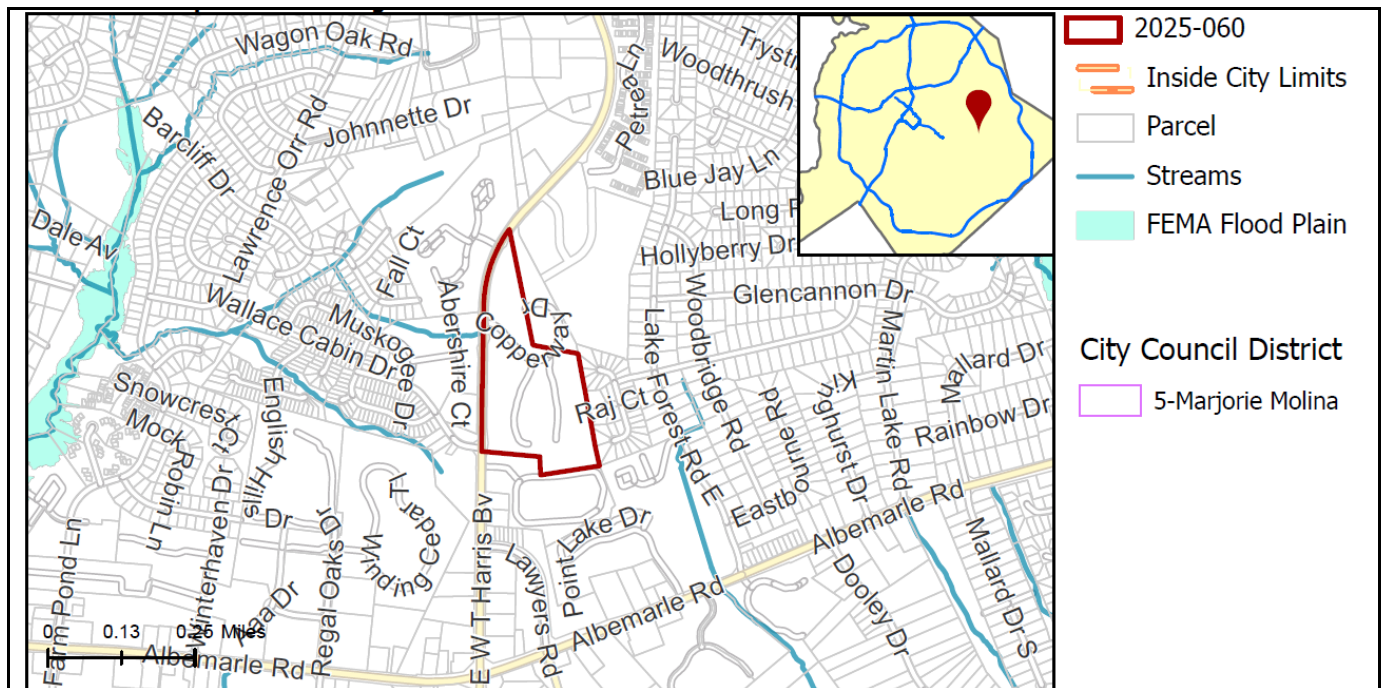


**REQUEST**

Current Zoning: R-20MF(CD) (Multi-Family Residential, conditional)  
Proposed Zoning: N2-C(EX) (Neighborhood 2-C, exception)

**LOCATION**

Approximately 27.47 acres located on the east side of East W.T. Harris Boulevard, north of Albemarle Road, and south of Hickory Grove Road.



**SUMMARY OF PETITION**

The petition permits the development of a public park on a site that is currently vacant.

**PROPERTY OWNER**

Mecklenburg County

**PETITIONER**

Mecklenburg County

**AGENT/REPRESENTATIVE**

John Carmichael, Robinson Bradshaw

**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 upon resolution of outstanding issues related to transportation and site and building design.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map (2022) recommendation for the Neighborhood 2 Place Type.

