



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 20.**File #:** 15-17170 **Type:** Zoning Hearing

Rezoning Petition: 2021-014 by Whitestone Holdings, Inc.

Update: Petitioner is requesting deferral to February 21, 2022

Location: Approximately 0.23 acre located on the east side of Grandin Road between 4th Street and 4th Street Extension. (Council District 2 - Graham)

Current Zoning: R-5 HD (single-family residential, historic district overlay)

Proposed Zoning: MUDD-O HD (mixed-use development, optional, historic district overlay)



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 21.**File #:** 15-17173 **Type:** Zoning Hearing

Rezoning Petition: 2021-111 by Regal Oaks Investments, LLC

Update: Petition is deferred to February 21, 2022

Location: Approximately 6.40 acres located on the north side of Albemarle Road and east side of Regal Oaks Drive, west of East W.T. Harris Boulevard. (Council District 5 - Newton)

Current Zoning: B-2 (CD) (neighborhood business, conditional) and B-2 (CD) (general business, conditional)

Proposed Zoning: R-22 MF (CD) (multi-family residential, conditional)



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 22. **File #:** 15-17175 **Type:** Zoning Hearing

Rezoning Petition: 2021-141 by The Drakeford Company

Update: Petition is deferred to February 21, 2022

Location: Approximately 0.33 acres located on the east side of East 34th Street, northwest of The Plaza, and east of Matheson Avenue. (Council District 1 - Egleston)

Current Zoning: O-2 (office)

Proposed Zoning: NS (neighborhood services) with 3-year vested rights



Agenda Date: 1/18/2022

Agenda #: 23.**File #:** 15-17171 **Type:** Zoning Hearing

Rezoning Petition: 2021-089 by Redwood USA, LLC

Location: Approximately 21.30 acres located at the northwest intersection of Rocky River Road and John Russell Road, north of The Plaza. (Council District 4 - Johnson)

Current Zoning: R-3 (single-family residential)

Proposed Zoning: R-8 MF (CD) (multi-family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to site and building design and environment.

Attachments:

Pre-Hearing Staff Analysis

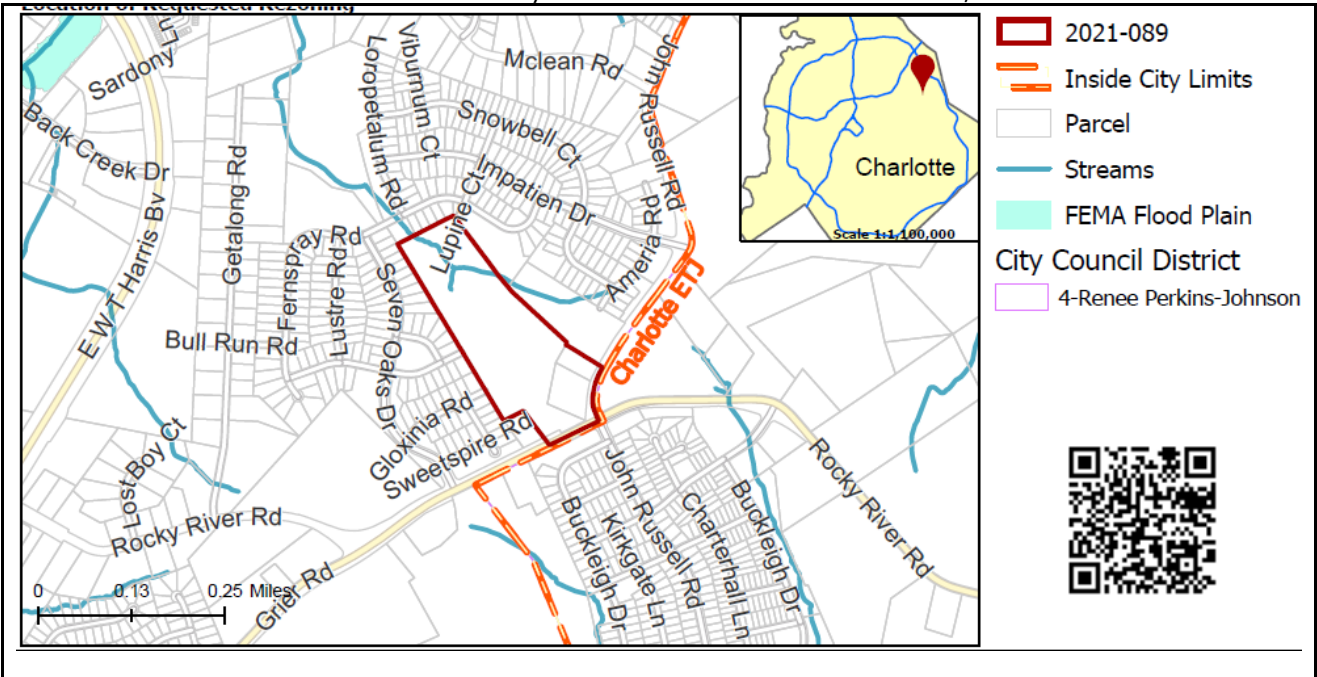
Site Plan

REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-8MF(CD) (multifamily residential)

LOCATION

Approximately 21.30 acres located at the northwest intersection of Rocky River Road and John Russell Road, north of The Plaza.



SUMMARY OF PETITION

The petition proposes to allow up to 76 townhomes at a density of 3.57 dwelling units per acre on acreage developed with a single family house with the remainder vacant. The site is located east of E. W.T. Harris Boulevard and on the north side of Grier Road/Ricky River Road.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

Debra Heuertz
Redwood USA LLC
Rad Schneider

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 129

STAFF
RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design and environment.

Plan Consistency

The petition is **consistent** with the Newell Small Area Plan's (2002) recommendation for residential uses up to four dwelling units per acre (DUA).

Rationale for Recommendation

- The plan recommends residential uses for this site.
- The requested density remains under four DUA, which is the recommended density of the site.

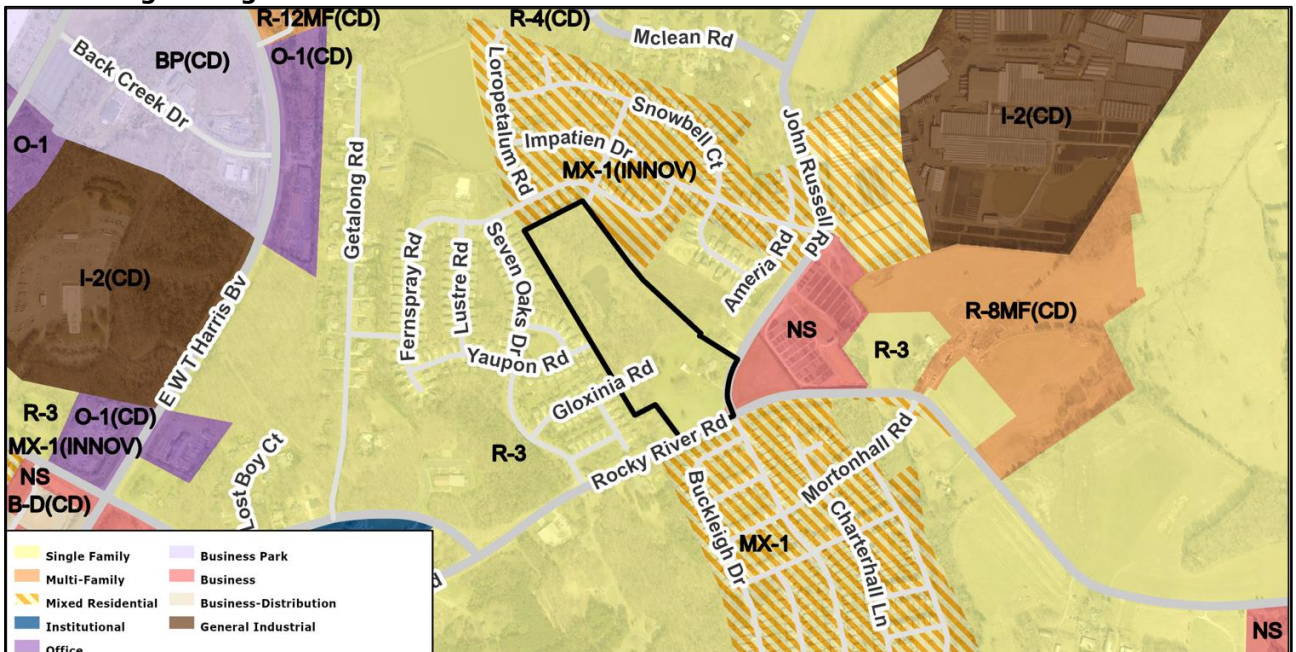
- The request helps to achieve the area plan's land use goal to "encourage a range of housing types that will meet the needs of different types of households".
- The general land use pattern in the area includes residential developments of complementary density.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 76 private alley-fed townhouse units (3.57 units per acre) with guest parking provided throughout site.
- Proposed 40-foot building height.
- Primary access from Rocky River Road, and extensions of Gloxinia and Yaupon Roads through the site.
- Proposed 12-foot multi-use path from Lupine Court to Yaupon Road incorporating proposed pedestrian bridges over stream crossing.
- Proposed 12-foot multi-use path along John Russell Road.
- Proposed 10-foot crosswalk/accessibility ramps at John Russell Road intersection.
- Proposed 6-foot sidewalk and 8-foot planting strip along Rocky River Road.
- Proposed right-turn lane on Rocky River Road onto Yaupon Road extension.
- Upgrade of pedestrian signal equipment at the John Russell Road and Rocky River Road intersection.
- Minimum 50-foot dedicated right-of-way from the Rocky River Road centerline, and minimum 35-foot dedicated right-of-way from the John Russell Road centerline.
- Architectural standards addressing raised entrances for privacy; garage doors; pitched roofs; walkways; and, limiting buildings to 5 units or fewer when fronting public or private network required streets.
- Proposes a 50-foot Class C buffer (reduced to 37.5 feet with a fence) along all property lines abutting parcels zoned R-3 and MX-1.
- Identifies 100-foot post construction undisturbed buffer measured from stream, existing pond, and tree save.
- Identifies area to be activated with seating, trash receptacles, pond overlook.

