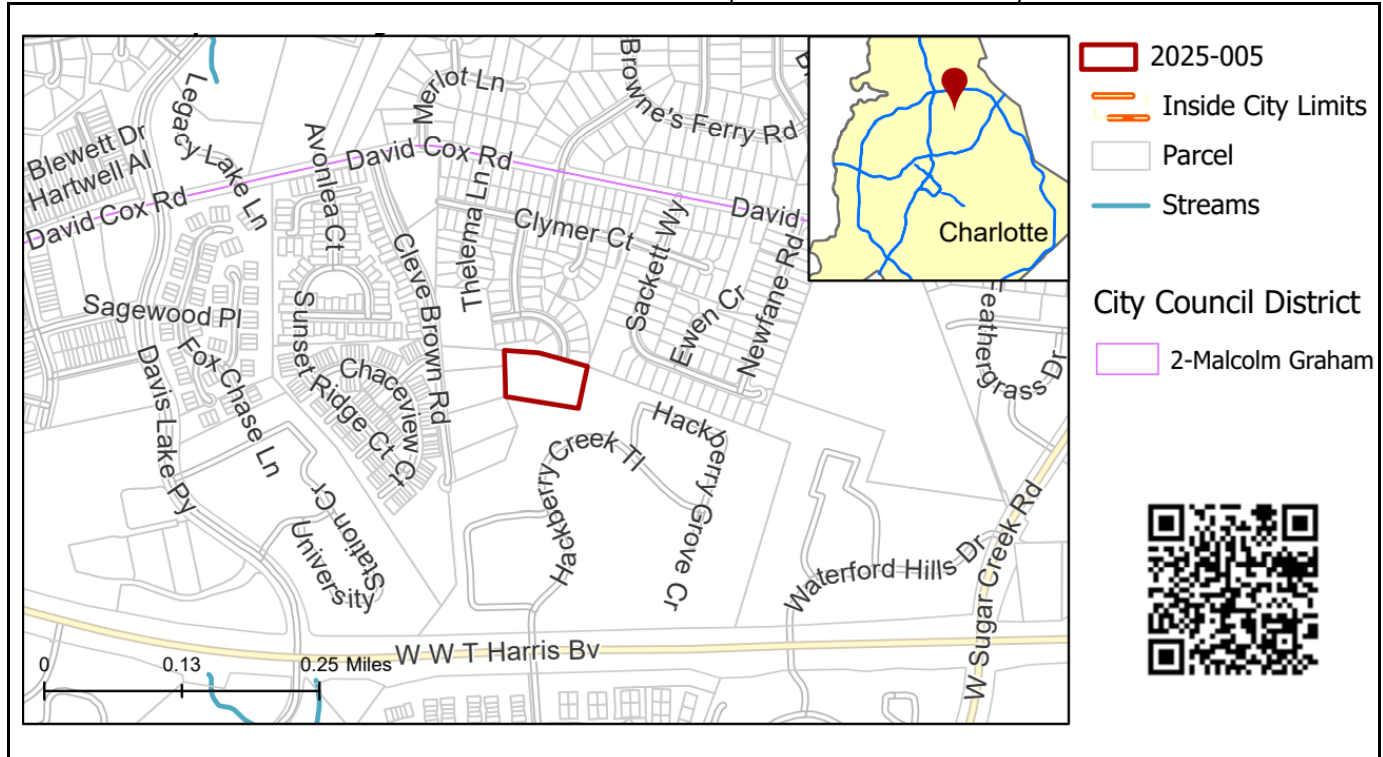


**REQUEST**

Current Zoning: N1-B (Neighborhood 1-B)  
Proposed Zoning: N1-D CCO (Neighborhood 1-D, Cottage Court Overlay)

**LOCATION**

Approximately 1.96 acres located east of Cleve Brown Road, south of Hamilton Russell Lane, and north of Hackberry Creek Trail.



**SUMMARY OF PETITION**

The petition proposes to allow for any use permitted in the N1-D CCO zoning district on a parcel that is currently undeveloped.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Homer L. Brown  
EB Property Group, LLC  
Steve Mallory

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 4

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Neighborhood 1 Place Type.

Rationale for Recommendation

- This petition is appropriate and compatible as the site is within an area designated by the 2040 Policy Map for the Neighborhood 1 Place Type.
- The Cottage Court Overlay District allows for a reduction in minimum lot size and reduced setbacks to permit the development of small residential communities that are structured around common open space designed in a cohesive manner that are to be shared by all residents.

