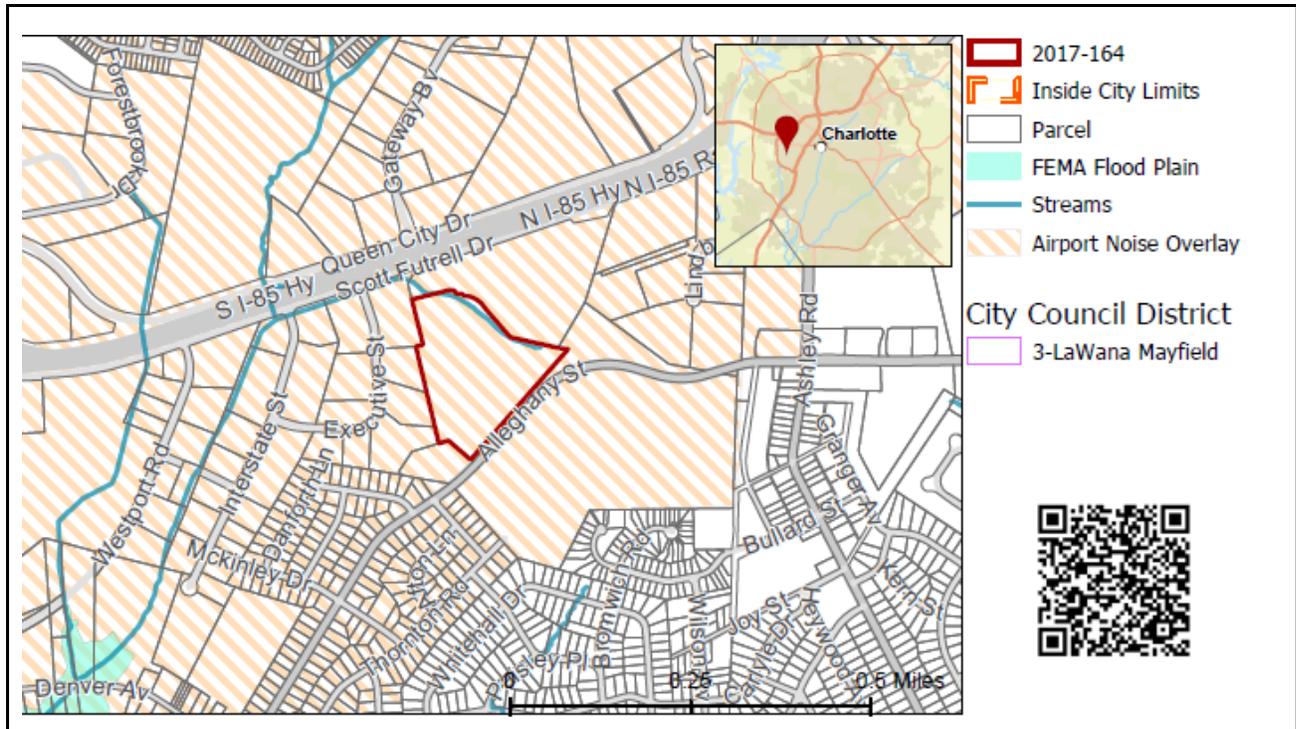


REQUEST Current Zoning: I-1 AIR (general industrial, airport noise overlay)
Proposed Zoning: R-12MF(CD) AIR (multi-family residential, conditional, airport noise overlay)

LOCATION Approximately 17.268 acres located on the north side of Alleghany Street and the south side of Scott Futrell Drive.
(Council District 3 - Mayfield)



SUMMARY OF PETITION The petition proposes to allow a multi-family residential community on land that is partially developed with a single family home with the remainder vacant, generally located north of Alleghany Street and south of Interstate 85. The site is also just north of Harding University High School.

PROPERTY OWNER Adams Outdoor Advertising, LP
PETITIONER Pedcor Investments
AGENT/REPRESENTATIVE John Carmichael, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 11

STAFF RECOMMENDATION Staff recommends approval of this petition.

Plan Consistency
The petition is inconsistent with *Central District Plan* recommendation for office/industrial uses.

Rationale for Recommendation

- The proposed development, while not consistent with the office/industrial land use recommended for the site, does meet the density supported by the *General Development Policies* of 12 dwelling units per acre.
- The proposed multi-family development could act as a good transition, between a high school that is located across the street from this site, and the industrial developments behind it along Interstate-85.