- **Existing Zoning and Land Use**



The site is developed with a single family residence and remaining acreage vacant and surrounded by single family residential neighborhoods, apartments, industrial, office/warehouse, and commercial uses on properties zoned R-3, R-4(CD), MX-1 (innov), R-8MF(CD), R-12MF(CD), O-1, O-1(CD), B-D(CD), and BP(CD).



Most of the site is vacant.



A portion of the site is developed with a single family home built in 1971.



South is a single family residential neighborhood.



West is a single family residential neighborhood.



North is a single family residential neighborhood.

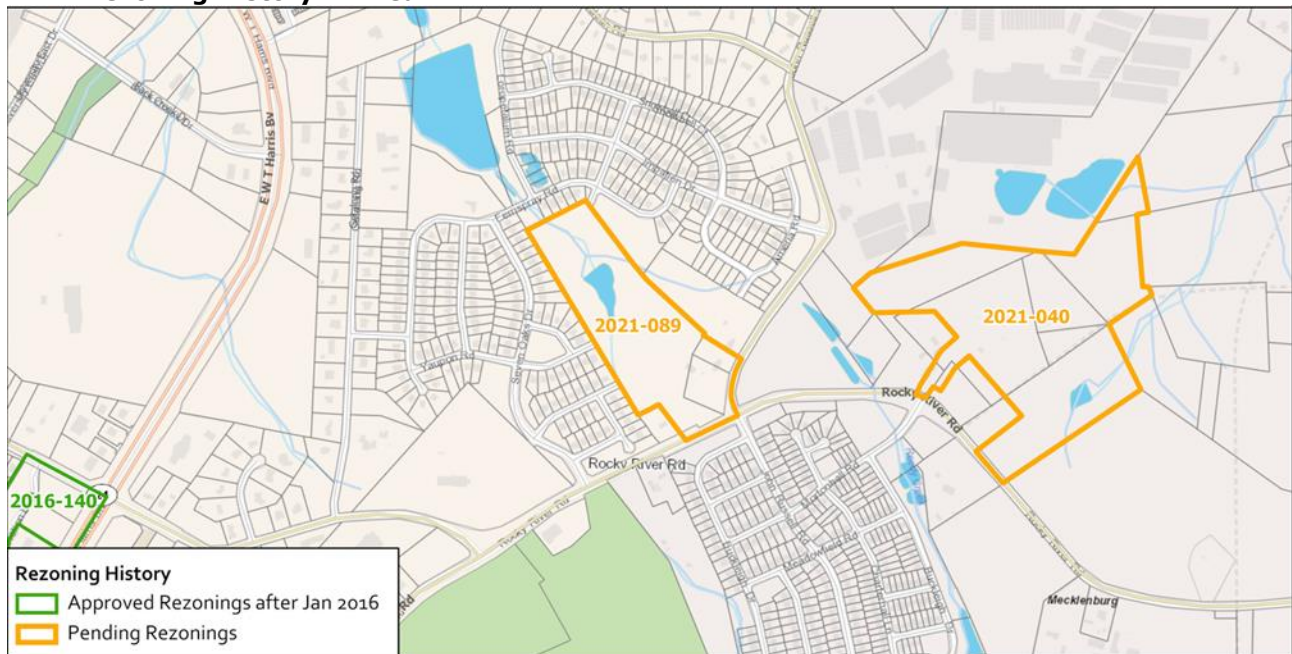


East is a nursery.



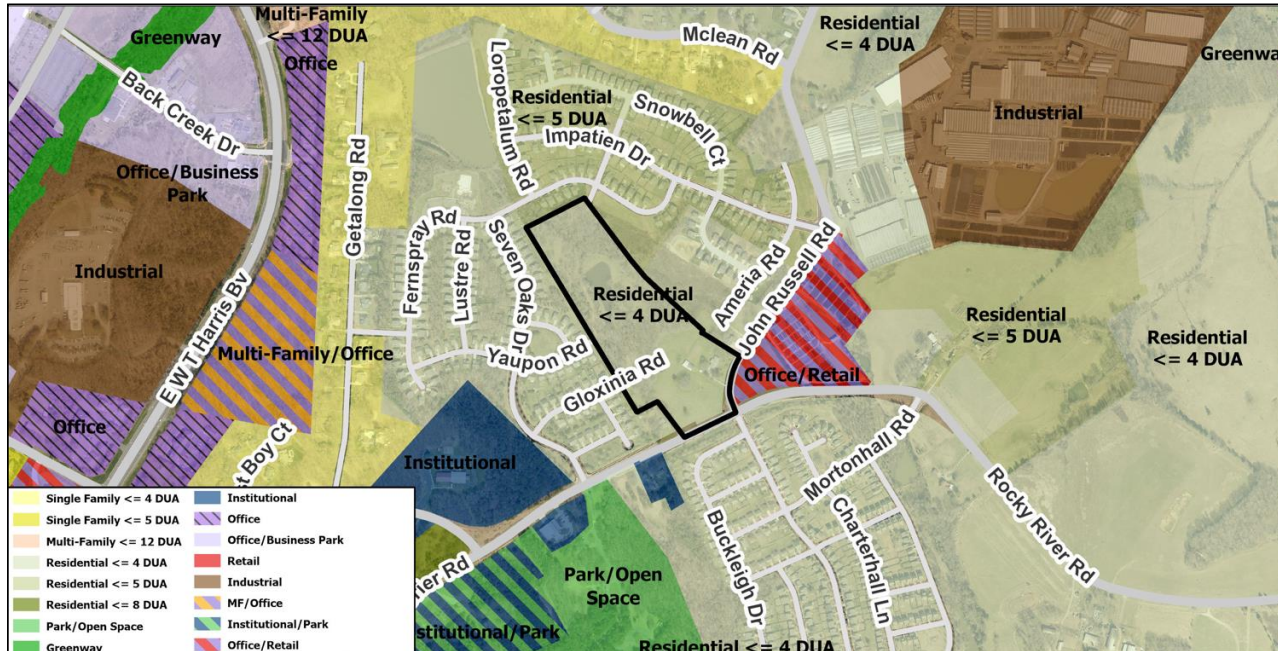
Southwest is Reedy Creek Park.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-040	Rezoned 41.56 acres from R-3 to R-8MF(CD) to allow 200 single family attached townhome units.	Approved
2016-140	Rezoned 6.63 acres from NS to NS SPA and BD(CD) to amend current development rights on vacant property to allow a mix of retail, restaurant, office and climate controlled self-storage uses.	Approved

- **Public Plans and Policies**



- The Newell Small Area Plan (2002) recommends residential uses up to four DUA for this site.

