

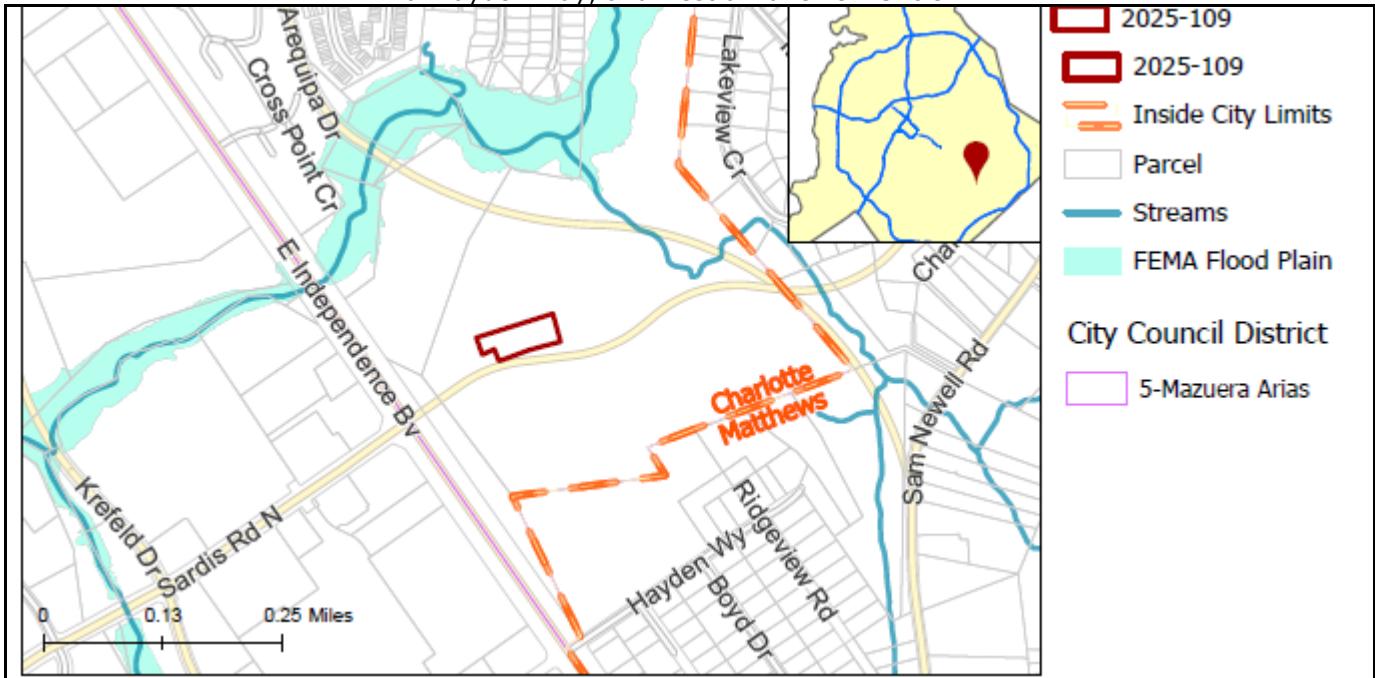


REQUEST

Current Zoning: CG(CD) (General Commercial, conditional)
Proposed Zoning: N2-B(CD) SPA (Neighborhood 2- B, conditional, site plan amendment)

LOCATION

Approximately 1.46 acres located east of East Independence Boulevard, north of Hayden Way, and west of Lakeview Circle.



SUMMARY OF PETITION

The petition proposes a site plan amendment to a portion of petition 2023-069 to rezone 1.46 acres from CG (CD) (General Commercial, conditional) to N2-B (CD) SPA (Neighborhood 2-B, conditional, Site Plan Amendment), to allow all uses permitted by right and under prescribed conditions together with accessory uses as allowed in the N2-B (Neighborhood 2-B) zoning district on a vacant site.

