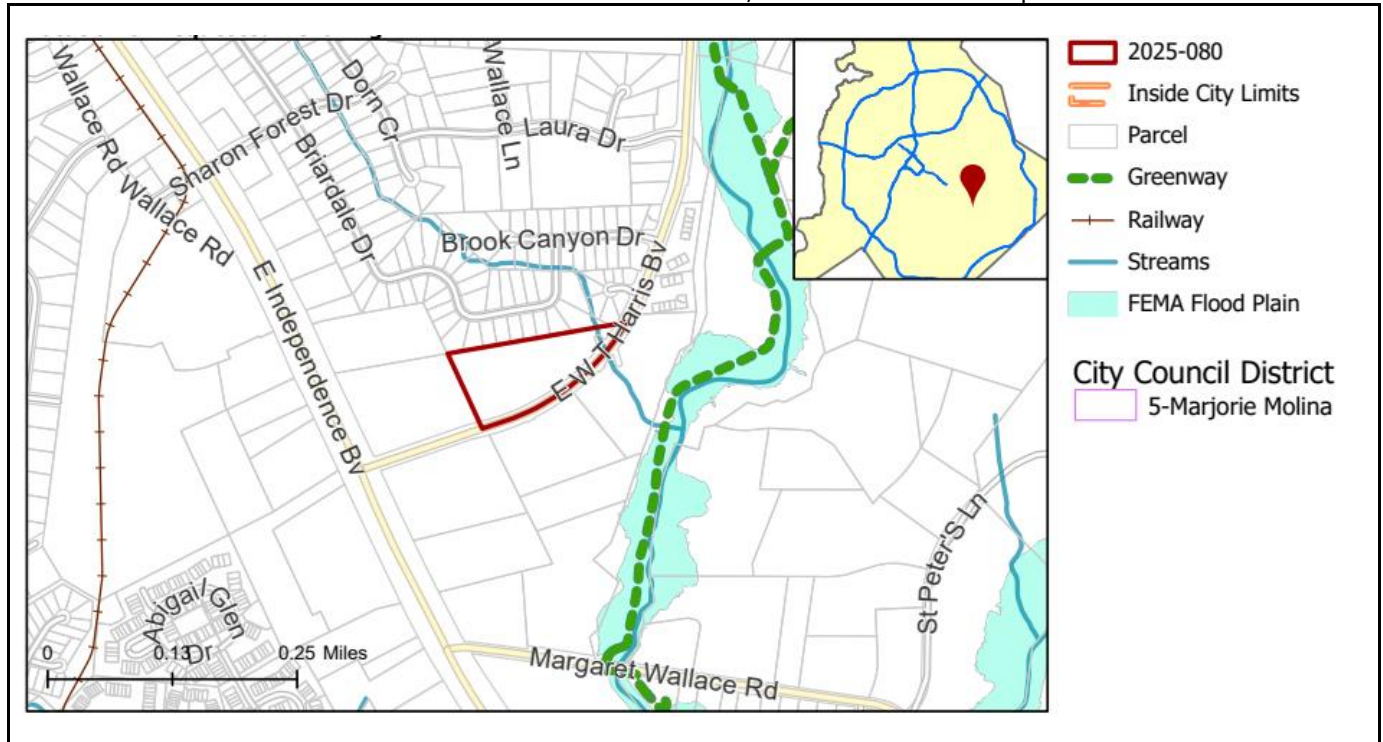


REQUEST

Current Zoning: R-9MF(CD) (Multi Family Residential, Conditional)
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, Conditional)

LOCATION

Approximately 5.00 acres located north of East W. T. Harris Boulevard, south of Briardale Drive, and east of East Independence Boulevard.



SUMMARY OF PETITION

The petition proposes a residential community of up to 44 multi-family attached units on vacant land.

PROPERTY OWNER

Lapointe Holdings, LP

PETITIONER

SW Development Partner, LLC

AGENT/REPRESENTATIVE

Colin Brown & 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 upon resolution of a requested technical revision related to transportation.

