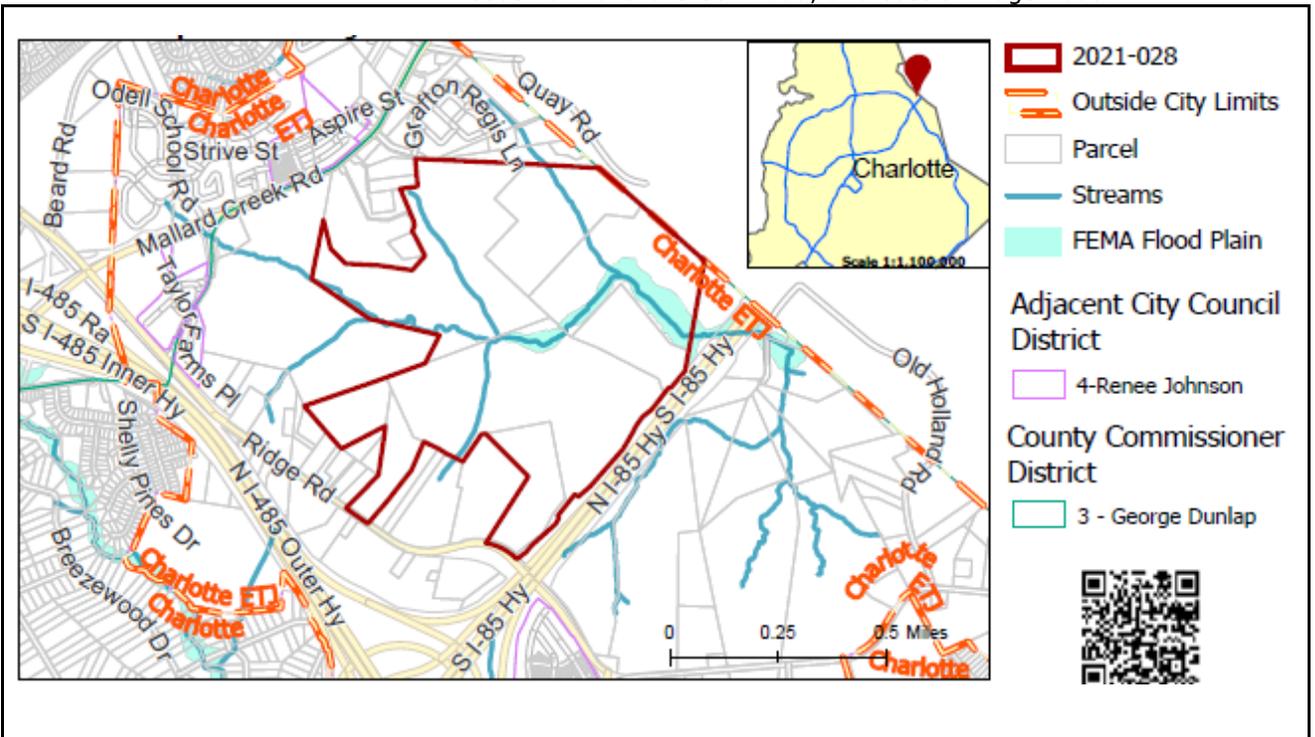


REQUEST

Current Zoning: CC, (commercial center), R-8MF(CD) (multi-family residential, conditional)
Proposed Zoning: I-1(CD) (light industrial, conditional), R-22MF(CD) (multi-family residential, conditional) with 5-year vested rights.

LOCATION

Approximately 287.71 acres located northwest of Highway 85, south of Mallard Creek Road, and east of Ridge Road.



SUMMARY OF PETITION

The petition proposes to develop 287.71 acres into two development areas. Development area 1 (274.33 acres) proposes 2,750,000 square feet of warehousing, warehouse distribution, logistics, office, manufacturing, and all other uses permitted by right as allowed in the I-1 zoning district. Development area 2 (36.67 acres) proposes up to 488 multi-family residential units.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Aurora Company, LLC
Childress Klein Properties
Jeff Brown, Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 9 (2 meetings)

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to site design.