PROPERTY OWNER

RP Independence Property Owner LLC

PETITIONER

Ravin Partners

AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins, Alexander Ricks PLLC

COMMUNITY MEETING

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

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- Petition 2023-069 rezoned approximately 80 acres to allow for a range of single family, multi-family, and non-residential uses.
- This site plan amendment proposes a minor change to 1.46 acres of the 80 acre site so that a portion of the area proposed for CG(CD) may be developed with uses allowed in N2-B(CD). This change does

not meaningfully change the intent of the existing entitlements, and non-residential uses would still be permitted on the site where CG(CD) remains zoned to the south.

- Buildings in the area typically consist of townhomes and multi-family stacked buildings and are usually not more than five stories. Civic and institutional buildings vary in size based on their context and accessibility. Much of the existing residential development along the east side of Independence Boulevard is already comprised of multi-family stacked and attached building forms. The requested N2-B zoning is appropriate at this location because it is compatible with these existing building forms and urban context.
- The requested N2-B (Neighborhood 2-B) zoning supports higher density, which is appropriate for this site's location along a major transportation corridor. Future residents may access a range of goods and services along Independence Boulevard.
- The petition commits to dedicating a permanent greenway easement to facilitate the extension of the Irvins Creek Greenway. This dedication provides community infrastructure that offering a recreational amenity and improved connectivity for residents of the proposed development and the broader surrounding community.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods

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

PLANNING STAFF REVIEW

- Background**

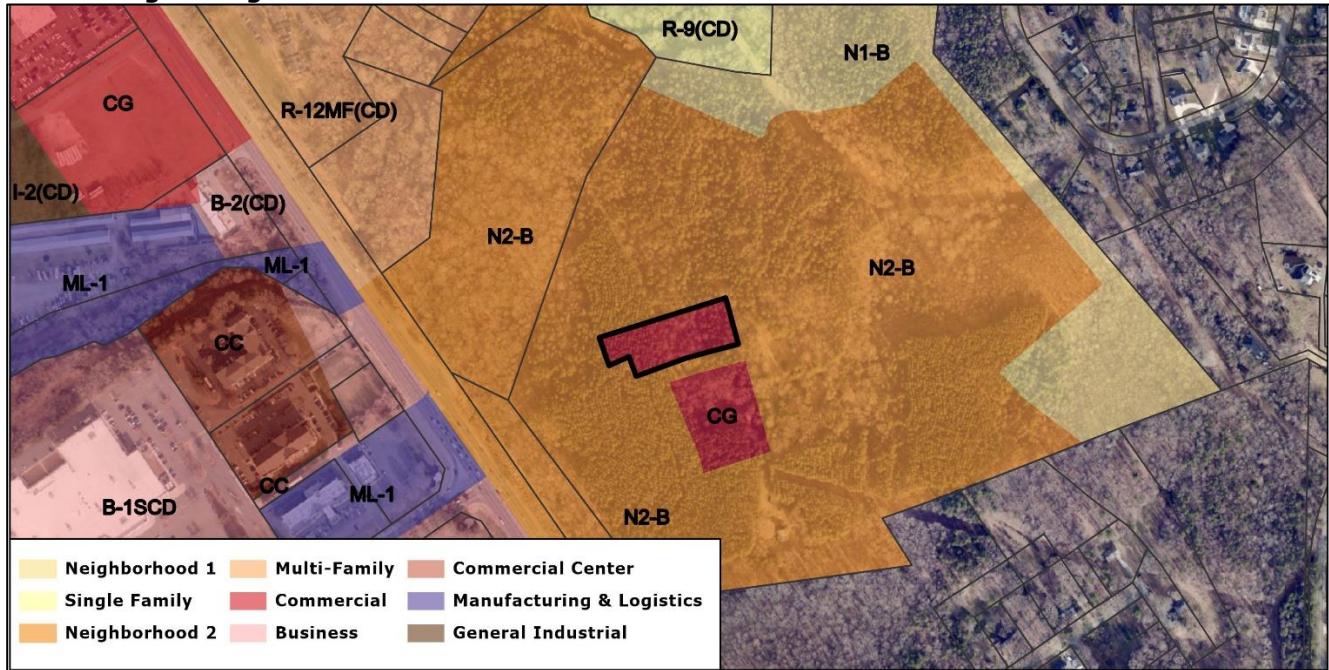
The Site Plan Amendment is to rezoning petition 2023-069 filed by the petitioner, Ravin Partners to accommodate development of a mixed use development. The Site Plan Amendment filed by Ravin Partners relates to parcel 193-121-02, totaling approximately 1.46 acres.