- The site is located along Alleghany Street and less than 600 feet from a bus stop and a single family neighborhood.
- Although the property is located in the Airport Noise Overlay it is not located within the “significantly impacted” area as defined by the Noise Exposure Map.
- In addition, the runway closest to the subject property is being considered for permanent closure as part of an ongoing Environmental Impact Statement (EIS).

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to ~~496~~ 198 multi-family residential units at a density of 11.35 dwelling units per acre.
- Clubhouse with fitness center, pool, playground and tot lot.
- Notes 100% of the total number of dwelling units actually constructed on the site to maintain monthly rents that are income restricted for households earning 60% or less of the area median income for a period of not less than ~~45~~ 30 years from the date of the issuance of the first certificate of occupancy for a building constructed on the site.
- Internal street network consisting of public streets, on street parking, and drive aisles, connecting to Scott Futrell Drive and future stub connections to the east and west.
- Commits to payment in the sum of \$500.00 to CDOT to be used by CDOT to install a pedestrian refuge island within Alleghany Street.
- Commits to pursuing in good faith extending Public Street A from the eastern boundary of the site to Alleghany Street. Further notes that in order to extend Public Street A, petitioner would need to acquire land from Charlotte Mecklenburg Board of Education.
- Commits to payment in the sum of \$19,768.00 to CDOT to be used by CDOT to install a minimum eight-foot wide planting strip and a six-foot sidewalk along the west side of Alleghany Street, prior to the issuance of the first certificate of occupancy for a new building constructed on the site.
- Provides 50-foot Class A buffers along property lines abutting acreage used and/or zoned for industrial purposes.
- Provides architectural elevations (right, left, front, rear) with building material/treatment schedule.
- Prohibits use of vinyl as an exterior building material except for utilization on windows, soffits, doors, garage doors, trim and railings.
- Shows possible tree save areas.

Existing Zoning and Land Use



- The site is partially developed with a single family home with the remainder vacant, and primarily surrounded by single family residential neighborhoods and office/warehouse business parks.



The subject site has one single family house. The remaining acreage is wooded and vacant.



Across Alleghany Street is Harding University High School.

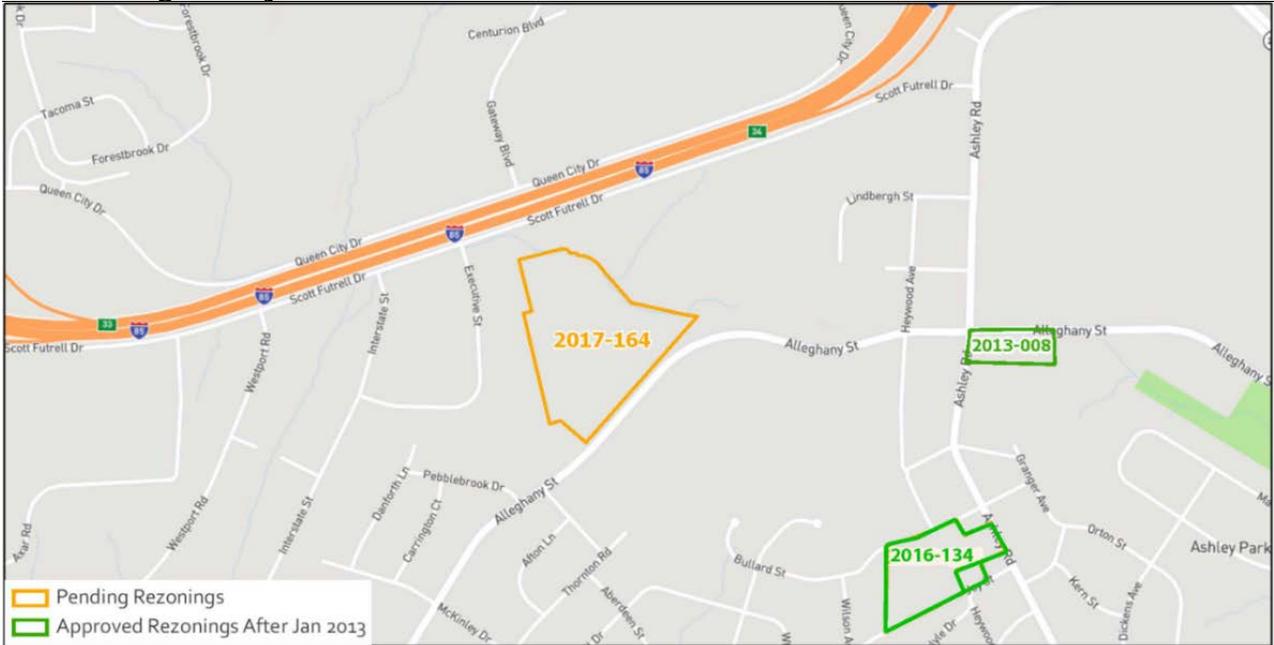


To the east and west of the property are office/warehouse uses.



