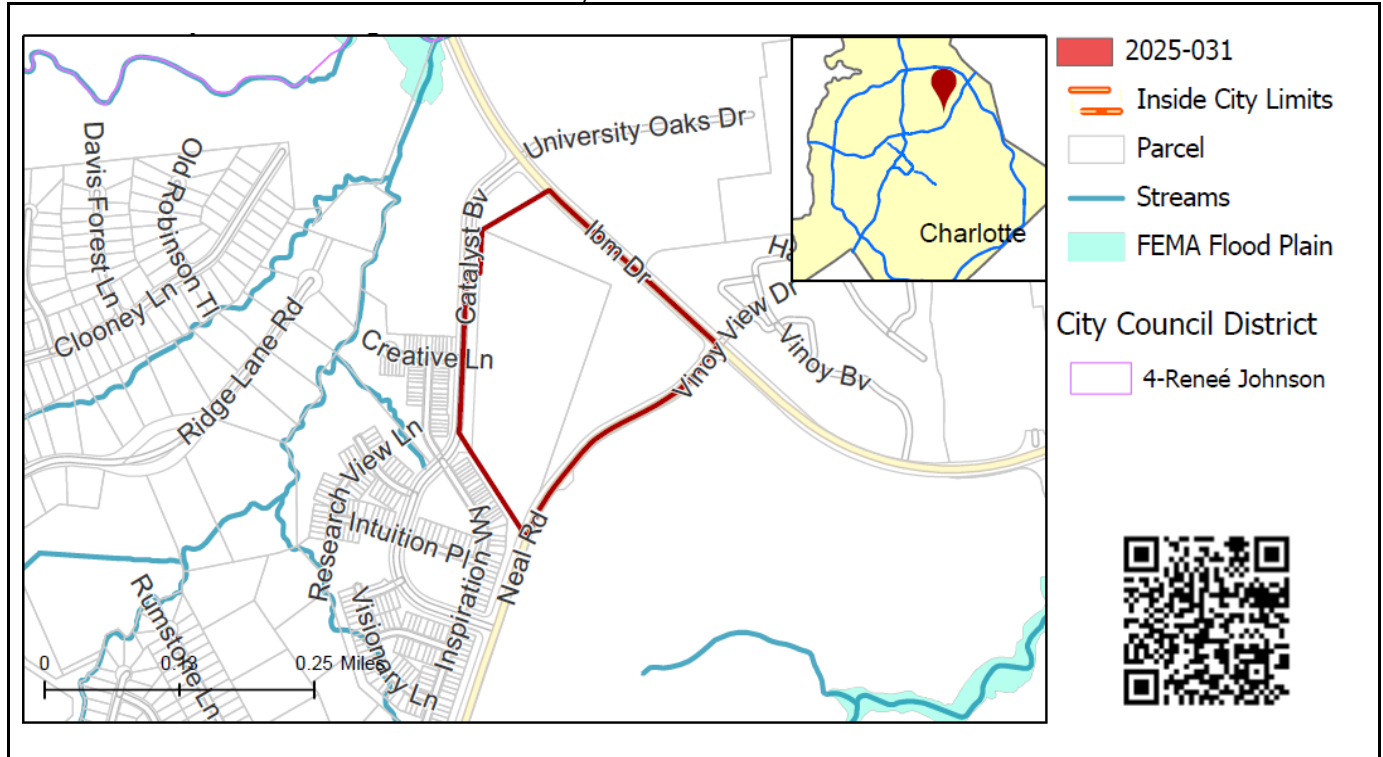


REQUEST

Current Zoning: R-8MF (CD) (Multi Family Residential, Conditional)
Proposed Zoning: N2-B(CD) (Neighborhood 2-B, Conditional)

LOCATION

Approximately 23.37 acres located north of Neal Road, east of Catalyst Boulevard, and south of IBM Drive.



SUMMARY OF PETITION

The petition proposes a residential community of up to 73 multi-family attached (townhome) dwelling units and up to 324 multi-family stacked dwelling units on vacant land. The petition contains an affordability component.

