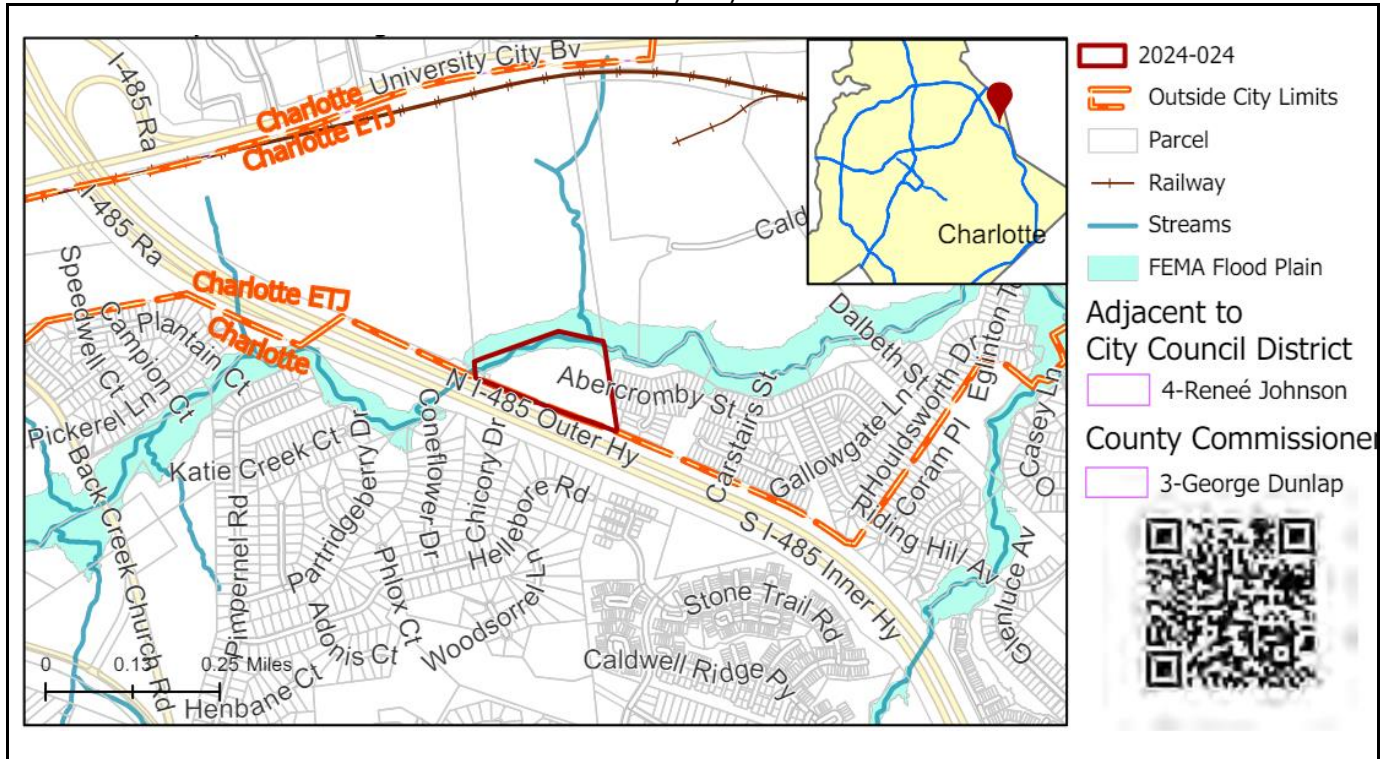


REQUEST

Current Zoning: MX-2 (mixed use district-2)
 Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

LOCATION

Approximately 9.13 acres located along the north side of Interstate 485, south of University City Boulevard.



SUMMARY OF PETITION

The petition proposes a residential community of up to ~~71~~ **70** multi-family attached dwelling units.

PROPERTY OWNER

Legacy Family Land, LLC

PETITIONER

Orissa Holdings, LLC

AGENT/REPRESENTATIVE

Paul Pennell, Urban Design Partners

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
 Number of people attending the Community Meeting: 0

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 Neighborhood 1 Place Type.

