site plan accompanying this petition contains the following provisions:

- Up to 200 multifamily residential dwelling units in 4 buildings at a density of 23 units per acre.
- Limits building height to 65 feet (buildings facing West Boulevard will be limited to 55 feet).
- Notes 100% of the total number of multi-family dwelling units actually constructed on the Site shall maintain monthly rents that are income restricted for households earning a range from ~~30% to 80%~~ 50%-70% of the Area Media Income (AMI) for a period of not less than thirty (30) years from the date of issuance of certificates of occupancy for the first building to be constructed on the Site.
- Commits to a 20-foot Class C buffer along property lines abutting parcels in residential use and/or zoning.
- Commits to installing a wood fence to screen Building 2 from the abutting residence as shown on the site plan.
- Proposes the following transportation improvements:
 - Proposes ingress/egress onto West Boulevard.
 - Illustrates an 8-foot planting strip and 8-foot sidewalk on West Boulevard.
 - Proposes an 8-foot planting strip and 6-foot sidewalk along Proposed ~~Public Road 1~~ Private Access Drive.
 - The Petitioner shall construct an eight (8) foot buffered bike lane along the Site's West Boulevard frontage.
 - The Petitioner shall construct two left-turn lanes on West Boulevard and provide left turning movements onto Dr. Carver Road and Proposed ~~Public Road 1~~ Private Access Drive and coordinate signal modifications to accommodate the additional left-turn lanes and the addition of ~~Public Road 1~~ Proposed Private Access Drive as the fourth leg of the intersection, built to NCDOT standards. The Petitioner will coordinate with NCDOT during the permitting phase of development to determine storage lengths, tapers, and any other potential lane striping modifications.
 - The petitioner shall widen and provide a dedicated right turn lane within the Proposed Private Access Drive at the West Boulevard/Dr. Carver Road intersection.
 - The Petitioner shall restripe the exiting crosswalk, the Dr. Carver/~~Public Road 1~~ Proposed Private Access Drive and West Boulevard intersection.
 - The Petitioner shall use best efforts to coordinate with Charlotte-Mecklenburg Schools (CMS) to provide a pedestrian connection/access to the Irwin Creek Greenway. The Irwin Creek Greenway currently has a trailhead located within the adjacent property of the Barringer Academic Center.
 - Illustrates potential future connections to Irwin Creek Greenway.
 - Provides an internal sidewalk network connecting buildings, parking areas, and proposed sidewalk along West Boulevard.
 - The Petitioner will complete and submit a Right-of-Way Abandonment Petition form to CDOT for review related to the existing paper right-of-way extending Dr. Carver Road through the Site. The decision of this rezoning petition does not correlate with the decision of the

possible abandonment, as this decision is issued within the separate Right-of-Way Abandonment process that is controlled by North Carolina General Statutes.