- **TRANSPORTATION SUMMARY**

- The site is located on Rocky River Road, a state-maintained major thoroughfare, and John Russel Road, a state-maintained minor thoroughfare. A Traffic Impact Study (TIS) is not necessary for the complete review of this petition due to the site generating less than 2,500 daily trips. If the site generates more than 2,500 daily trips, during the permitting process, then a traffic study will be required. Petitioner has committed to dedicating right-of-way along the site's frontage, providing a 100-foot right turn lane at the site's access on Rocky River Road per the NCDOT's standards, installing the curb and gutter 35 feet from the Rocky River Road centerline, constructing a 12-foot multi-use path along John Russel Road, striping the fourth crosswalk leg and upgrading the pedestrian signal equipment at the John Russel Road and Rocky River Road intersection, and providing a 6-foot sidewalk with an 8-foot planting strip along Rocky Road while filling in the sidewalk gap between the site and the existing sidewalk to the West. In lieu of a road extension from the Lupine Court Stub, and to avoid impacts to wetlands, the petitioner commits to constructing a multiuse path between Lupine Court to Yaupon Road, in accordance with City Charlotte BIKES and Charlotte WALKS Policies. This path will provide pedestrian and bicycle access from the adjacent neighborhoods to the Reedy Creek Park. CDOT has no outstanding issues.

- **Active Projects:**

- Grier Road/Rocky River Road Left-Turn Lane
 - Project will add a left turn lane from eastbound Grier Road to northbound Rocky River Road.
 - Phase: Construction (expected completion late 2021)
 - GS PM: Will Scott
 - Website: <https://charlottenc.gov/Projects/Pages/GrierRockyRiver.aspx>

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 680 trips per day (based on 63 single family dwellings).

Proposed Zoning: 535 trips per day (based on 76 townhouse units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org

- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 35 students, while the development allowed under the proposed zoning may produce 20 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Joseph W. Grier Elementary remains at 126%
 - Northridge Middle remains at 106%
 - Rocky River High remains at 81%%.
 - See advisory comments at www.rezoning.org
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Rocky River Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Rocky River Rd. See advisory comments at www.rezoning.org
- **Erosion Control:** 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:** See Outstanding Issues, Note 7.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. Building G will trigger a 27' setback from right-of-way unless compliance with 9.303(19)(f) is met. this would require a sidewalk connection and entry out to Gloxina Road Extension on the site plan (will require elevations during review to verify door and windows on this side). Petitioner may also use 15' reduced setback on Yaupon Road Extension as long as the other units in this building have their front doors along there (as currently shown).
2. Under Development Data Table amend to read proposed zoning is R-8MF(CD).
3. Under Signage replace language with "Signage will be per ordinance."
4. Clarify commitments to construct the illustrated MUP and bike facilities, as well as planting strip seen to the northwest of the site.
5. Confirm residential type is single family attached for sale (townhomes) and ensure correct terminology is noted on the site plan.
6. Please move "CDOT notes" under Transportation heading for clarity.

Environment

7. Please confirm if the path is intended to be maintained by the developer/HOA. If intended for public maintenance, please construct to County trail standards. Contact Mecklenburg County Park and Recreation with questions.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Claire Lyte-Graham (704) 336-3782










Goals Relevant to Rezoning Determinations

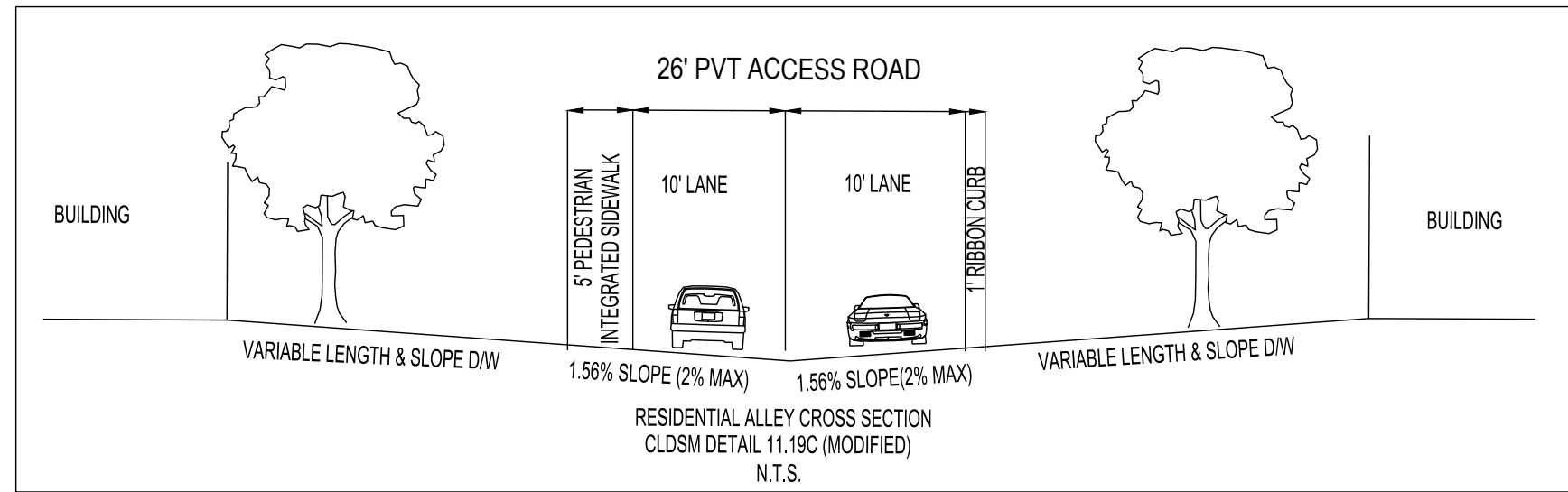
Rezoning Petition # 2021-089

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✓
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>

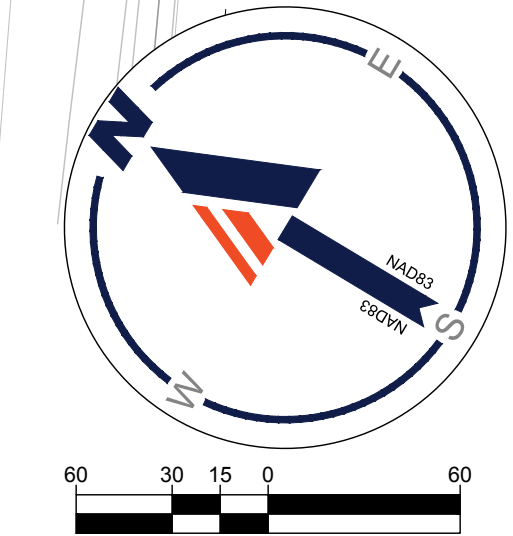


PURPOSE:

THE CONDITIONAL DISTRICT ZONING OF (3) PARCELS
TOTALING 21.30 ACRES FOR THE PURPOSES OF
MULTI-FAMILY APARTMENT HOUSING.

WORK TO INCLUDE 76 TOWNHOUSE STYLE APARTMENTS.

-  **Redwood**
BUILDING GROUP
- 7007 EAST PLEASANT VALLEY ROAD
INDEPENDENCE, OH 44131**
Phone: (216) 369-9441
- BOHLER //**
BOHLER ENGINEERING INC, PLLC
- 1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203**
Phone: (980) 272-3400
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MANN • PARSONS • GRAY
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3660 EMBASSY PARKWAY
AKRON, OH 44333
Phone: (330) 666-5770



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REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
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PROJECT:

_____ FOR _____



BOHLER 
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132

SHEET NUMBER: _____

RZ1.0

ORG. DATE - 3/22/2021



Agenda Date: 1/18/2022

Agenda #: 24.**File #:** 15-17180 **Type:** Zoning Hearing

Rezoning Petition: 2021-160 by Charlotte-Mecklenburg Schools & Woodfield Development, LLC

Location: Approximately 73.97 acres located on the northeast side of North Community House Road and east side of Johnston Road, west of Elm Lane. (Council District 7 - Driggs)

Current Zoning: MX-2 (INNOV), R-3 (mixed-use, innovation) & (single-family residential)

Proposed Zoning: MUDD-O (mixed-use development, optional) with 5-year vested rights

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of technical revisions related to transportation and site and building design.

