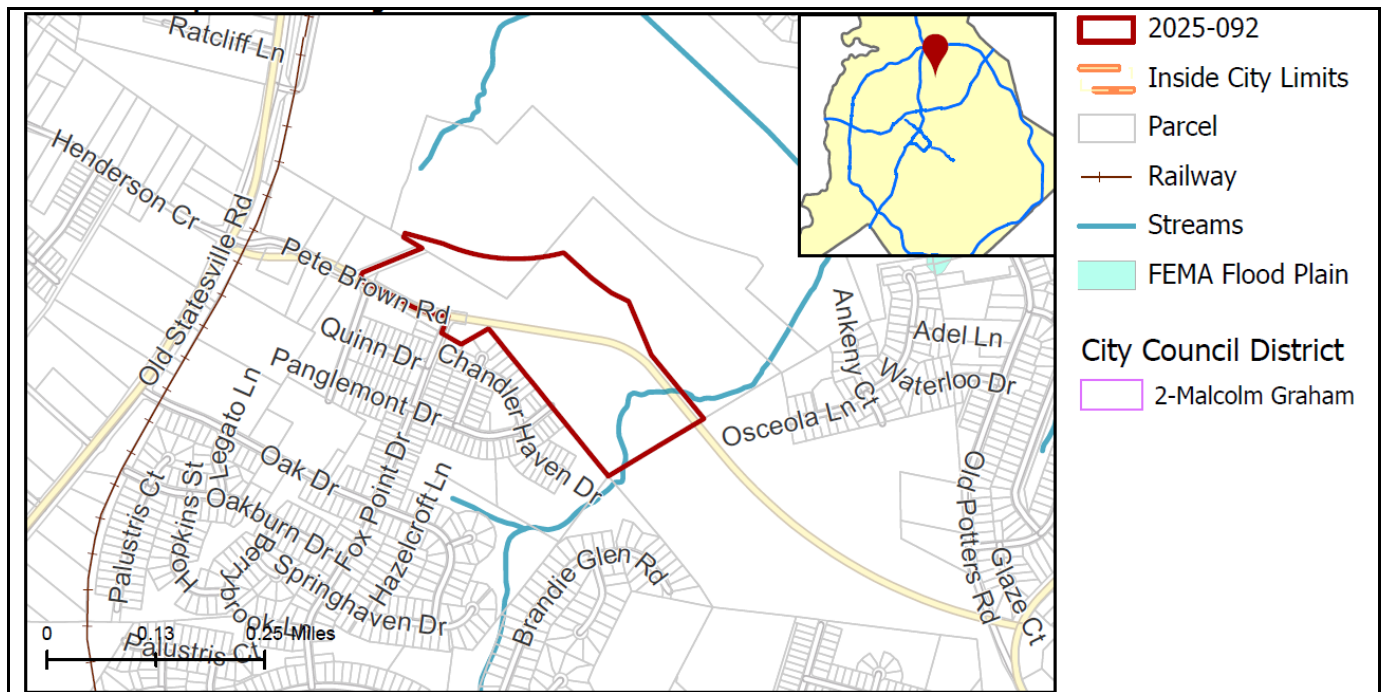


**REQUEST**

Current Zoning: MX-3 (Mixed-Use, conditional)  
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, conditional)

**LOCATION**

Approximately 27.82 acres located east of Old Statesville Road, south of West W.T. Harris Boulevard, and west of Old Potters Road.



**SUMMARY OF PETITION**

The petition proposes the development of up to 113 multi-family attached dwelling units. The site is currently undeveloped.

**PROPERTY OWNER**

Toll Southeast LP Company, Inc.

**PETITIONER**

Toll Brothers

**AGENT/REPRESENTATIVE**

Bridget Grant, Moore and Van Allen, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 5

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* (2022) recommendation for the Neighborhood 1, Community Activity Center, and Manufacturing & Logistics Place Types.

Rationale for Recommendation

- The majority of the site is designated as the Neighborhood 1 Place Type by the *2040 Policy Map*. The proposed zoning of N2-A(CD) (Neighborhood 2-A, conditional) is inconsistent with the Policy Map recommendation.
- However, the site is currently zoned MX-3 (Mixed-Use, conditional), per petition 2007-080, and is a portion of a larger site primarily designated as the Community Activity Center Place Type by the *2040 Policy Map* that contains multi-family attached development. This proposal is compatible with the previous MX-3 entitlements.