Rationale for Recommendation

- The site is designated as the Neighborhood 2 (N-2) Place Type by the 2040 Policy Map. The N-2 Place Type supports public open spaces such as parks as community amenities to enhance the neighborhood.
- The site is primarily surrounded by residential developments including multi-family and single-family dwellings. The proposed park would be a conveniently located amenity for area residents that includes a variety of recreational facilities to promote healthy and active lifestyles.

- Two public benefits are proposed as part of this Exception (EX) request under the categories of sustainability and public amenity including: preservation of open space that will exceed UDO requirements and the development of an inclusive playground and passive amenities such as walking trails and a multi-use lawn.
- The site is served by the number 3 and 9 CATS local bus providing service between the Albemarle Park and Ride, the 36<sup>th</sup> Street LYNX Blue Line station, the Eastland Community Transportation Center, and the Charlotte Transportation Center.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 6: Healthy, Safe, and Active Communities
  - 7: Integrated Natural and Built Environments.

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

## PLANNING STAFF REVIEW

- **Background**

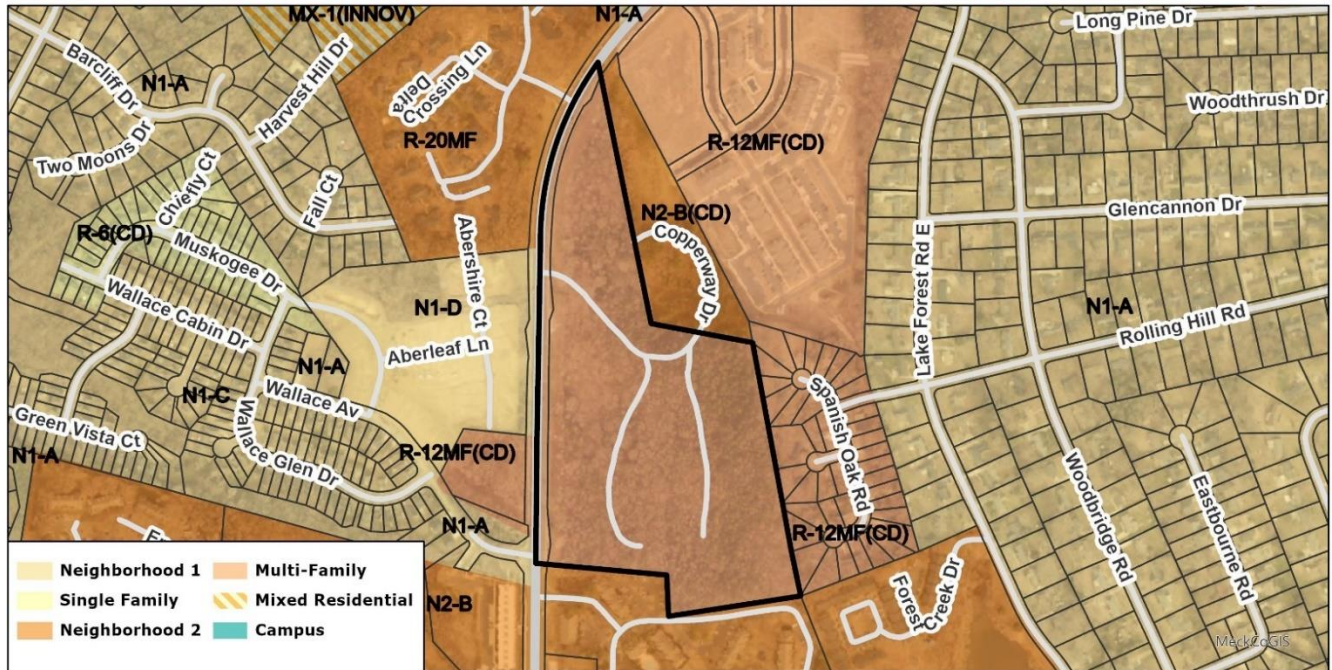
- In 1988 (petition 1988-012) the site was rezoned from R-20MF (Multi-Family Residential) and R-12MF(CD) (Multi-Family Residential) to R-20MF(CD) (Multi-Family Residential, conditional) to permit the development of 251 multi-family stacked dwelling units.
  - The approved plan was never developed, and the site is currently vacant.