Plan Consistency

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

Rationale for Recommendation

- The *2040 Policy Map* recommends a Commercial Place Type for the site. Neighborhood 2 Place Types are typically intended to serve as a transition between lower-density residential areas and higher-intensity commercial or mixed-use centers. The proposed zoning would be appropriate in this context, as it provides a gradual transition from the Neighborhood 1 zoning and existing single-family homes along East WT Harris Boulevard to the commercial uses along Independence Boulevard.

- The proposal for 44 multi-family attached residential units will expand housing options in this area supporting broader goals for more housing diversity.
- This proposal remains consistent with the multi-family entitlements previously approved for the site.
- The proposed site is located adjacent to the Independence corridor offering potential access to a wide range of goods, employment opportunities, healthcare, education, and essential services.
- The site is within ¼ mile of a CATS bus stop with access to routes 17, 74x, and 64x.
- The site is located within proximity to the Campbell Creek Greenway.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 2: Neighborhood Diversity & Inclusion

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.

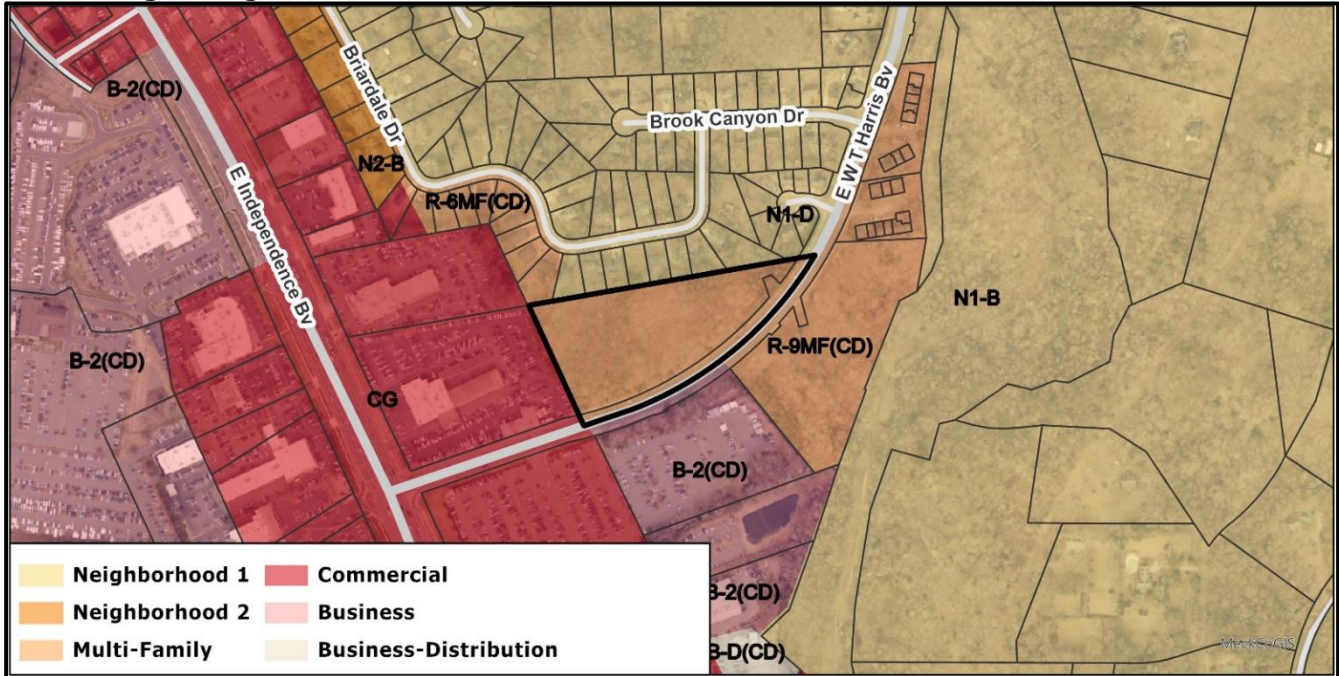
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 44 multi-family townhome style dwelling units.
- Limits buildings to a maximum of 6 units per building. Only 4 buildings can contain the maximum of 6 units per building.
- Limits total number of buildings to a maximum of 10 buildings.
- Provides a 10-foot **Class C** landscape yard next to single family zoning.
- Provides sidewalk connections from dwelling entrances to adjacent streets for buildings fronting existing/proposed public streets and network required private streets.
- Provides 10 spaces for visitor parking.
- Open space areas shall consist of 4 or more of the following potential components; Enhanced plantings, specialty paving materials, shading elements, seating options, public art/sculpture, decorative lighting, Interactive elements that children or others to experience sensory stimulation including but not limited to music, water, and light, have a minimum dimension of 20-feet or more measured in all directions.
- Architecture and design:
 - Vinyl siding shall not be permitted as an exterior building material except for limited use for windows, doors, soffits, and trim.
 - Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roof for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
 - Usable porches and stoops may form a predominant feature of the building design and be located on the front and/or side of the building for any building that fronts a public street. Usable front porches, when provided, should be covered and be at least 6-feet deep. Stoops and entry-level porches, if provided, may be covered but shall not be enclosed and 3-feet deep. Alternatively, to a usable porch or stoop, the maximum blank wall expanse shall be limited to 10-feet on all building levels.
 - All corner/end units that face a public network-required street should have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 10-feet on all building levels.
 - Garage doors proposed along public network-required streets should minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane or additional architectural treatments such as translucent windows or projecting elements over the garage door opening.