PROPERTY OWNER

JS & Associates

PETITIONER

James Scruggs, Kingdom Development Partners

AGENT/REPRESENTATIVE

Francis Fennell, Urban Design Partners

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 1

**STAFF
RECOMMENDATION**

Staff does not recommend approval of this petition in its current form.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for the Neighborhood 1 Place Type.

Rationale for Recommendation

- The 2040 Policy Map recommends the Neighborhood 1 Place Type and is situated in an area where more intense, mixed-use areas are oriented to the north and east with more moderate residential housing located directly south and low density Neighborhood 1 areas located to the west. This petition sits in a transitional area between Neighborhood 1 and Neighborhood 2 Place Types and the abutting activity center.

- The previous rezoning (RZP-2020-102) allowed 157 residential units with a mixture of attached building forms including duplexes, triplexes, and multi-family attached units (townhomes). The current proposal seeks approval for 397 units, including 73 multi-family attached units (townhomes) and up to 324 multi-family stacked units, reflecting a significant increase in density and a shift toward a more urban building form.
- The shift to higher density building forms is not compatible with the adjacent residential developments to the south and west and the CMS multi school campuses.
- The proposed increase from 157 to 397 residential units represents a substantial intensification that does not align with the previously approved development pattern or the surrounding neighborhood context.
- Staff prefers to see greater proportionality in the attached multi-family building forms along Neal Road with increased sensitivity to the surrounding neighborhood context.
- The site is within ¼ mile of both a Community Activity Center and Campus place types providing access to goods and services within a 10-minute walkshed of the proposed site.
- The petition proposes to develop a 12-foot shared-use path on the west side of Neal Road from IBM Drive, approximately 1300 ft long connecting to the existing SUP thereby enhancing pedestrian connectivity and walkability in the area.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

PLANNING STAFF REVIEW

• Background

- The site was previously rezoned in 2020 from R-8MF(CD) (Multi-family Residential, Conditional) and R-4 (Single Family Residential) to R-8MF(CD) (Multi-family Residential, Conditional) to allow up to 157 duplex, triplex and/or multi-family attached dwelling units. It was never developed.

