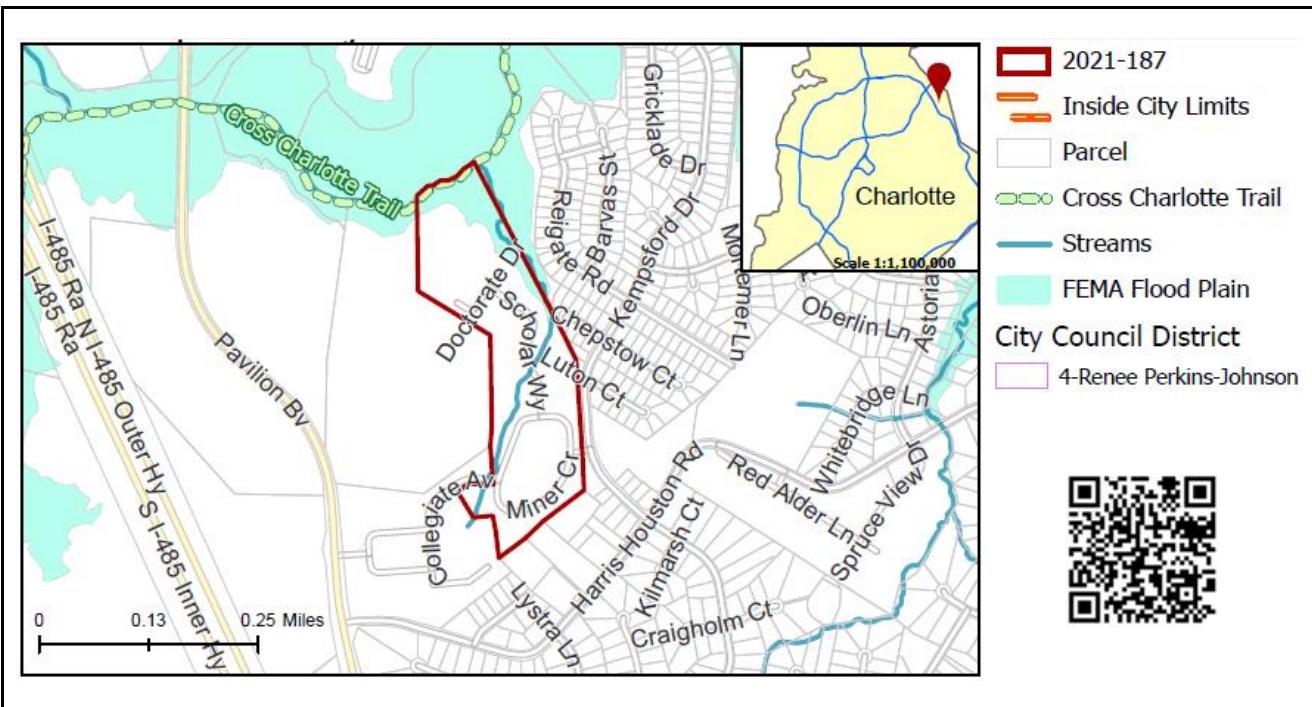


REQUEST

Current Zoning: MX-2(CD) (mixed use district, conditional)
Proposed Zoning: R-3 (single family residential)

LOCATION

Approximately 27.34 acres located east of Pavilion Boulevard, north of Harris Houston Road, and south of North Tryon Street.



SUMMARY OF PETITION

The petition proposes to rezone undeveloped acreage to permit all uses allowed in the R-3 zoning district.

PROPERTY OWNER

Copper Beech Townhome Communities Thirty One, LLC

PETITIONER

Dowell Finch

AGENT/REPRESENTATIVE

Dowell Finch

COMMUNITY MEETING

Meeting is not required.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Northeast District Plan* (1996) recommendation for greenway and single family/multi-family uses up to six dwelling units per acre.

Rationale for Recommendation

- The request is consistent with the land use prescribed by the Northeast District Plan, and subsequent rezoning petition 1999-032 (C).
- The requested density is lower than the recommended density (6 DUA) for the parcel.
- The petition is consistent with lower density, single family uses directly adjacent to the site.

