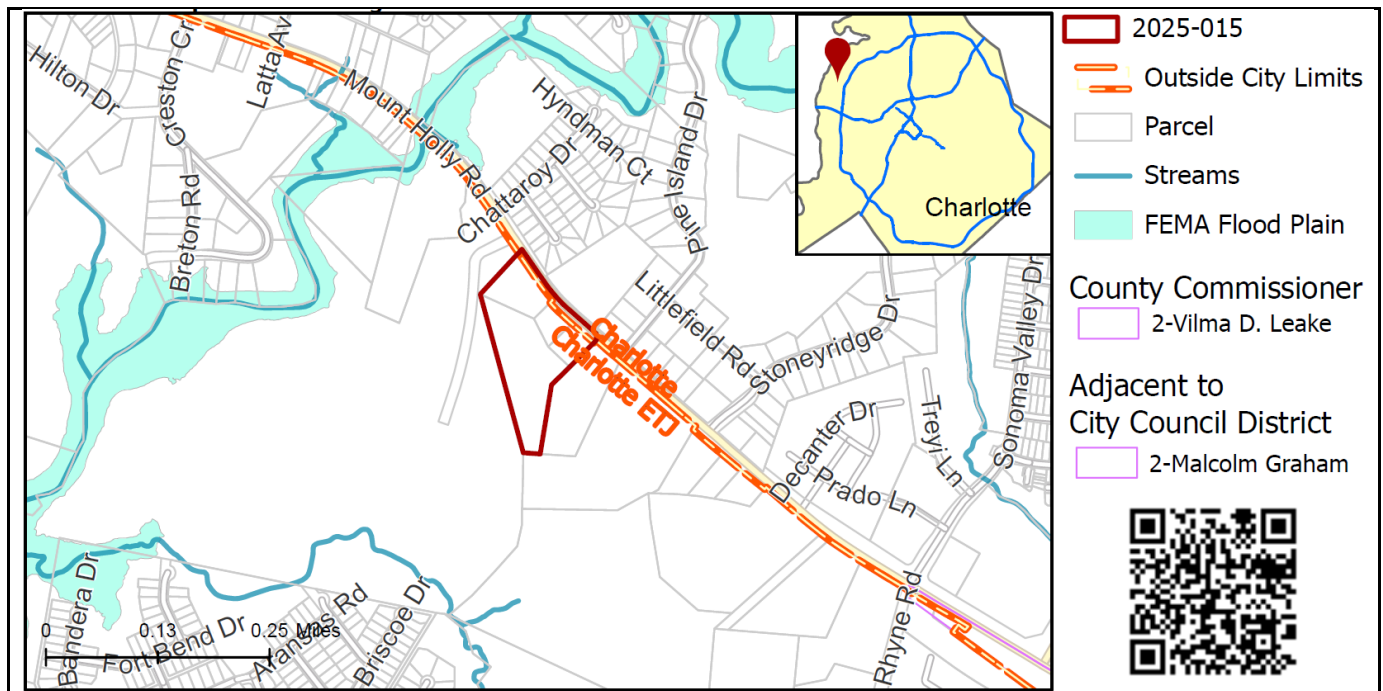


## REQUEST

Current Zoning: N1-A (Neighborhood 1-A) and ML-1 (Manufacturing & Logistics-1)  
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, conditional)

## LOCATION

Approximately 8.74 acres located on the south side of Mount Holly Road, west of Rhyne Road, and east of Creston Circle.



## SUMMARY OF PETITION

The petition proposes the development of up to ~~100~~ 90 multi-family attached dwelling units. The site is currently developed with three single-family houses.

## PROPERTY OWNER PETITIONER

Eric Himko, Gary L. Heier, Jr. & Shana B. Sinclair; Mark Henley  
Wilkes Asset Management

## AGENT/REPRESENTATIVE

Bridget Grant, Moore and Van Allen, PLLC

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 2

## 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

- While the site is designated as a Neighborhood 1 (N-1) Place Type by the 2040 Policy Map, the property is split zoned N1-A (Neighborhood 1-A) and ML-1 (Manufacturing & Logistics-1) is currently entitled for both residential and nonresidential development.
- The site is abutting to a commercial development to the southeast zoned ML-1.
- The site is within 1/3-mile of a designated Community Activity Center Place Type containing retail and restaurant uses. And within 3/4-mile of a

commercial development containing daily needs such a grocery, retail, restaurant, and personal services.