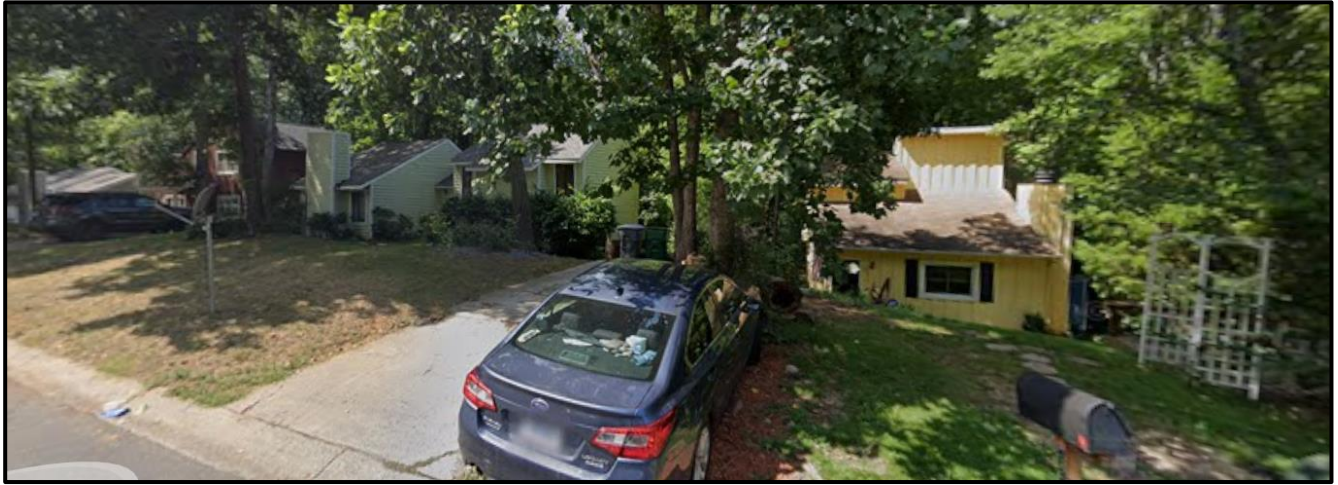
- **Existing Zoning**



- The site is currently zoned R-9 MF(CD) (Multi-family Residential, Conditional). The surrounding zoning includes CG (General Commercial), B-2(CD) (General Business, Conditional), R-8MF(CD) (Multi-family Residential, Conditional), Neighborhood 1-B, and Neighborhood 1-D.



