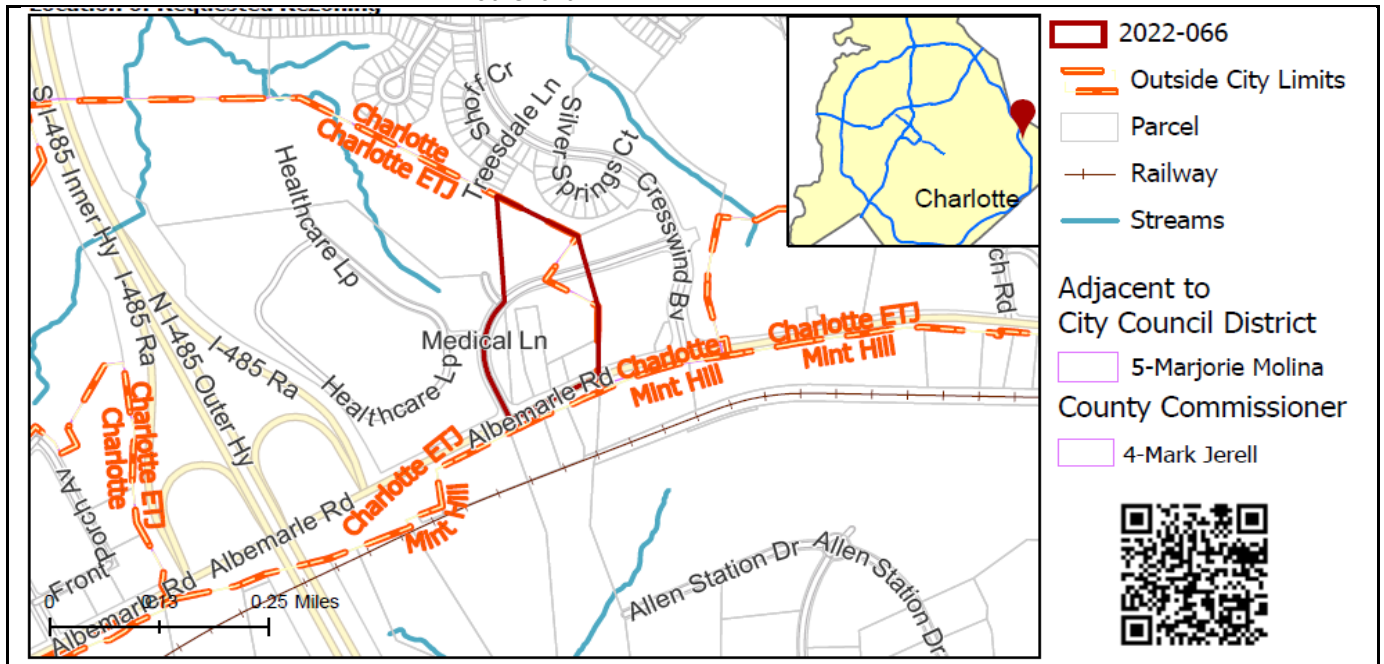


**REQUEST**

Current Zoning: NS (neighborhood services), B-1(CD) (neighborhood business, conditional), and N1-A (neighborhood 1-A)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 13.50 acres located at the northeast intersection of Albemarle Road and Novant Health Parkway, west of Cresswind Boulevard.



**SUMMARY OF PETITION**

The petition proposes to allow up to 310 **265** multi-family residential units on acreage developed with residential homes and vacant land, located just east of the intersection of Albemarle Road and Interstate 485.

**PROPERTY OWNER**

LE Hill

**PETITIONER**

Wood Partners

**AGENT/REPRESENTATIVE**

Keith MacVean – Moore Van Allen Law

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 7

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- The site is located on an arterial and is sandwiched between a Campus Place Type and Neighborhood Center Place Type.
- While inconsistent with Neighborhood 1’s lower density residential recommendation, multi-family residential uses (Neighborhood 2) provide an appropriate transition from the Campus Place Type to the west and the Neighborhood Center Place Type to the east.
- The proposal limits building height to 56 feet, which is consistent with the Cresswind development to the north.