Plan Consistency

The proposed Warehouse/Distribution use on the southern part of this petition is **inconsistent** with the *Northeast Area Plan (2000)* recommendation of Single Family/Multi-Family Institutional/Office/Retail.

The proposed residential use up to 13.3 dwelling units per acre (DUA) in the northern part of this position, bordering Cabarrus County, is **consistent** with the area plan's recommendation of Single Family/Multi-Family/Institutional/Office/Retail use up to 12+ DUA.

Rationale for Recommendation

- This petition proposes up to 2.75 million square feet of gross floor area for warehouse/distribution and other permitted uses allowed in the I-1 district for 274.33 acres at the southern portion of the site, and up to 488 multi-family dwelling units covering 36.67 acres on the northern part which borders Concord/Cabarrus County of the site.
- The residential area will have 13.3 DUA, which is consistent with the area plan's land use recommendation of Single Family/Multi-Family/Institutional/Office/Retail at 12+ DUA.
- The residential area fulfills the area plan's goal of providing a mix of housing types and densities in this area. The residential area will also be developed in conjunction with a residential development on an adjacent parcel in Concord/Cabarrus County. This combined development will increase connectivity in this site and provide pedestrian and car access to the commercial and retail areas north of this site and located in Concord/Cabarrus County.
- While the uses proposed in the warehouse/distribution are not consistent with the area plan, they are consistent with the area plan's goal of establishing a mix of employment, civic, and retail uses in this area.
- The uses proposed in the warehouse/distribution area will establish a job center in this area of Charlotte, and the residential use proposed on the northern portion of the site will provide potential opportunity for employees to live in proximity to jobs.
- The petition's proximity to I-485 provide direct access to transportation infrastructure desired by warehouse/distribution uses.
- This petition commits to establishing a 100-foot Class A buffer in Development Area 1 along the site's western boundary and a 100-foot Class C buffer between the residential and warehouse/distribution area, as depicted on the rezoning plan.
- The petition commits to establishing a trail network linking the residential area to the warehouse/distribution area and to a 12-foot multi-use path to be established along Public Street A, which will cross through the site.
- The petition commits to establishing an 8-foot planting strip and 8-foot sidewalk on both sides of Public Road B, which connects the residential area to the warehouse/distribution area.
- The proposed site plan includes 2 site access points on Ridge Road, 1 access point on Kings Grant Drive, and 1 access point on Quay Drive, as well as the establishment of 3 public roads. These multiple access points ensure general connectivity throughout the site and will increase connectivity and access to other amenities in this area.