- The site is located near the intersection of Old Statesville Road and Pete Brown Road and generally in an area with a mix of industrial, commercial, multi-family, and single family uses.
- The petition commits to dedicating a greenway easement to Mecklenburg County Park and Recreation.
- The site is located along the proposed LYNX Red Line commuter rail and is within ¾-mile of the proposed Harris Station.
- The site is located along the route of the CATS number 21 local bus route providing transit access to the Charlotte Transportation Center.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10-Minute Neighborhoods
  - 2: Neighborhood diversity & Inclusion
  - 4: Trail & Transit Oriented Development

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

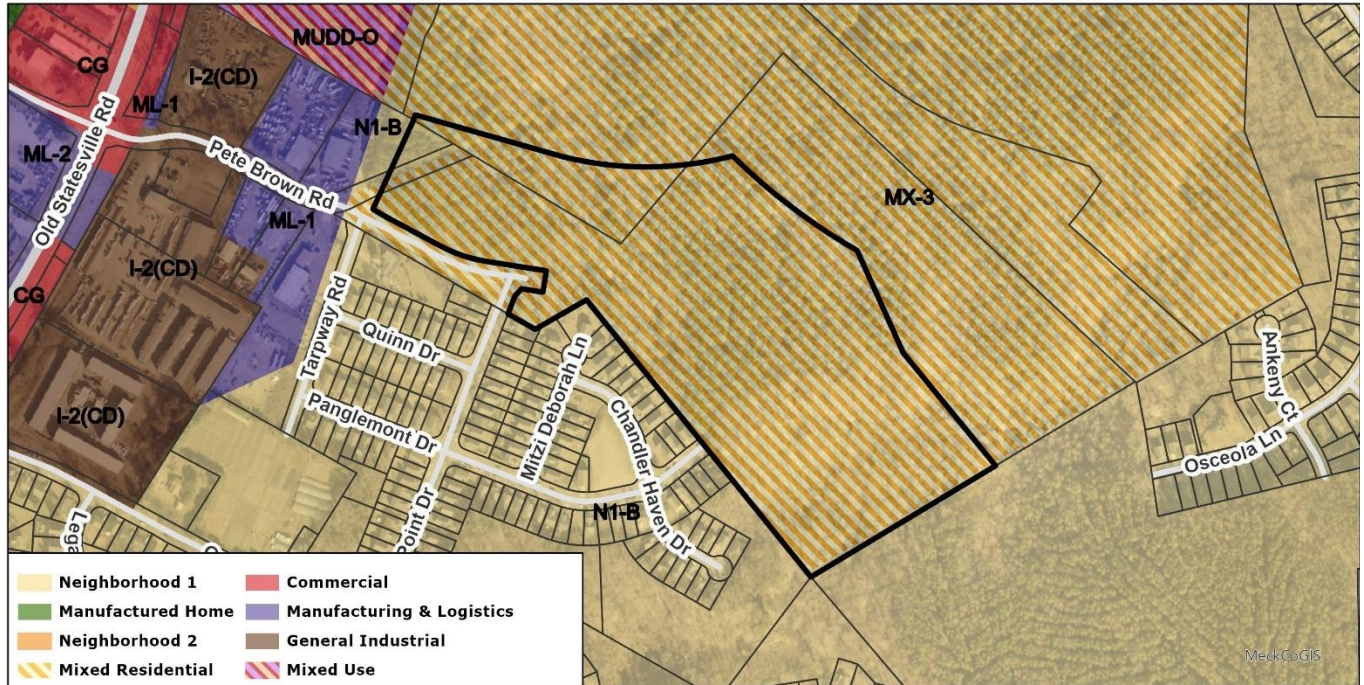
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