Attachments:

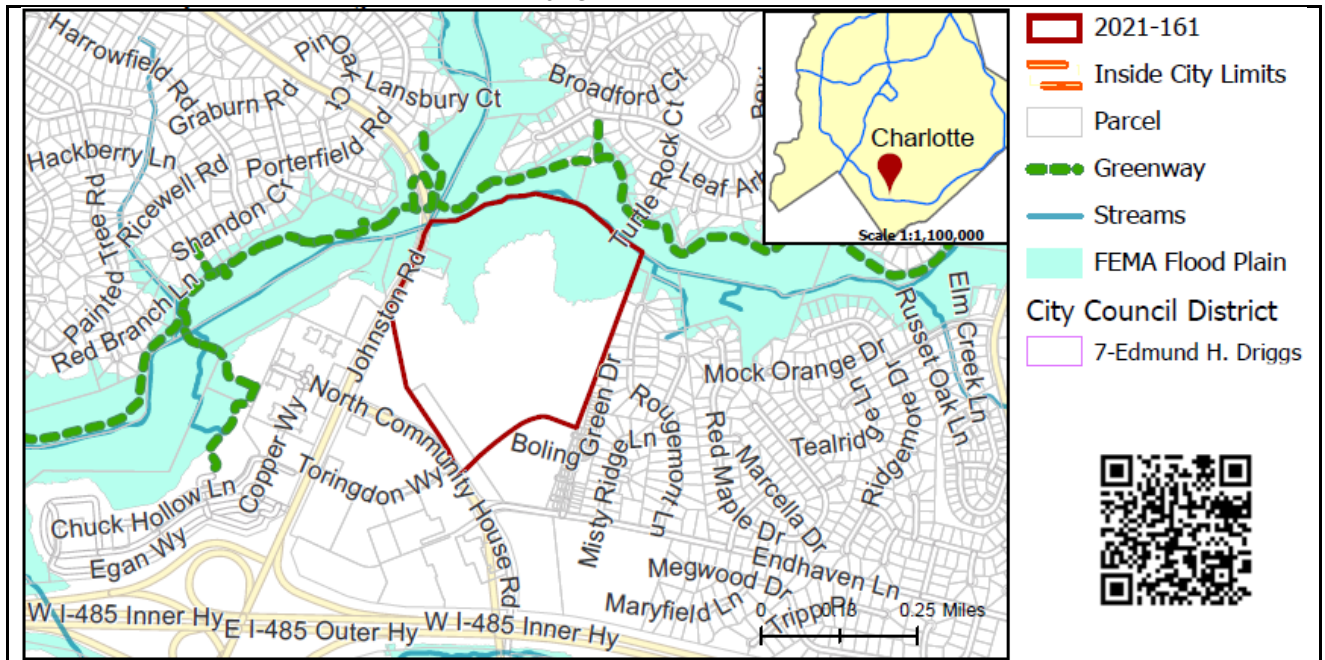
Pre-Hearing Staff Analysis
Site Plan

REQUEST

Current Zoning: MX-2(INNOV) (mixed use, innovative) & R-3 (single family residential)
Proposed Zoning: MUDD-O with 5-year vested rights (mixed used development, optional, 5-year vested rights)

LOCATION

Approximately 73.97 acres located on the northeast side of North Community House Road and east side of Johnston Road, west of Elm Lane.



SUMMARY OF PETITION

The petition proposes a high school on the east portion of the site and up to 420 apartments for a density of 20.48 units per acre on the west portion of the site located in south Charlotte, just north of Ballantyne.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

City of Charlotte, The Roman Catholic Diocese of Charlotte
Charlotte-Mecklenburg Schools & Woodfield Development LLC
Collin Brown & Brittany Lins / Alexander Ricks

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 24.

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of and technical revisions related to transportation and site and building design.

Plan Consistency

The petition is **inconsistent** with the *South District Plan* recommendation for multi-family up to 8 units per acre, open space/greenway use and single family residential up to 3 units per acre.

Rationale for Recommendation

- Institutional uses, such as schools, are generally compatible with residential land uses.

- Provides a buffer along eastern property line abutting residential uses.
- The petition provides relief to the schools in the area.
- The proposal adds to the mixture of housing types in the area creating new housing choices.
- The site is located adjacent to Toringdon within the Ballantyne mixed use activity center and provides a transition between the intense uses south and west and the single family to the north and east of the site.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from multi-family up to 8 units per acre, greenway and single family residential up to 3 units per acre to institutional use for the eastern portion of the site and residential less than or equal to 22 DUA for the western part of the site.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Establishes two development areas (Area A – east portion of site for high school and Area B – west portion of the site for multi-family residential).

Area A (School)

- Allows maximum 311,000 square foot high school in Area A and limits the building height to 70 feet.
- Requests optional provisions applicable to Area A to allow parking between the building and public street and to allow minimum of 800 parking spaces (less than MUDD standards) for stadium events, offsite parking will be provided to offset deficiency.

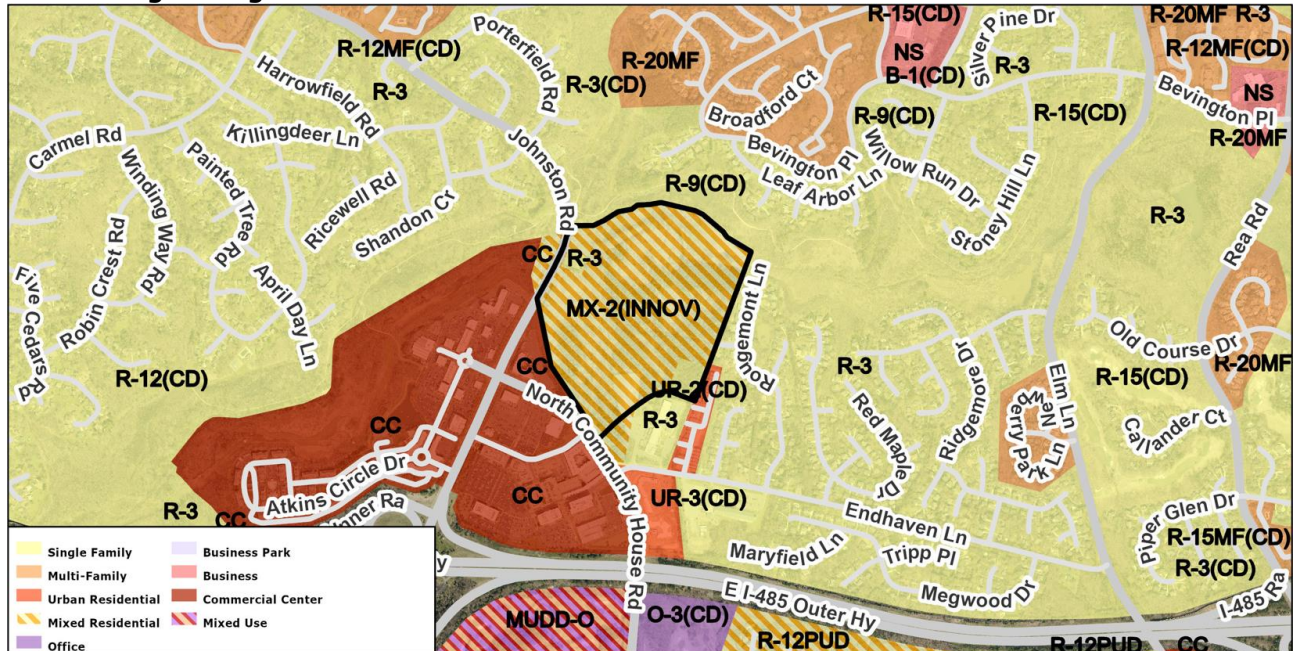
Area B (Multi-family)

- Allows up to 420 multi-family residential dwelling units in Area B for a density of 20.48 units per acre and limits the building height to 70 feet.

General Details

- Vehicular access from Johnston Road and North Community House Road via a network of new public and private streets.
- Multi-use path connection to Barrette Place (east side of site).
- Commits to coordinate with Mecklenburg County Parks and Recreation to provide bike and pedestrian connectivity through the site to Johnston Road and North Community House Road and connectivity to the greenway. Four Mile Creek Greenway is along the northern property line, of the north side of the creek.
- Commits to a number of transportation improvements identified in the TIS including but not limited to storage in turn lanes along North Community House Rd, signal modifications on North Community House Rd., left turn lane into site on Johnston Road, and upgrades to crosswalks at intersection of North Community House Rd and Toringdon Way.
- Provides architectural standards related to exterior building materials, building placement and frontage, building massing, roof form and articulation, HVAC and service screening.
- Commits to a 75 foot Class B buffer (reduced to 56.25 feet with a screen fence) along the eastern property line.