- The Petitioner shall construct a new ADA compliant bus waiting and shelter pad per Land Development Standard 60.03A along the Site's frontage of West Boulevard near Building 2 as generally depicted on the Rezoning Plan in general alignment with the stop on the opposite side of West Boulevard. The final location of the pad will be coordinated with the developer through the permitting process. Developer will follow NCDOT encroachment requirements.
- Proposes the following architectural standards:
 - Notes all principal and accessory buildings shall be comprised of a combination of portions of brick, brick veneer, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other materials approved by the Planning Director.
 - Prohibits the following building materials: (i) vinyl siding, excluding along siding of interior breezeways, vinyl handrails, windows, soffits, doors, garage doors, railings, or trim, and (ii) concrete masonry units not architecturally finished.
 - Notes buildings adjacent to West Boulevard shall be arranged and oriented with a front appearance along West Boulevard through the use of entrances and or walkways directly to the sidewalk fronting West Boulevard.
 - Building entrances shall be at or slightly (1' or more) above grade and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of features and treatments.
 - Building massing shall be designed to break up long, monolithic building forms through the following standards: a. Building Massing: buildings exceeding 120 feet in length shall include modulations of the building massing/façade plane (recess, projection, architectural treatment, etc.). Modulations shall be a minimum of sixty (60) feet wide and shall extend or recess a minimum of two (2) feet, extending through all floors. Modulations shall occur every 60 feet, if provided.
 - Notes the maximum height in feet of each portion of the building fronting West Boulevard shall be three (3) stories, and buildings not fronting West Boulevard may be a 4/5-split. At no point shall the buildings exceed five (5) stories.
 - Designs architectural elevations to create visual interest and to avoid blank walls via use of exterior wall offsets, projections, and/or recesses, pilasters, and/or change in materials, banding, medallions, building articulation.
- Commits to a minimum of 4 of the following amenities on the site: community room; computer/business center; exercise room; picnic area; outdoor seating areas; and/or playground/tot-lot.
- Notes there will be a minimum of 10,000 square feet of outdoor amenity area located throughout the site.
- Illustrates 50-foot post construction buffer, possible tree save area, and storm water management areas.
- The Petitioner agrees to convey the 4.15-acre portion of parcel 145-103-17, currently zoned R-4 and shaded on the Rezoning Plan, to the West Side Community Land Trust (WSCL) concurrent with the issuance of a certificate of occupancy for a multifamily development on the Rezoning Property. This requirement to convey said R-4 property shall be conditioned upon the WSCL's agreement to accept the property and pay all transfer costs including survey costs, its attorney fees, title insurance premium, and all other due diligence costs. WSCL's acceptance of the property shall not unreasonably delay the issuance of certificates of occupancy.

• Existing Zoning and Land Use



Provide rezoning history for this site if there is any. Provide summary of surround land use in general



The site is currently vacant.



Along Dr. Carver Road are a daycare center, religious institution, and multifamily residential communities.



Directly southwest are Barringer Academic Center and single family residential homes.



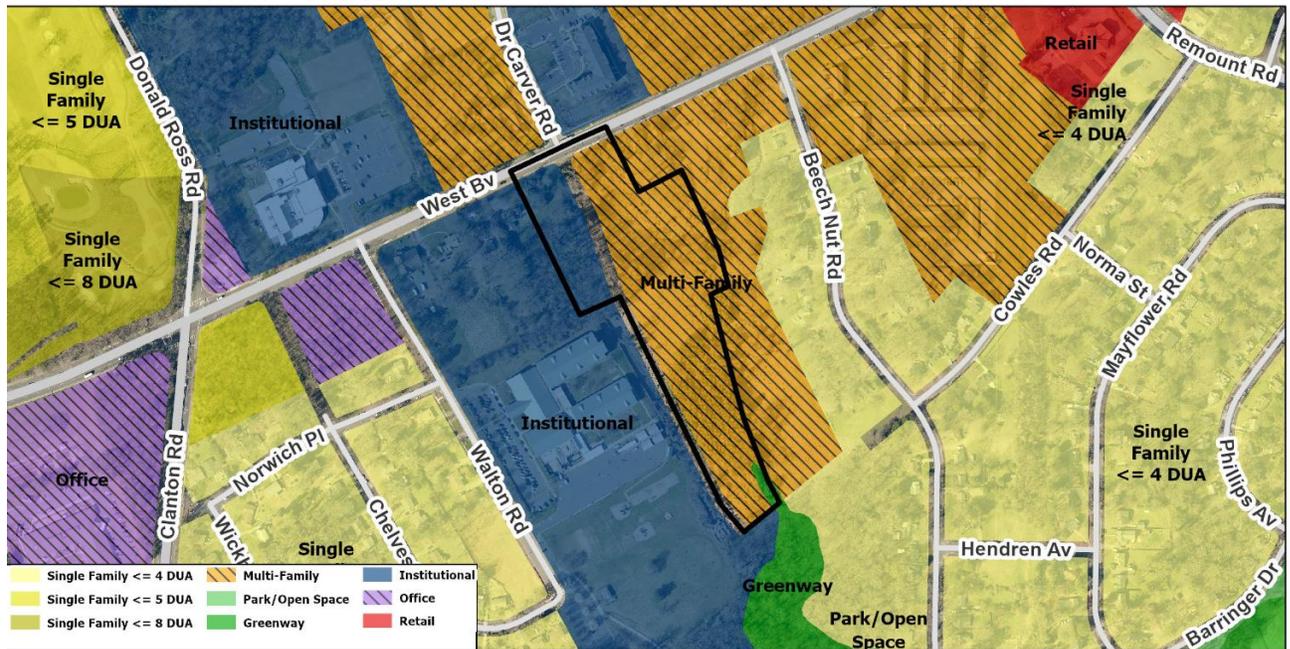
The rezoning site (denoted by the purple star) is primarily surrounded by institutional uses, single family neighborhoods, multifamily residential neighborhoods, and vacant acreage.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
	There have been no recent rezonings in the immediate area.	