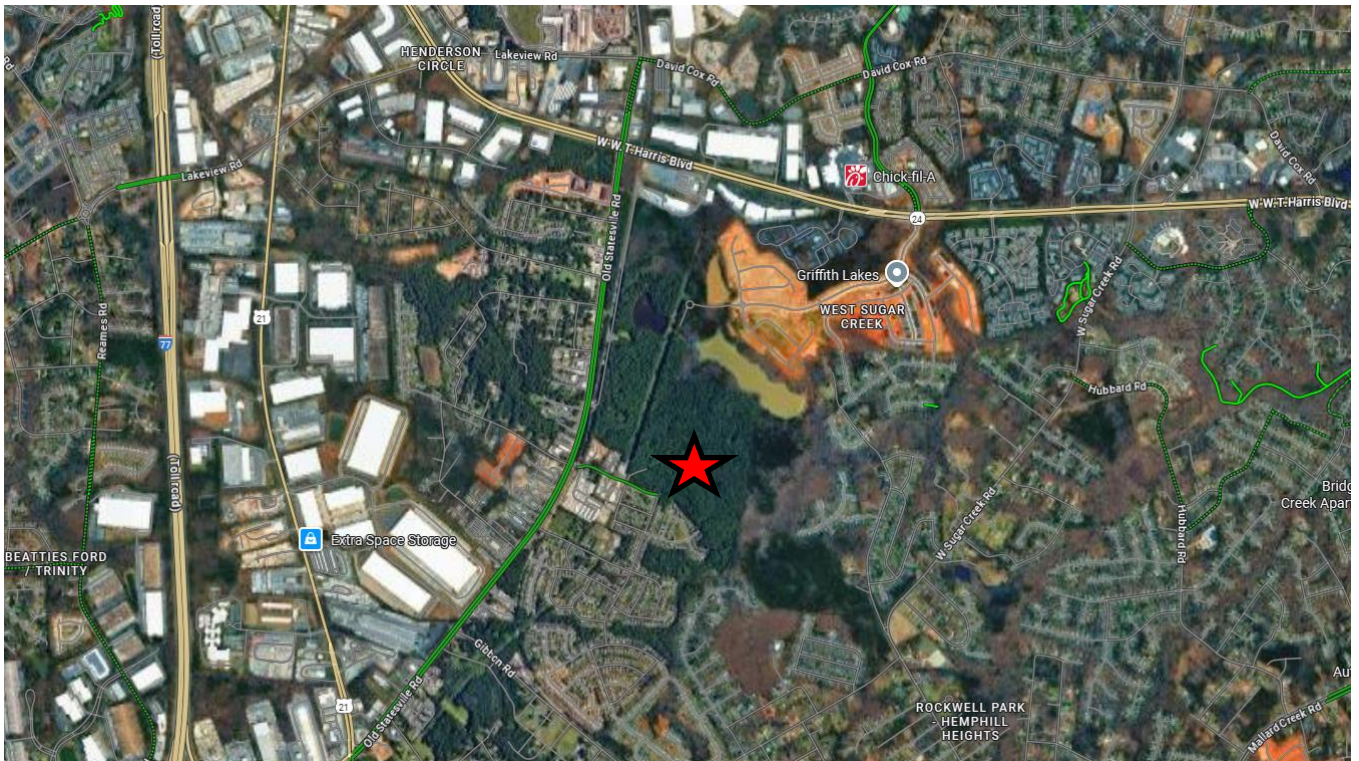
- Permits the development of up to 113 multi-family attached dwelling units.
- The following transportation, streetscape, and landscaping improvements are proposed:
  - Primary access will be from Pete Brown Road and extensions of public street stubs from adjacent phases of Griffith Lakes.
  - Pete Brown Road improvements will include an 8-foot planting strip and 10-foot shared use path on the project side and an 8-foot planting strip and 6-foot sidewalk on the south side.
  - A 25-foot wide Class B landscape yard will be provided along the north side of Pete Brown Road, behind residential buildings.
    - This section of Pete Brown Road will not count as frontage for zoning standards (N2-A district).
  - Common open spaces will include:
    - Hardscape features (e.g., courtyards, seating areas)
    - Landscaping (grass, groundcover, trees, shrubs)
    - Seating: At least 1 bench per 4,000 sq. ft.
    - Tree planting: Minimum 18 trees per acre
    - Minimum dimension: 20 feet in all directions
  - Alley Landscaping (where alleys are provided will include) trees planted at 40 feet on center where planting strips exist. Where strips aren't feasible, at least one tree will be planted between buildings or in other suitable locations.
  - Direct pedestrian connectivity from all residential entrances to adjacent sidewalks will be required.
- The following architectural requirements are proposed:
  - Buildings shall contain a maximum of 5 dwelling units.
  - The façades include blank wall limitations, transparency requirements articulation, and varied architectural features.
  - Porches and stoops will be provided. Porches will have a minimum dimension of 6 feet and stoops a minimum dimension of 3 feet.
  - Solid waste facilities, meter banks, HVAC, and mechanic equipment will be screened from view.



### • Existing Zoning



The site is zoned MX-3 (Mixed-Use, conditional). It is adjacent to other property zoned MX-3 to the north that were part of the same previous rezoning, petition 2007-080. The site is located west of properties at the intersection of Pete Brown Road and Old Statesville Road zoned ML-1 (Manufacturing & Logistics-1), I-2(CD) (General Industrial, conditional), and MUDD-O (Mixed-Use Development District, optional). All other surrounding properties are zoned N1-B (Neighborhood 1-B).