The site (denoted by red star) is located north of East W. T. Harris Boulevard, south of Briardale Drive, and east of East Independence Boulevard. The surrounding uses include single family homes, car dealerships, and other retail uses.



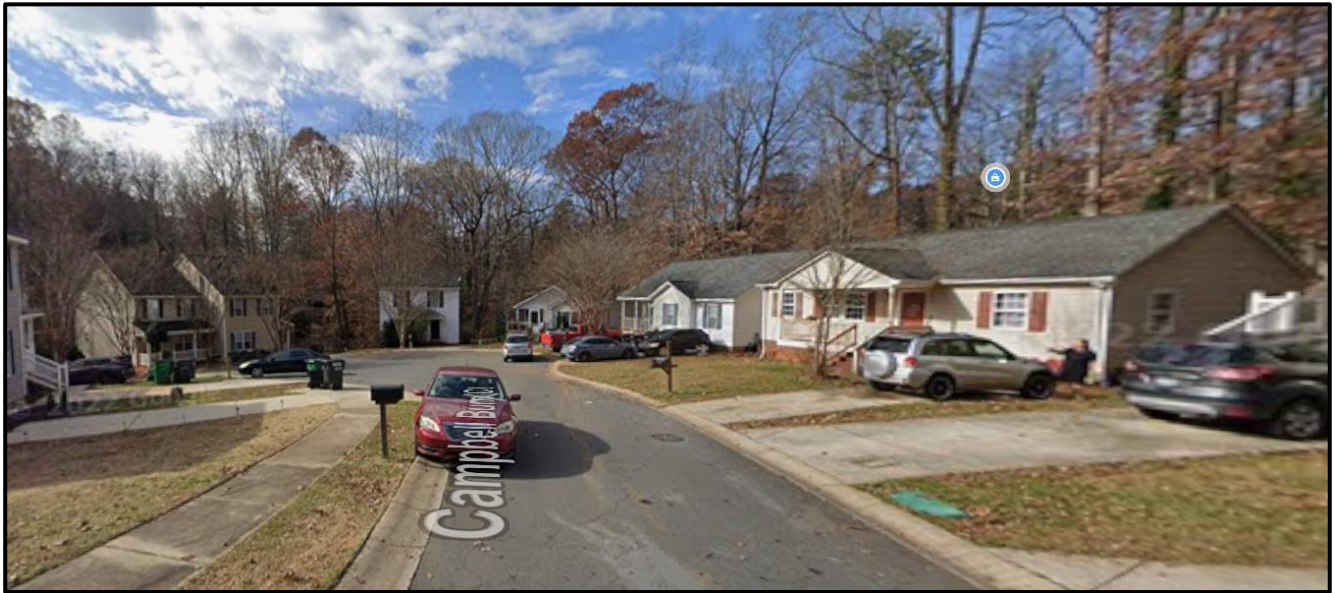
The property to the north along Briardale Drive is developed with single family homes.



The property to the east along Independence Boulevard is developed with a car dealership.