- Higher density residential uses are appropriate along Albemarle Road to take advantage of transit opportunities that are easier to access on the thoroughfare.
- The proposal commits to pedestrian enhancements such as eight-foot planting strips, a 12-foot multi-use path, existing bike lanes, and open space.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 7: Integrated Natural & Built Environments

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

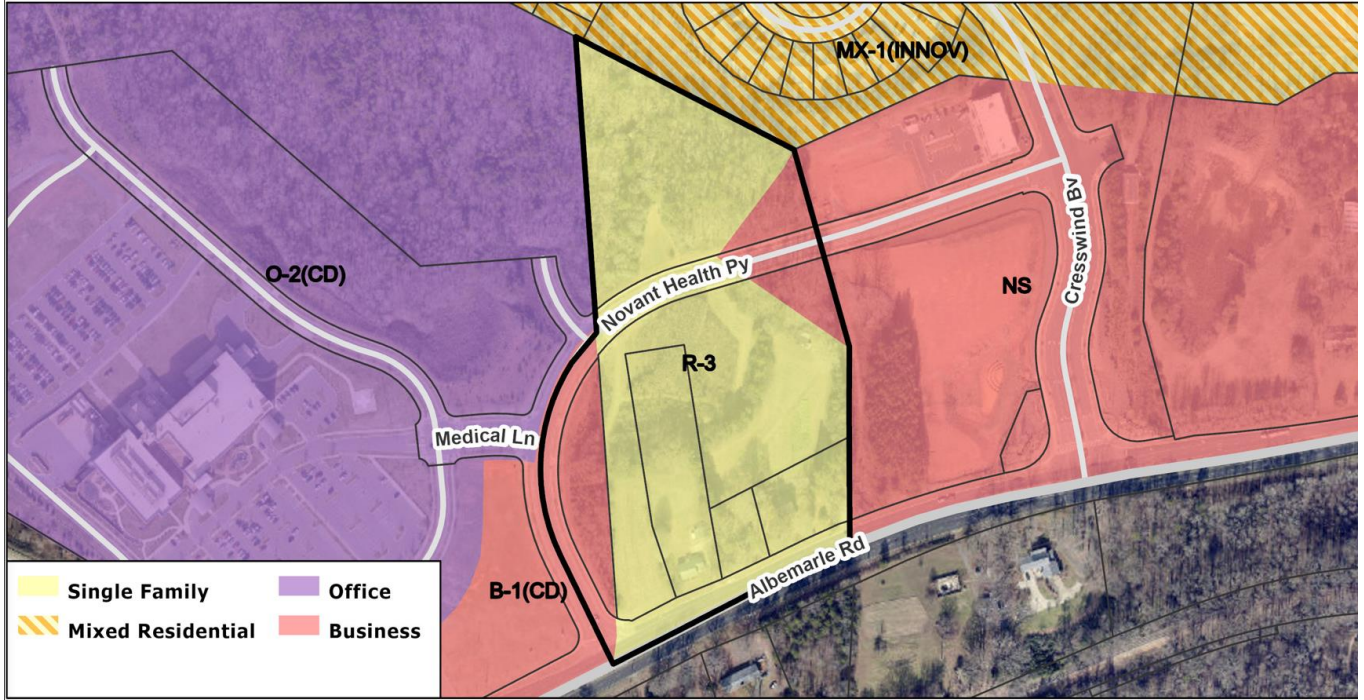
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to ~~310~~ 265 multi-family residential dwelling units in Development Areas A and B.
- Includes a club house for the use of the residents of the community as part of the development. Location and configuration of the club house to be determined during land development approval process.
- Limits building height to 56 feet.
- Proposes a ~~30-foot~~ 20-foot setback from Albemarle Road and a 14-foot setback from Novant Health Parkway.
- Proposes the following transportation improvements:
  - Proposes ingress/egress from Novant Health Parkway.
  - Provides an eight-foot planting strip and a 12-foot multi-use path along Albemarle Road.
  - Provides an eight-foot planting strip and a six-foot sidewalk on both sides of Novant Health Parkway.
  - Maintains the existing bike lanes located on both sides of Novant Health Parkway.
  - Dedicates and conveys a minimum of 58 feet of additional right-of-way along Albemarle Road.
  - Dedicates via fee simple conveyance a minimum of 73.5 feet of additional right-of-way along Albemarle Road as measured from the existing center line of Albemarle Road.
- Proposes the following design guidelines:
  - Proposes a combination or portions of the following building materials: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood.
  - Prohibits vinyl or aluminum as a building material except on windows, soffits and on handrails/railings.
  - Proposes buildings front a minimum of 50% of the total street frontage along Novant Health Parkway, and 60% of the street frontage along Novant Health Parkway.
  - Notes residential ground floor units will have entrances facing and connecting to the abutting street, and when within 15 feet of the sidewalk along Novant Health Parkway or Albemarle, will be raised a minimum of 12-24 inches.
  - Addresses building massing for buildings exceeding 120 feet in length via modulations a minimum of 10 feet wide and extending or recessing a minimum of five feet.
  - Addresses vertical modulation and rhythm via a combination of exterior wall offsets, projections and/or recesses, pilasters, and change in materials.
  - Prohibits expanses of blank walls greater than 20 feet for building elevations facing existing public streets.
  - Proposes architectural features including but not limited to banding, medallions, or design features or materials to avoid a sterile, unarticulated blank treatment of such walls along Novant Health Parkway and Albemarle Road.
- Commits to a minimum of 5,000 square feet of open space to be improved with a least three of the following elements: walking paths, landscaping, seating areas, and structures appropriate to the proposed open space area.
- Provides a 30-foot wide enhanced Evergreen planting area or tree save.
- Illustrates tree save and storm water areas. Notes within Development Area A tree save area will be provided as shown on the rezoning plan.