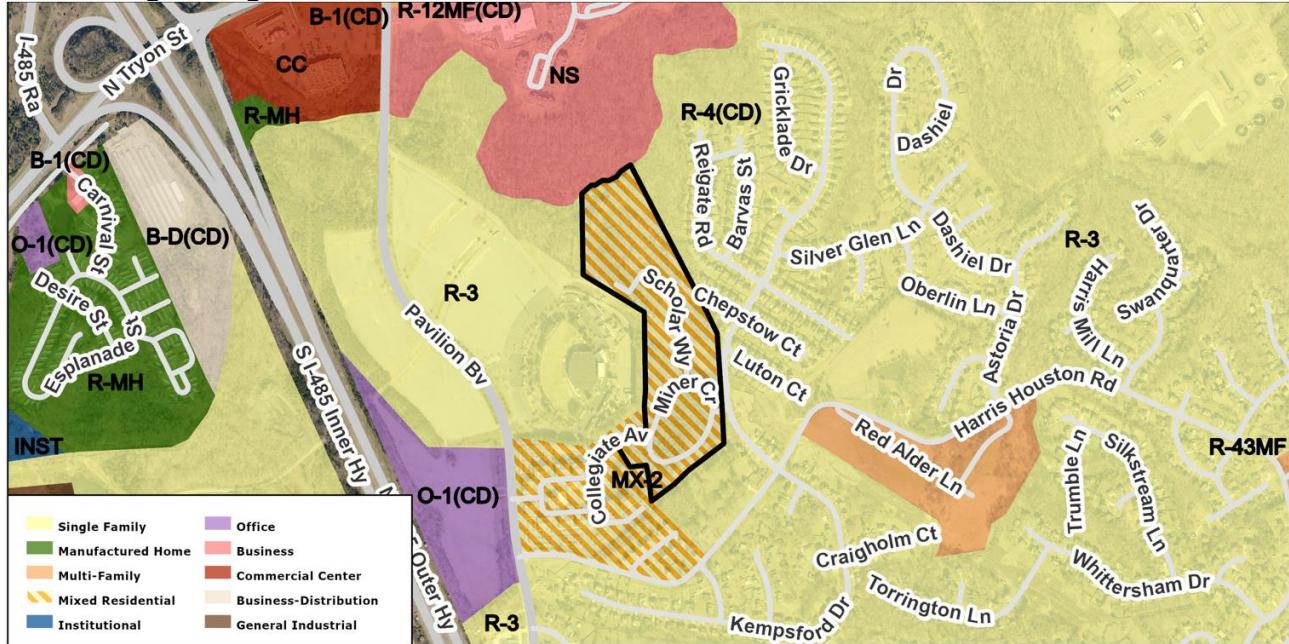
- The petition's request for single family residential uses in this area accomplishes the District Plan's goal of maintaining the integrity and character of existing neighborhoods.

PLANNING STAFF REVIEW

• Proposed Request Details

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

• Existing Zoning and Land Use



- The rezoning site is undeveloped and surrounded by single family detached homes, apartments, and Verizon Amphitheater on parcels zoned R-3, R-4(CD), R-8MF(CD), O-1(CD), and NS.
- The rezoning site is part of a larger 49.144-acre site rezoned from R-3 to MX(CD) via 1999-032C to allow up to 370 multi-family dwelling units and 15 single family homes.



The rezoning site is undeveloped.



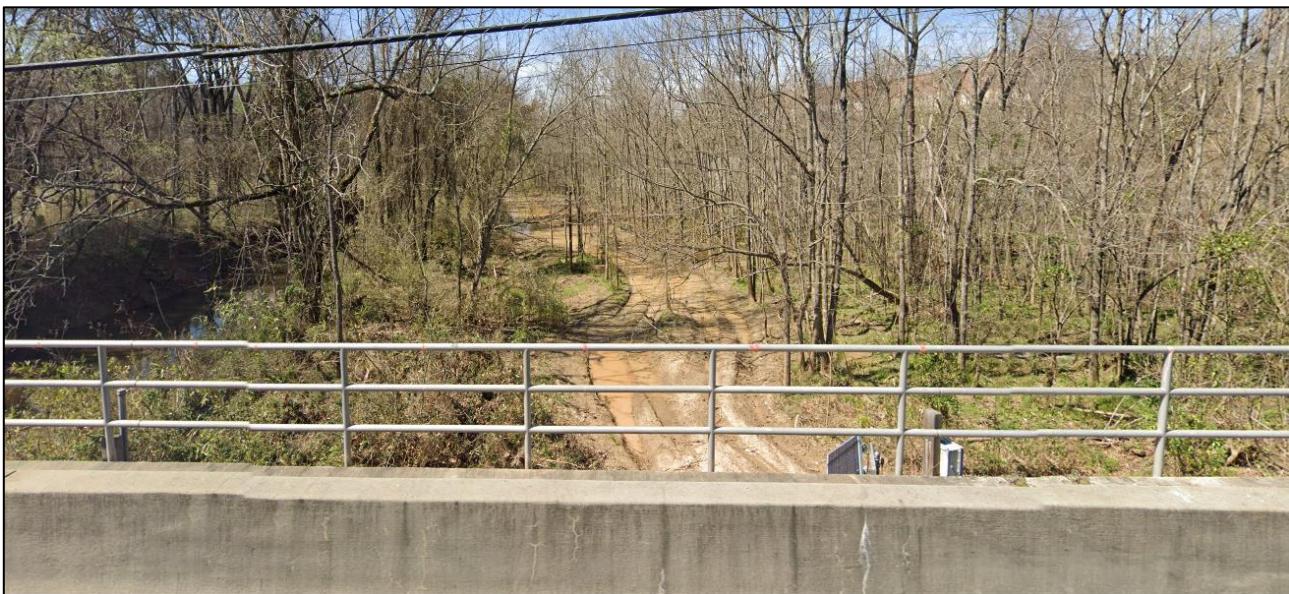
Single family homes are located to the east and south.