The approval of this petition will revise the adopted future land use for the warehouse/distribution portion of this site as specified by the *Northeast Area Plan* from Single Family/Multi-Family/Institutional/Office/Retail to Industrial for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- **Development area 1** (274.33 acres)
 - Allows 2,750,000 square feet of warehousing, warehouse distribution, logistics, office, manufacturing, and all other uses permitted by right as allowed in the I-1 zoning district. It prohibits auction sales, auto, truck and utility trailer rental, automotive repair garages, sales, and service stations, manufactured housing sales or repair, petroleum storage facilities, and recycling or drop off centers.
 - Proposes the principal number of buildings will not exceed ~~15~~ **12 buildings**.
- **Development area 2** (36.67 acres)
 - Allows up to 488 multi-family residential units with a density of 13.3 dwelling units per acre.
 - Proposes principal number of buildings will not exceed ~~30~~ **20 buildings**.
 - Additionally, 212 multi-family units are proposed on an adjacent parcel (10.42 acres) in the jurisdiction of the City of Concord.
 - **Commits to provide a workforce housing program that no fewer than 5% of the total number of units constructed in Development Area 2 of the site for a period of 15 years will maintain monthly rents that are income restricted for households earning 80% or less of the area median income.**
- **Transportation Improvements**
 - A Traffic Impact Study (TIS) has been approved by CDOT and NCDOT.
 - Commits to construct three internal public streets within the rezoning site.
 - Provides 2 site access points on Ridge Road, 1 access point on Kings Grant Drive, and 1 access point on Quay Drive.
 - Road improvements will be completed in phases, or subphases, that align with the permitted uses and development levels.
- **Turn Lane/Intersection Improvements**
 - Construct a northbound right turn lane on Carolina Lily Lane with 250-feet of storage.
 - Construct an additional northbound left turn lane on Odell School Road with 425-feet of storage.
 - Construct a southbound right turn lane on Odell School Road with 125-feet of storage. Implement right turn overlap phasing on the southbound leg of the intersection.
 - Restripe the existing westbound approach on Odell School Road to provide a terminating westbound left turn lane and a separate right turn lane with 100-feet of storage. Install a traffic signal.
 - Convert the intersection of Carolina Lily Lane and Quay Road to all-way stop control.
 - Remark the existing pavement to allow for a separate eastbound left turn lane on Quay Road with 100 feet of storage.
 - Construct a southbound left turn lane with 100-feet of storage on Ridge Road and Access A.
 - Construct a northbound right turn lane with 100-feet of storage on Ridge Road and Access A.
 - Construct a southbound left turn lane with 100-feet of storage on Ridge Road and Access B.
 - Construct a northbound right turn lane with 100-feet of storage on Ridge Road and Access B.
 - One ingress lane and one egress lane (a combined eastbound left-right turn lane on Access C).
- **Road Widening Improvements**
 - Widen Ridge Road corridor (travel lanes) from 10-feet to 12-feet from Odell School Road to the end of the Site's frontage on Ridge Road.
 - Widen Quay Road corridor (travel lanes) from 9-feet to 11-feet from Carolina Lily Lane to the end of the Site's frontage on Quay Road.
- **Pedestrian Improvements**
 - Provides an 8-foot planting strip and 8-foot sidewalk on both sides of Public Road B connecting the residential area to the warehouse/distribution area.
 - An 8-foot planting strip and a 6-foot sidewalk will be provided on both sides of Public Road C. For Public Street A, an 8-foot planting strip and a 6-foot sidewalk will be provided on one side, and an 8-foot planting strip and a 12-foot MUP will be provide on the other side.
 - A 12-foot shared-use path and a minimum of an 8-foot planting strip will be provided along the site's frontage of Ridge Road.
- **Open Space**
 - A minimum of ~~15%~~ **20%** of the site or approximately ~~46.65~~ **62.2** acres will be set aside as open space (tree save areas, stream buffers, landscape buffers, landscape areas, improved open space areas).

- A minimum of 5% of the open space (approximately 15.55 acres) must be developed as improved open space. Improved open space will have landscape areas, walking paths, and/or seating areas.
- Within the proposed Open Space area, the Petitioner will create a trail network that will link the proposed multi-family residential area to the industrial area and to the 12-foot MUP located along Public Street A.
- Commits to establishing a 100-foot Class A buffer in Development Area 1 along the site’s western boundary and a 100-foot Class C buffer between the residential and warehouse/distribution area, as depicted on the rezoning plan.

