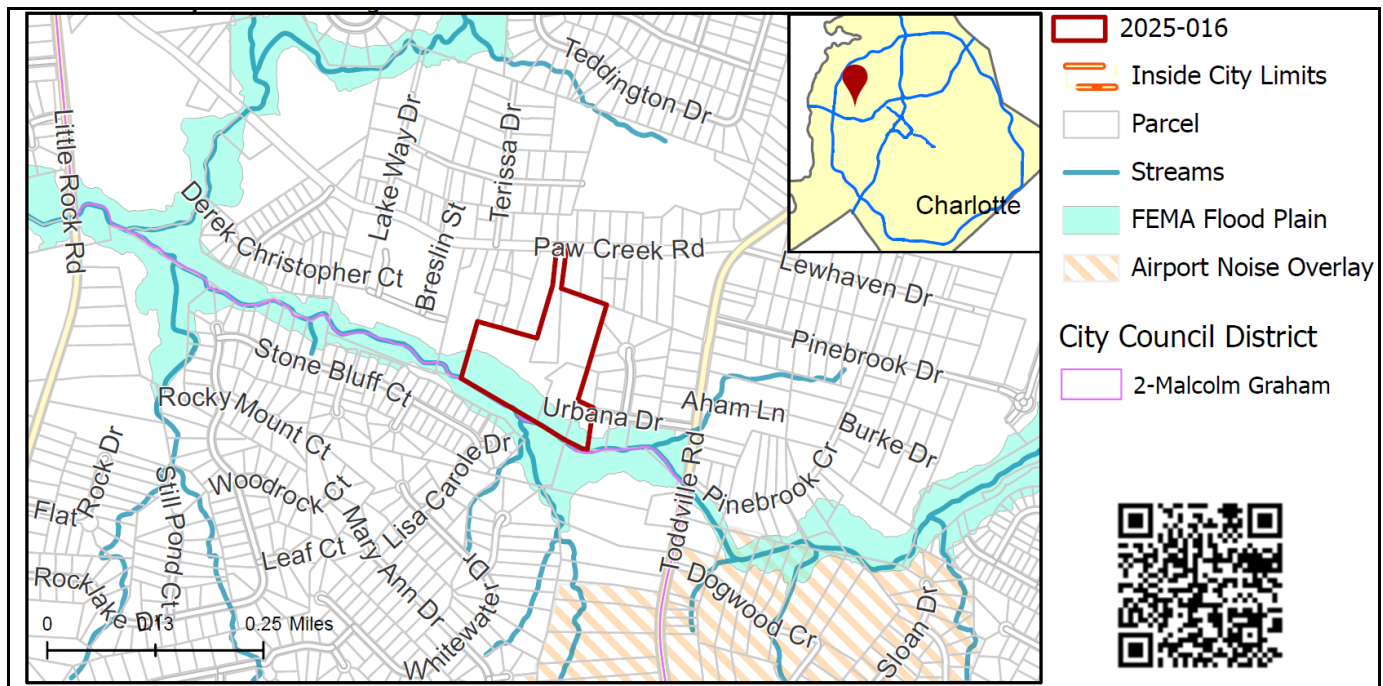


REQUEST

Current Zoning: N1-A (Neighborhood 1-A)
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, conditional)

LOCATION

Approximately 11.16 acres located south of Paw Creek Road, west of Toddville Road, east of Breslin Street.



SUMMARY OF PETITION

The petition proposes the development of up to 88 multi-family attached and 1 single-family detached dwelling units. The site is currently developed with 1 single-family dwelling.

PROPERTY OWNER

Oakrock One, LLC; Larry & Anissa Samuels

PETITIONER

Kingdom Development Partners, LLC

AGENT/REPRESENTATIVE

Nolan Groce, Urban Design Partners

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 0

**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 Place Type.

Rationale for Recommendation

- 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 proposed development would fill a need for housing in an area that has been identified as lacking Access to Housing Opportunity by the 2040 Comprehensive Plan.
- A minimum of 30% of the multi-family attached dwelling units will be restricted to households earning 80% Area Median Income (AMI) or less

for a period not less than 15 years from the initial issuance of the Certificate of Occupancy (CO).