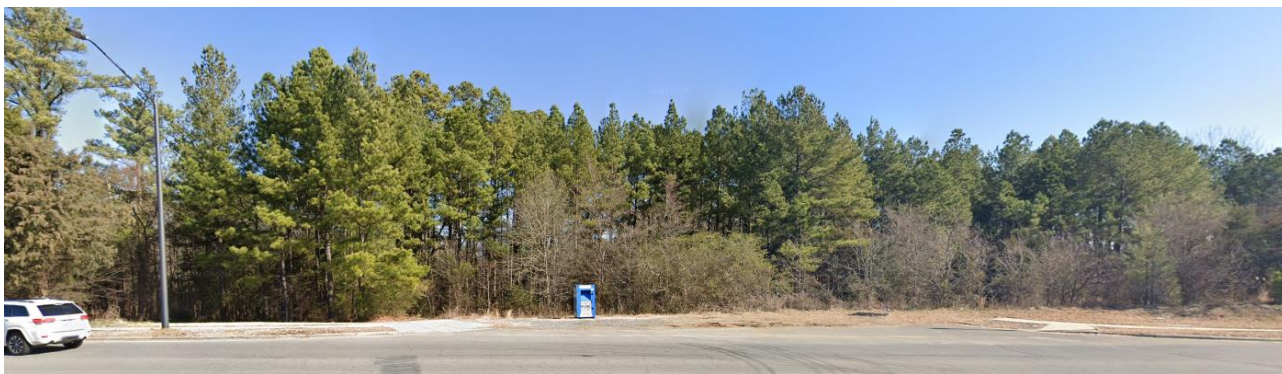
• **Existing Zoning and Land Use**



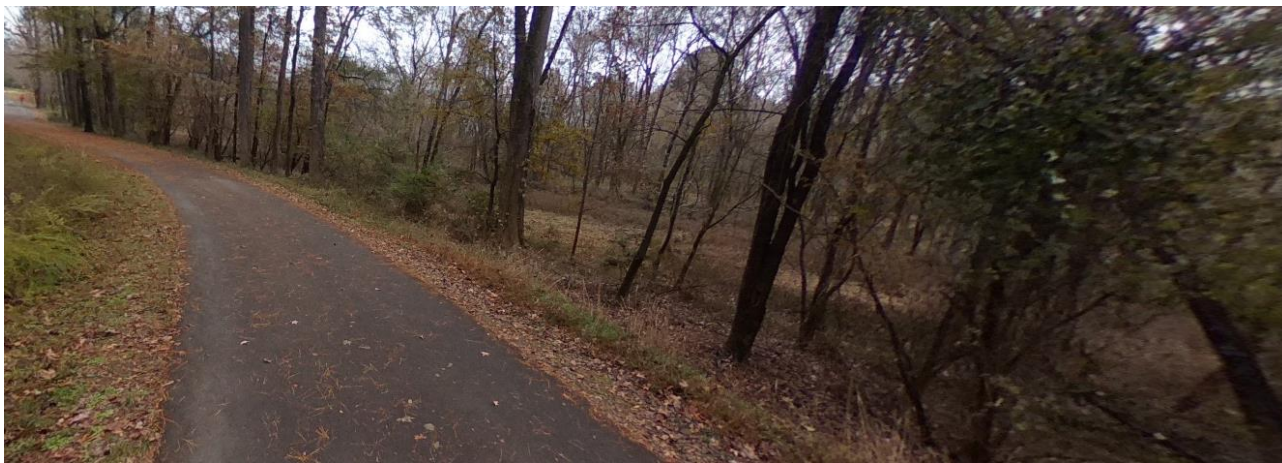
The majority of the site was rezoned by 2006-108 to MX-2(INNOV) to allow a mixture of 429 single family attached duplex and townhome dwelling units for a density of 5.68 units per acre. A small portion of the site in the southeast corner is zoned R-3. The site is located in an area with a mixture of uses and zoning.



The site (indicated by red star above) is located in an area with a mixture of uses, with single family attached and detached uses to the north and east and multi-family and business uses to the south and west.



The site is currently undeveloped.



North of the site is the 4 Mile Creek greenway.



South of the site is the Toringdon Market shopping center, office, hotel, multi-family and institutional uses.

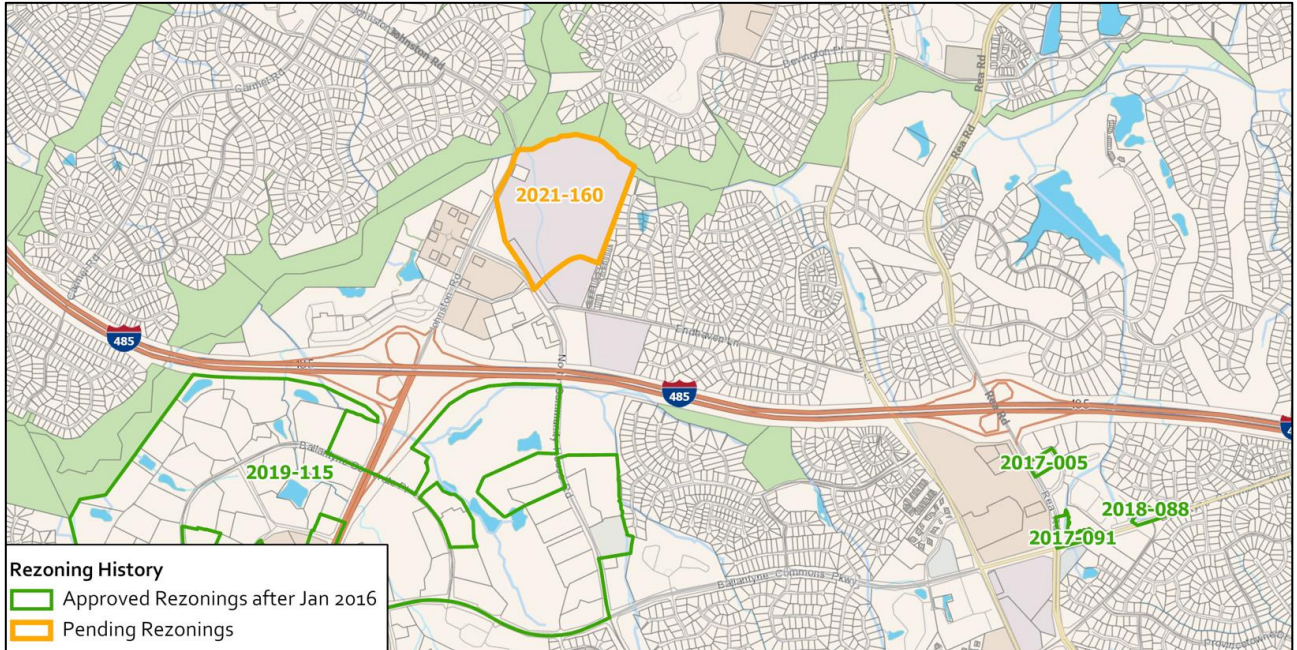


East of the site are single family detached homes along Endhaven Village Dr., Rougemont Ln, and Barret Pl. accessed from Endhaven Lane.