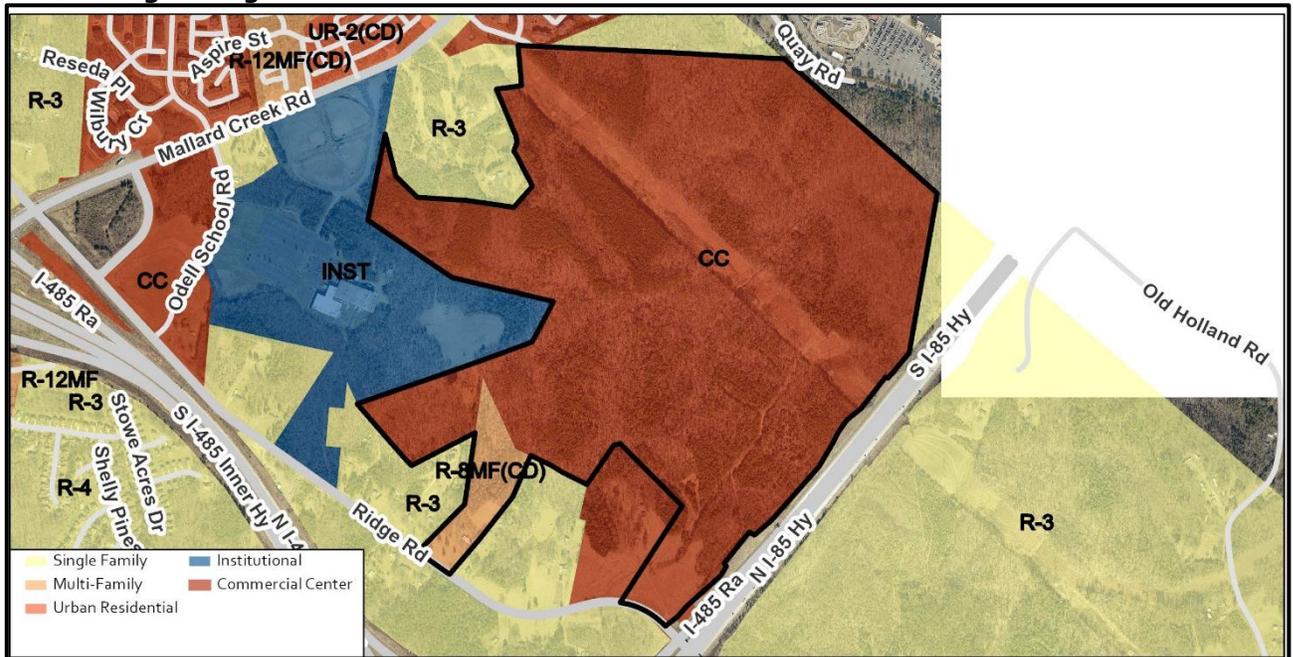
• **Architectural Standards (Development Area 1)**

- The principal buildings constructed on the portion of the Site zoned I-1(CD) may use a variety of building materials. The building materials will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast or site-cast concrete, synthetic stone, stucco, cementitious siding, metal panels, EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.
- Primary pedestrian entrances will be architecturally defined with glazing, awnings, canopies and/or other architectural elements, and have a connection to adjacent Public Streets.

• **Architectural Standards (Development Area 2)**

- Buildings shall be placed to present a front or side façade to Public Road B, and Quay Road.
- A minimum of 30% of the building's entire façade facing a network street will be a combination of the following: brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director. Vinyl shall be prohibited except for handrails, windows, or door trim.
- Building elevations facing Public Roads will not have expanses of blank walls greater than 20-feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- Building elevations will be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
- Long pitched or flat roof lines will avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.