- The proposed development gains access from Paw Creek Road and Toddville Road, via Urbana Drive. Paw Creek Road and Toddville Road are designated by the *Charlotte Streets Map* as a 2+ Lane Avenue and considered an Arterial Street by the UDO.
- The site within $\frac{3}{4}$ -mile of a bus stop on Freedom Drive accessed via sidewalks on Toddville Road.
- The site is abutting a Parks and Preserves Place Type which the *Comprehensive Plan* recommends as a preferred adjacency for the Neighborhood 2 Place Type.
- The Petition proposes to dedicate a greenway easement to Mecklenburg County Park and Recreation for the future Paw Creek Greenway.
- The petition could facilitate the following 2040 *Comprehensive Plan* Goals:
 - 2: Neighborhood diversity & Inclusion
 - 3: Housing Access for All

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

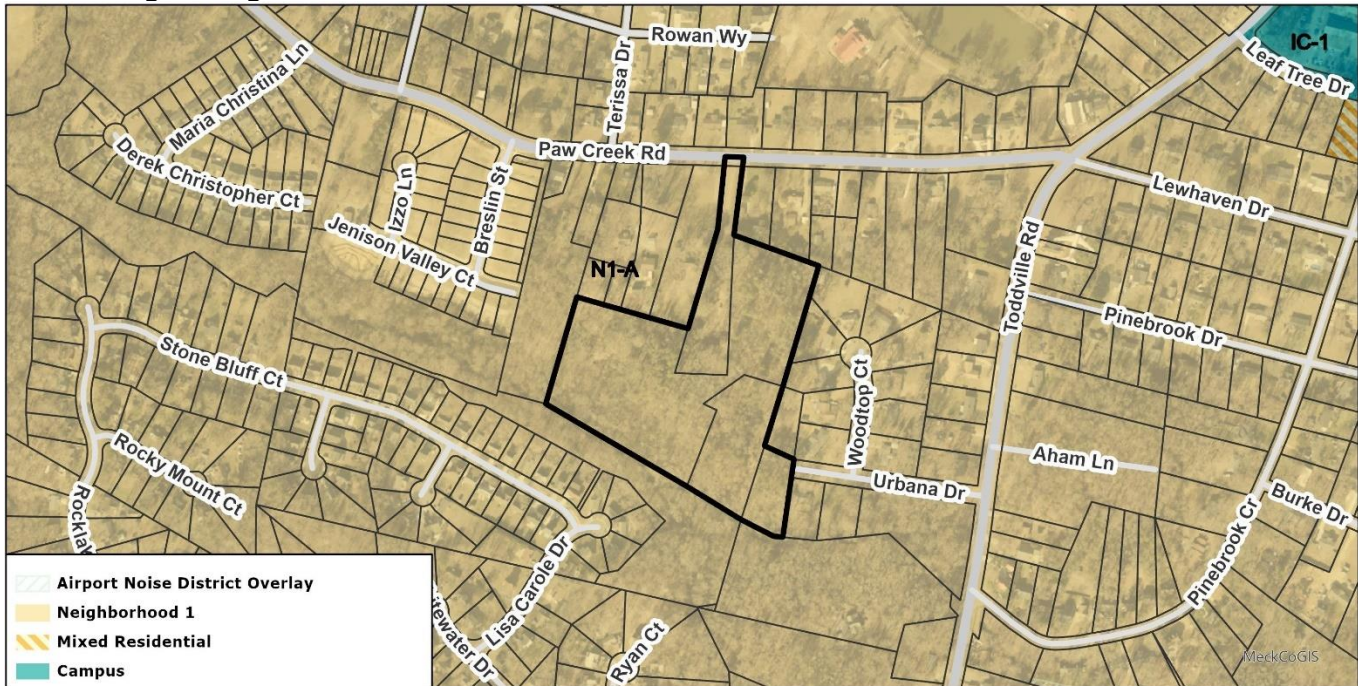
• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