Rationale for Recommendation

- The subject property is not located within ¼ or ½ mile of Activity Centers, Campus, or Innovation Mixed Use place types.
- The subject property is not located within ½ mile walkshed of a high-capacity transit station or major transportation corridor.
- The subject property does not have frontage along an arterial or major road and lacks adequate connectivity to arterials, major roadways, transit, or nearby destinations to support the higher density development as proposed.

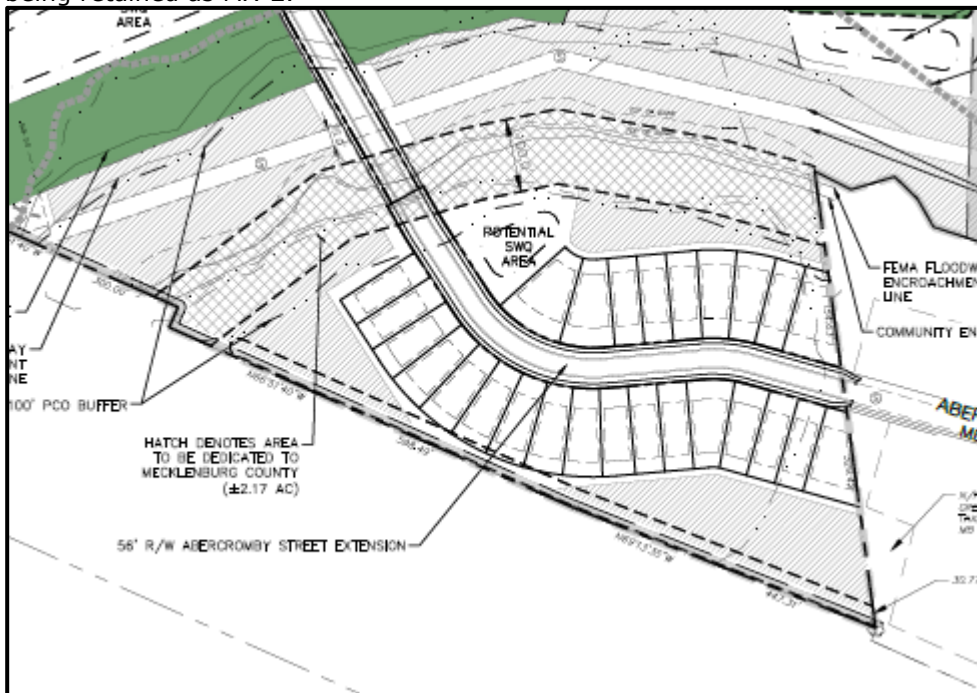
- The petition does have a preferred adjacency to Neighborhood 1.
- This petition proposes to increase housing inventory and add to the variety of housing options in the area. However, staff would like to see a proposal that better aligns with the Neighborhood 1 Place Type.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 2: Neighborhood Diversity & Inclusion.

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

PLANNING STAFF REVIEW

• Background

- This site was originally rezoned by Petition 2021-125 as phase 1B allowing 26 single family lots. It was never developed. The site was rezoned again by Petition 2023-030 and this portion of the site being retained as MX-2.