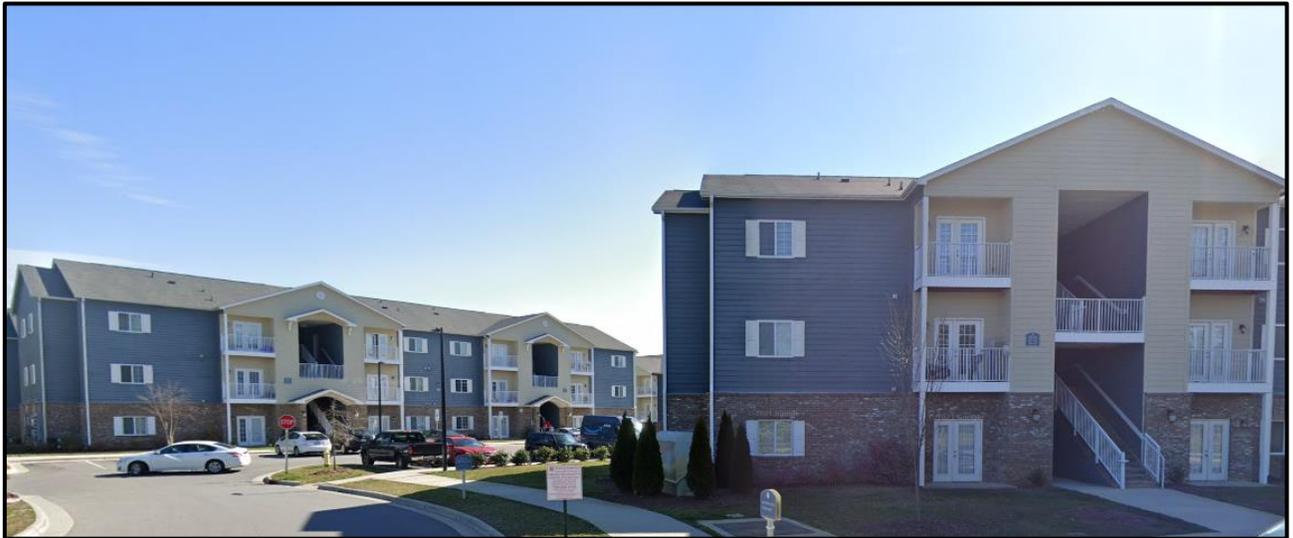
• **Existing Zoning and Land Use**



The site was rezoned in 2003 (petition 2003-076) to allow a retail/office/residential mixed-use concept design but was never developed. The surrounding land uses include multi-family, single-family, religious institution, retail, and office uses.



The subject property is denoted with a red star.



The property to the north along Grafton Regis Lane is developed with multi-family apartments.