• **Public Plans and Policies**



- The *Central District Plan* recommends multifamily residential with no specified density for the majority of the parcel, and institutional for the remaining portion of the site.
- The *General Development Policies (GDP)* provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the General Development Policies locational criteria for consideration of over 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – Over 17 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	4
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 14	Total Points: 14

- **TRANSPORTATION SUMMARY**

- This site is located on West Boulevard, a State-maintained major thoroughfare, approximately ¼ mile west of Remount Road. The proposed project is requesting to change the site's rezoning from R-22MF/R-4 to Urban Residential-2 (UR-2). The review of this petition was conducted in partnership with NCDOT to align with their separate permitting process. There is an active West Boulevard Corridor CIP project under construction near the site, installing bicycle and pedestrian improvements along West Blvd. Additionally, there is a new signal being installed at Walton Ave. and West Blvd.

To ensure that the transportation improvements associated with this project complement the adjacent CIP project, CDOT is coordinating with the project team to determine the most appropriate improvements to ensure compliance with the Transportation Action Plan (TAP), Vision Zero principles, and the Urban Street Design Guidelines. A community meeting was held on January 7, 2021 and, as a result, a new site plan was submitted on February 12, 2021. The new site plan reduced the rezoning footprint, leaving half of Parcel 14510317 as R-4 zoning.

Site plan revisions are needed to address the outstanding items including, but not limited to, constructing appropriate turn lanes on the proposed access drive and clarifying language in the conditional notes. Further details are listed below.

- **Active Projects:**

Active Projects Near the Site:

- West Boulevard Corridor Implementation, CIP Project ID# PMES181547
 - Construct numerous bicycle and pedestrian improvements along West Boulevard from Camden Road to Billy Graham Parkway.
 - The project is currently under construction.
- New traffic signal at Walton Avenue and West Boulevard.
 - The project is currently under construction.

- **Transportation Considerations**

• ~~See Outstanding Issues, Notes 2-11.~~ **See Outstanding Issues 7 and 15.** Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: vacant (based on tax record).

Entitlement: 1,110 trips per day (based on 16 single family homes; 168 apartment units).

Proposed Zoning: 1,090 trips per day (based on 200 apartment units).

DEPARTMENT COMMENTS (see full department reports online)

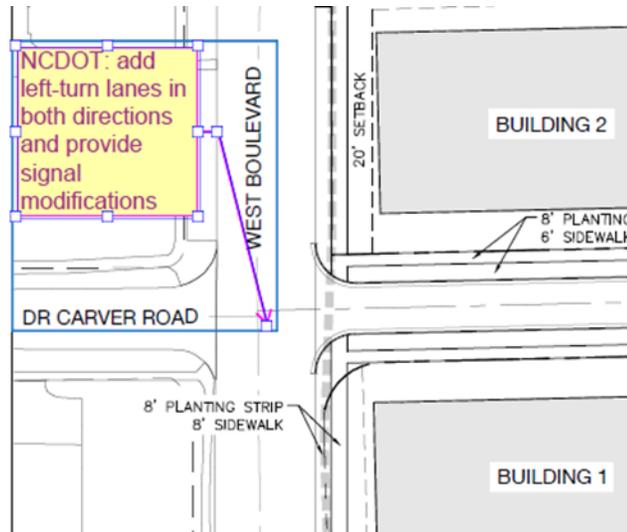
- **Charlotte Area Transit System:** ~~See Outstanding Issues, Note 1.~~ **Addressed**
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 35 students, while the development allowed under the proposed zoning may produce 37 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 2.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Barringer Elementary from 92% to 94%
 - Sedgefield Middle remains at 72%
 - Harding University High from 129% to 130%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Beech Nut Rd. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Beech Nut Rd. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
 - **Arborist:** No outstanding issues.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** See Outstanding Issues, Notes 15–16. **Addressed**
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** 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 comments submitted.