- 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*.
- The site is directly served by transit, the number 18 CATS local bus, provides service between Callabridge Commons/Riverbend shopping centers and the Rosa Parks Community Transportation Center.
- 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 Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

## PLANNING STAFF REVIEW

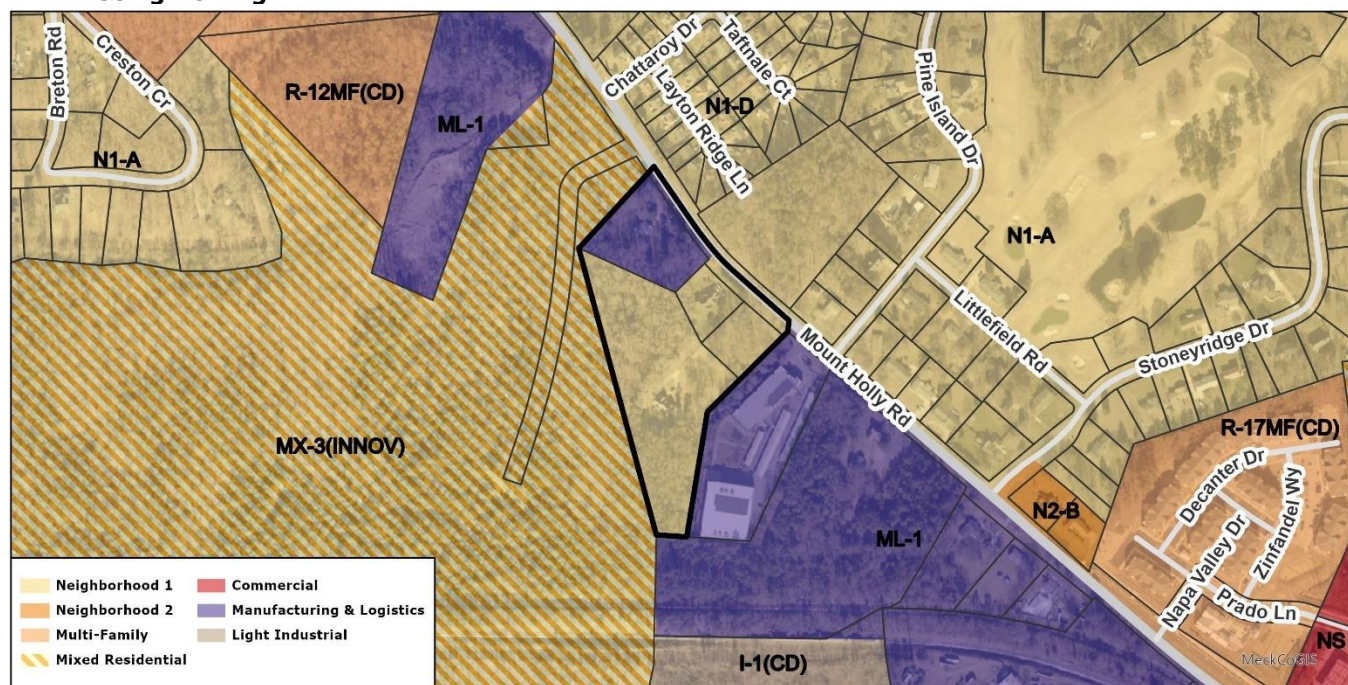
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