- Proposed Request Details**

The site plan amendment contains the following changes:

- Modifies the zoning of 1.46 acres from CG(CD) (General Commercial, conditional) to N2-B(CD) SPA (Neighborhood 2- B, conditional, Site Plan Amendment) to accommodate uses permitted by right and under prescribed conditions together with accessory uses as allowed in N2-B zoning districts.
- Petitioner shall dedicate and convey the FEMA and community floodplain areas as shown on the rezoning plan to Mecklenburg County as permanent greenway easement for the Irvins Creek Greenway extension. Dedicated area shall remain eligible to be calculated towards the development open space and tree save requirements. Greenway easements shall be conveyed prior to the issuance of the Site's first building certificate of occupancy.
- Petitioner will work with the Charlotte Department of Transportation (CDOT) and the North Carolina Department of Transportation (NCDOT) on the location of the east/west connection through the Site.
- Any proposed SWIM/PCSO stream buffer encroachment and associated mitigation measures will be subject to approval by the City of Charlotte Stormwater Administrator as part of the site development permitting process and cannot be approved with the rezoning petition. Please note Stream Delineation Reports are subject to review and approval by Charlotte Storm Water Services.

- Existing Zoning



- The site is currently zoned CG(CD) (General Commercial, conditional) and is directly surrounded by N2-B(CD) (Neighborhood 2-B, conditional). There is also N1-B (Neighborhood 1-B) and R-9 (CD) (Single Family Residential, conditional) to the north and northeast, R-12MF (CD) (Multi-Family Residential, Conditional) to the northwest, CG (General Commercial), I-2 (CD) (General Industrial- 2, conditional), B-2 (CD) (General Business-2, conditional), ML-1 (Manufacturing and logistics-1), CC (Commercial Center), B-1 SCD (Neighborhood business, shopping center district) to the west and southwest, and in R-20 and R-VS to the southeast of the property which is located in Matthews.



The site, location is indicated by red star above, is currently vacant and surrounded by undeveloped land to be developed as a mixed-use development. There are multiple single family residential developments, and a multi-family stacked development in the near vicinity. Major businesses in the surrounding area of the site include various restaurant/bar uses, a hotel/motel, and personal service establishments, multiple indoor amusement facilities, numerous retail goods establishments, outdoor vehicle dealerships, and drive-through establishments.



This is a street view of the site from East Independence Boulevard. The site is currently vacant and wooded.



This is a street view of a single family residential neighborhood to the north of the site.



This is a street view of multiple personal services establishments to the east of the site.