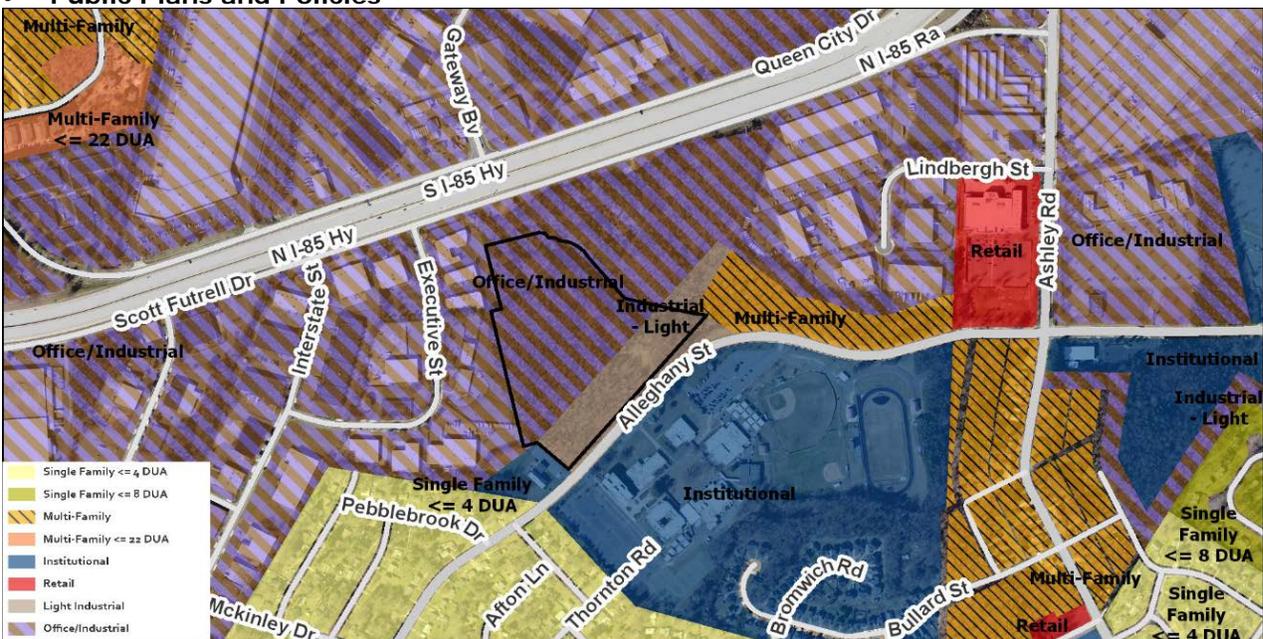
Near by is a single family neighborhood.

• **Rezoning History in Area**



| Petition Number | Summary of Petition | Status |
|-----------------|--|----------|
| 2016-134 | Approximately 5.81 acres rezoned from B-1 (neighborhood business) and R-12MF (multi-family residential) to UR-2(CD) (urban residential, conditional), five-year vested rights for the development of up to 132 multi-family apartments, including up to 60 age-restricted units, at a density of 22.72 units per acre. | Approved |
| 2013-008 | Approximately 1.9 acres rezoned from INST(CD), institutional, conditional to INST(CD) SPA, institutional, conditional, site plan amendment to add square footage to an existing Central Piedmont Community College facility to accommodate a new School of Cosmetology. | Approved |

• **Public Plans and Policies**



- The *Central District Plan* (1993) recommends office/industrial land uses for the subject parcel.
- 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 up to 12 dwellings per acre as illustrated in the table below.

| Assessment Criteria | Density Category – up to 12 dua |
|------------------------------------|---------------------------------|
| Meeting with Staff | 1 |
| Sewer and Water Availability | 2 |
| Land Use Accessibility | 3 |
| Connectivity Analysis | 2 |
| Road Network Evaluation | 0 |
| Design Guidelines | 4 |
| Other Opportunities or Constraints | NA |
| Minimum Points Needed: 12 | Total Points: 12 |