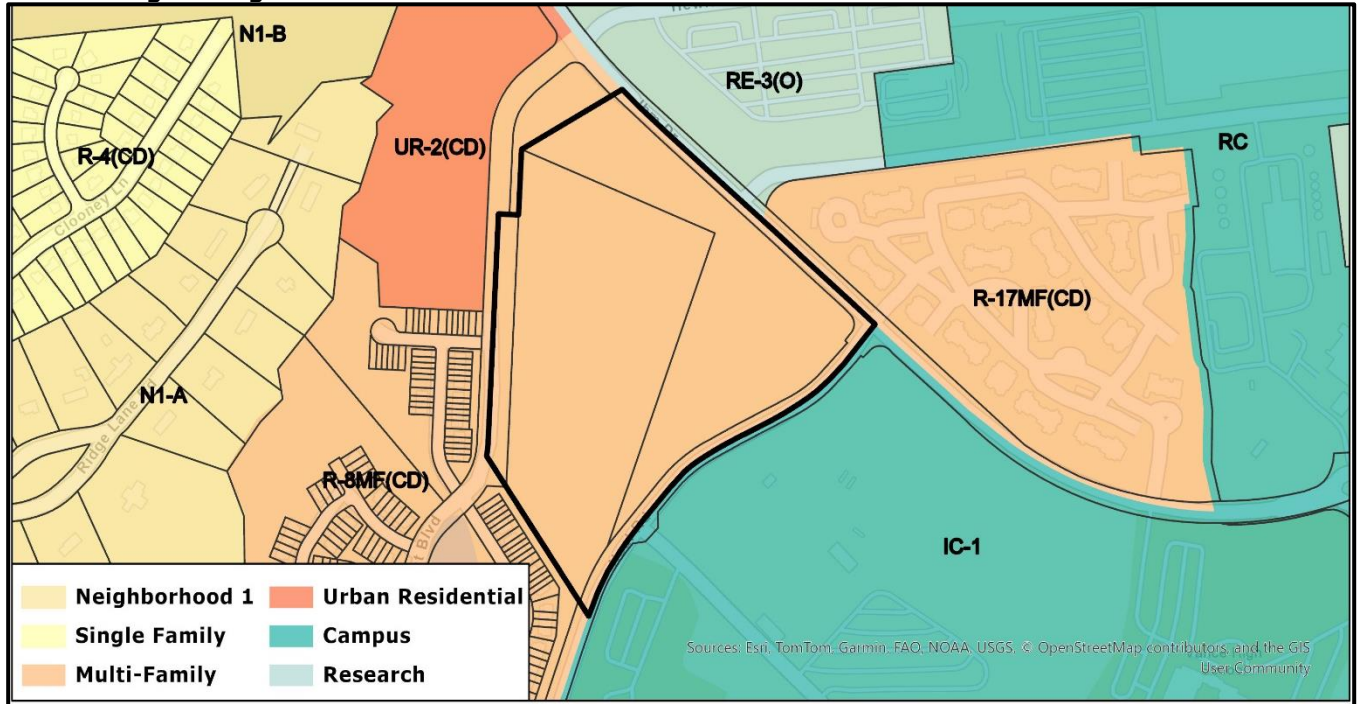
• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allow up to a maximum of 73 multi-family attached (townhome) dwelling units and up to 324 multi-family stacked dwelling units.
- A minimum of 30% of the total multi-family attached dwelling units (townhomes) will be reserved as affordable housing to households earning 80% to 110% of the Area Median Income (AMI) for the Charlotte-Concord-Gastonia, NC-SC MSA. The affordable units will remain income-restricted for a minimum of 15 years from the date of initial occupancy.
- Transportation improvements:
 - Provides an 8-foot-wide sidewalk along Catalyst Boulevard frontage.
 - Provides 12-foot shared-use path along Neal Road and IBM Drive frontages.
 - Dedication of 39-foot of right-of-way from the road centerline along Neal Road.
 - Dedication of 42.4-foot of right-of-way from the road centerline along IBM Drive.
 - Provides an ingress lane and two egress lanes (on eastbound shared thru/right turn lane and a left turn lane with 100 feet of storage) on proposed Access "A".
 - Restripe the existing painted median to include a northbound left turn lane with 100-feet of storage on Neal Road.
 - Provides signal head configurations and other signal modifications to be determined in permitting.
 - Update signal phasing and timings to include the 4th leg of the intersection.
 - Provide ingress lane and one egress lane (on eastbound terminating left/right turn lane) on proposed Access B.
 - Restripe the existing painted median to extend the existing northbound shared thru/left turn lane from 300-feet of storage to at least 400-feet of storage on Neal Road.
 - Provide ingress lane and one egress lane (a westbound terminating left/right turn lane) on proposed Access "C" Catalyst Boulevard & Access "D".

- Open space areas shall consist of the following potential components; Enhanced plantings, specialty paving materials, shading elements, seating options, public art/sculpture, decorative lighting, interactive elements that children or others to experience sensory stimulation including but not limited to music, water, and light.
- Provides architectural and design guidelines.

- **Existing Zoning**



- The site is zoned R-8MF (CD) (Multi-Family Residential, Conditional). The surrounding zoning includes R-8MF (CD) (Multi-Family Residential, Conditional) , R-17MF(CD) (Multi-Family Residential, Conditional), UR-2(CD) (Urban Residential, conditional), IC-1 (Campus, Institutional), RC (Regional Campus, N1-B (Neighborhood 1-B), N1-A (Neighborhood 1-A), R-4(CD) (Single Family Residential), and RE-3(O) (Research-2, Optional).



The site (denoted by the red star) is located northwest of Neal Road, east of Catalyst Boulevard, and south of IBM Drive.



