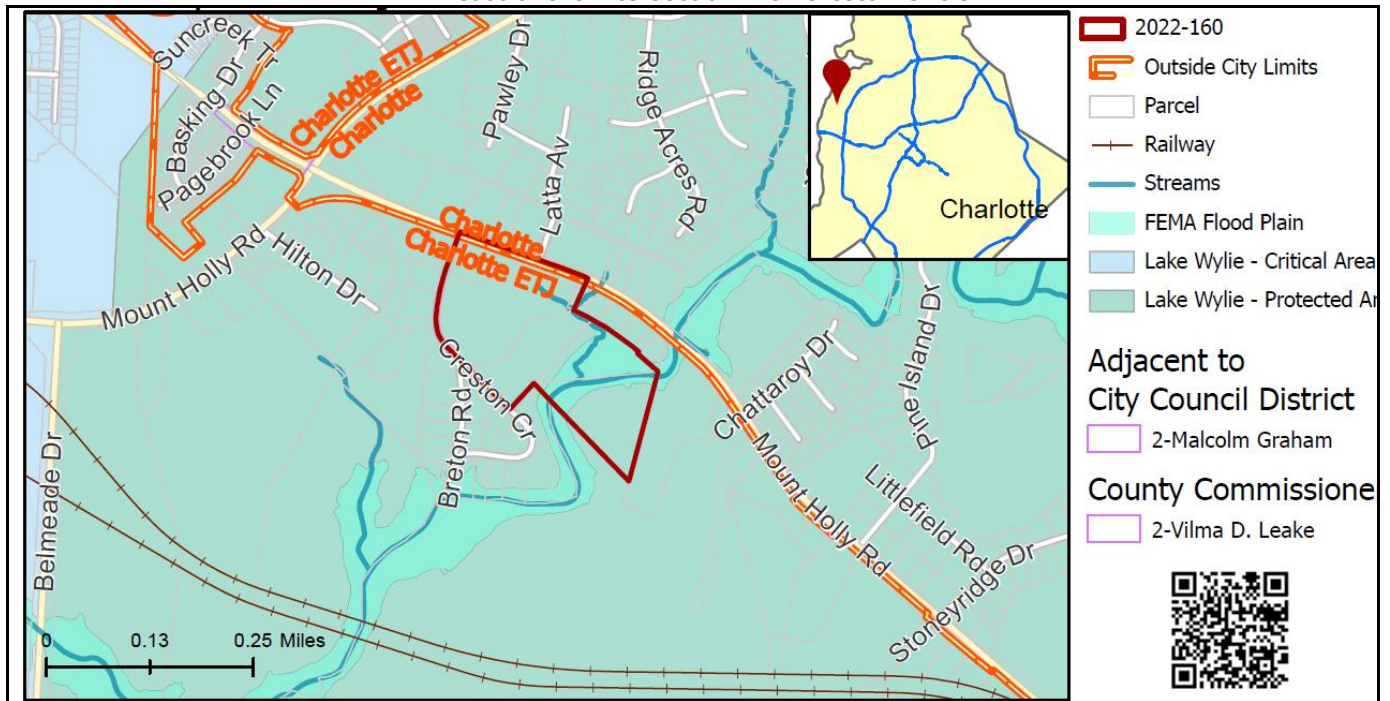


**REQUEST**

Current Zoning: M&L-1 (manufacturing and logistics 1), CG (general commercial), N-1A (neighborhood 1-A)  
Proposed Zoning: R-12MF(CD)

**LOCATION**

Approximately 24.13 acres located on the south side of Mount Holly Road east of the intersection with Creston Circle.



**SUMMARY OF PETITION**

The petition proposes to allow redevelopment of a site currently occupied with three single family dwellings, a triplex residential building, and two small commercial buildings with a multifamily residential community of up to ~~288~~ **268** dwelling units.

**PROPERTY OWNER  
PETITIONER**

Bygie S. Mattick, Twelve-Ninety, LLC  
Penler Development, LLC

**AGENT/REPRESENTATIVE**

Keith MacVean, Moore & Van Allen, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 5.