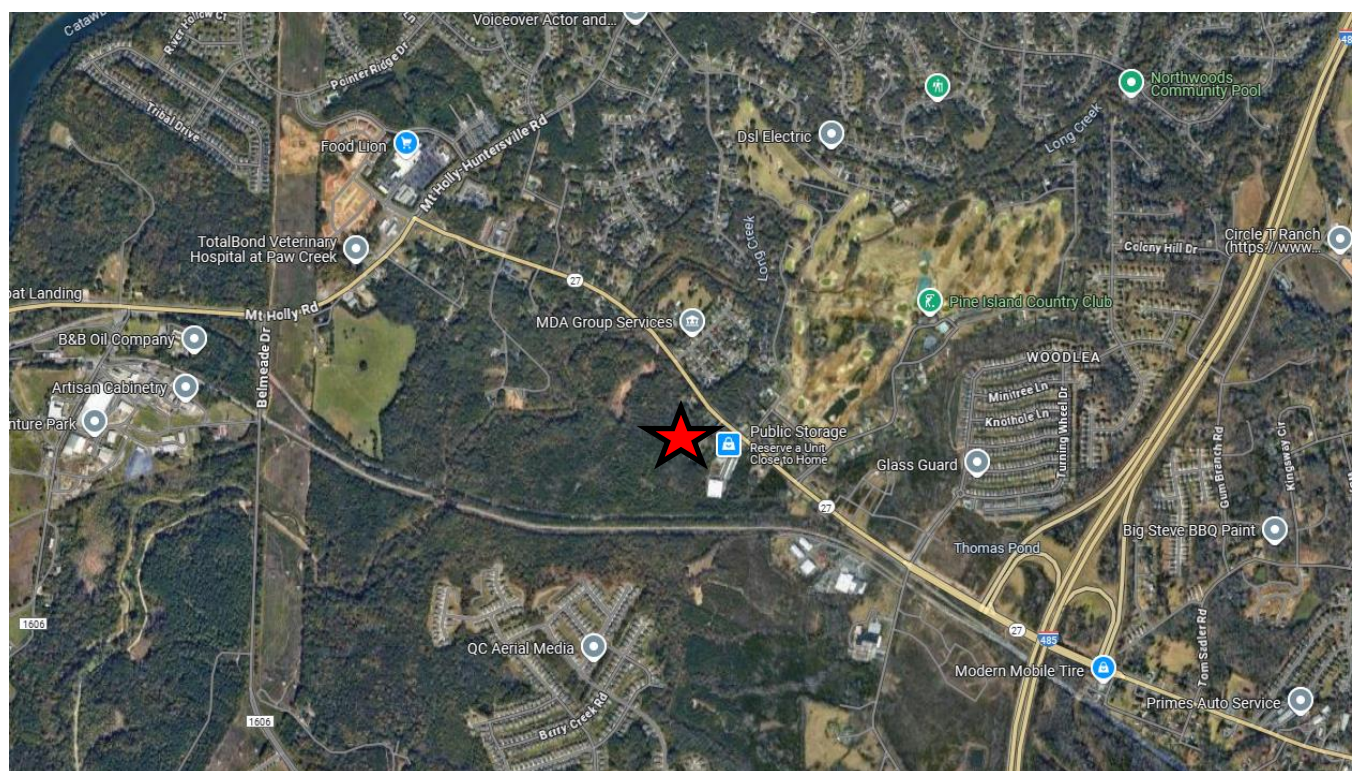
- Permits the development of up to ~~100~~ 90 multi-family attached dwelling units.
- The following transportation, streetscape, and landscaping improvements are proposed:
  - A 12-foot multi-use path and 8-foot planting strip will be installed along the site's frontage with Mount Holly Road. An 8-foot sidewalk and 8-foot planting strip will be constricted along the site's internal network of required streets.
  - The petitioner will construct an ADA-compliant bus waiting area along the site's frontage on Mount Holly Road.
  - A northbound left turn lane will be constructed on Mount Holly Road into the site.
  - A southbound right turn lane will be constructed on Mount Holly Road into the site.
  - A 10-foot landscape yard planted to Class B standards will be provided along the site's southeastern boundary abutting the ML-1 zoned parcel.
  - Open space will be amenitized providing a minimum of 18 trees per acre and one bench will be provided per 4,000 square feet of open space. At least one common open space area will be provided within 1,000-foot radius of all residential buildings.
  - Direct pedestrian connections will be provided from residential units to public and network required private streets.
  - Street trees will be provided along the private alleys at 40 feet on-center where planting strips are provided and between buildings, where feasible.
  - All dwelling units will have a garage.
  - A minimum of 10 off-street visitor parking spaces will be provided.
- The following architectural requirements are proposed:
  - Buildings shall contain a maximum of 6 5 dwelling units. ~~With no more than 3-6 unit buildings constructed on site. Buildings fronting Mount Holly Road will be restricted to 4 and 5 units. A minimum of 6 buildings on site will be triplexes.~~
  - All dwelling units will have garages and residential units fronting on Mount Holly Road will have rear loaded garages.
  - Windows, doors, porches, stoops, or other architectural features are required for all buildings facing a street frontage.
  - Porches and stoops will be provided. Porches will have a minimum dimension of 6 feet and stoops a minimum dimension of 3 feet.
  - Front elevations shall include a stone or masonry water table.
  - Roofs will provide variation such as hips, gables, dormers, or parapets. Pitched roofs will have minimum slope of 4:12.
  - Solid waste facilities, meter banks, HVAC, and mechanic equipment will be screened from view.