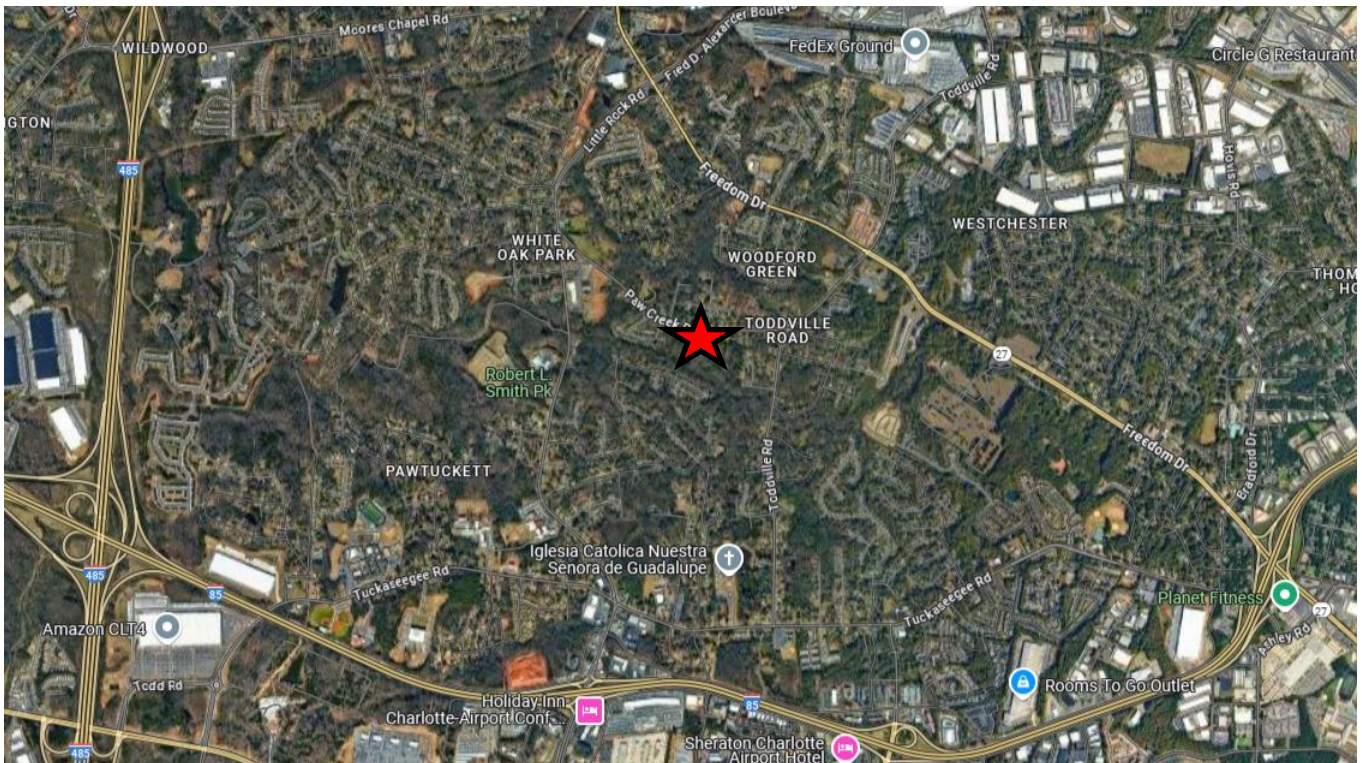
- Permits the development of up to 88 multi-family attached and 1 single-family detached dwelling units.
 - A minimum of 30% of the multi-family attached dwelling units will be affordable and restricted to household earning 80% Area Median Income (AMI) or less for a period of not less than 15 years from the initial issuance of a Certificate of Occupancy (CO).
- The following transportation, streetscape, and landscaping improvements are proposed:
 - Access to the site is proposed from a public street extension of Urbana Drive, constructed to the Charlotte Land Development Standards Manual (CLDSM) Local Residential Wide cross-section, and a ~~new private drive~~ public street accessed from Paw Creek Road built to a modified Local Residential Wide cross-section.
 - 38 feet of right-of-way will be dedicated from the centerline of Paw Creek Road.
 - Direct pedestrian connections will be provided from residential units to public streets.
 - A 20-foot minimum setback will be provided along all property boundaries abutting a Neighborhood 1 Place Type. And a 10-foot Class C Landscape Yard will be provided per Unified Development Ordinance (UDO) standards.
 - Open space will be amenitized and have a minimum dimension of 50 feet in all directions. Each residential unit will be within a 1,000-foot radius of a common open space.
 - Open space will utilize enhanced landscaping such as raised beds, terraces, and native species. Enhanced planting will exceed the standards of the UDO provide 18 trees and 40 shrubs per acres of open space.
 - Specialty paving materials, shading elements such as structures, or additional trees will be provided.
 - Seating options and moveable furniture, public art, interactive elements, and decorative lighting will also be included.
 - Street trees will be provided along the private alleys such that each driveway is a maximum of 40 feet from a tree.
 - A minimum 100-foot SWIM buffer along Paw Creek and a minimum 25-foot wide access easement will be conveyed for a greenway to Mecklenburg County Park and Recreation along the southern boundary of the site.
- The following architectural requirements are proposed:
 - Buildings shall contain a maximum of 4 dwelling units.
 - Quadraplex buildings will comprise fewer than 50% of the buildings built on site.
 - Multi-family attached buildings adjacent to Neighborhood 1 Place Type/Zoning will not exceed 3 stories in height or 48 feet.
 - Porches and stoops will be provided. Porches will have a minimum dimension of 6 feet and stoops a minimum dimension of 3 feet.
 - Vinyl is prohibited as a primary building material.