- Notes petitioner will install a six-foot black vinyl coated chain link fence within Development Area A. The proposed six-foot black vinyl fence will be located along the interior edge of the proposed tree save located within Development Area A.
- Adds note that any above ground BMP located adjacent to Novant Health Parkway will be landscaped and screened to not be visible from Novant Health Parkway.

• **Existing Zoning**



- The rezoning site is developed with three single family homes with the remainder vacant and is surrounded by office and residential uses, and vacant land on properties zoned N1-A, B-1(CD), NS, and O-2(CD). The Town of Mint Hill is to the south.
- The site was part of 371 acres rezoned via 2015-101 in order to allow 290,000 square feet of retail, general and medical office uses, EDEE, personal services and other commercial uses, a 230-unit independent and dependent nursing home, and up to 850 age restricted dwelling units.

Existing Zoning	Translated Zoning	Recommended Place Type
NS	Conditional – Does not translate	
B-1(CD)	Conditional – Does not translate	
R-3	N1-A (Neighborhood 1)	N1 (Neighborhood 1)

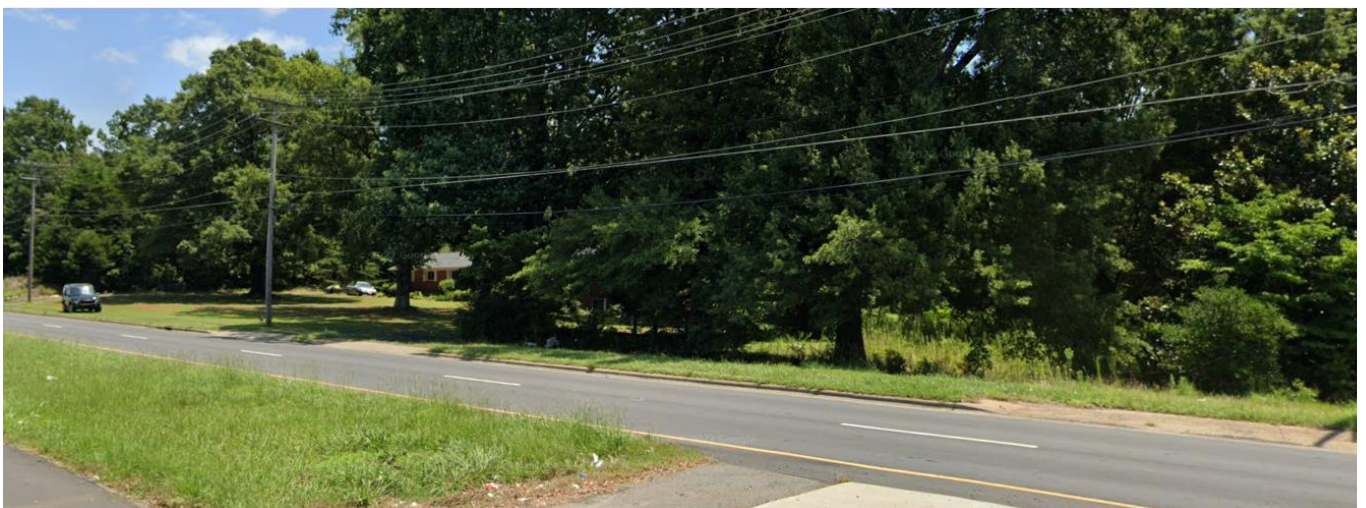


The rezoning site is developed with single family homes and vacant land.





North and east (above and below) are vacant land and single family homes.



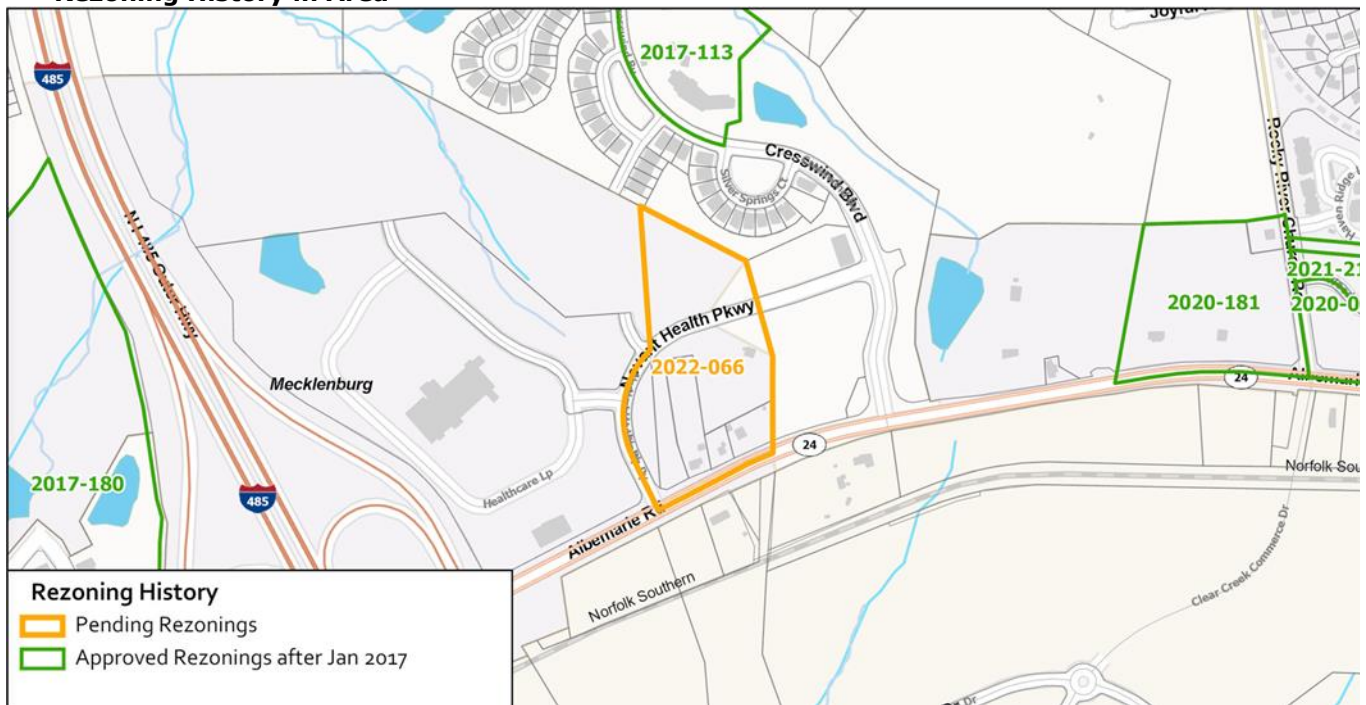
South are single family homes in the Town of Mint Hill.