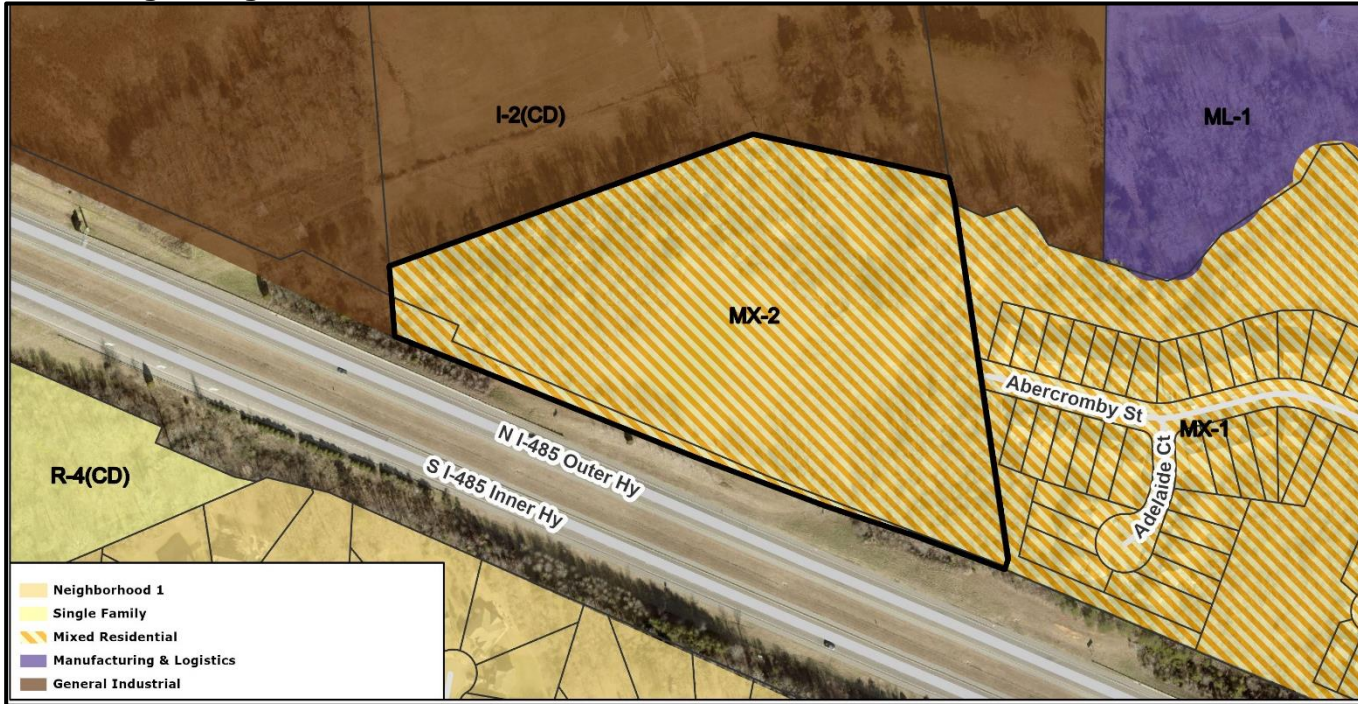


• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to ~~71~~ 70 multi-family attached dwelling units.
- Dedicates 29-feet of right-of-way from the Abercromby street centerline.
- Provides future cross parcel access to the north.
- Provides 17,750 square-feet of open space.
- Provides an 8-foot planting strip and an 8-foot sidewalk along the Abercromby Street extension.
- Dedicates the 100-foot SWIM buffer as a greenway easement to Mecklenburg County.
- Provides architectural details including building materials.
- Addition of 13 driveways rather than parking pads.
- Reduced the number of units fronting Interstate 485 from 18 to 7.
- Increased visitor parking by 2 spaces.