### • Existing Zoning



The site is zoned N1-A (Neighborhood 1-A) and ML-1 (Manufacturing & Logistics-1). The property is adjacent to properties zoned ML-1 to the southeast along Mount Holly Road, N1-A and N1-D (Neighborhood 1-D) to the northeast across Mount Holly Road, and MX-3(INNOV) (Mixed Use-3 Innovative) to the west approved for office and multi-family development.



The site (indicated by red star above) is located on the south side of Mount Holly Road. Approximately  $\frac{3}{4}$ -mile northwest of Interstate I-485 and  $\frac{3}{4}$ -mile southeast of Mount Holly-Huntersville Road. The area is primarily developed with single-family but is located between a growing activity center containing multi-family and commercial development at Mount Holly Road and I-485 and a commercial node serving daily needs at Mount Holly Road and Mount Holly-Huntersville Road.





View of the site looking west from Mount Holly Road. The site is developed with three single-family dwelling and is primarily wooded.



View of the self-storage facility abutting the site to the southeast on Mount Holly Road.





View of a single-family development located on the north side of Mount Holly Road, zoned N1-A (Neighborhood 1-A).



View of commercial development under construction, approximately 1/3-mile southeast of the site. The commercial development is located in a Community Activity Center Place Type.



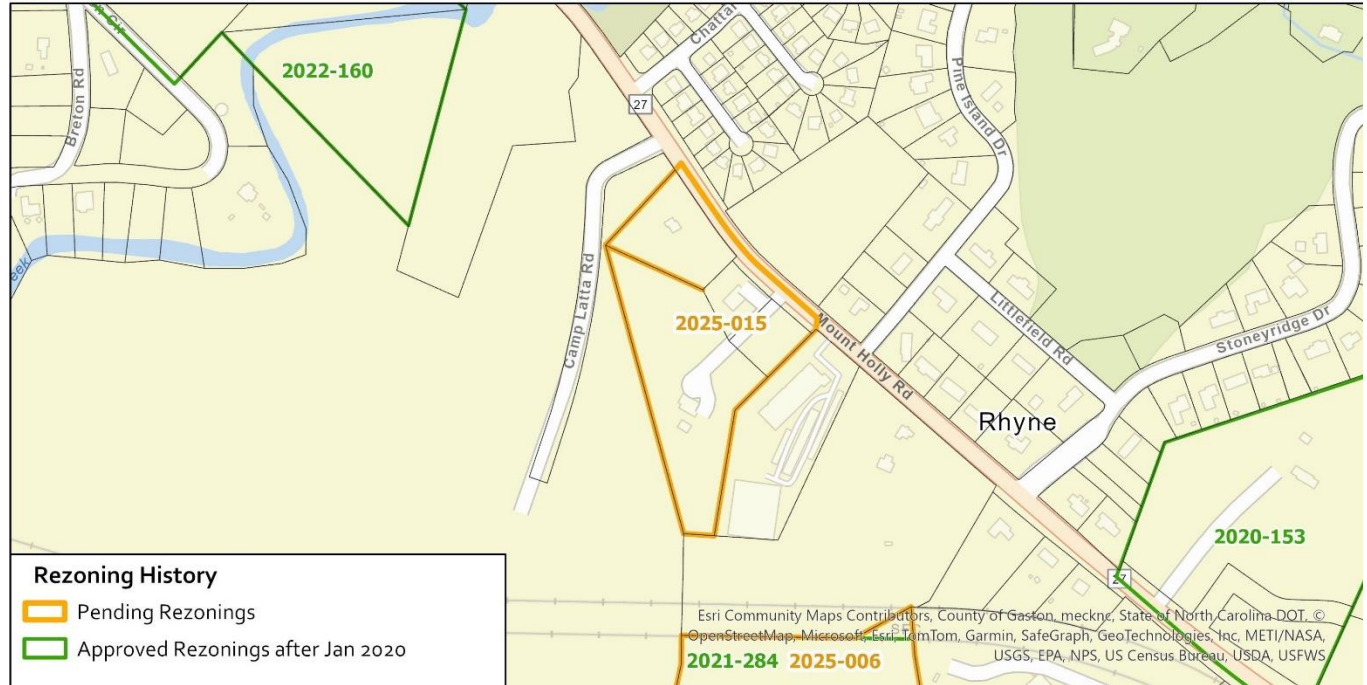
View of multi-family development located adjacent to Mount Holly Road. There are two large multi-family developments located adjacent to the Community Activity Center Place type located 1/3-mile southeast of the site.



View of commercial development located at the intersection of Mount Holly Road and Mount Holly-Huntersville Road approximately 3/4-mile northwest of the site. This area contains daily needs such a grocery, retail, restaurant, and personal services.