The Verizon Wireless Amphitheater is to the west.

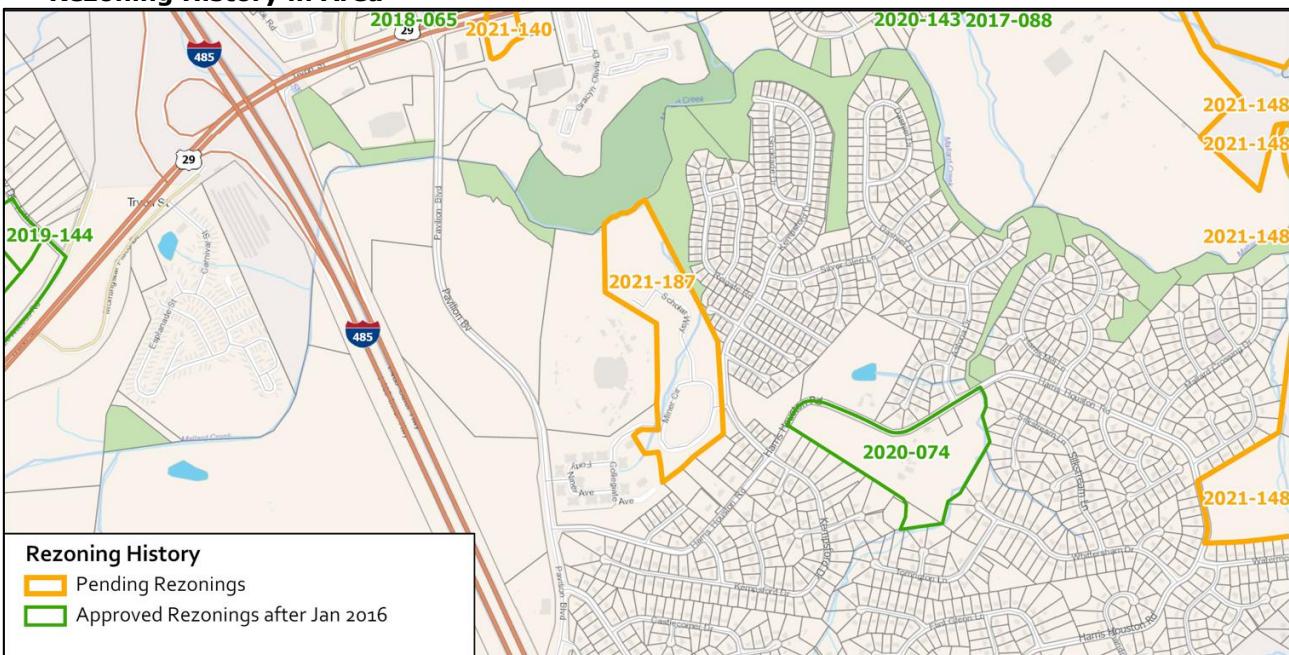


Apartments are located to the southwest.



Mallard Creek runs along the northern property line.