- Existing Zoning



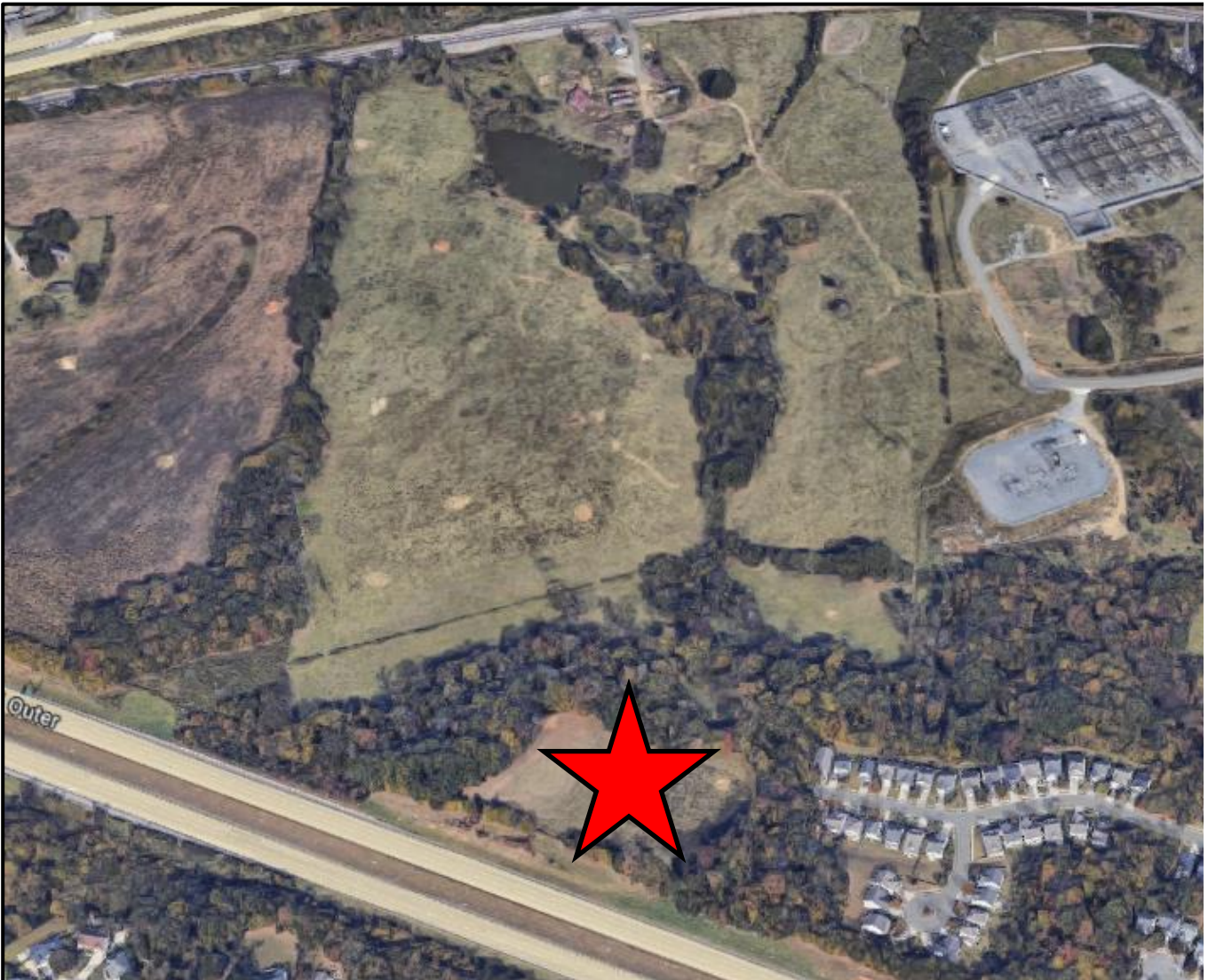
- The surrounding land uses include single family and currently undeveloped land.



The subject property located along the north side of Interstate 485 is denoted with a red star.



The property to the east along Abercromby Street is developed with single family homes.