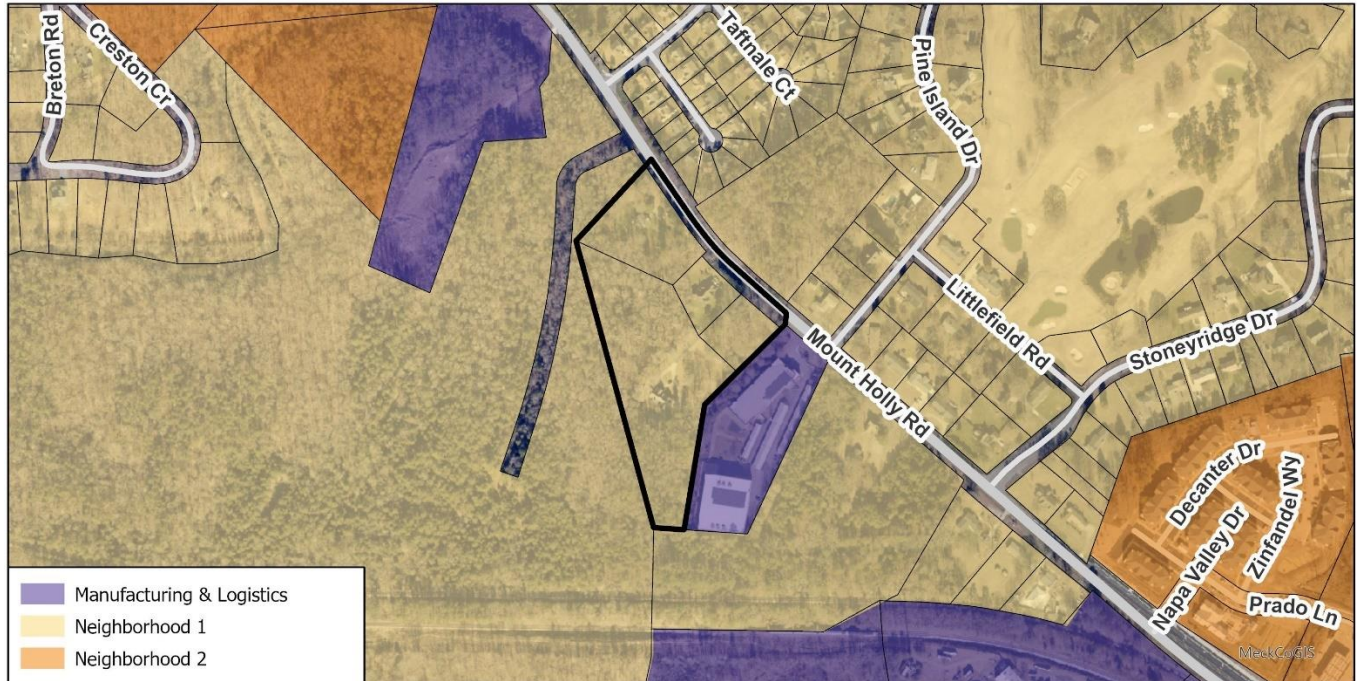


• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-153	Rezoned 9.93 acres located on the east side of Sugar Creek Road, South of Rolling Hill Drive, and north of Tryon Street from R-4 (Single Family Residential) and R-12MF (Multi-Family Residential) to UR-2(CD) (Urban Residential-2, conditional) for up to 200 multi-family dwellings.	Approved
2021-284	Rezoned 146.90 acres located on the west side of Rhyne Road, south of Mount Holly Road, and north of Belmeade Drive from R-3 (Single Family Residential), I-1 (Light Industrial), and I-2(CD) (General Industrial, conditional) to I-1(CD) (Light Industrial, conditional) to allow the development of up to 1.75 million square feet of light industrial uses.	Approved
2022-160	Rezoned 24.13 acres located along the south side of Mount Holly Road and east side of Creston Circle, west of Interstate 485 from N1-A (Neighborhood 1-A), CG (General Commercial), and ML-1 (Manufacturing & Logistics-1) to R-12MF(CD) (Multi-Family Residential, conditional) for up to 268 multi-family dwelling units.	Approved
2025-006	Rezoned 94.96 acres located east of Verde Creek Road, west of Rhyne Road, and south of Mount Holly Road from I-1(CD) (Light Industrial, conditional) to ML-1(CD) (Manufacturing & Logistics, conditional) to allow the development of up to 1.34 million square feet of ML-1 uses.	Pending

- **Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Mount Holly Road, a State-maintained major arterial, west of Rhyne Road, a State-maintained major 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. Site plan and conditional notes commit to constructing 8-foot planting strip and 12-foot shared use path on Mount Holly Road. All outstanding CDOT comments have been addressed.