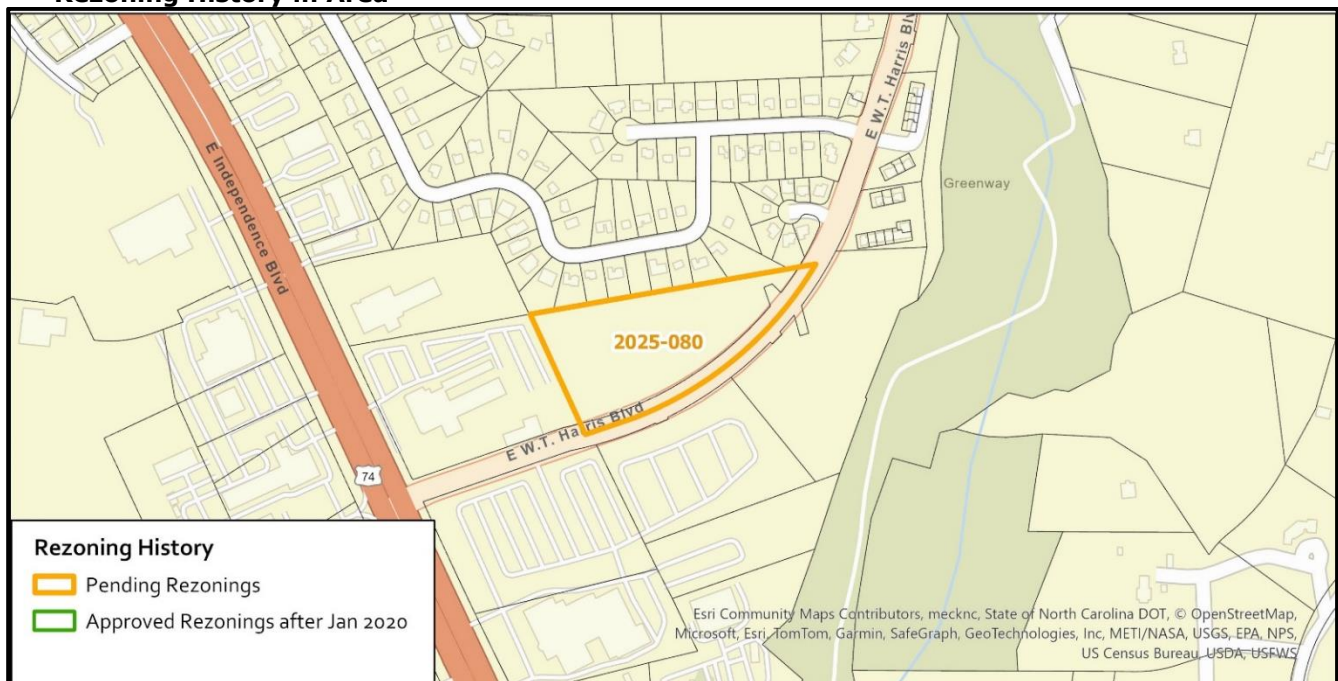


The property to the south along Independence Boulevard is developed with a car dealership.



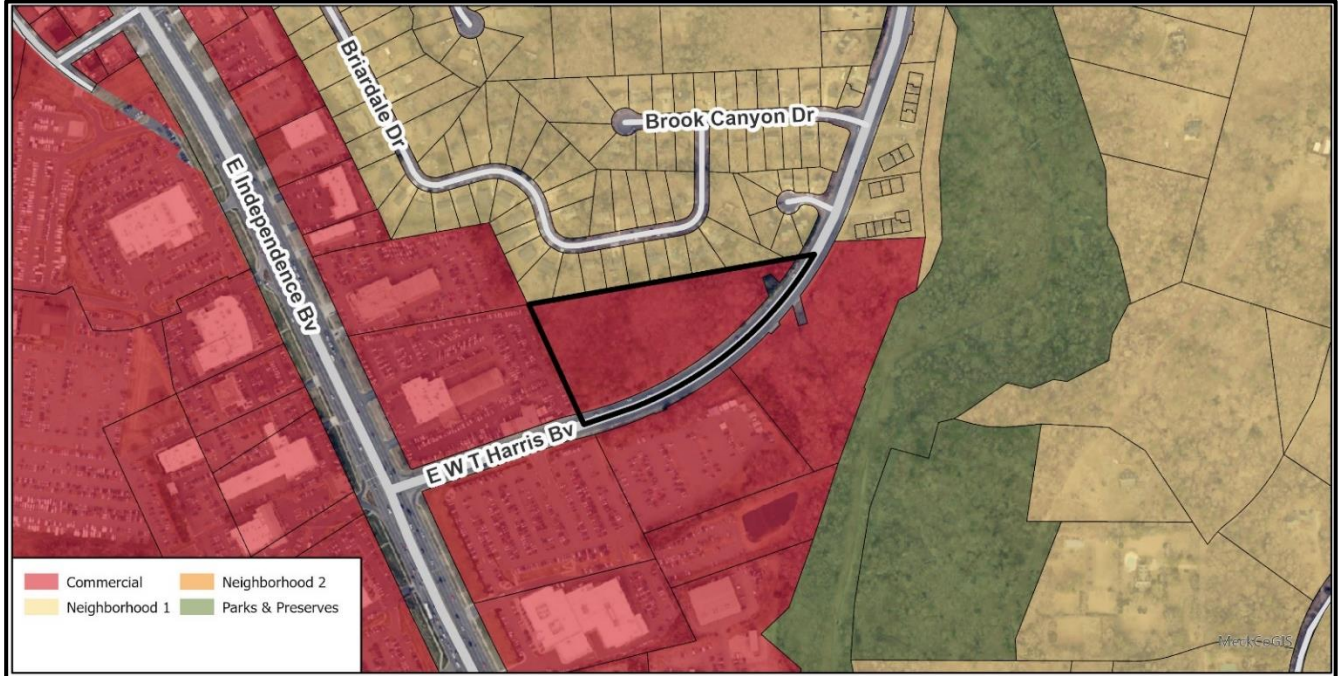
The property to the west along Campbell Burn Court is developed with single family houses.