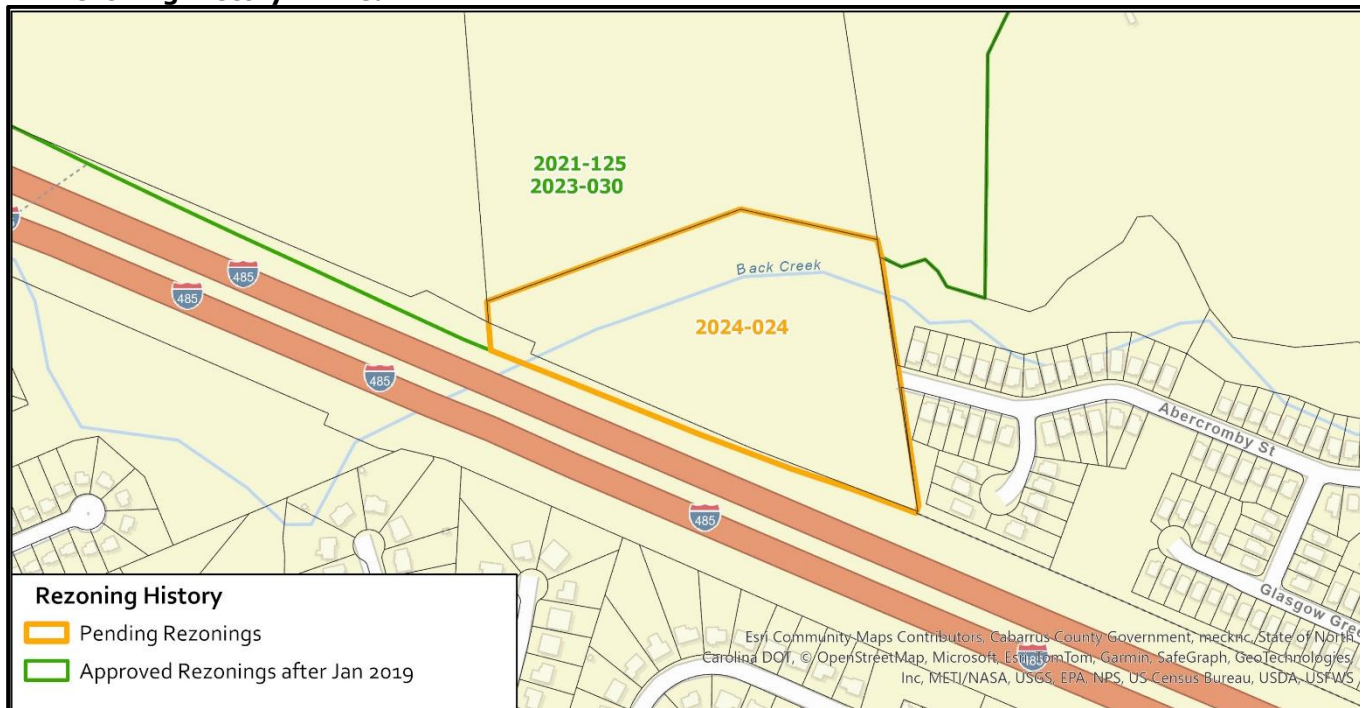


The property to the north and west is currently vacant. It is part of the 2023-030 rezoning.



Interstate 485 is to the south of the property.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-125	Rezoned 133 acres from R-3, R-4 and B-D to MX-2 to allow a residential development comprised of up to 581 single family attached and detached dwellings.	Approved
2023-030	Rezoned 123 acres from MX-2 to I-2(CD and MX-2 to allow a maximum 2.5 million square foot data center and an electric substation.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends a Neighborhood 1 Place Type.

• **TRANSPORTATION SUMMARY**

- The site is located at end of Abercromby Street, a private-maintained major collector, west of Houldsworth Drive, a private-maintained major collector. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. All outstanding CDOT comments have been addressed.

○ **Active Projects:**

- N/A

• **Transportation Considerations**

- See Outstanding Issues, Note 1 Addressed

• **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: XX trips per day (trip generation not provided for MX-2 zoning district).

Proposed Zoning: 491 trips per day (based on 71 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:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** This development may add 10 students to the schools in this area.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Stoney Creek Elementary remains at 104%.
 - James Martin Middle remains at 65%.
 - Julius L Chambers High remains at 137%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Abercromby Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Abercromby Street. 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:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** See ~~Outstanding Issues, Note 2~~ **Addressed**
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See ~~Outstanding Issues, Note 4~~ **Addressed**

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~Roadway cross-section is called out as USDG U-02. Please revise all reference to roadway standard cross-section to be CLDSM U-02.~~ **Addressed**

Land Use

2. Consider a project that better aligns with the Neighborhood 1 Place Type.

Environment

3. ~~MCPR requests clarification of the hatched area on the current site plan. The Greenway Easement area to be dedicated and conveyed to Mecklenburg County must extend to and connect to both sides of the public ROW.~~ **Addressed**
4. ~~Green area must be comprised of existing tree canopy.~~ **Addressed**

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

Planner: Michael Russell (704) 353-0225