- **Proposed Request Details**

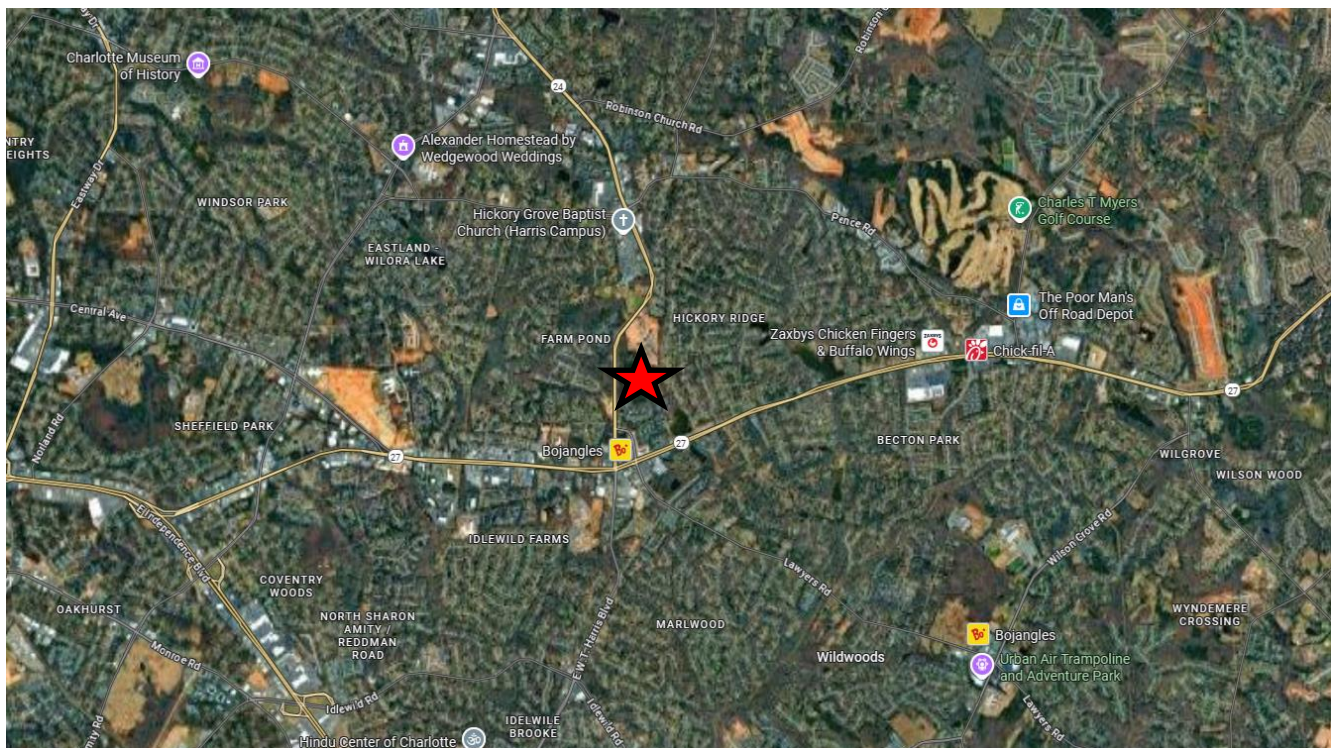
The site plan accompanying this petition contains the following provisions:

- Permits the development of a public park and associated accessory uses.
- Requests Exception (EX) provisions and specifies that the required public benefits will include sustainability and public amenity as outlined by Article 37 of the UDO:
  - The sustainability benefit will include the following: The project will preserve on-site environmental features. Specifically, the public park will exceed the UDO required Green Area by at least 5%.
  - The public amenity benefit will include the following: will provide an inclusive playground in addition to passive amenities such as walking trails and a multi-use lawn.
- The following exceptions are requested:
  - lieu of installing any new streetscape improvements along the Site's frontage on East W.T. Harris Boulevard the existing sidewalk and street trees may remain.
    - However, the Petitioner plans to install the required streetscape improvements after completing Phase 2 of the public park, provided they receive funding for the project from Mecklenburg County.