- **Active Projects:**

- Tip – Mount Holly Road (NC 27)
  - Project Limits: Belmeade Dr. to Rhyne Rd.
  - TIP Number: Not Applicable
  - Advanced Project Description: Widen from 2 lanes to 4 lanes, with median and multi-use path
  - ROW Year: Undetermined
  - Construction Year: Undetermined

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning: N1-A and ML-1.

Existing Use: 40 trips per day (based on 3 dwelling units).

Entitlement: 290 trips per day (based on 19 dwelling units and 20,800 sq.ft. of industrial uses)

Proposed Zoning: N2-A(CD). ~~712~~ 635 trips per day (based on ~~100~~ 90 multi-family dwelling units).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Development allowed with the proposed zoning may produce 15 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - River Oaks Elementary remains at 90%
    - Coulwood Middle remains at 89%



- West Mecklenburg High remains at 80%
- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main along Mt Holly Rd. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Mt Holly Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

**OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING****Site and Building Design**

1. ~~Entitlement Services: Number of units per building should be limited to 5. A commitment to a minimum proportion of duplex, triplex, and quadruplex buildings should be made.~~ Addressed
2. ~~Entitlement Services: The amount of open space internal to the site should be increased and the arrangement of open space should be updated to so that more buildings front on usable open space.~~ Addressed

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

**Planner:** Maxx Oliver 704-336-3818