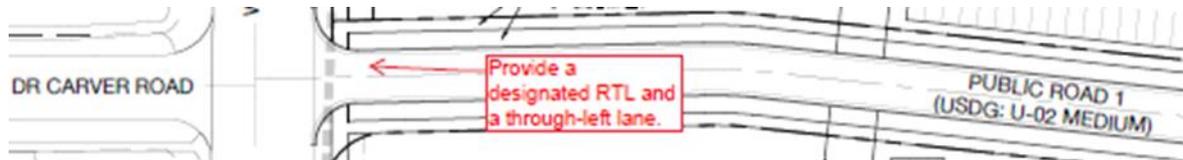
OUTSTANDING ISSUES

Transportation

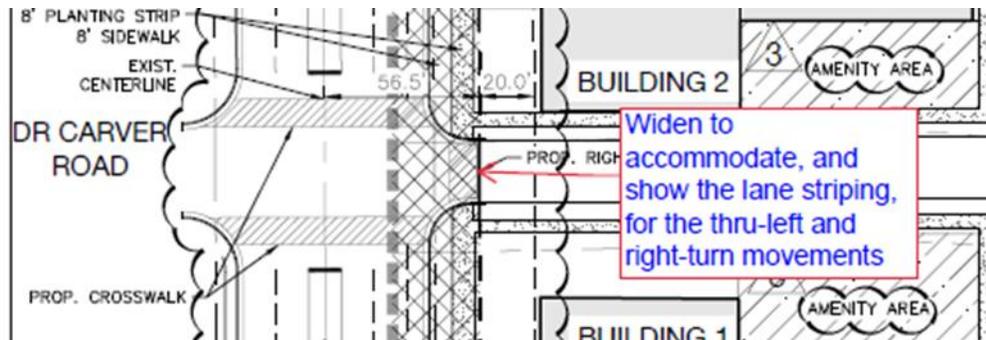
- ~~1. The site is located along CATS local bus route #10 on West Boulevard. CATS requests the construction of a new ADA-compliant bus waiting and shelter pad per Land Development Standard 60.03A along West Boulevard at Building 2 in alignment with the stop on the opposite of West Blvd. The final location of the pad will be coordinated with the developer through the permitting process. The developer will need to follow NCDOT encroachment requirements. **Addressed**~~
- ~~2. **West Boulevard:** Relocate the existing curb and gutter to the future location at 38 feet from the road centerline to back of curb, to accommodate a future 4-lane Avenue road cross-section with buffered/separated bike lanes and left turn lanes. Label and dimension the curb and gutter from the centerline for each road on the site plan.~~
- ~~3. **Right-of-way Dedication:** **Addressed**~~
 - ~~a. West Boulevard: Revise site plan and conditional note(s) to commit to dedicate 56 feet of right-of-way from the road centerline, to provide 2 feet behind the proposed sidewalk.~~
 - ~~b. Paper Right-of-way: Revise the site plan and conditional notes to dedicate 56 feet of total right-of-way, 28 feet of right-of-way from the paper right-of-way centerline. Label and dimension the right-of-way from the centerline of each road on the site plan.~~
- ~~4. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip and 8-foot sidewalk on West Boulevard, as well as an 8-foot planting strip and 6-foot sidewalk on Proposed Public Roads 1 and 2, unless otherwise required by the Subdivision Ordinance. The site plan needs to label and dimension both items from the road centerline. **Addressed**~~
- ~~5. In accordance with the Charlotte BIKES Plan, revise the site plan and conditional notes by committing to the construction of an 8-foot buffered bike lane along the site's West Boulevard frontage. The site plan needs to label and dimension the buffered bike lane from the road centerline. **Addressed**~~
- ~~6. Revise the site plan and conditional notes by committing to the construction of two left turn lanes, on West Boulevard, and providing left turning movements onto Dr. Carver Road and Proposed Public Road 1. Additionally, signal modifications will be required to accommodate the additional left turn lanes and the addition of Public Road 1 as the fourth leg of the intersection. These improvements will be required to be built to NCDOT Standards. A conditional note committing to the left turn lanes and signal modifications needs to be included. Additionally, include a conditional note that commits to coordinating with NCDOT, during permitting, to determine storage lengths, tapers, and any other potential lane striping modifications. **Addressed**~~