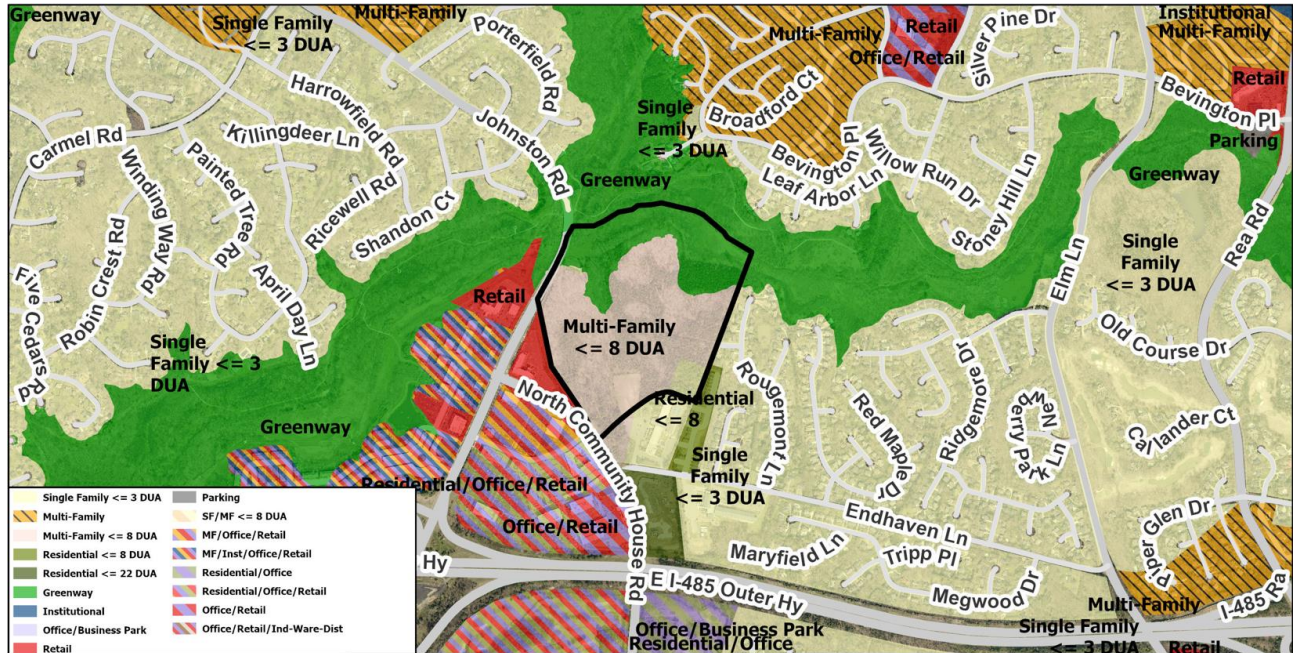
West of the site, across Johnston Rd. are business uses in Toringdon.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-005	1.95 acres southwest of the site on Rea Rd. to MUDD-O allowing a hotel.	Approved
2017-091	2.23 acres southwest of the site at the corner of Rea Rd. and Ballantyne Commons Parkway to NS allowing open space amenities along the road frontage.	Approved
2018-088	1.27 acres southwest of the site on Ballantyne Commons Parkway to O-1(CD) SPA allowing an office building.	Approved
2019-115	454.24 acres of Ballantyne to MUDD-O allowing a mix of uses.	Approved

• Public Plans and Policies



- The *South District Plan* (1993) recommends greenway use, multi-family up to 8 units per acre and single family residential up to 3 units per acre across the site.

• TRANSPORTATION SUMMARY

- The site is located on North Community House Road, a City-maintained major thoroughfare, and Johnston Road, a City-maintained major thoroughfare. The project is located on 73.97 acres and proposes two development areas with land uses as shown in the trip generation table below. Per the City's Traffic Impact Study (TIS) Guideline's thresholds, a the final TIS was submitted on July 22, 2021 and has been approved by CDOT. The TIS-Recommended transportation improvements, detailed on page RZ-2 of the Rezoning site plan, include signal installations, signal modifications and intersection reconfigurations along Johnston Road and Community House Road. The site plan commits to providing internal public streets and pedestrian connectivity through the site in accordance with the City's Ordinances and Charlotte WALKS Policies. The petitioner also commits to constructing a 12-foot multi-use path along Johnston Road and sidewalks along both sides of the proposed local public streets per Chapter 19 and 20 of the City's Ordinances and in accordance with the Charlotte BIKES Policy. Site plan and conditional notes revisions are needed to specify the referenced transportation improvements necessary to access the school as mentioned in Transportation Conditional Note #7.

• Active Projects:

- No active projects in the area.

• Transportation Considerations

- See Requested Technical Revisions, Note 1.

• Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 3205 trips per day (based on 429 townhomes).

Proposed Zoning: 3,995 trips per day (based on 420 apartments and 2,500 student high school).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 148 students, while the development allowed under the proposed zoning may produce 145

students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0 students.

- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Endhaven Elementary from 104% to 116%
 - South Charlotte Middle from 108% to 110%
 - South Mecklenburg High from 134% to 135%.

Rezoning petition 2021-160 includes the site of the CMS 2017 Bond Projects high school to relieve over-crowding at South Mecklenburg, Ardrey Kell and Myers Park.

The information presented herein does not capture the relief that may be provided to South Mecklenburg High School as the result of this project, but only reflects additional student yield without relief as attendance boundaries have not been developed. As the site of a relief school, this project will provide more relief than the residential portion will generate students. Additionally, the proposed rezoning will generate fewer students than the by-right development, which does not incorporate a relief school.

- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along North Community House Rd. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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:** No outstanding issues.

REQUESTED TECHNICAL REVISIONS

Transportation

1. Remove "on site roundabout and roadway along the school frontage" from Transportation Note #7.

Site and Building Design

2. Add a conditional note reflecting commitments to MCPR noted on page 2 of the site plan.
3. Clarify which architectural standards apply to school and apartments. For example, the school does not meet note V.3.c. related to parking.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: John Kinley (704) 336-8311









Goals Relevant to Rezoning Determinations

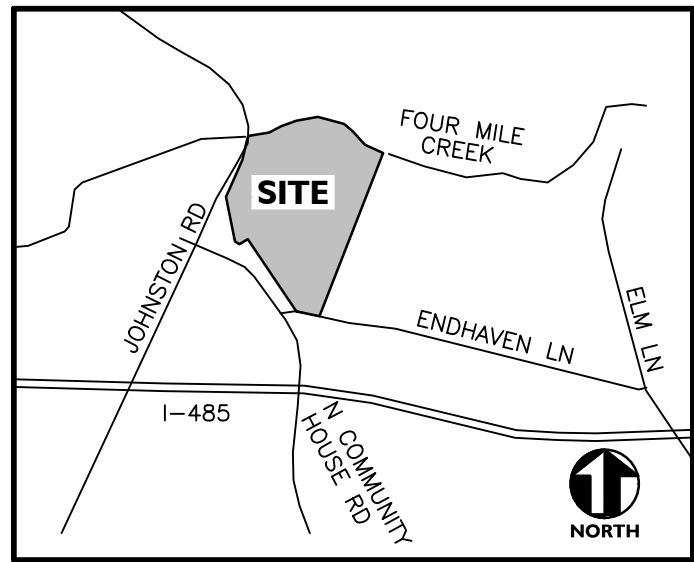
Rezoning Petition # 2021-160

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

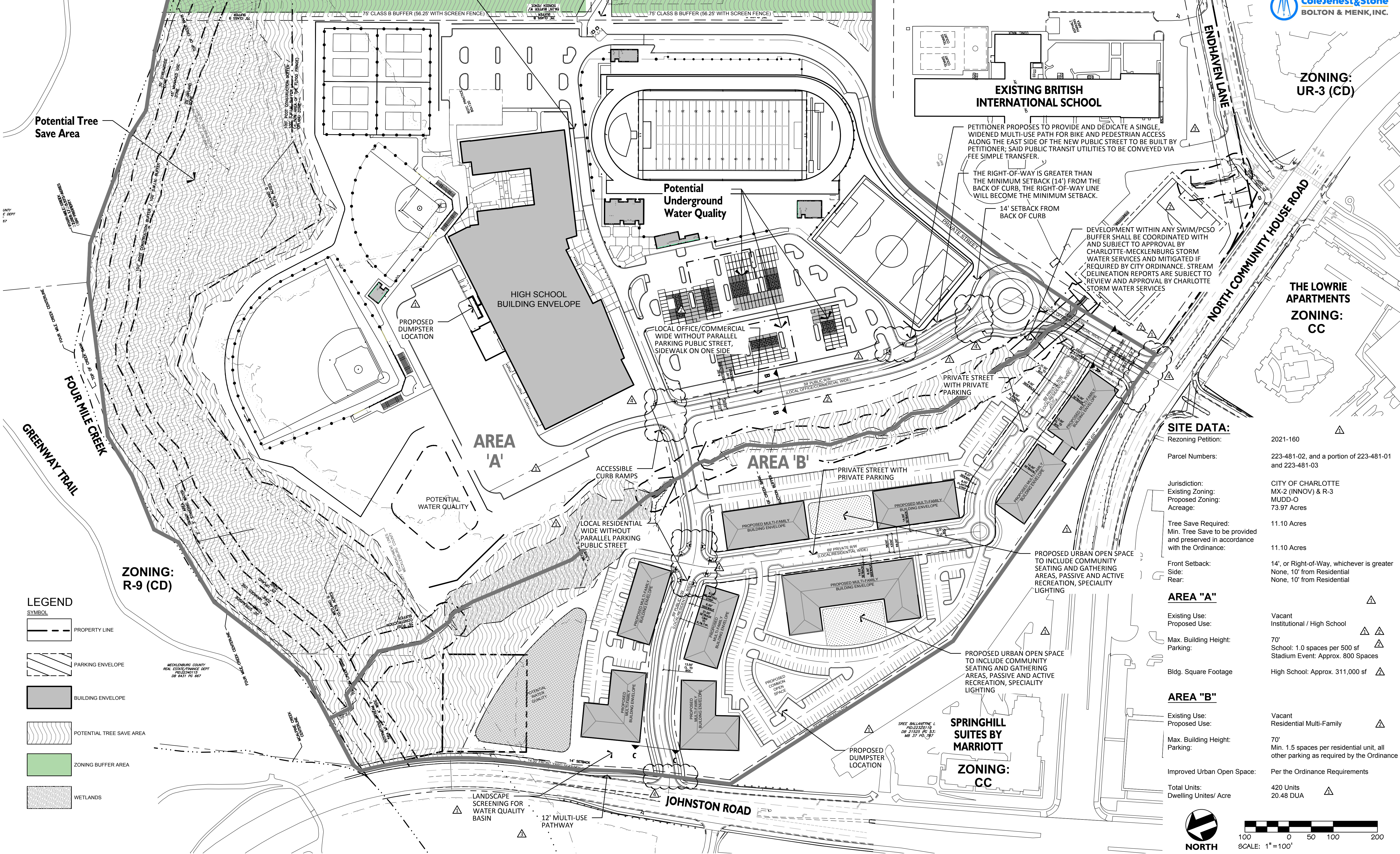
Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	X
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	X