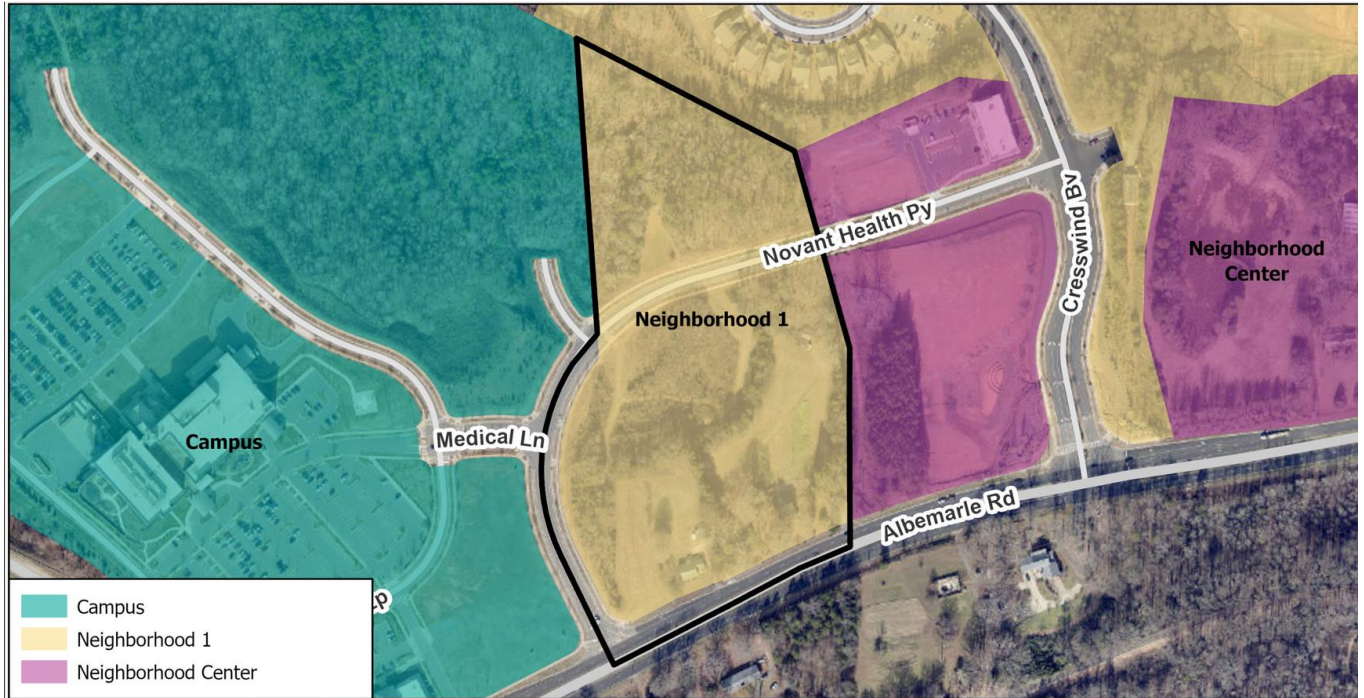
West are vacant land and offices.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-214	Rezoned 1.95 acres from B-1(CD) to MUDD-O to allow a self-storage facility and non-residential uses.	Approved
2020-181	Rezoned 11.24 acres from NS and R-3 to NS SPA and NS with 5-year vested rights to allow 75,000 square feet of non-residential uses and 3 additional drive-through service windows.	Approved
2020-007	B-1(CD) SPA for 13.211 acres to allow additional uses including an additional EDEE with accessory drive through and other uses permitted by right and under prescribed conditions in the neighborhood business district.	Approved
2017-180	Rezoned 66.90 acres from R-3 to MX-1 and NS to allow 450,000 sq ft of retail, general and medical office, financial institution, EDEE, personal services and other commercial uses; 5,000 sq ft of art gallery, art studio, cultural arts; 350 multi-family residential units; up to 75 detached dwelling units.	Approved
2017-113	Rezoned 8.3 acres from MX-1 Innov to NS to indoor/outdoor recreation use	Approved