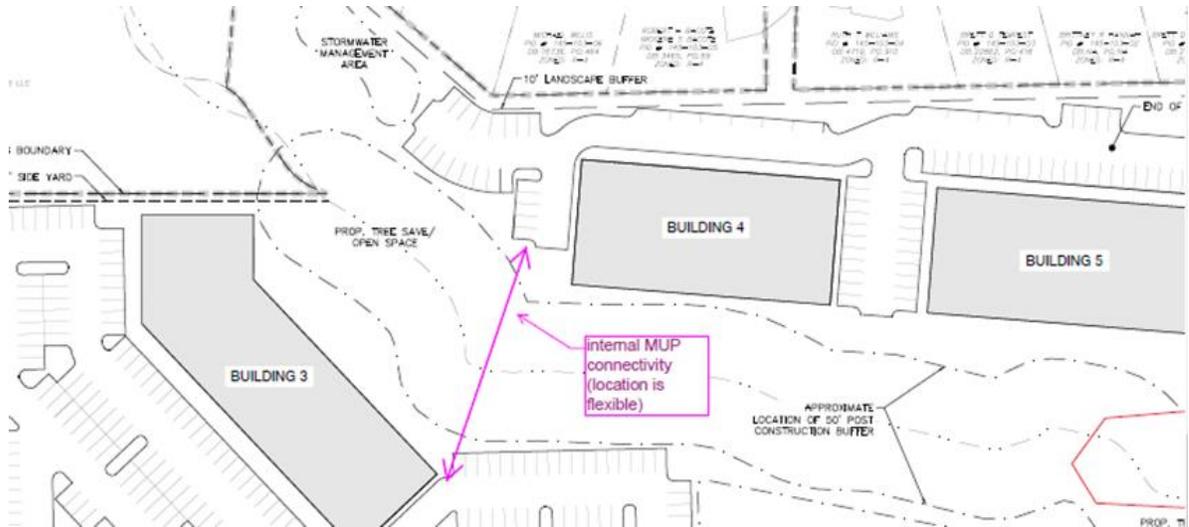
7. ~~Revise the site plan and conditional notes by providing a designated right turn lane on Public Road 1, to turn onto eastbound West Boulevard, and a combined through/left turn lane to cross West Boulevard or to turn onto eastbound West Boulevard. Please show lane striping on Public Road 1. Include turn lane striping as well. The turn lane striping still needs to be shown even though the site layout has changed. Not Addressed~~ **Addressed**