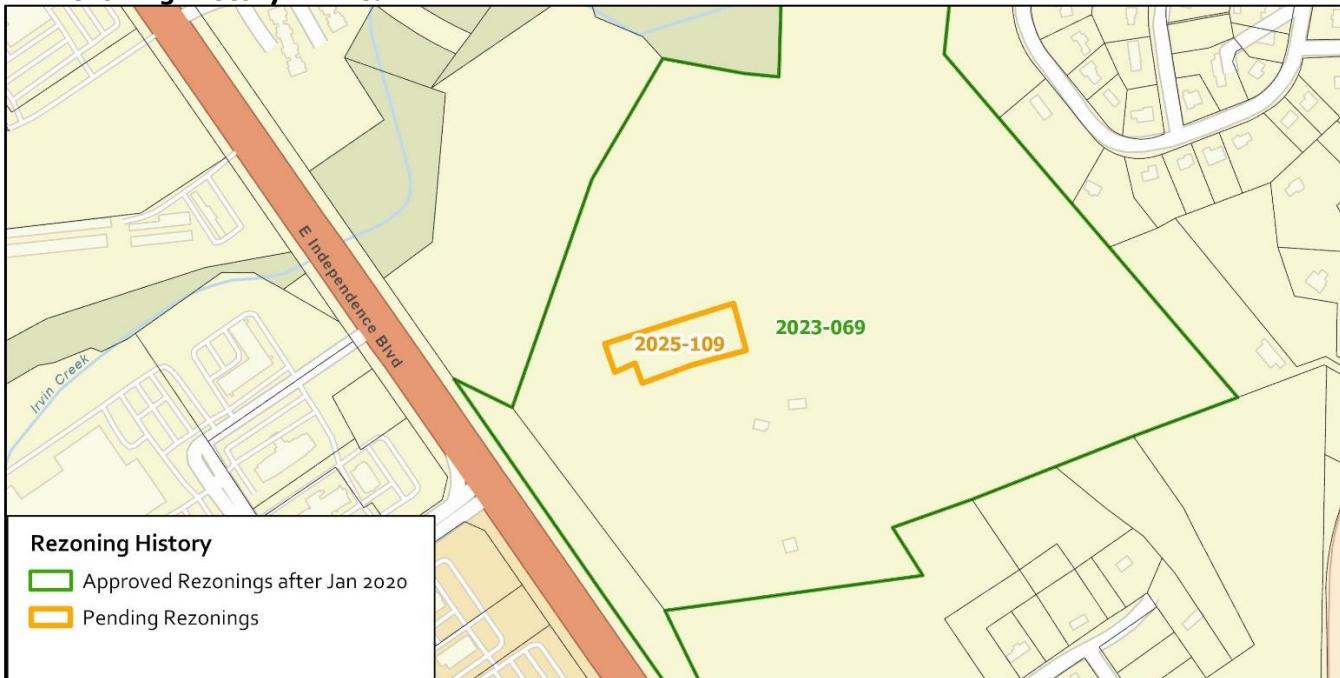


This is a street view to the south of the site which is made up of multiple personal services establishments, retailed goods, and restaurant/bars to the south of the site.



This is a street view west of the site and consists of multiple outdoor vehicle dealerships.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2023-069	Rezoned approximately 80 acres from N2-B (Neighborhood 2-B) and N1-B (Neighborhood 1-B) to N2-B(CD) (Neighborhood 2-B, conditional), N1-B(CD) (Neighborhood 1-B, conditional), and CG(CD) (General Commercial, conditional) to allow all uses permitted by right and under prescribed conditions in the N1-B (Neighborhood 1- B), N2-B (Neighborhood 2 - B), and CG (General Commercial) zoning districts.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Commercial Place Type.

- **TRANSPORTATION SUMMARY**

- The site is located north of Independence Boulevard, a State-maintained freeway, and west of Hayden Way, a State-maintained local street. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the minor SPA rezoning. The site will be subject to transportation improvements in accordance with the 2023 original rezoning. The SPA is not generally impacting transportation improvements or access which does not negatively affect public facilities within the ROW.

- **Active Projects:**

- No active projects near the site.

- **Transportation Considerations**

- No comments submitted.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family dwelling).

Entitlement: 846 trips per day (based on General Commercial).

Proposed Zoning: 184 trips per day (based on 17 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: See advisory comments at www.rezoning.org

- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The plan allows all N2-B (Neighborhood 2-B) uses; therefore, the impact on local schools cannot be determined. The current school utilization is as follows:
 - Crown Point Elementary at 103%
 - Mint Hill Middle at 95%
 - Butler High at 95%

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 24-inch water distribution main along E Independence Ave. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 16-inch gravity sewer main located inside the parcel 19312102 property boundary. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at www.rezoning.org. 1.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARINGSite and Building Design

1. Provide a permitted uses list replicated from the current plan for the N2-B portion uses and state explicitly that all other conditions not otherwise specified remain the same as approved in the current plan **ADDRESSED**

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

Planner: Sheighla Tippett (980) 384-4632