- The development pattern prescribed by the Neighborhood 1 Place Type and permitted by the Cottage Court Overlay zoning district is consistent with the character of this area.
- The petition could help facilitate the goal of providing a variety of housing types within an area where single-family dwellings are the predominate housing type.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 2: Neighborhood Diversity & Inclusion

## PLANNING STAFF REVIEW

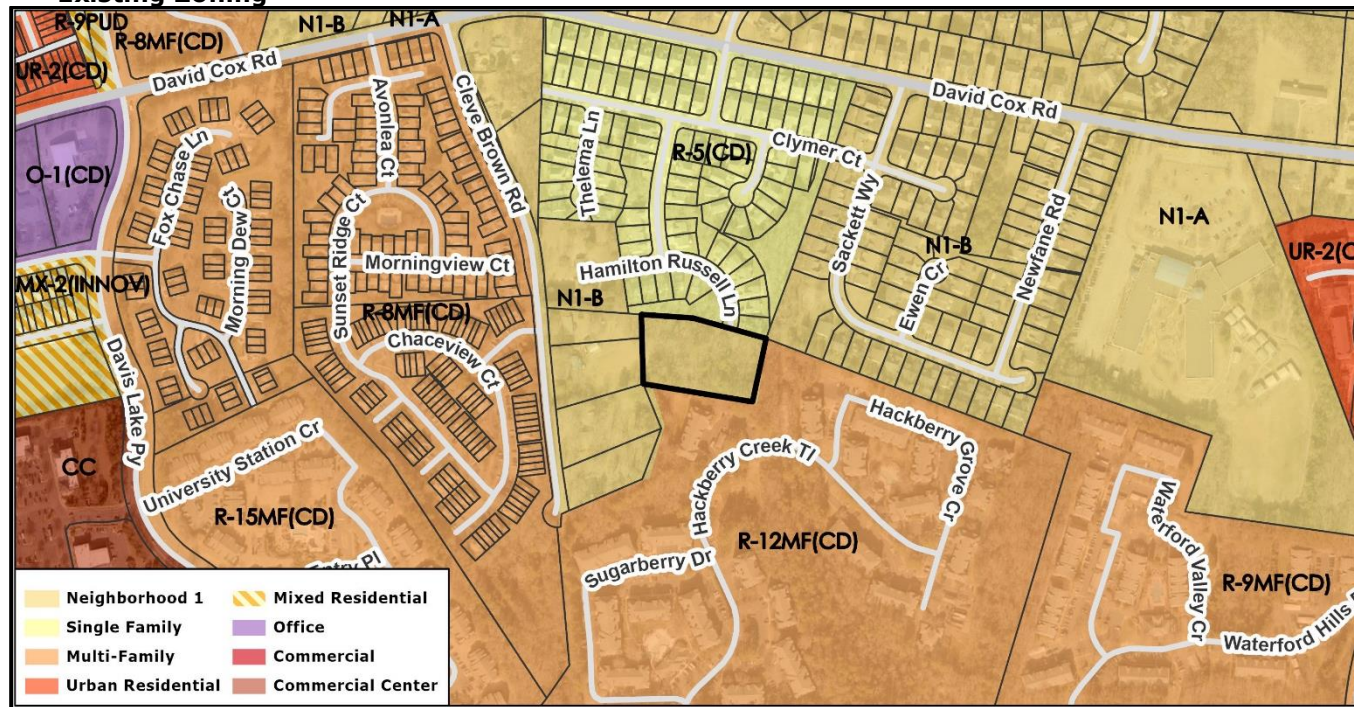
### • Background

- The Cottage Court Overlay (CCO) is an overlay zoning district that encompasses the existing underlying district to allow for an alternative development option.
- The CCO district allows for small lot residential development with a maximum of 30 single-family detached, duplex and triplex buildings.
- Buildings are organized around a common open space that is a minimum of 3,000-square feet or 500-square feet per dwelling, whichever is greater.
- Lot sizes and setbacks internal to the development's boundaries may be reduced from what is required by the underlying zoning district in exchange for a community that is designed cohesively and maintained in shared stewardship by residents.