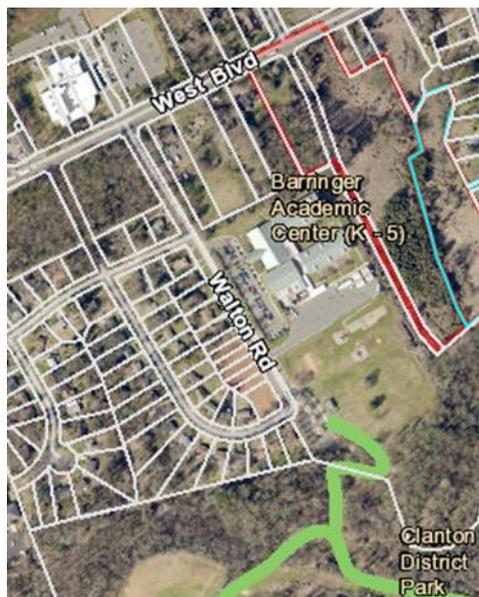
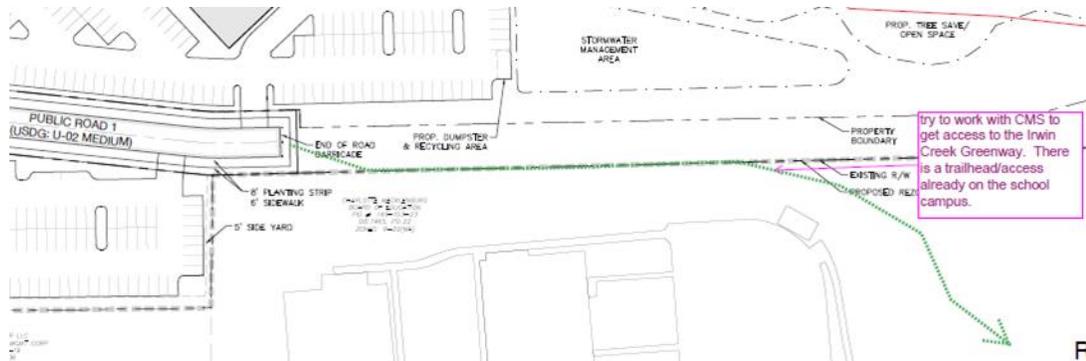
~~**Update to Comment (03-23-2021 Site Plan):** Revise the site plan and conditional notes to commit to widen, and show the appropriate lane striping, for the aforementioned turning movements on Private Access Drive, formerly "Public Road 1" at the West Blvd./Dr. Carver Intersection. Not Addressed~~ **Addressed**



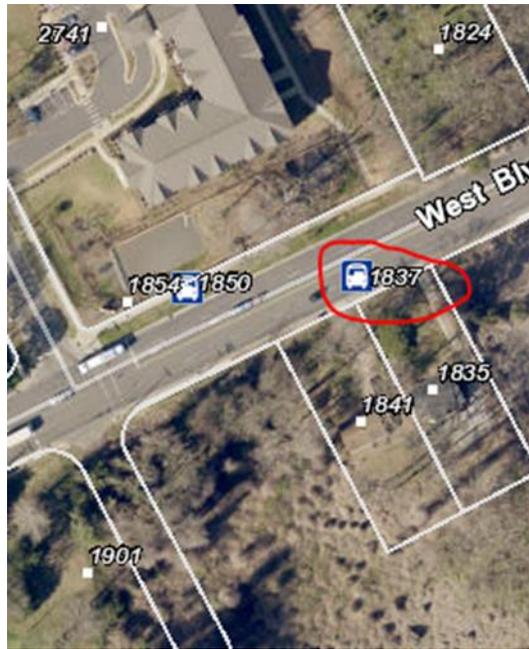
8. ~~Revise the site plan and conditional notes by committing to the construction of an internal, 12-foot wide, shared-use path to connect the development area for proposed Buildings 4 and 5 to the development area for proposed Buildings 1, 2, and 3. Update to Comment as a result of the 01-12-2021 Site Plan: Comment addressed with additional vehicular connection between building areas. Not Addressed~~ **Addressed**



- 9. ~~Revise the site plan and conditional notes by committing to coordinate with Charlotte-Mecklenburg Schools (CMS) to provide a pedestrian connection/access to the Irwin Creek Greenway. The ICG currently has a trailhead located within the adjacent property of the Berringer Academic Center. Include the conditional note to coordinate with CMS to make the connection to the Irwin Creek Greenway Trailhead.~~ **Addressed**