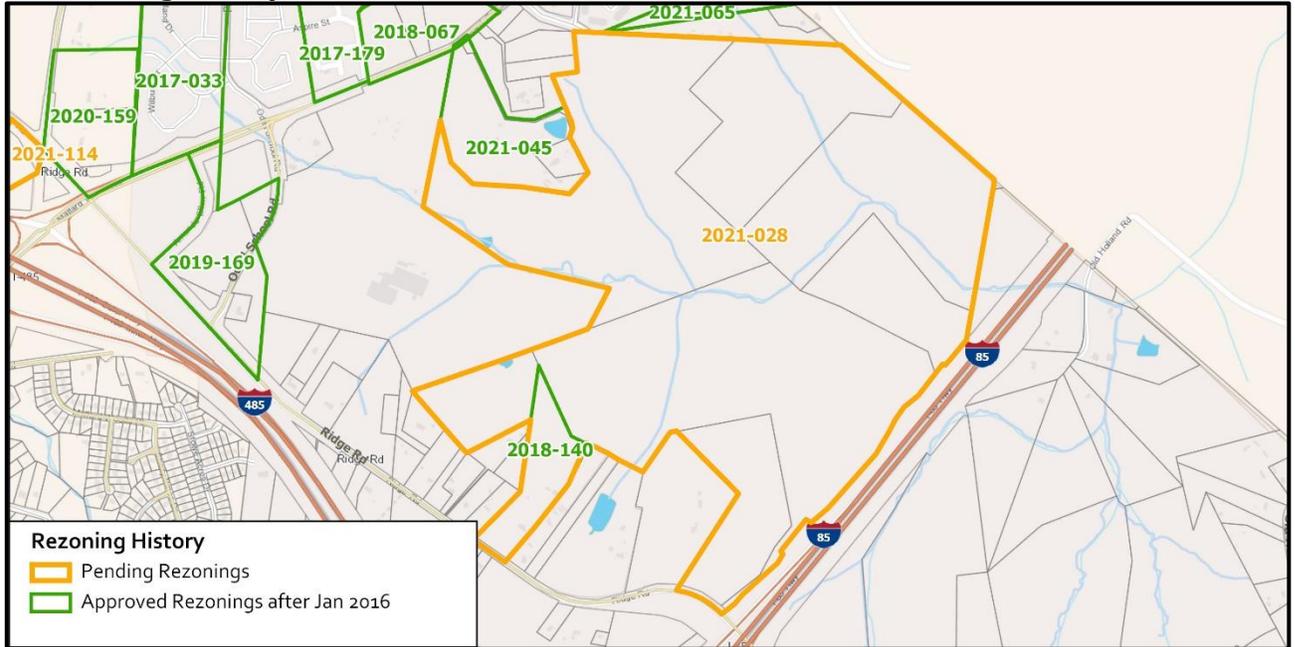


To the east of the site is Concord Mills Shopping Center.



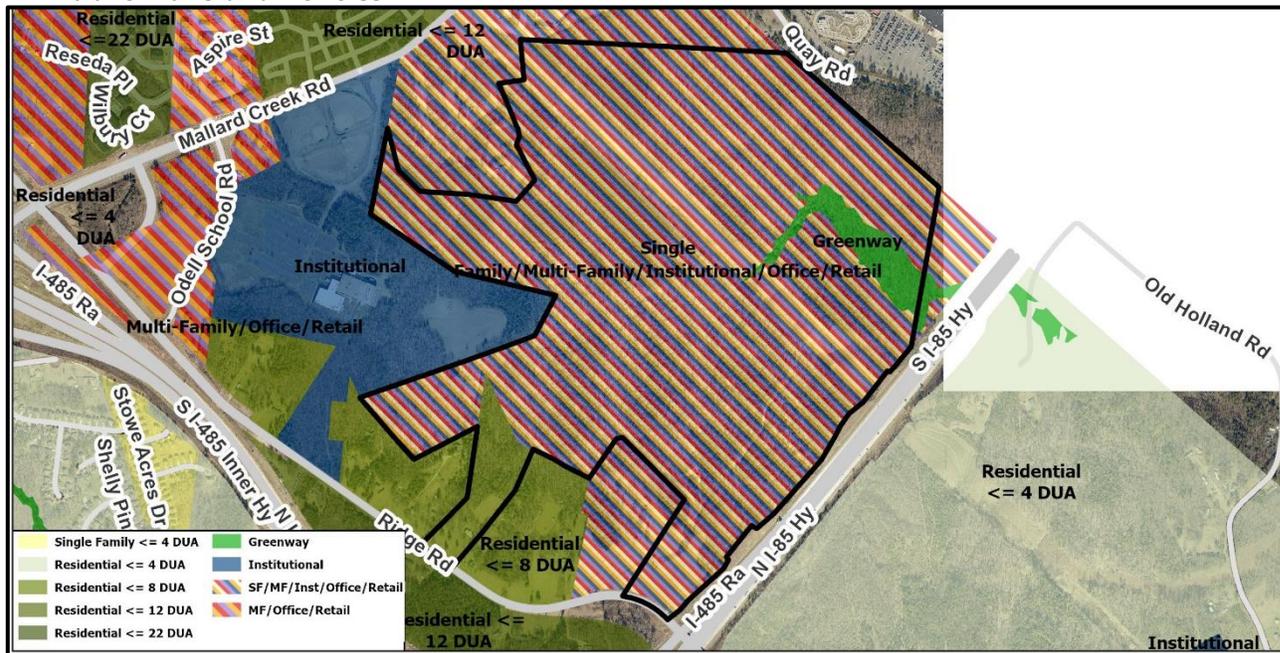
The property to the west along Odell School Road is Hickory Grove Church.