- **Rezoning History in Area**



There have been no recent rezonings in this area.

- **Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to East WT Harris Boulevard, a City-maintained major arterial, east of East Independence Boulevard, 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. All CDOT issues have been addressed.
- **Active Projects:**
- TIP - Independence Boulevard (US 74) Corridor Improvements
 - Project Limits: Sharon Forest Dr. and Harris Blvd./Village Lake Intersection areas.
 - TIP Number: U-2509AA
 - Advanced Project Description: Construct grade separation at Sharon Forest Drive and interchange at Village Lake Drive.
 - ROW Year: 2027
 - Construction Year: 2030

- **Transportation Considerations**

○ See Requested Technical Revision, Note 10 Addressed

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 268 trips per day (based on 66 multi-family dwelling units).

Proposed Zoning: 163 trips per day (based on 44 multi-family dwelling units).

DEPARTMENT COMMENTS

- **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:** This development may add 7 students to the schools in this area.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Pine Grove Elementary remains at 71%.
 - Albemarle Road Middle remains at 95%.
 - Butler High remains at 95%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along East WT Harris Boulevard. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along East WT Harris Boulevard. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** 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:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~Revise site plan and conditional note(s) to commit to dedicate 53 feet of right-of-way from the road centerline. The site plan shall label and dimension the right-of-way from the road centerline. Additionally, 2-foot SUE must be added from the back of sidewalk.~~ Addressed
2. ~~Revise site plan and conditional note(s) to commit to constructing a 12-foot Shared Use path along the entire site's frontage of East W. T. Harris Boulevard as required per UDO. Site plan shall label and dimension from the roadway centerline. During permitting, a fee can be paid towards STIP U-2509 in lieu of constructing an 8-foot planting strip and a 12-foot shared use path in coordination with the City of Charlotte (Planning and CDOT). The completion of an Administrative Amendment would be required during permitting to do so. Add a conditional note committing to coordinating with the city of Charlotte (Planning and CDOT) and NCDOT during permitting to finalize the placement of the Shared Use Path or the payment in lieu to NCDOT.~~ Addressed

Site and Building Design

3. ~~Show the 10 buildings on the site plan or revise the conditional notes to commit to no more than 8 buildings as shown on the site plan.~~ Addressed
4. ~~Commit to a type of landscape yard.~~ Addressed
5. ~~Provide minimum stoop depth as 3 feet in notes.~~ Addressed
6. ~~Provide at least 4 elements for open space.~~ Addressed
7. ~~Per 31.2 provide cross access and easement to the property to the west.~~ Addressed
8. ~~There is a 12-foot sidewalk, and 8-foot planting strip required.~~ Addressed
9. ~~Label the centerline and show R/W dedication from the centerline to 2 feet behind the sidewalk.~~ Addressed

REQUESTED TECHNICAL REVISIONS AFTER PUBLIC HEARING
<u>Transportation</u> 10. Please change "Administrative Amendment" to administrative adjustment. Addressed

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Michael Russell (704) 353-0225