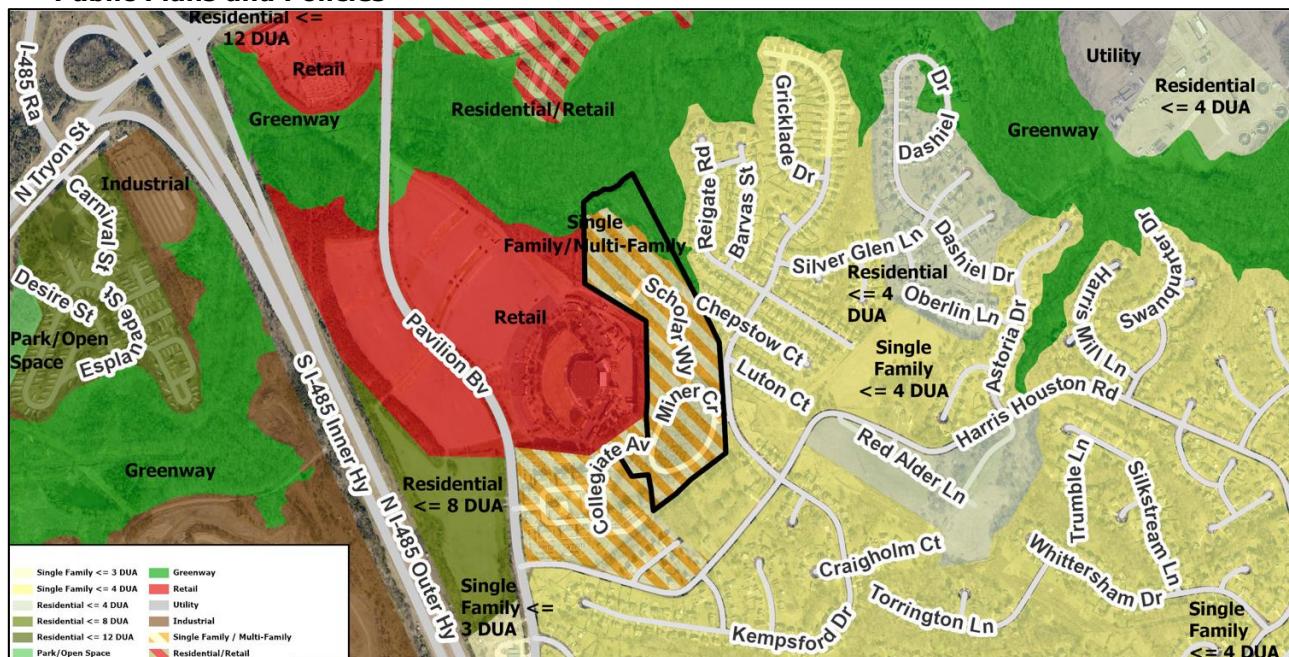
- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-148	Rezone 114.46 acres from R-3 to R-4.	Pending
2021-140	Rezone 1.69 acres from NS to B-2(CD) to allow an automated car wash with accessory cleaning stations.	Pending
2020-143	Rezoned 21.34 acres from UR-C(CD) to R-8.	Approved
2020-074	Rezoned 21.08 acres from R-3 to R-8MF(CD) to allow 83 apartments.	Approved
2019-144	Rezoned 23.99 acres from R-3 and R-12(CD) to R-12MF(CD) to allow up to 194 apartments.	Approved
2018-065	NS SPA for 2.63 acres to retain current entitlements for 20,000 square feet of uses permitted in the NS (neighborhood services) district, with the exception of gas stations and convenience stores, and to allow one accessory drive through window.	Approved

2017-088	Rezone 23.3 acres from CC and UR-C(CD) to UR-C(CD) and UR-C(CD) SPA to retain the 275 multi-family dwelling units, at a density of 11.8 units per acre, and eliminate the nonresidential uses permitted via previously approved rezoning petitions.	Approved
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- **Public Plans and Policies**



- The *Northeast District Plan* recommends single/multi-family uses up to six dwelling units per acre and greenway uses for this site.

- **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Kempsford Drive, a City-maintained local street and Rochdale Lane, a partially City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site. This site is being rezoned conventionally, and there is no site plan to review. CDOT will determine streetscape requirements and public access for this site during the permitting process.

- **Active Projects:**

- Cross Charlotte Trail (Pavilion Boulevard to Cabarrus County)
 - GS PM: Carlos Alzate

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 1,165 trips per day (based on 214 apartment units).

Proposed Zoning: 870 trips per day (based on 82 single family homes).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 34 students, while the development allowed under the proposed zoning may produce 41 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 7.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Stoney Creek Elementary from 110% to 111%
 - James Martin Middle remains at 65%
 - Julius L. Chambers High remains at 126%.

- **Charlotte Water:** No outstanding issues.
- **City Arborist:** No outstanding issues.
- **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:** No outstanding issues.

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

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

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-187

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<p>Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.</p>	X
	<p>Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.</p>	X
	<p>Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.</p>	X
	<p>Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.</p>	N/A

	<p>Goal 5: Safe & Equitable Mobility Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>✓</p>
	<p>Goal 10: Fiscally Responsible Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>