The site (indicated by red star above) is located on the north side of Pete Brown Road approximately 1/4-mile east of Old Statesville Road, approximately 1-mile south of West WT Harris Boulevard, and 1 and 3/4-mile northeast Interstate I-77. The site is currently a portion of a property under development with single family and multi-family attached dwelling units. The site is adjacent to industrial development along Old Statesville Road and single family subdivisions south of Pete Brown Road.





View of the site looking northeast from the intersection of Pete Brown Road and Tarpway Road. Site is undeveloped and primarily wooded.



View of single family construction that is part of the approved MX-3 (Mixed-Use, conditional) rezoning plan, petition 2007-080, that the subject site is currently a portion of.



View of single-family development located south of Pete Brown Road adjacent to the site, zoned N1-B (Neighborhood 1-B).





View of multi-family development along Old Statesville Road north of the site.



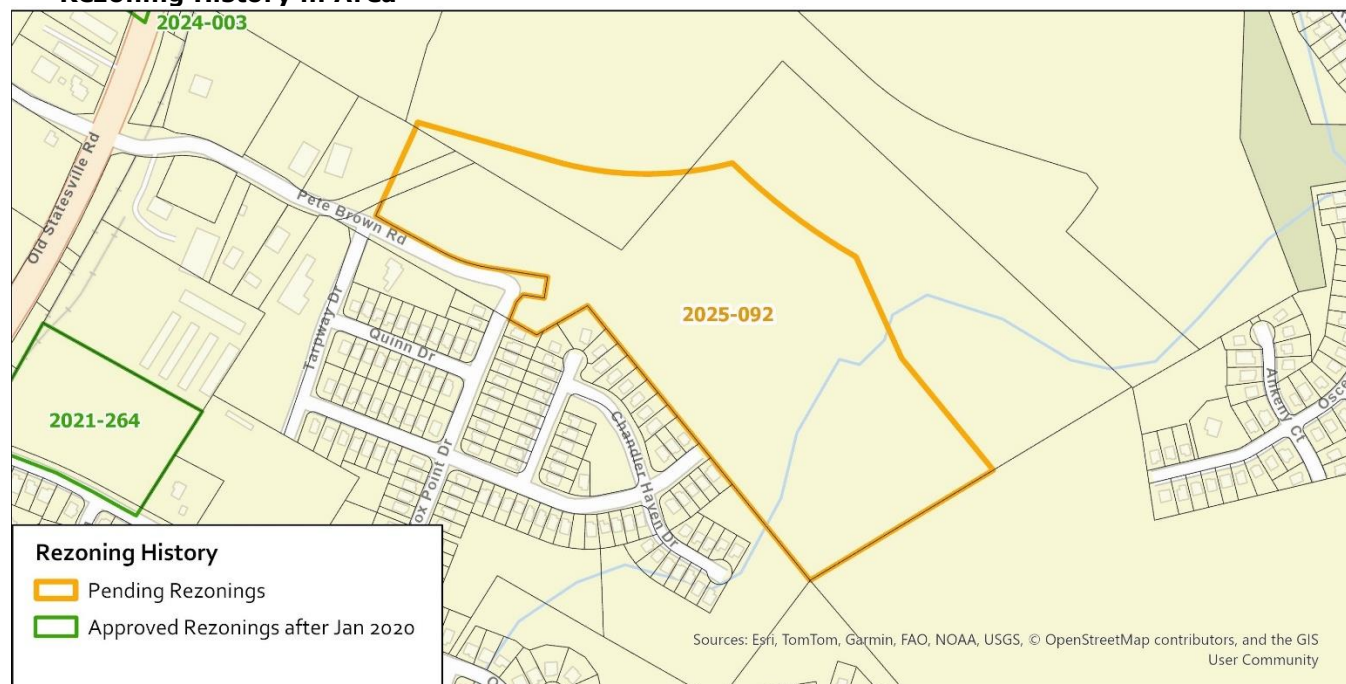
View of recent manufacturing and logistics development along Old Statesville Road south of the site.



View of commercial development located at on West WT Harris Boulevard at Davis Lake Parkway north of the Griffith Lake development that this site is currently a portion of, approximately 1 and 1/2-mile north of the site. This area contains daily needs such a grocery, retail, restaurant, and personal services.