- Building will present a front of side façade to the public street.

- **Existing Zoning**



The site is zoned N1-A (Neighborhood 1-A). The site is surrounded by properties zoned N1-A



The site (indicated by red star above) is located on the south side of Paw Creek Road. Approximately 2/3-mile east of Little Rock Road and 1/4-mile west of Toddville Road. The site is located in an area primarily containing rural single-family and single-family subdivision development.



View of the site looking south from Paw Creek Road. The site is developed with one single-family dwelling and is primarily wooded.



View of the site looking west from Urbana Drive. Urbana Drive is proposed to be extended as a public street through the site.



View of a single-family subdivision abutting the eastern boundary of the site, zoned N1-A.

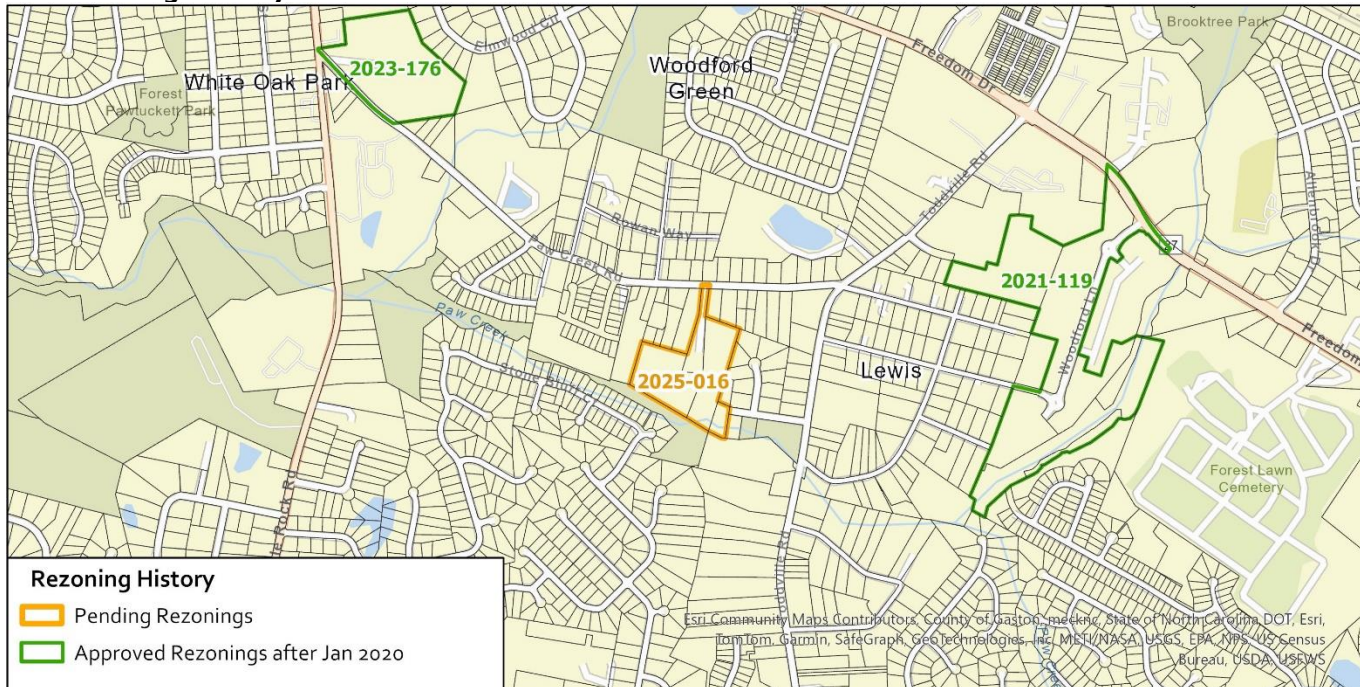


View of single-family development along the north side of Paw Creek, zoned N1-A. This is typical of the development pattern in the area.