**STAFF  
RECOMMENDATION**

Staff does not recommend approval of this petition in its current form. Staff may reevaluate its recommendation with a reduction in unit count and development outcomes that better align with the Neighborhood 1 Place Type.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for Neighborhood 1 and Manufacturing & Logistics Place Types.

Rationale for Recommendation

- The proposed development is inconsistent with the Neighborhood 1 place type which applies to the majority of the site.
- The multifamily residential housing type is out of context with nearby residential development, which is characterized primarily by single family detached and some single family attached dwellings.

- While the site is within a ¼ mile of the commercial node surrounding the intersection of Mount Holly Road and Mount Holly-Huntersville Road, there are no sidewalks present or proposed that would allow safe pedestrian access to the nearby retail uses.
- The proposed project could provide additional housing options in the area.
- The petition commits to improving Mount Holly Road and Creston Circle in addition to dedicating land to Mecklenburg County for future greenway development.
- 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 Neighborhood 1 and Manufacturing & Logistics Place Types to Neighborhood 2 Place Type for the site.

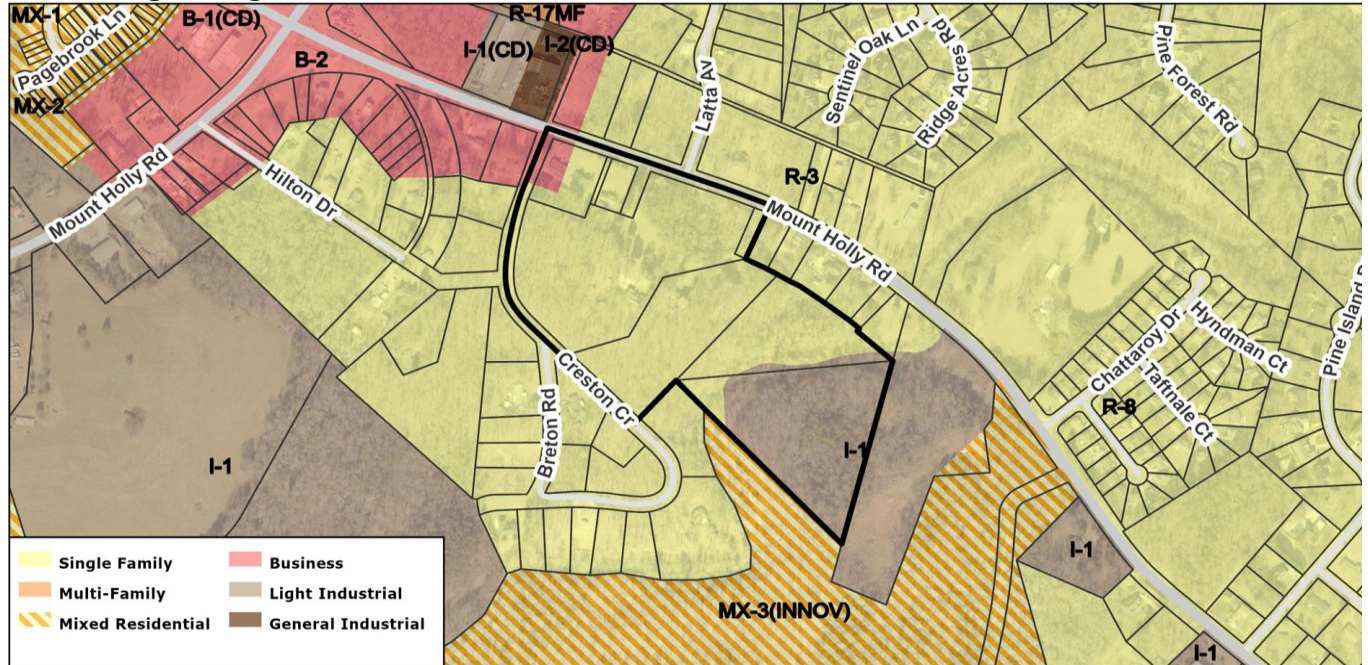
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