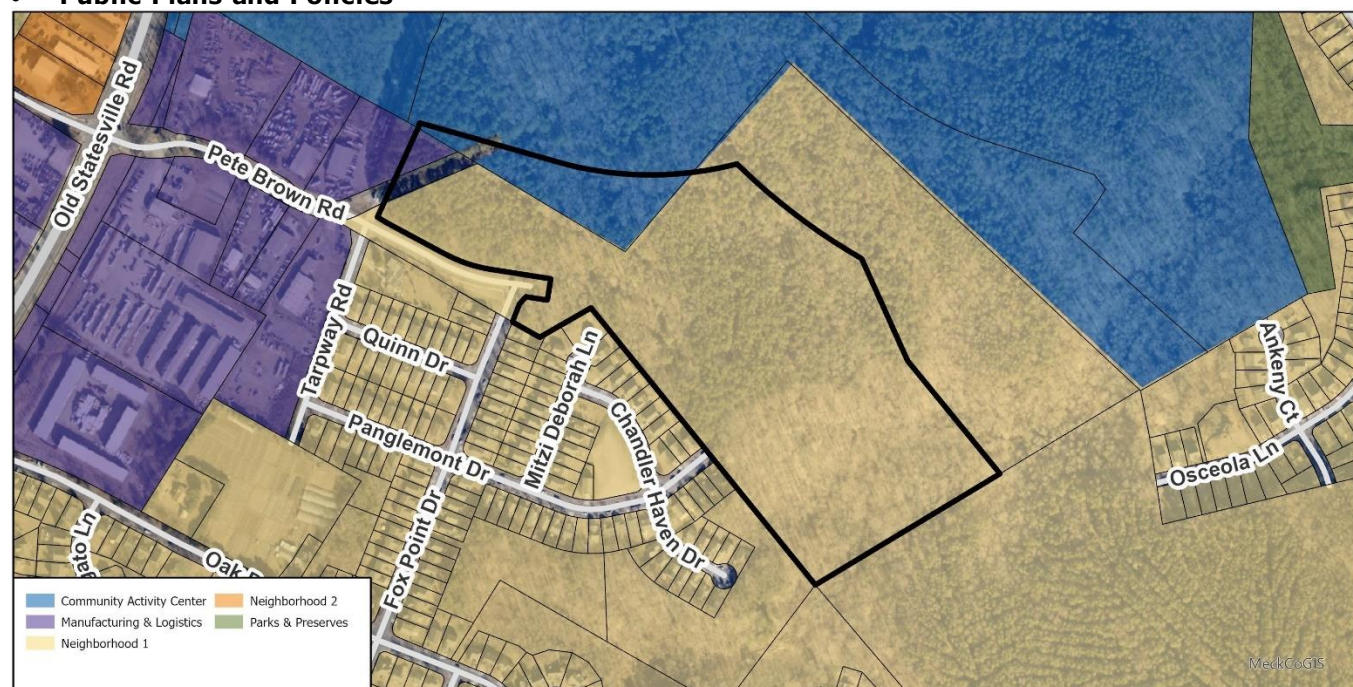


### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2021-264	Rezoned 4.7 acres located on the north side of Oak Drive, east of Old Statesville Road, and south of Pete Brown Road from I-1 (Light Industrial) to I-2(CD) (General Industrial, conditional) for up to 60,000 square feet of storage shed and outdoor storage for a lumber yard.	Approved
2024-003	Rezoned 16.91 acres located on the west side of Old Statesville Road and north and south side of Ratcliff Lane, south of West W.T. Harris Boulevard from CG (General Commercial) and MHP (Mobile Home Park) to N2-A(CD) (Neighborhood 2-A, conditional) to allow the development of up to 198 Multi-Family Attached dwelling units.	Approved

### • Public Plans and Policies



- The 2040 Policy Map (2022) recommends the Neighborhood 1, Community Activity Center, and Manufacturing & Logistics Place Types.

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- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Old Statesville Road, a State-maintained major arterial, north of Pete Brown, a City-maintained local street. 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 issues have been addressed.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning: MX-3.

Existing Use: N/A (based on vacant).

Entitlement: 953 trips per day (based on 94 single family dwelling units)

Proposed Zoning: N2-A(CD). 800 trips per day (based on 113 multi-family dwelling units).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Development allowed with the proposed zoning may produce 20 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Winding Springs Elementary from 122% and 125%
    - Alexander Middle remains at 85%
    - North Mecklenburg High remains at 103%
- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Panglemont Dr. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located inside the property boundary. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

## OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

### Transportation

1. ~~CDOT: Revise site plan and conditional notes to construct 8' sidewalks along all internal roads per UDO and CLDSM U-02B. Revise site plan and conditional note(s) to reflect this requirement.~~  
Addressed

### Site and Building Design

2. ~~Park and Recreation: label the greenway easement shown outlined in blue within the rezoning boundary.~~ Addressed

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Maxx Oliver 704-336-3818