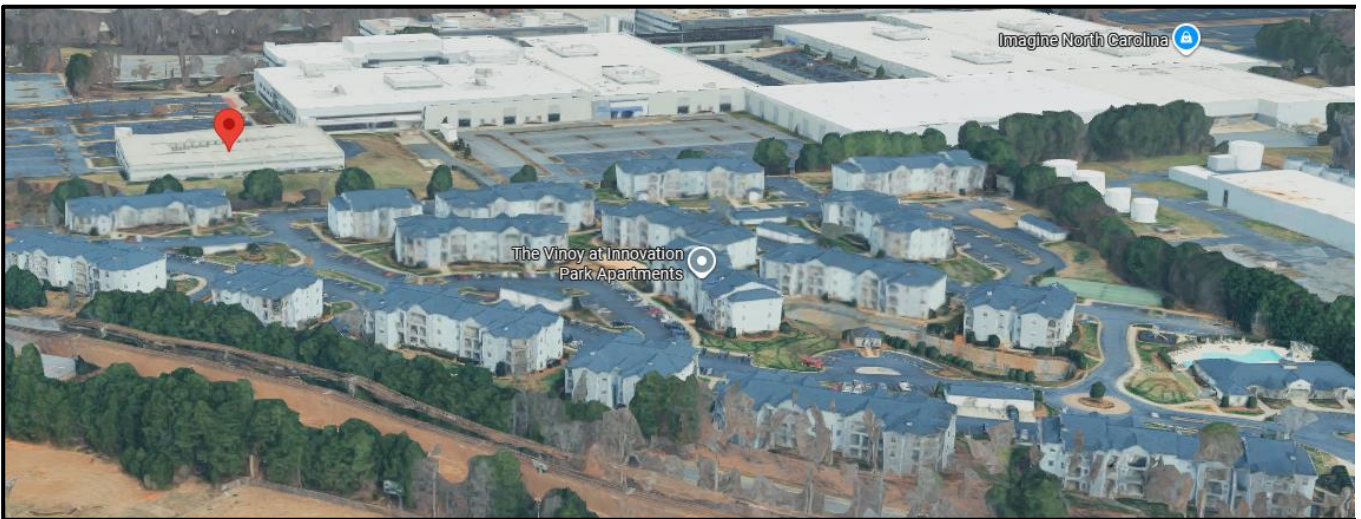
The property to the south along Neal Road is developed with multi-family attached units.



The property to the west along Catalyst is developed with multi-family units.