• **Rezoning History in Area**



| Petition Number | Summary of Petition | Status |
|-----------------|--|----------|
| 2017-033 | Rezoned 29.01 acres to allow up to 322 multi-family units. | Approved |
| 2017-179 | Rezoned 19.52 acres to allow up to 234 multi-family units. | Approved |
| 2018-067 | Rezoned 18.06 acres to allow up to 186 townhome units. | Approved |
| 2018-140 | Rezoned 11.87 acres to allow up to 93 multi-family units. | Approved |
| 2019-169 | Rezoned 15.9 acres to allow up to 280 multi-family units. | Approved |
| 2020-159 | Rezoned 14.83 acres to allow up to 325 multi-family units. | Approved |
| 2021-045 | Rezoned 19 acres to allow up to 288 multi-family units. | Approved |
| 2021-065 | Rezoned 13 acres to allow all uses in the R-22MF zoning district. | Approved |
| 2021-114 | Proposes to rezone 3.55 acres to allow up to 120,000 square-foot indoor climate-controlled storage facility. | Pending |

• **Public Plans and Policies**



The *Northeast Area Plan (2000)* calls for Single Family/Multi-Family/Institutional/Office/Retail at 12+ DUA and Greenway uses for this site.

• **TRANSPORTATION SUMMARY**

- The site is located on a State-maintained freeway (I-85) and major thoroughfare road (Ridge Road). This project crosses the Charlotte ETJ/Mecklenburg County line and includes a portion of the site in Concord/Cabarrus County. As the trip generation is higher than the 2,500 threshold, a Traffic Impact Study (TIS) is required for this site. The TIS was submitted to CDOT and NCDOT for review on 6/10/2021; and comments were provided by all review agencies. A revised TIS was submitted on 8/23/2021 and has been approved by CDOT and NCDOT. The petitioner has committed to construct three internal public streets within the rezoning site and will accommodate the future road widening that is planned along Ridge Road that includes constructing a 12-foot shared-use path per Charlotte BIKES. Proposed public roads A and C will exceed ordinance standards by providing wider sidewalks along both sides of these proposed roads.

• **Active Projects:**

- None

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 44,000 trips per day (based on 730,000 square feet of retail, 1,000,000 square feet of office, and 2,100 multi-family residential).

Proposed Zoning: 8,990 trips per day (based on 2,750,000 square feet of warehouse, 700 apartments, and 5,000 square feet of retail).

DEPARTMENT COMMENTS (see full department reports online)

- **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:** The development allowed under the existing zoning could generate 27 students, while the development allowed under the proposed zoning may produce 60 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 33 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Mallard Creek Elementary from 75% to 78%

- Ridge Road Middle from 125% to 127%
- Mallard Creek High from 121% to 122%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Ridge Road and via an existing 12-inch water distribution main located along Kings Grant Drive.

The proposed rezoning is in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. Sanitary sewer service will be dependent on the completion of a public infrastructure project—Charlotte Water’s Mallard Creek WWTP Expansion. See advisory comments at www.rezoning.org

- **City Arborist:** See advisory comments at www.rezoning.org
- **Erosion Control:** 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:** See Outstanding Issues, Note 1.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES

Site and Building Design

1. MCPR requests a dedication of a minimum of 23.75 acres for a future public neighborhood park within or adjacent to the area requested for multi-family rezoning as this site is within a gap area for park and recreation facilities in the County.
2. ~~Please align the number of principle buildings requested for development area 1 to better align with what is shown on the site plan (15 requested with 8 shown).~~ **Addressed**
3. ~~Please align the number of principle buildings requested for development area 2 to better align with what is shown on the site plan (30 requested with 12 shown).~~ **Addressed**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

4. ~~Revise note II. a. iii. to replace the word Planning Director with Zoning Administrator.~~ **Addressed**

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

Planner: Michael Russell (704) 353-0225

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-028

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> |  |
|  | <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> |  |
|  | <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> |  |
|  | <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> | <p>N/A</p> |

| | | |
|---|--|---|
|  | <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>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>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>N/A</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> |