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



Vicinity Map - NTS



LEGEND

SYMBOL

- PROPERTY LINE
- PARKING ENVELOPE
- BUILDING ENVELOPE
- POTENTIAL TREE SAVE AREA
- ZONING BUFFER AREA
- WETLANDS



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Seals:

Corp. NC license: F-1320

Catholic Diocese Site - CMS & Woodfield Development

North Community House Road
Charlotte, North Carolina

Rezoning Petition:	2021-160
Parcel Numbers:	223-481-02, and a portion of 223-481-01 and 223-481-03
Jurisdiction:	CITY OF CHARLOTTE
Existing Zoning:	MX-2 (INNOV) & R-3
Proposed Zoning:	MUDD-O
Acreage:	73.97 Acres
Tree Save Required:	11.10 Acres
Min. Tree Save to be provided and preserved in accordance with the Ordinance:	11.10 Acres
Front Setback:	14', or Right-of-Way, whichever is greater
Side:	None, 10' from Residential
Rear:	None, 10' from Residential
Existing Use:	Vacant
Proposed Use:	Institutional / High School
Max. Building Height:	70'
Parking:	School: 1.0 spaces per 500 sf Stadium Event: Approx. 800 Spaces
Bldg. Square Footage:	High School: Approx. 311,000 sf
Existing Use:	Vacant
Proposed Use:	Residential Multi-Family
Max. Building Height:	70'
Parking:	Min. 1.5 spaces per residential unit, all other parking as required by the Ordinance
Improved Urban Open Space:	Per the Ordinance Requirements
Total Units:	420 Units
Dwelling Units/ Acre:	20.48 DUA

Petition No : 2021-160
Project no: 17000344.01
Date: 06.18.2021
Revisions:
2021-09-13 STAFF COMMENTS
2021-10-11 STAFF COMMENTS
2021-11-15 STAFF COMMENTS
2021-12-13 STAFF COMMENTS

NOT FOR CONSTRUCTION

Sheet Title:
Rezoning Site Plan

Sheet No:
RZ-1



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Catholic Diocese Site - CMS & Woodfield Development

North Community House Road
Charlotte, North Carolina

Petition No : 2021-160

Project no: 17000344.01

Date: 06.18.2021

Revisions:

- 2021-09-13 STAFF COMMENTS
- 2021-10-11 STAFF COMMENTS
- 2021-11-15 STAFF COMMENTS
- 2021-12-13 STAFF COMMENTS

NOT FOR
CONSTRUCTION

Sheet Title:

Rezoning
Notes

Sheet No:

RZ - 2

CATHOLIC DIOCESE SITE PETITIONERS: CHARLOTTE-MECKLENBURG SCHOOLS & WOODFIELD DEVELOPMENT LLC REZONING PETITION NO. 2021-160 12/13/2021

Development Data Table:

Site Area:	+/- 73.97 acres
Tax Parcel:	223-481-03, 223-481-02, and a portion of 223-481-01
Existing Zoning:	MX-2(INNOV)
Proposed Zoning:	MUDD-O, with five (5) year vested rights
Existing Use:	Vacant/Single-Family Residential
Proposed Uses:	Institutional (Secondary/High School) and Multi-family Residential
Maximum Building Height:	Seventy (70) Feet, measured per Ordinance standards
Parking:	Minimum of 1.5 spaces per residential unit, 800 total on-site stadium parking spaces, all other parking per Ordinance standards

I. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition jointly filed by Charlotte-Mecklenburg School and Woodfield Development LLC (the “Petitioners”) to accommodate the development of high school and residential community on that approximately 73.97-acre site bound by Johnston Road, North Community House Road, and Endhaven Lane, more particularly depicted on the Rezoning Plan (the “Site”). The Site is comprised of Tax Parcel Numbers 223-481-02 and portions of 223-481-03 and 223-481-01.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”).
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, or as otherwise provided in the Optional Provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern the development and use of the Site.
- The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Optional Provisions

The Petitioner requests an optional provision for the following:

- To allow parking between the building and the public street where generally depicted on the Rezoning Plan within Area A (proposed high school area); and
- To allow a minimum total of 800 vehicular parking spaces for stadium events, which is less than the typical MUDD minimum requirements for stadium events. Additional parking will be provided off-site to offset the deficiency.

III. Permitted Uses

The portion of the Site designated as Area A may be devoted only to a maximum of 311,000 institutional uses (secondary/high school), including any incidental and accessory uses relating thereto that are permitted in the MUDD zoning district. The portion of the Site designated as Area B may be devoted only to residential uses, containing a maximum of 420 multi-family residential units, including any incidental and accessory uses relating thereto that are permitted in the MUDD zoning district.

IV. Transportation

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and as required for approval by the Charlotte Department of Transportation (CDOT).
- As depicted on the Rezoning Plan, the Site will be served by internal public and/or private streets, and minor adjustments to the location of these streets shall be allowed during the construction permitting process in coordination with CDOT.
- The Petitioner shall provide a bike/pedestrian connection (not vehicular connection) to Barrett Place, as generally depicted on the Rezoning Plan.
- The Petitioner shall provide reservation for a twelve (12) foot wide multi-use path from Barrett Place stub into the Site and northward, toward the greenway, as generally depicted on the Rezoning Plan.
- As recommended in the Traffic Impact Study, the following improvements shall be completed:
 - At the intersection of N Community House Road and Endhaven Lane:
 - Maximize storage of the southbound left turn lane along N Community House Road; and

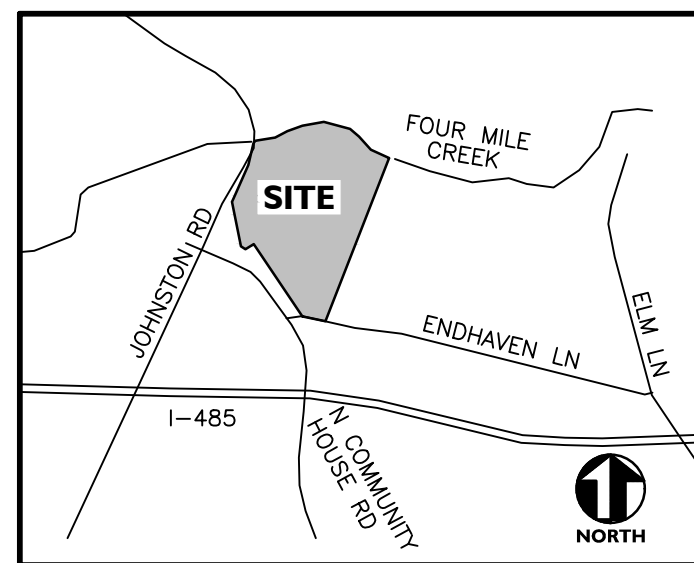
- Signal modifications to coordinate with the two signals at other study intersections along N Community House Road.
- At the intersection of N Community House Road and Toringdon Way/Site Access 1:
 - Signalize intersection and coordinate with two signals at other study intersections along N Community House Road;
 - Reduce taper of westbound left turn lane along N Community House Road to 50 feet;
 - Provide a northbound left turn lane with 200’ of storage and appropriate taper along Toringdon Way
 - Convert the northbound left turn lane to a through lane with full storage along Toringdon Way;
 - Provide two ingress lanes on the site access;
 - Maximize storage of the eastbound left turn lane along N Community House Road;
 - Signalization will require constructing or upgrading ADA-compliant pedestrian facilities (including ramps, APS pushbuttons, and crosswalks) for crossing all approaches. Signalization will also require tie-in with the existing fiber optic cable on N Community House Road.
 - At the intersection of Johnston Road at N Community House Road:
 - Coordinate with two signals at other study intersections along N Community House Road.
 - At the intersection of Johnston Road at Site Access 2:
 - Provide a southbound left turn lane with 100 feet of storage and appropriate taper, or as otherwise coordinated with CDOT during the permitting phase of development based upon reasonable site constraints.