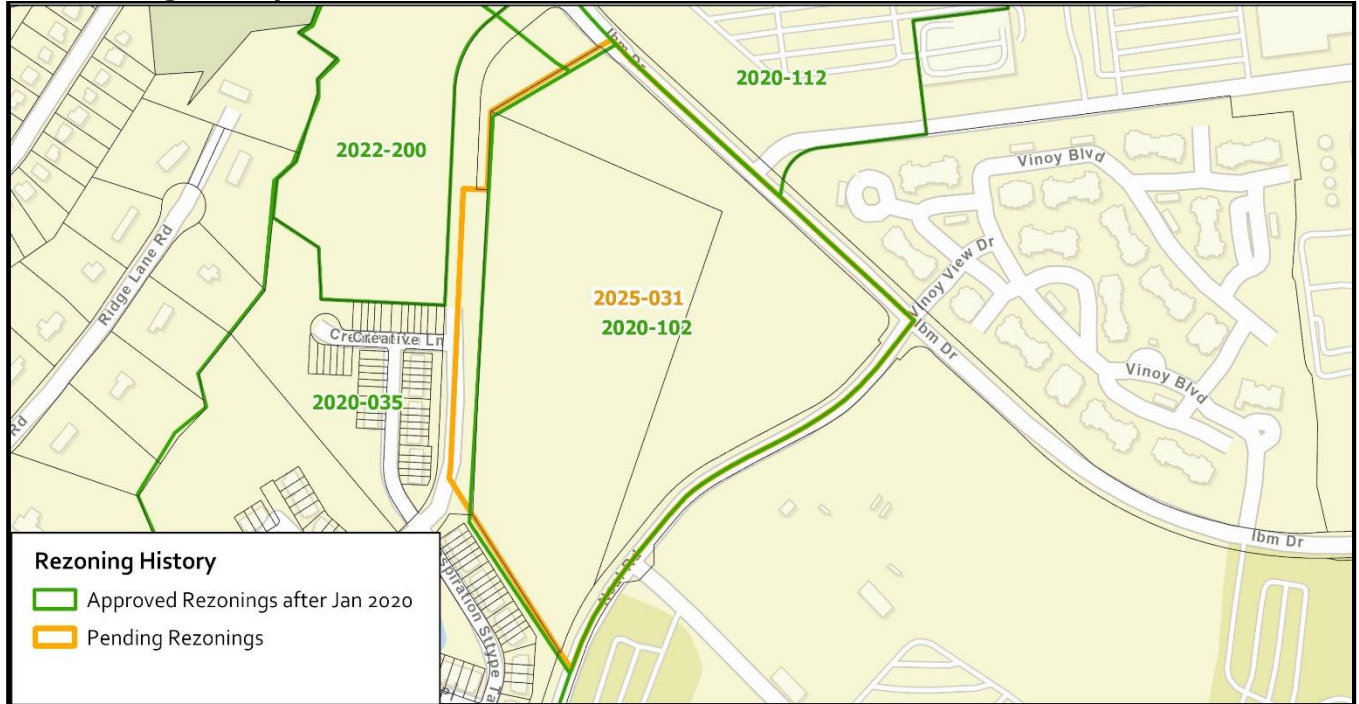


The property to the east are CMS elementary, middle, and high schools.



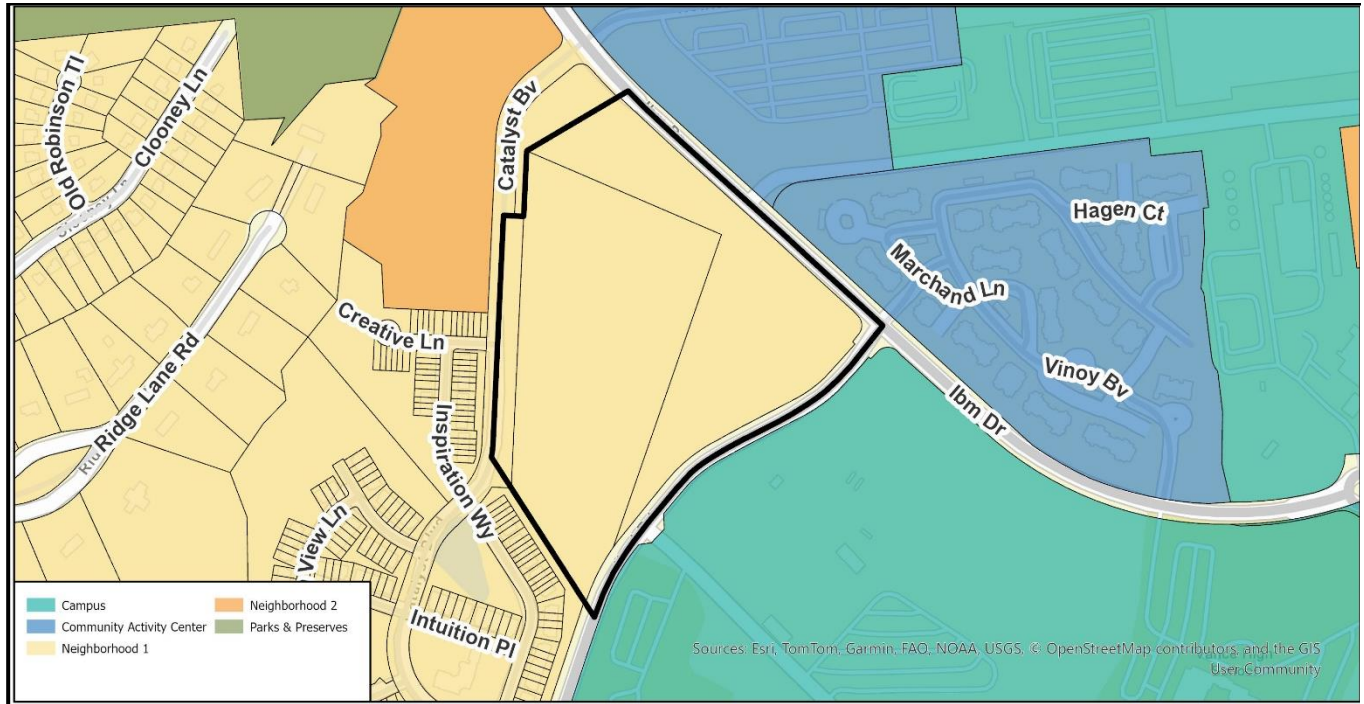
The property to the north includes the Innovation Park development and multi-family stacked units.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-035	Rezoned 49 acres from R-4 (Single Family Residential) and RE-2 (Research) to UR-2(CD) (Urban Residential, Conditional) and R-8MF(CD) (Multi-family Residential, Conditional) to allow up to 300 residential units, broken out into 250 single family attached units and 50 multi-family units.	Approved
2020-102	Rezoned 23.3 acres from R-8MF(CD) (Multi-family Residential, Conditional) and R-4 (Single Family Residential) to R-8MF(CD) (Multi-family Residential, Conditional) to allow up to 157 duplex, triplex and/or single-family attached dwelling units.	Approved
2020-112	Rezoned 57.2 acres from RE-2 (Research) to RE-3 (O) (Research, Optional) to allow a redevelopment of a portion of the Innovation Park Site into a multi-use development containing 575 multi-family dwelling units, 660,000 square-feet of non-residential uses of which a maximum 30,000 square-feet could be devoted to retail, personal services, and restaurant uses.	Approved
2022-200	Rezoned 12.4 acres from R-8MF(CD) (Multi-family Residential, Conditional) to UR-2(CD) (Urban Residential, Conditional) to allow up to 200 multi-family dwelling units.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type for this site.