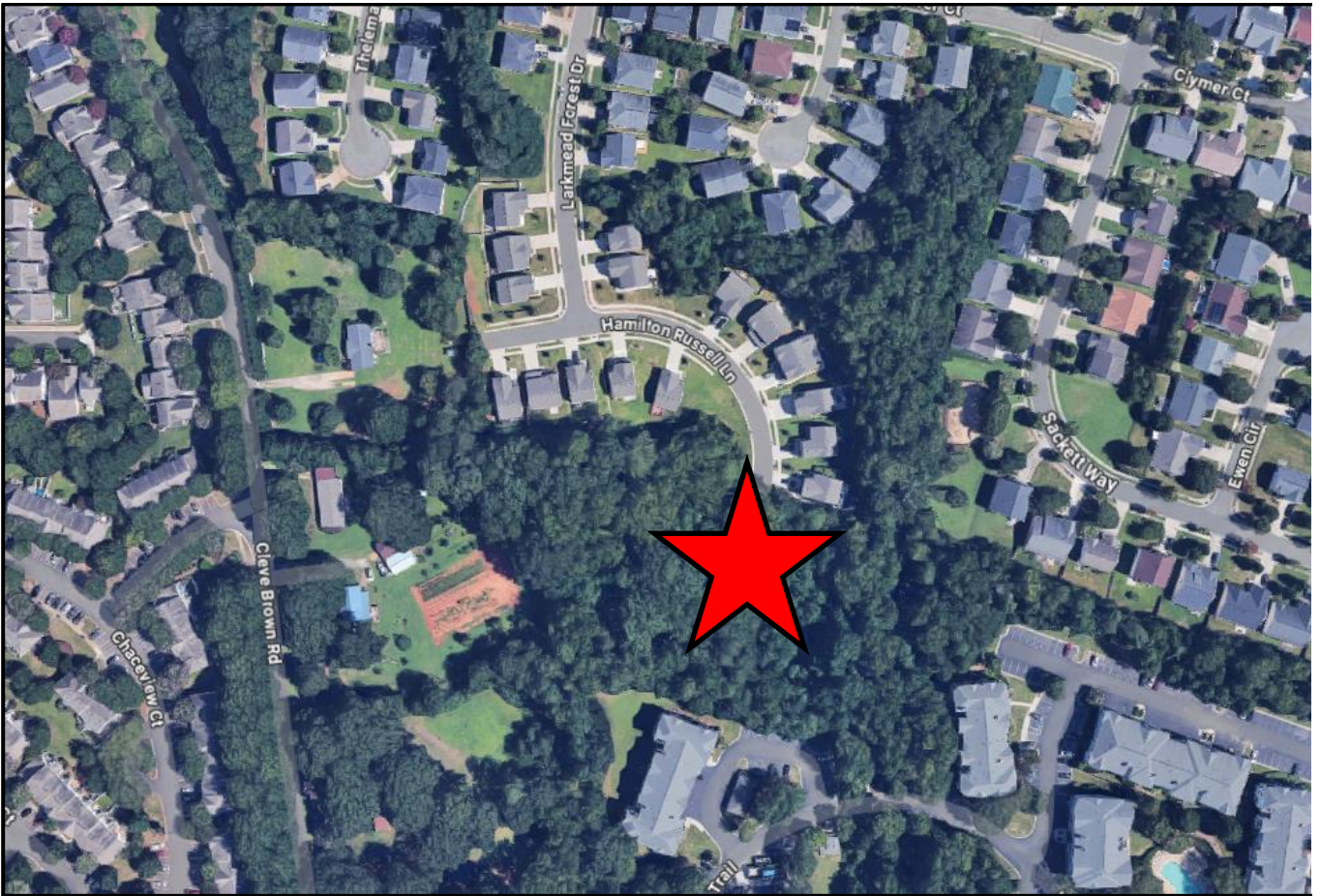
### • Proposed Request Details

This is a conventional rezoning petition with no associated site plan.