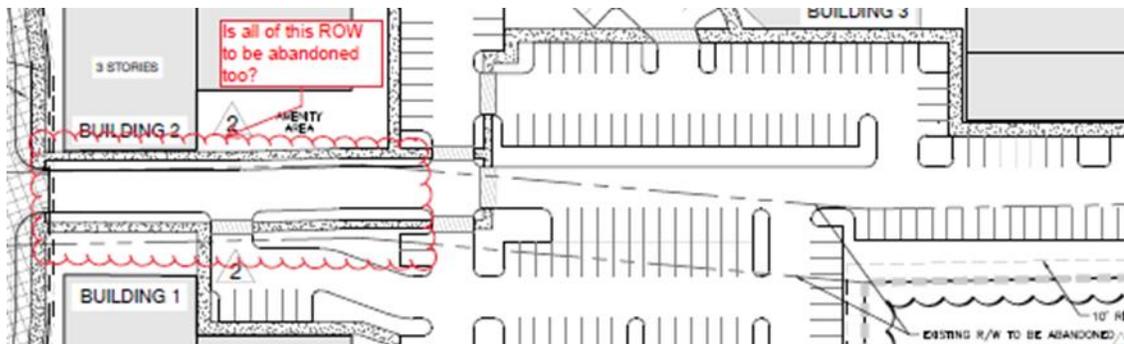
- 10. ~~Revise the site plan and conditional notes by committing to coordinate with CATS, during permitting, to make improvements to the existing bus stop on West Boulevard. The site plan needs to show the existing bus stop.~~ **Addressed**



- 11. A site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued is needed. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible. **Addressed**
- 12. A site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. **Addressed**
- 13. Revise the site plan and conditional notes to commit to restriping the existing crosswalk, the Dr. Carver/Public Road 1 and West Boulevard intersection, in addition to the turn lane and signal improvements. **Addressed**