- **TRANSPORTATION SUMMARY**

- The site is located at the corner of Neal Road, a city maintained arterial, and IBM Drive, a city maintained arterial. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the low intensity development. Based on the 2,005 daily trips, this will trigger a Traffic Impact Study and Tier 3 multimodal assessment. TIS was approved week of 10/20/2025. All outstanding CDOT comments have been addressed. CDOT also request that additional ROW is provided along Neal Road to provide space for a Right Turn Lane to be installed. Further details are listed below.

- Active Projects: N/A

- **Transportation Considerations**

- See Outstanding Issues, Notes 2

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 1,146 trips per day (based on 157 dwelling units).

Proposed Zoning: 2,005 trips per day (based on 73 multi-family attached dwelling units and 324 multi-family stacked dwelling units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **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:** This development may add 53 students to the schools in this area.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Governors' Village K-8 from 74% to 76%.
 - Julius L. Chambers High from 127% to 128%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Neal Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located inside the zoning property boundary. See advisory comments at www.rezoning.org

- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** See advisory comments at www.rezoning.org
- **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 PRIOR TO PUBLIC HEARING

Transportation

1. ~~Label and dimension the curb and gutter from the centerline for each road on the site plan.~~ Addressed
2. Add conditional note to provide a minimum of 50-feet of ROW from the centerline of IBM Drive to accommodate the future right turn lane. Some of the ROW can be placed in an SUE. This ROW will allow for a right turn lane to be constructed at the signal which will drastically increase the functionality of the intersection.

Site and Building Design

3. Provide greater proportionality in the attached multi-family building forms by decreasing multi-family stacked units and incorporating a mixture of building types.
4. ~~Provide prescriptive standards for each open space element that will be utilized.~~ Addressed
5. ~~Consider adding a limit to the number of 6-unit buildings.~~ Addressed
6. Provide a minimum dimension for stoops.

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

Planner: Michael Russell (704) 353-0225