• **TRANSPORTATION CONSIDERATIONS**

- The site is located between a minor thoroughfare and a major collector. The site plan commits to a local street network that supports internal and cross connections. However, CDOT continues to request commitment to construct pedestrian improvements to support likely pedestrian activity related to the adjacent local bus routes and high school. Additionally, the primary access for this site appears to be along Alleghany but the current site plan does not reflect that access across the adjacent property (owned by CMS) has been secured. This is critical to adequate access and streetscape improvements to support this development.
- See Outstanding Issues, Notes 1-3.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 15 trips per day (based on tax record).
 Entitlement: 610 trips per day (based on 172,700 square feet of warehouse).
 Proposed Zoning: 1,310 trips per day (based on 196 apartment dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See Outstanding Issues, Note 4.
- **Charlotte Department of Housing and Neighborhood Services:** If approved, the proposed new development is planned to be up to 198 affordable multi-family units for families at or below 60% of the area median income. The proposed development will help meet Council’s goal of providing 5,000 units within three years.
- **Charlotte-Douglas International Airport:** The site is less than a quarter mile from the centerline of Runway 5/23 arrivals and departures. Currently, Runway 5/23 is used 24 hours a day, 7 days a week.

The site is within the Airport Noise Overlay zoning district that was established from the 1996 65 DNL Noise Exposure Map (NEM), an illustration of the area meeting the Federal definition of “significant noise impact”. The NEM has been updated and the site is not within the current “significantly impacted” area yet is less than a quarter mile from the edge of the current noise contour lines. It is reasonable to expect plane traffic visibly overhead of the site at any time and that the plane noise would be noticeable at any time.

Runway 5/23 (like all runways and taxiways) is closed on an intermediate temporary basis as needed for maintenance. The permanent closure of the runway is being studied as part of an ongoing Environmental Impact Statement (EIS). The EIS is expected to be completed by 2020 and it is reasonable to expect the existing runway to be used for at least another five years.

- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The conventional I-1 zoning district allows all uses permitted in the I-1 district. Residential dwellings are not allowed in industrial districts. The subject property is developed with one single family detached dwelling. The number of students generated under the current zoning is 0 students. The proposed development may add 89 students to the schools in this area. The proposed project is located directly adjacent to Harding University High School.
 - The proposed development is projected to increase the school utilization (without mobile classroom units) over existing conditions as follows:
 - Westerly Hills Pre K-8* from 139% to 155%
 - Harding University High from 129% to 130%

* Beginning in the 2018-2019 school year, the subject property will be located in the Wilson Middle School attendance zone.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing eight-inch water distribution main located along Alleghany Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along the north side of the boundary.
- **Engineering and Property Management:**
 - **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets (I-85) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right-of-way. The petitioner shall submit a tree survey for all trees two-inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight-inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** Site must comply with the Tree Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~The petitioner should revise the site plan to show the proposed Local Residential Wide connecting to Alleghany Street across CMS property. Access across CMS property is critical to the adequate driveway and streetscape needed for this petition. This issue is being addressed by Note 3.E under Transportation.~~ **Addressed.**
2. ~~The petitioner should revise the site plan and conditional notes to specify construction of standard streetscape of eight-foot planting strip and six-foot sidewalk across the site's frontage (Alleghany and Scott Futrell).~~ **Addressed.**
3. ~~The petitioner should revise the site plan to commit to construction of a pedestrian refuge in conjunction with the City's Alleghany bike/pedestrian project during permitting, if approved by CDOT. This issue is being addressed by Note 3.G. under Transportation.~~ **Addressed.**
4. ~~The site is located on a new planned bus route along Alleghany Street. The petitioner is requested to provide and construct a new waiting pad for a new bus stop on Alleghany Street along the site's frontage per Standard Detail 60.02A.~~ **Addressed.**

REQUESTED TECHNICAL REVISIONS

5. ~~Extend proposed east/west Local Residential Wide street to the east property line.~~ **Rescinded.**
6. ~~Sheet 1 notes proposed 196 units while Sheet 2 (Note 2.A.) references 198 units. Please confirm unit count and ensure information on all sheets is consistent.~~ **Addressed.**
7. ~~On Sheet 1 Under Site Development Data, proposed maximum building height is 40 feet. Sheet 2 (Note 4.A.) indicates 45 feet. Please confirm maximum building height and ensure information on all sheets is consistent.~~ **Addressed.**
8. ~~Remove the parking lot along Alleghany Street that belongs to the church next door and is shown on the site plan.~~ **Addressed.**

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte-Douglas International Airport Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development

- Storm Water
- Urban Forestry
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

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