- **Existing Zoning**



- The site is zoned R-20MF(CD) (Multi-Family Residential, conditional). The site is adjacent to another property zoned R-20MF(CD) (Multi-Family Residential, conditional) to the northwest across East WT Harris Boulevard. The site is abutting a property zoned R-12MF(CD) (Multi-Family Residential, conditional) to the west and adjacent to R-12MF(CD) to the west across E WT Harris Boulevard. The area abuts N2-B (Neighborhood 2-B) zoning to the south and adjacent to N2-B to the southwest across East WT Harris Boulevard as well as N1-A (Neighborhood 1-A) and N1-D (Neighborhood 1-D) zoning to the west across East WT Harris Boulevard.



The site (indicated by red star above) is located along the east side of East WT Harris Boulevard. Approximately 1/3-mile north of Albemarle Road and 3/4-mile south of Hickory Grove Road. The site is immediately adjacent to multi-family stacked developments to the northeast, south, and southwest. Neighborhood 1 developments are located to the east and west. The site is near the major commercial corridors of Albermarle Road and Hickory Grove Road.



View of the site looking south along East WT Harris Boulevard. The site is zoned R-20MF(CD), petition 1988-012. The site was approved for 251 multi-family dwelling units but has not been developed.



View from the intersection of East WT Harris Boulevard and Hub Way of a multi-family development currently under construction. This development is located northeast of the site.



View of a new multi-family development located at the southwest corner of East WT Harris Boulevard and Wallace Avenue, southwest of the site.