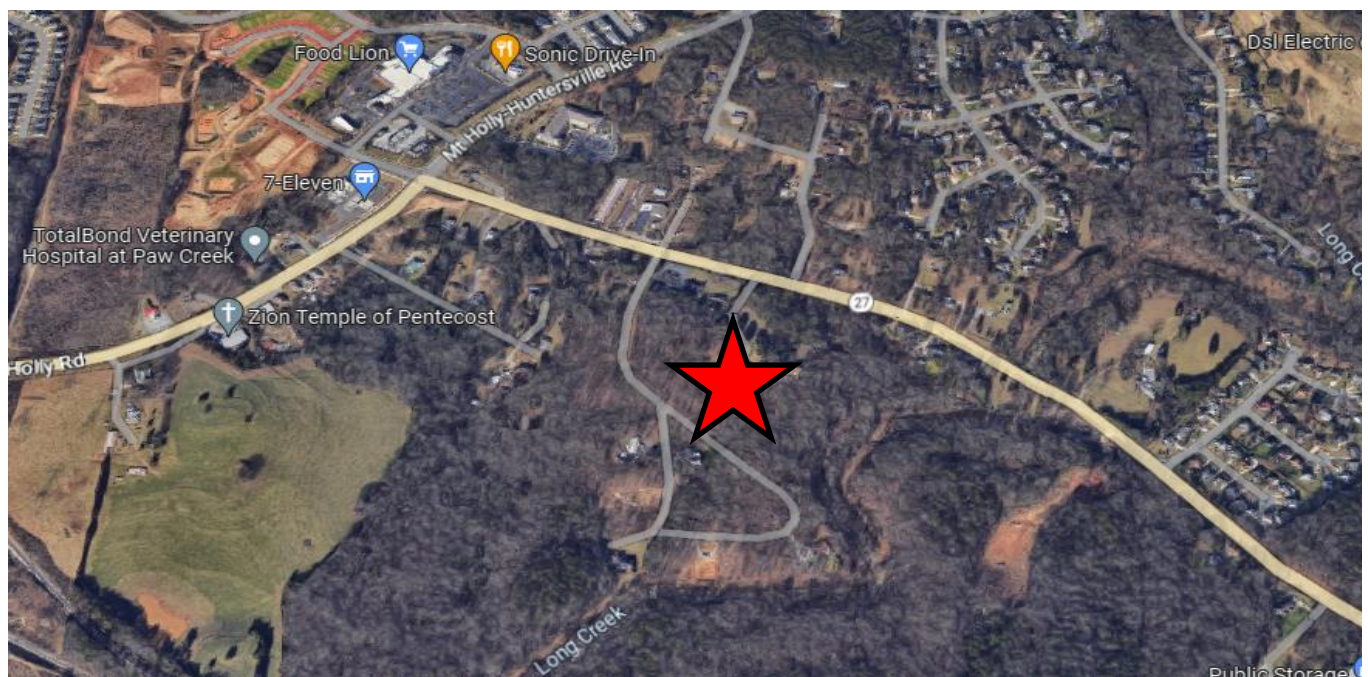
- Proposes ~~288~~ 268 multifamily residential dwelling units and accessory uses as permitted in the R-12MF(CD) zoning district.
- Limits building height to 48 feet.
- Commits to constructing the multifamily structures to meet National Green Building Standard bronze specifications.
- Establishes a 30' building and parking setback from the future right-of-way line of Mount Holly Road and the existing right-of-way line of Creston Circle.
- Commits to a contribution of \$125,000 to the City of Charlotte Affordable Housing Trust Fund prior to the issuance of the last certificate of occupancy.
- Dedicates a significant portion of the site along Long Creek to Mecklenburg County for future greenway development.
- Provides a 50' Class C buffer where adjacent to single family residential zoning.
- Commits to installation of an ADA compliant CATS bus waiting pad along Mount Holly Road.
- Provides a minimum of 8,000 square feet of improved open space with at least three of the following elements: walking paths, landscaping, seating areas, and structures.
- Proposes the following transportation improvements:
  - Network required private street built to local residential wide cross-section that extends from Mount Holly Road to Creston Circle.
  - Left turn and right turn lanes on Mount Holly Road at the site's access point.
  - Eastbound left turn lane on Mount Holly Road at Latta Avenue.
  - Westbound left turn lane on Mount Holly Road at Creston Circle.
  - 8' planting strip and 12' multi-use path along the site's Mount Holly Road frontage.
  - Dedication of 50' of right-of-way from centerline of Mount Holly Road.
  - Dedication of 26' of right-of-way from centerline of Creston Circle.
  - Improvement of Creston Circle along the site's frontage to include an 8' planting strip and 8' sidewalk.