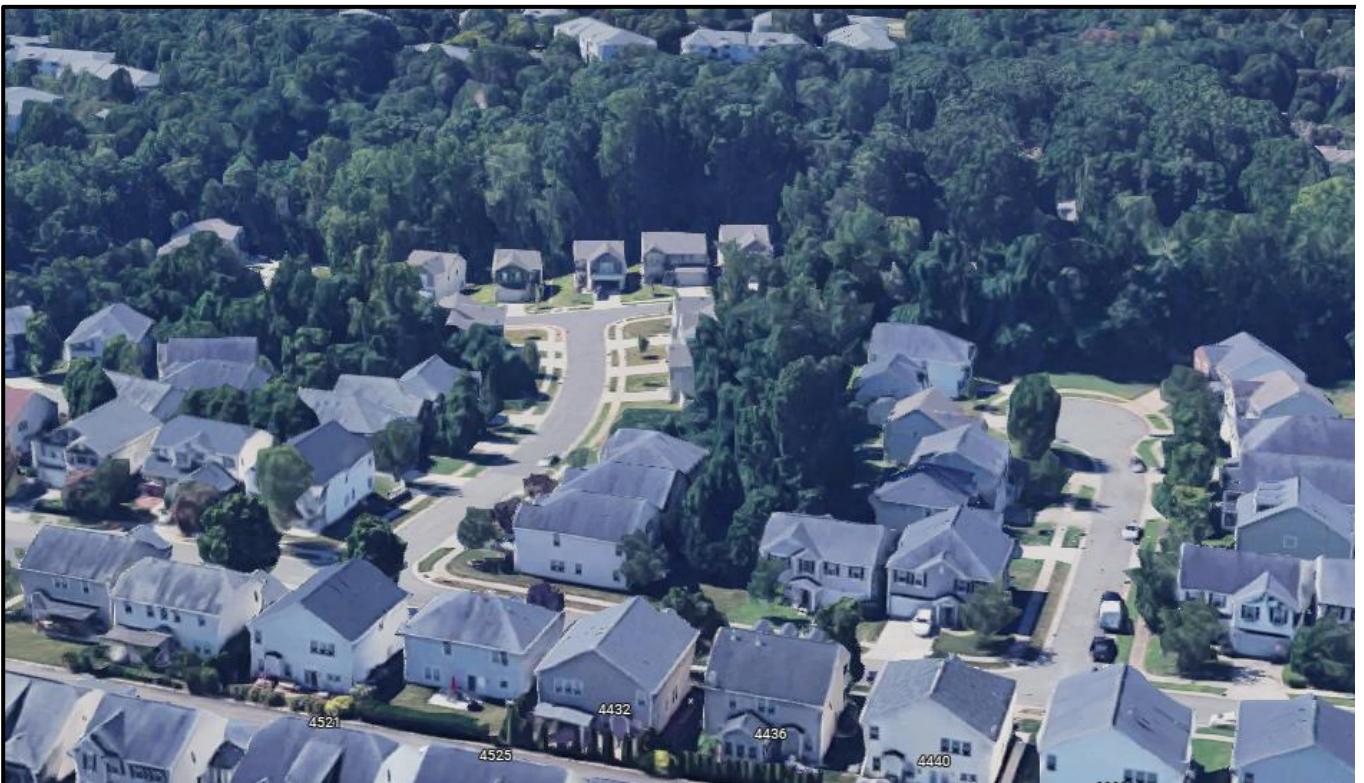
### • Existing Zoning



- The site is zoned N1-B (Neighborhood 1-B). The surrounding zoning is a mixture of residential zoning districts: R-5(CD) (Single Family Residential, Conditional), N1-A (Neighborhood 1-A), N1-B (Neighborhood 1-B), R-8MF(CD) (Multi Family Residential, Conditional) and R-12MF(CD) (Multi Family Residential, Conditional).



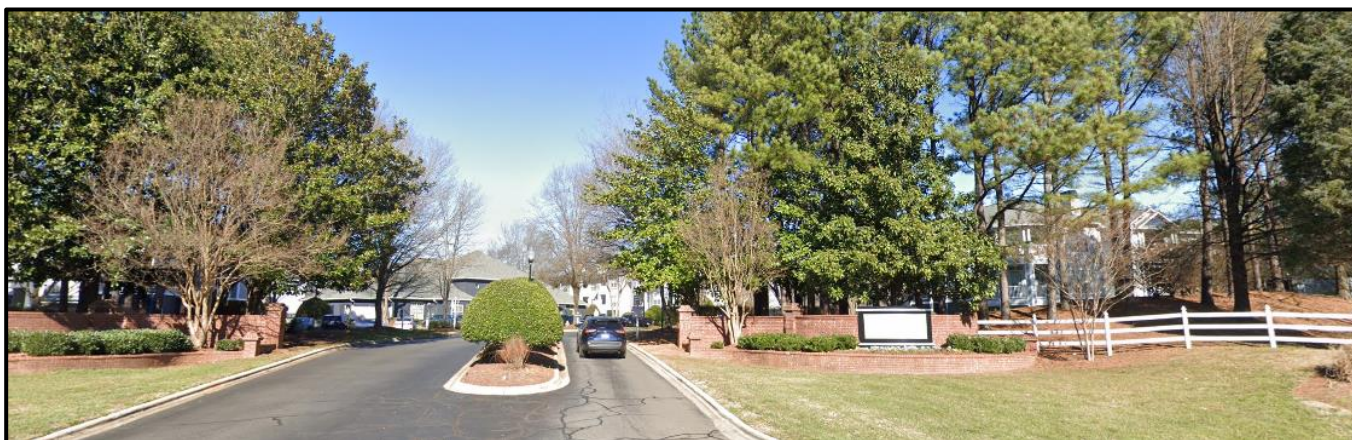
The site (indicated by the red star above) is located east of Cleve Brown Road, south of Hamilton Russell Lane, and north of Hackberry Creek Trail. The site is undeveloped and surrounded by various types of residential uses.