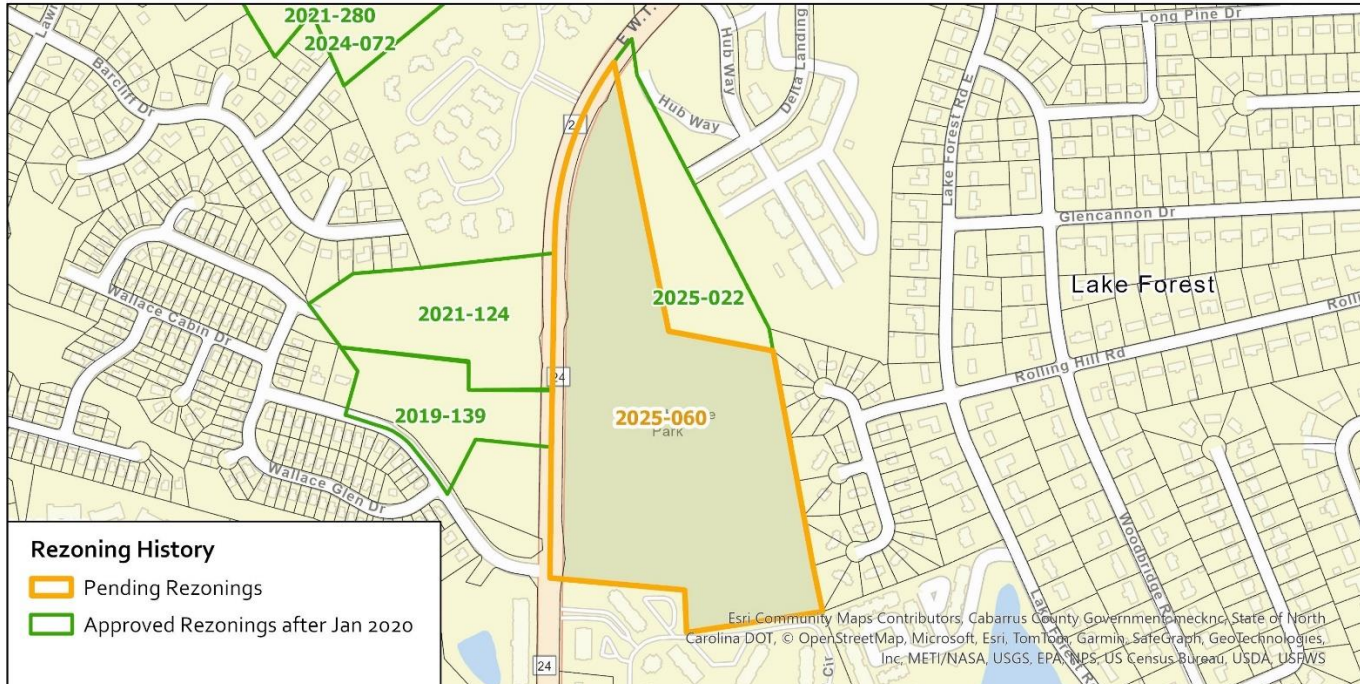


View of single-family dwellings located along Wallace Avenue west of the site. This is typical of the development in the area.



View of a garden-style multi-family development located to the south of the site. Typical of multi-family development in the area.

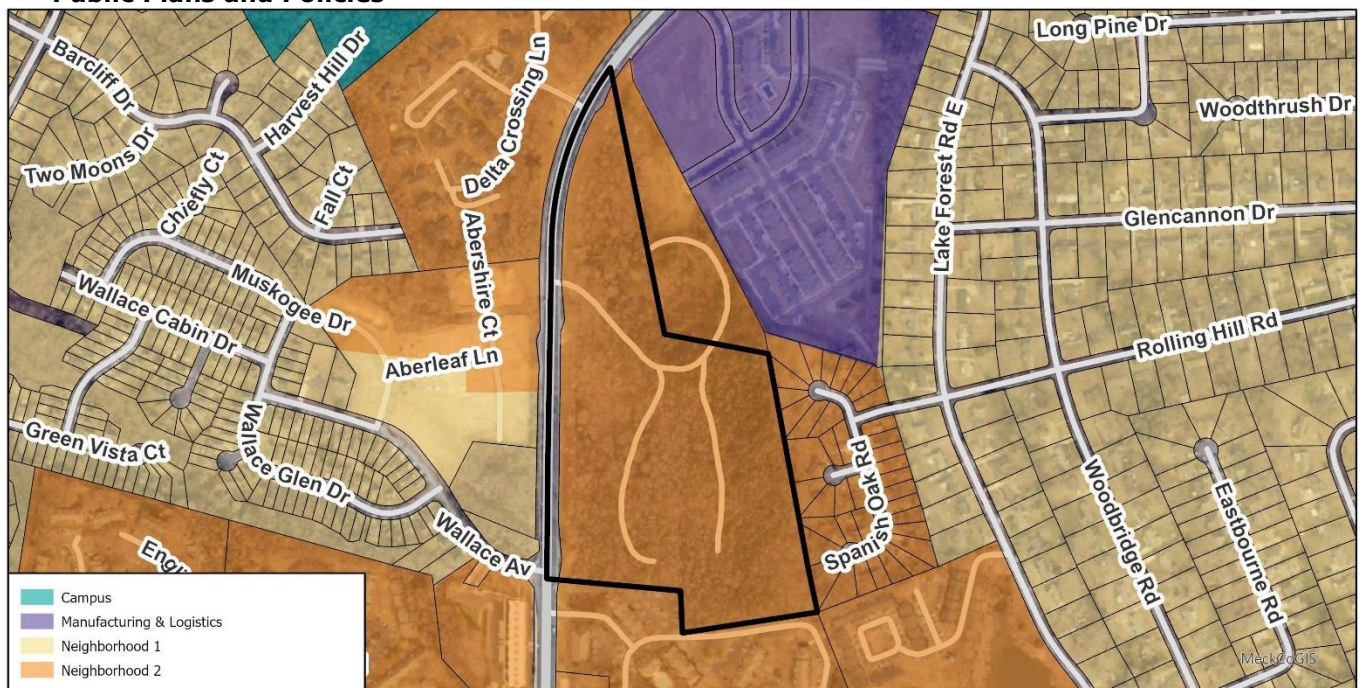
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-139	Rezoned 5.3225 acres located along the eastern portion of W.T. Harris Boulevard at its intersection with Wallace Avenue, north of Albemarle Road. A conventional rezoning request from R-12MF (Multi-Family) and R-3 (Single-Family) to R-8 (Single-Family).	Approved
2021-124	Rezoned 7.53 acres located on the west side of East W.T. Harris Boulevard, north of Albemarle Road, and south of Hickory Grove Road. A conventional rezoning request from R-12MF(CD) (Multi-Family, conditional) to R-8 (Single-Family).	Approved