• **Public Plans and Policies**



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

• **TRANSPORTATION SUMMARY**

The petition is located on Novant Health Parkway, a private local street north of Albemarle Road, a State-maintained major throughfare. A Traffic Impact Study (TIS) is not needed for this site. The petitioner is committing to maintaining existing bike lane along Novant Health Parkway and committing to dedicating right-of-way along Albemarle Road and Novant Health Parkway. There are no further outstanding transportation comments.

• **Active Projects:**

- No active projects in the area.

• **Transportation Considerations**

- See Outstanding Issues, Note 1. Addressed

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 25 trips per day (based on 3 dwelling units).

Entitlement: 865 trips per day (based on 21 dwelling units; 9,300 sq ft retail).

Proposed Zoning: 1,435 trips per day (based on 310 multi-family dwelling units).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** 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:** Development allowed with the existing zoning could generate 20 students, while development allowed with the proposed zoning may produce 84 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Clear Creek Elementary from 90% to 97%
    - Northeast Middle from 73% to 75%
    - Rocky River High from 85% to 86%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Novant Health Parkway. Due to the limited treatment capacity with WSACC, Charlotte Water will not accept applications for Capacity Assurance Program review, or Pre-Capacity assurance (previously Willingness to Serve) review in the capacity-limited basins. However, Charlotte Water is accepting plans for review for design conformance within this limitation. This pause on acceptance of new capacity requests is temporary and until more capacity becomes available. Customers can sign up at [charlottewater.org](http://charlottewater.org) to be notified of program updates.

- See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Erosion Control:** No outstanding issues.
- **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:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** ~~See Outstanding Issues, Note 2.~~ [Addressed](#)

**OUTSTANDING ISSUES**Transportation [Addressed](#)

~~1. Revise site plan and conditional note(s) to commit to dedicate 100 feet of right-of-way or existing right-of-way, whichever is greater from the road centerline of Albemarle Road. The site plan shall label and dimension the right-of-way from the road centerline of Albemarle Road and Novant Health Parkway.~~

Environment [Addressed](#)

~~2. Tree save must meet all standards. Easements are not permitted in tree save areas. Remove this statement because it does not follow the ordinance.~~

Site and Building Design [Addressed](#)

~~3. Confirm if the clubhouse is referenced/committed to in the development notes.~~

~~4. Possible BMP areas are located along Novant Health Parkway. Approved plant materials should be provided so the areas serve to add to community character.~~

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Claire Lyte-Graham (704) 336-3782