The property to the north Along Hamilton Russell Lane is developed with single family homes.



The property to the west along Cleve Brown Road is developed with single family homes.

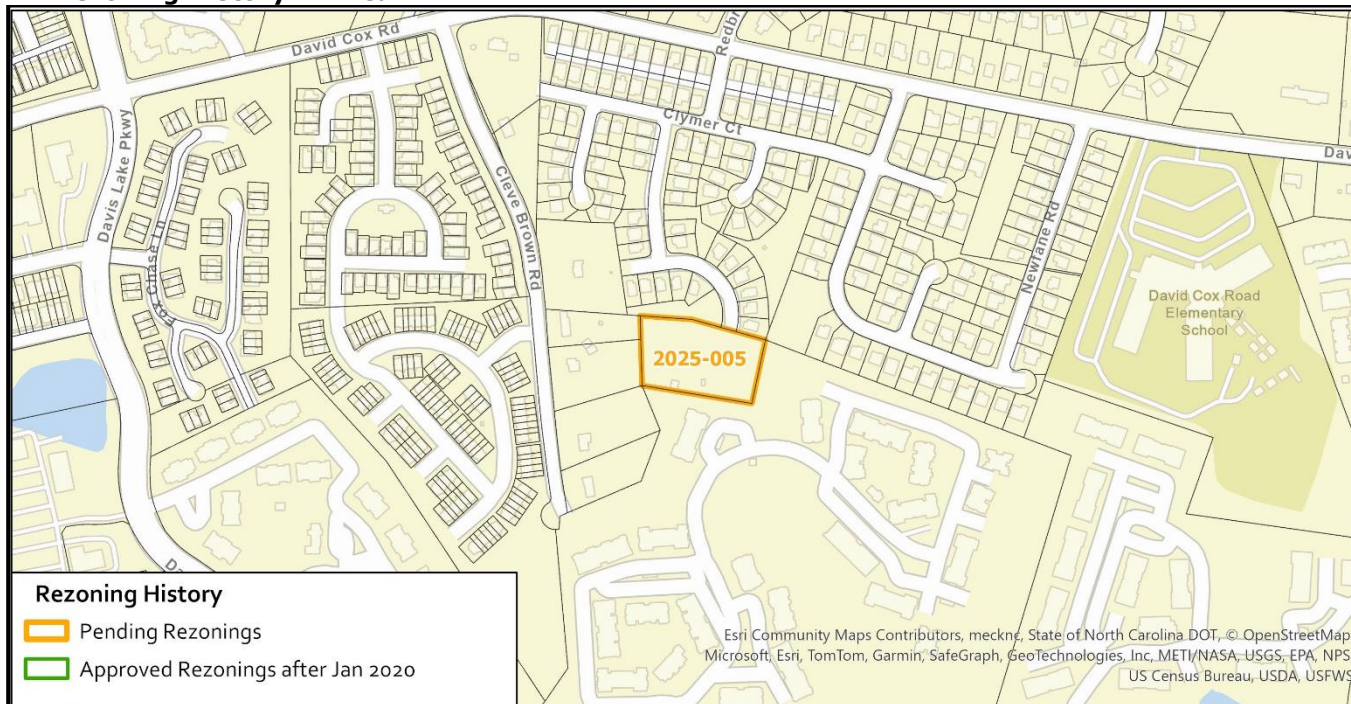


The property to the south along Hackberry Creek Trail is developed with multi-family apartments.