2021-280	Rezoned 15.30 acres located south of Johnnette Drive, east of Lawrence Orr Road, and west of East W.T. Harris Boulevard from R-3 (Single-Family) to MX-1 INNOV (Mixed-Use-1, innovative) for a residential development containing 35 single-family and 28 multi-family dwellings.	Approved
2024-072	Rezoned 19.58 acres located at the dead end of Harvest Hill Drive, east of Lawrence Orr Road, and north of Barcliff Drive from MX-1 INNOV (Mixed-Use-1, innovative), N1-A (Neighborhood 1-A), and IC-1 (Institutional Campus-1) to MX-1 INNOV SPA (Mixed-Use-1, innovative, site plan amendment) and N1-D(CD) (Neighborhood 1-D, conditional) for up to 96 single-family detached or multi-family attached dwellings.	Approved
2025-022	Rezoned 5.80 acres located east of EW.T. Harris Boulevard, north of Harris Park Boulevard, and south of Delta Landing Road from R-20MF(CD) (Multi-Family, conditional) to N2-B(CD) (Neighborhood 2-B, conditional) for up to 60 multi-family stacked dwellings.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type.

• **TRANSPORTATION SUMMARY**

- The site is located adjacent to W.T. Harris Boulevard a State-maintained major arterial, north of Albemarle Road, a State-maintained expressway. 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. Conditional note revisions are needed to commit to installing streetscape along sites frontage. CDOT will work with the petitioner during the permitting process to pursue all options associated with this place type and zoning district. The petitioner will work with NCDOT regarding any requirements from NCDOT.
- **Active Projects:**
  - N/A
- **Transportation Considerations**
  - See Outstanding Issues, note 1.
- **Vehicle Trip Generation:**

Current Zoning: R-20MF(CD)  
Existing Use: 0 trips per day (based on vacant)  
Entitlement: 1,151 trips per day (based on 251 dwellings).  
Proposed Zoning: N2-C(EX) 106 trips per day (based on public park use).

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**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 comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main along E WT Harris Blvd. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along E WT Harris Blvd. 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 comments submitted.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No comments submitted.

**OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING**Transportation

1. CDOT: Revise conditional note(s) D.1 to the following language: "In lieu of installing streetscape improvements along the Site's frontage on East W.T. Harris Boulevard that are required under the Ordinance, the existing sidewalk and the existing street trees (if any) located along the Site's frontage on East W.T. Harris Boulevard may remain in place. Petitioner shall coordinate with CDOT regarding frontage improvements. It may also be decided that portion(s) of the frontage improvements may be installed if funding is available. Documentation shall be provided showing due diligence regarding the installation of improvements."

Site and Building Design

2. Entitlement Services: Define "inclusive playground" in conditional notes.

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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