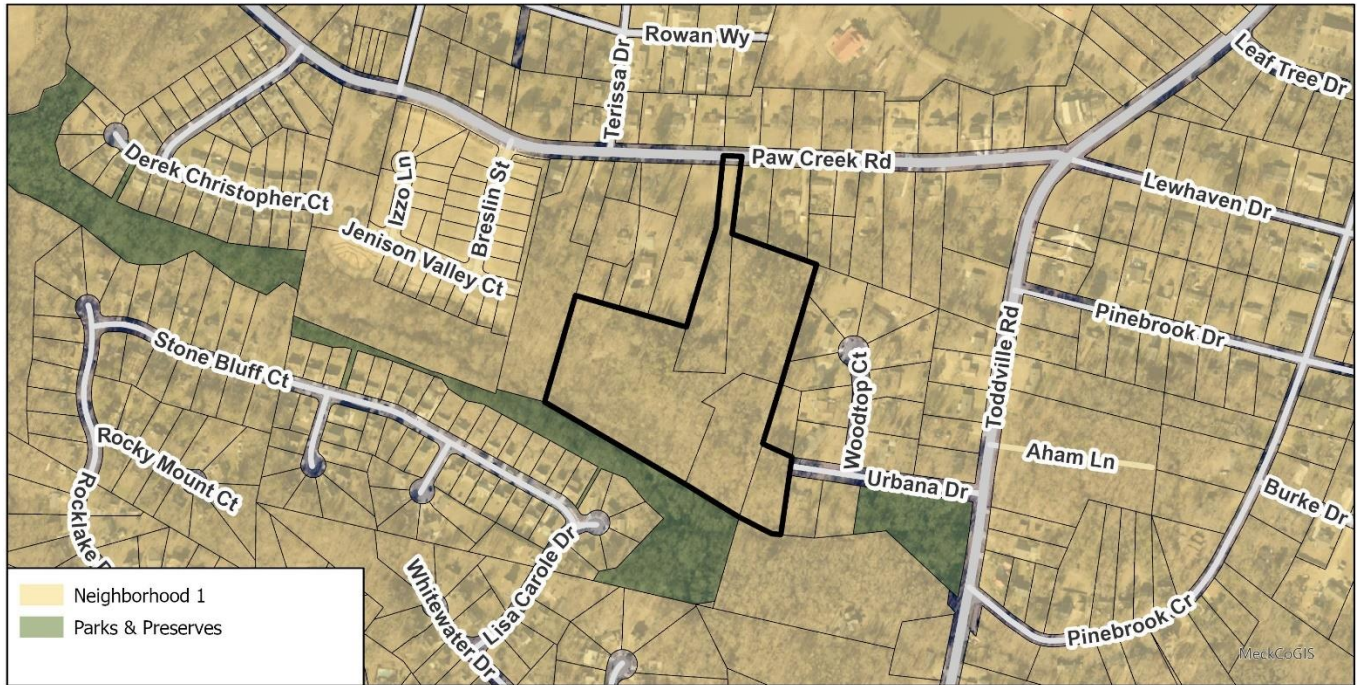
View of the Jackson Day School, a kindergarten through 12th grade charter school, located at the intersection of Paw Creek Road and Little Rock Road, approximately ¾-mile west of the site.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-119	Rezoned 31.50 acres located on the southwest side of Freedom Drive, east of Toddville Road, and north of Tuckaseegee Road from R-3 (Single Family Residential), INST (Institutional), MX-2(INNVO) (Mixed Residential, Innovative) to MX-2 (Mixed Residential) and MX-2(INNOV) SPA (Mixed Residential, Innovative, Site Plan Amendment) for 152 multi-family attached dwellings.	Approved
2023-176	14.85 acres located on the northeast side of Paw Creek Road, east of Little Rock Road. From N1-A (Neighborhood 1-A) to N2-A(CD) (Neighborhood 2-A, conditional) for 127 multi-family attached dwellings.	Approved

- **Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is adjacent to Paw Creek Road, a City-maintained minor arterial, west of Toddville Road, a City-maintained minor arterial. 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 comments have been addressed.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- See outstanding issues, note 1.

- **Vehicle Trip Generation:**

Current Zoning: N1-A

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

Entitlement: 364 trips per day (based on 33 dwelling units).

Proposed Zoning: N2-A(CD). 635 trips per day (based on 88 multi-family, 1 single-family dwelling).

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 Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Development allowed with the proposed zoning may produce 14 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Tuckaseegee Elementary remains at 103%
 - Whitewater Middle remains at 83%
 - West Mecklenburg High remains at 80%
- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Paw Creek Rd. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Paw Creek Rd. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.

-
- **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.
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~CDOT: Revise site plan and conditional note(s) to commit to changing the "Proposed Private Street" to public CLDSM U-03A1 Local Residential Wide Street.~~ Addressed

Environment

2. ~~Urban Forestry: a 10 foot no building zone is required abutting tree save areas.~~ Addressed

Site and Building Design

3. ~~Subdivision: Proposed north/south private street should be designated a public street with a residential wide cross section.~~ Addressed
 4. ~~Entitlement Services: A conditional note committing to mix of unit types including duplex, triplex, and quadraplex dwellings should be added.~~ Addressed
 5. ~~Entitlement Services: Height of buildings should be limited adjacent to Neighborhood 1 Place Type/zoning. Specify the maximum height in feet as measured by the UDO, rather than stories.~~ Addressed
 6. ~~Entitlement Services: Additional specificity is needed regarding proposed "enhanced plantings" conditional notes.~~ Addressed
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Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Maxx Oliver 704-336-3818