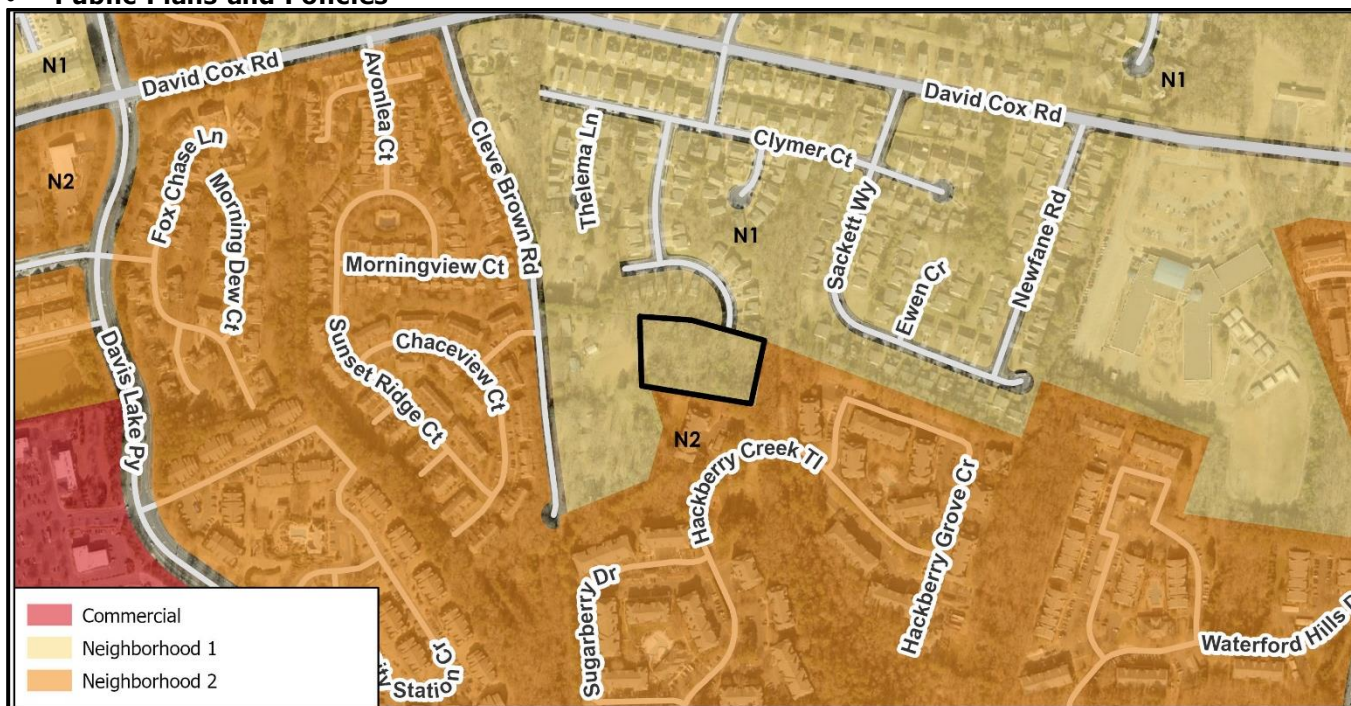
The property to the east along Sackett Way is developed with single family homes.

- Rezoning History in Area**



- There has not been any rezoning activity in the area within the past 5 years.

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type.

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- **TRANSPORTATION SUMMARY**

- The site is located at the end of Hamilton Russell Lane, a privately maintained local street, north of Hackberry Creek Trail, a privately maintained local street. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the conventional rezoning. A CTR will be required during permitting if the site generates site trips over ordinance thresholds. The site will be subject to transportation improvements in accordance with the UDO and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated with this place type and zoning district.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning: N1-B

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

Entitlement: 90 trips per day (based on 7 single family dwellings).

Proposed Zoning: N1-D CCO. Undetermined (trip generation determined during permitting process for conventional rezonings).

**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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** This is a conventional petition. Due to the relatively small acreage of the site, the development allowed under both the existing and proposed zoning may not generate students. Existing school capacities:
  - David Cox Road Elementary remains at 118%.
  - Ridge Road Middle remains at 94%.
  - Mallard Creek High remains at 111%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Hamilton Russell Lane. Charlotte Water does not have accessible sanitary sewer system infrastructure for the rezoning boundary under review. Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **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.
- **Stormwater Services Land Development Engineering:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

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