• **Existing Zoning**



- The majority of the site is zoned R-3, with a small portion in the northwest corner zoned B-2 and the southeastern corner zoned I-1. The surrounding area includes a mix of zoning including B-2 zoning near the intersection of Mount Holly Road and Mount Holly-Huntersville Road and I-1 scattered around the area. Most of the surrounding area is zoned R-3.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 LWPA (Single Family Residential, Lake Wylie Protected Area)	N1-A (Neighborhood 1)	Neighborhood 1 Manufacturing & Logistics
B-2 LWPA (General Business, Lake Wylie Protected Area)	CG (General Commercial)	
I-1 LWPA (Light Industrial, Lake Wylie Protected Area)	ML (Manufacturing & Logistics)	



The site, marked by a red star, is occupied by office and large lot single family residential uses. The site is surrounded by a mix of uses including single family residential, industrial, and commercial uses.



Street view of the site from Mount Holly Road showing office and single family residential uses.



Street view of single family residential uses north of the site across Mount Holly Road near Latta Avenue.



Street view of single family residential uses to the east of the along Mount Holly Road.

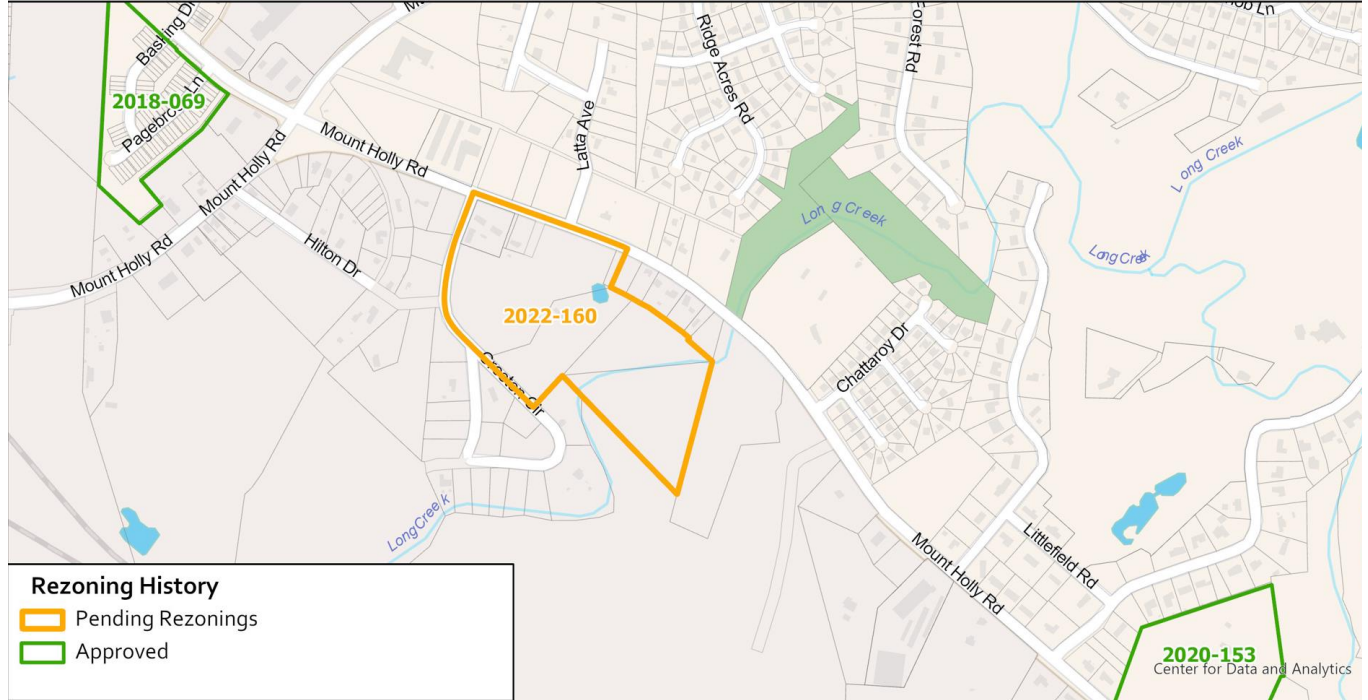


Street view of single family residential uses to the south of the site along Creston Circle.



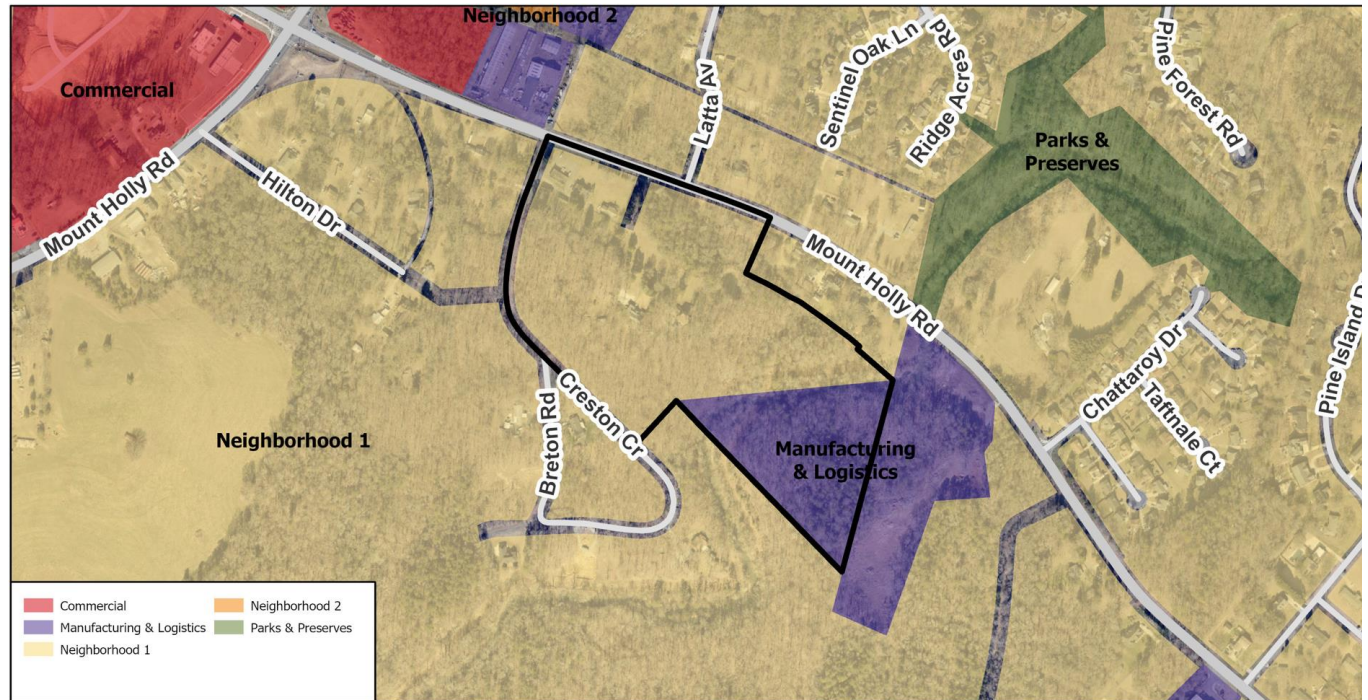
Street view of single family residential uses to the west of the site along Mount Holly Road.

**Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-153	Petition to rezone to R-17MF(CD) to allow up to 221 multifamily residential dwellings.	Approved
2018-069	Petition to rezone to MX-2 to allow up to 73 single family attached dwellings at a density of 7 DUA.	Approved

**Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Neighborhood 1 Place Type for the majority of the site and Manufacturing & Logistics Place Type for the southeastern corner of the site.

- **TRANSPORTATION SUMMARY**

- The petition is located on the south side of Mount Holly Road, a State-maintained major throughfare east of Creston Circle, a State-maintained local street. A Traffic Impact Study (TIS) is not required for this site. The proposed site plan will generate less vehicular trips than what is currently entitled under the existing zoning. CDOT has coordinated with the petitioner to provide turn lane and multimodal improvements on Mount Holly Road as well as streetscape and sidewalk improvements on Creston Circle. All outstanding CDOT comments have been addressed.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- No Outstanding Issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 120 trips per day (based on 3 single family dwellings, 3 triplex dwellings, and 3,968 SF of general office).

Entitlement: 1,680 trips per day (based on 62,100 SF industrial, 18,450 SF retail, and 50 single family dwellings).

Proposed Zoning: 1,330 trips per day (based on 288 multifamily dwellings).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 31 students, while development allowed with the proposed zoning may produce 95 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 64
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - River Oaks Elementary from 92% to 99%
    - Coulwood Middle from 91% to 95%
    - West Mecklenburg High from 78% to 79%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Creston Circle and an existing 16-inch water transmission main located on Mount Holly Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Mount Holly Road and parcels 053-02-220, and 053-02-212. The rezoning boundary also has access to 21-inch and 48-inch gravity sewer mains located within parcels 053-02-220, and 053-02-221. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** No Outstanding Issues.

**OUTSTANDING ISSUES**Transportation

1. ~~Label and dimension the Mount Holly Road future back of curb at 33' for entire Mount Holly Road frontage. Label and dimension the Creston Circle curb and gutter to be installed at 17.5' from centerline in accordance with the Local Residential Wide typical section (CLDSM U-03).~~ **ADDRESSED**
2. ~~Revise site plan and conditional notes to commit to upgrading Creston Circle to the proposed site access in accordance with the Local Residential Wide cross section (CLDSM U-03).~~ **ADDRESSED**
3. ~~Remove or modify the proposed phasing for the development (Note J). Creston Road improvements need to be completed prior to first CO for the site, or a more balanced phasing plan needs to be proposed. The current proposed phasing based on CO for building 8 leaves too much public infrastructure work outstanding for the last building based on the overall project scope, and it is not proportional. Updated comment: Update proposed note to include buildings 4-8. Creston Road improvements need to be completed prior to first CO for the site, or a more balanced phasing plan needs to be proposed. The current proposed phasing based on CO for building 4 leaves too much public infrastructure work outstanding for the last building if buildings are not constructed in sequence, and it is not proportional. In addition, Creston Circle improvements should be completed prior to access to Creston Circle is permitted.~~ **ADDRESSED**

Site and Building Design

4. ~~Extend the proposed greenway access easement to the public street right-of-way so that Mecklenburg County can access the dedicated parcel area.~~ **ADDRESSED**
5. ~~Provide a tree survey identifying all trees of 8" DBH or greater and all planted trees of 2" caliper or greater and 6' in height that grow partially or wholly within the city right-of-way.~~ **ADDRESSED**
6. ~~Label tree save on the site. The tree save area must be outside of the area to be dedicated to Mecklenburg County.~~ **ADDRESSED**
7. ~~Ensure that all parking spaces and garages are outside of the setback.~~ **ADDRESSED**
8. ~~Ensure that the buildings meet the 27' or 30' setback due to lack of entries on the street elevation.~~ **ADDRESSED**

Land Use

9. ~~Revise site plan and conditional notes to a building type that better aligns with the Neighborhood 1 Place Type.~~ **OUTSTANDING**

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Joe Mangum (704) 353-1908