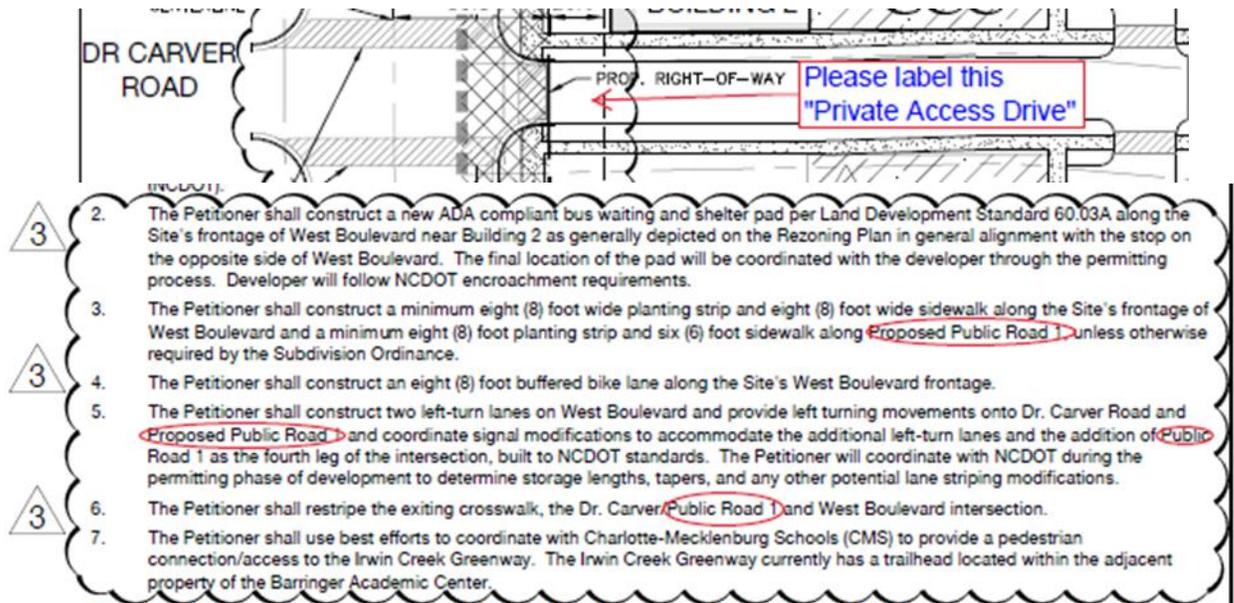


- 14. Please clearly indicate the limits of right of way abandonment. Will the entire access drive off of West Boulevard be private? I would recommend shading the areas of proposed abandonment. **Addressed**



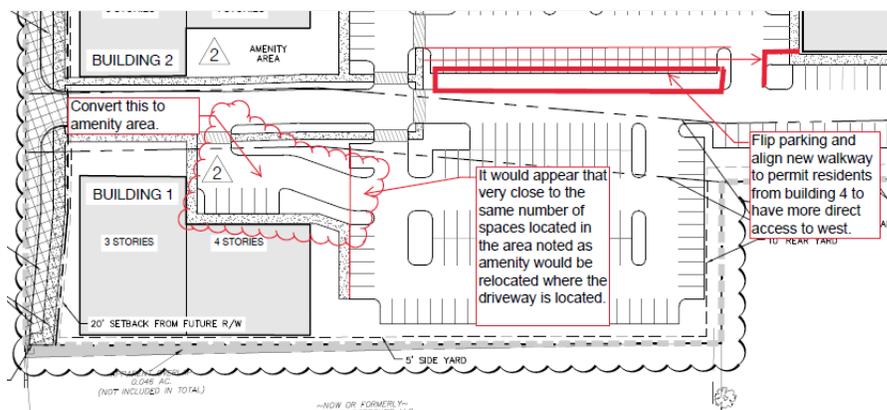
- 15. **New Comment (03/23/2021 Site Plan):** Revise the site plan by renaming Public Road 1 to "Private Access Drive". Additionally, revise each relative conditional note by changing "Public Road

1" to "Private Access Drive". Lastly, since all public roads have been removed, revise the conditional notes by removing any references to "Public Road 1". **Addressed**



Site and Building Design

- 16. ~~Revise site plan to clearly show that the R-4 portion is not part of the rezoning. Ensure rezoning boundary clearly differentiates this information. Addressed~~
- 17. ~~Provide a development note committing to the 20' Class C landscape buffer shown on the site plan. Addressed~~
- 18. ~~Clarify screening proposed between Building 2 and the abutting residence. Addressed~~
- 19. ~~Under Note IV.4.b please change the language to restrict heights instead of stories for the following note as there are different definitions of stories than building code. Petitioner can choose to list a maximum height along certain sides of the building instead. Addressed~~
- 20. ~~If the hatched area is the future right of way to be dedicated, how are Buildings 1 and 2 meeting the 20-foot setback? Please make sure this is dimensioned and shown correctly on the rezoning plan changes cannot be made during the plan review based on incorrect dimensions shown on the rezoning. Addressed~~
- 21. ~~Provide a development note committing to the streetscape along West Boulevard. Addressed~~
- 22. ~~In earlier plans, an amenity area was said to have been located along the creek. Please note its existence. Addressed~~
- 23. ~~Under Architectural Standards Note IV.8, provide the minimum area where all outdoor amenities will be located. Addressed~~
- 24. ~~Convert area in front of Building 1 (where parking is located) to amenity area.~~
- 25. ~~Flip parking and align new walkway to permit residents from Building 4 to have more direct continued pedestrian access to the west, connecting to proposed sidewalk along West Boulevard. New Comment: The pedestrian connections between the site and West Boulevard are still not ideal. Petitioner should consider availability of more safe and accommodating options. Addressed~~



~~26. The row of parking opposite Building 4 should be broken up with at least 3 trees.~~ A portion of the parking area has been reconfigured to reflect parallel parking.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Claire Lyte-Graham (704) 336-3782