Petitioner(s) shall dedicate all rights-of-way where necessary, in fee simple conveyance to the City of Charlotte prior to the issuance of the first building certificate of occupancy for the development area for which the right(s)-of-way relates to.

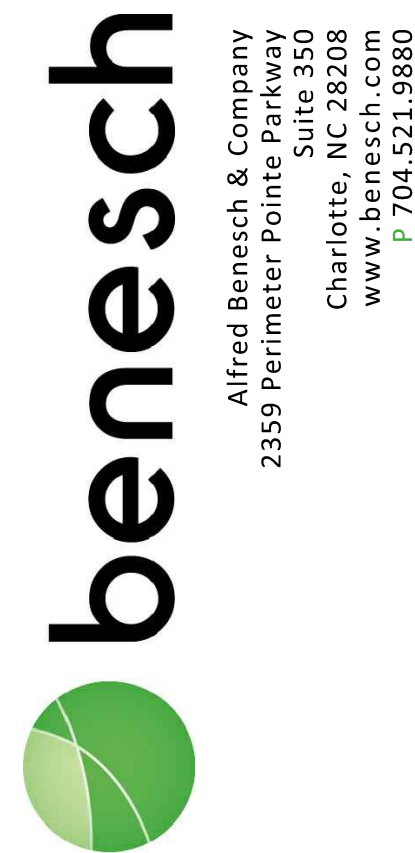
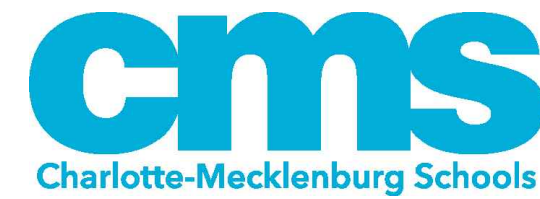
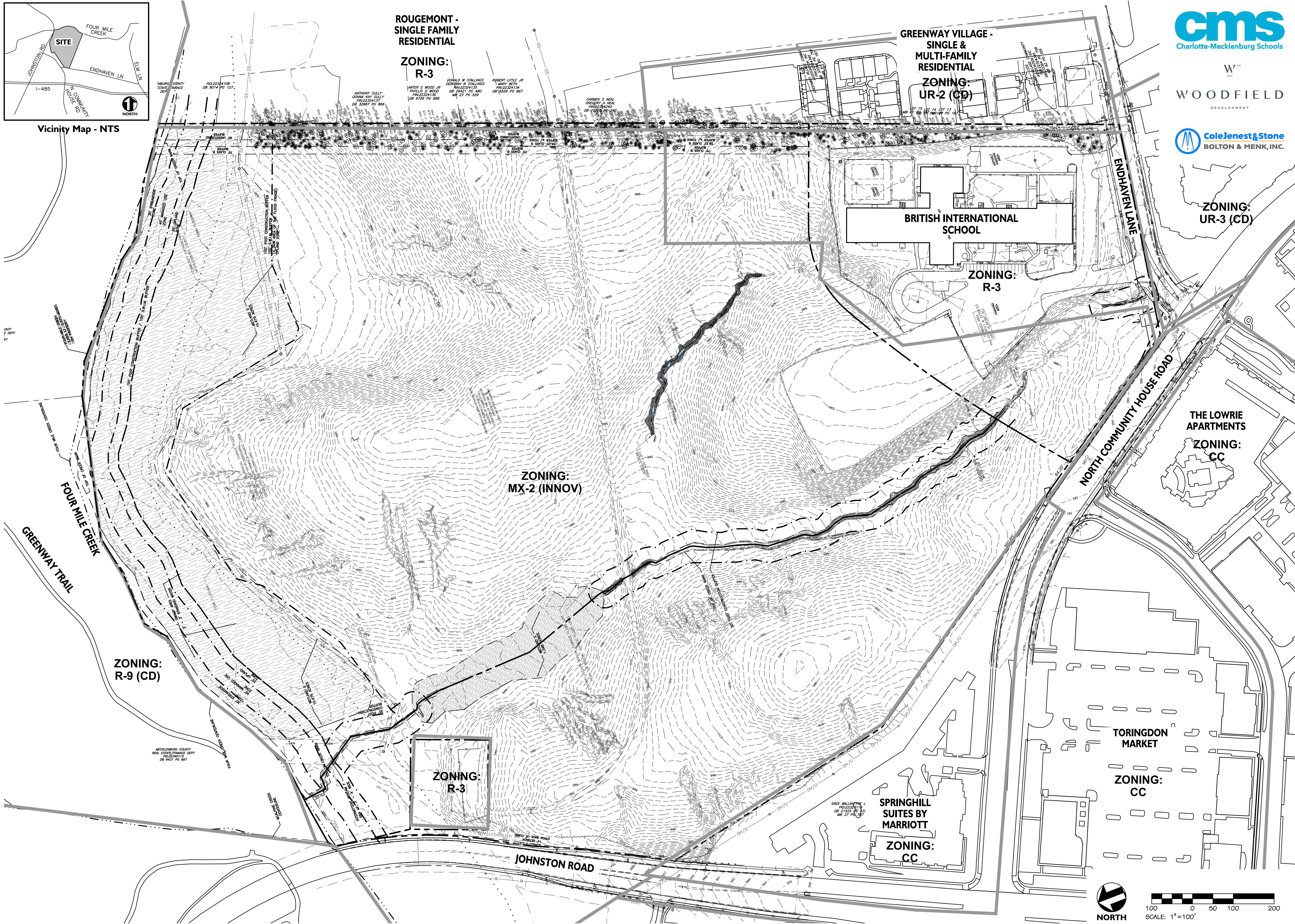
Unless stated otherwise herein, the Petitioner(s) shall ensure that all transportation improvements are substantially completed prior to the issuance of the first building certificate of occupancy for the development area for which the transportation improvement(s) relates to. Identified transportation improvements necessary to access the school shall be completed prior to the school being placed in operation. This shall include the entrance from N. Community House Rd, improvements at the intersection of Toringdon and on N. Community House Rd, proposed signal, on site roundabout and roadway along the school frontage.

Architectural Standards

- Preferred Exterior Building Materials: all principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 30% of that building entire façade facing such network required street using brick, stone, simulated stone, pre-cast stone, synthetic stone, stucco/E.I.F.S., cementitious siding (such as hardi-plank), or other materials approved by the Planning Director.
- Prohibited Exterior Building Materials: a. vinyl siding (but not vinyl hand rails, windows, soffits, doors and trim features) and b. concrete masonry units not architecturally finished.
- Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
 - Buildings shall be placed so as to present a front or side façade to all network required streets (public or private).
 - Buildings shall front a minimum of 60% of the total network required street frontage on the site (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replating areas and storm water facilities).
 - Parking lots shall not be located between any buildings and any network required public or private streets.
 - Driveways intended to serve single units shall be prohibited on all network required streets.
- Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
 - Building Massing and Height shall be designed to break up long monolithic building forms as follows: Building sides greater than 120 feet in length shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of five (5) feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor.
 - Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets when required by MUDD ordinance standards. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.
 - Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
 - Residential Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:



Vicinity Map - NTS



Seals:

Corp. NC license: F-1320

Catholic Diocese Site - CMS & Woodfield Development

North Community House Road
Charlotte, North Carolina

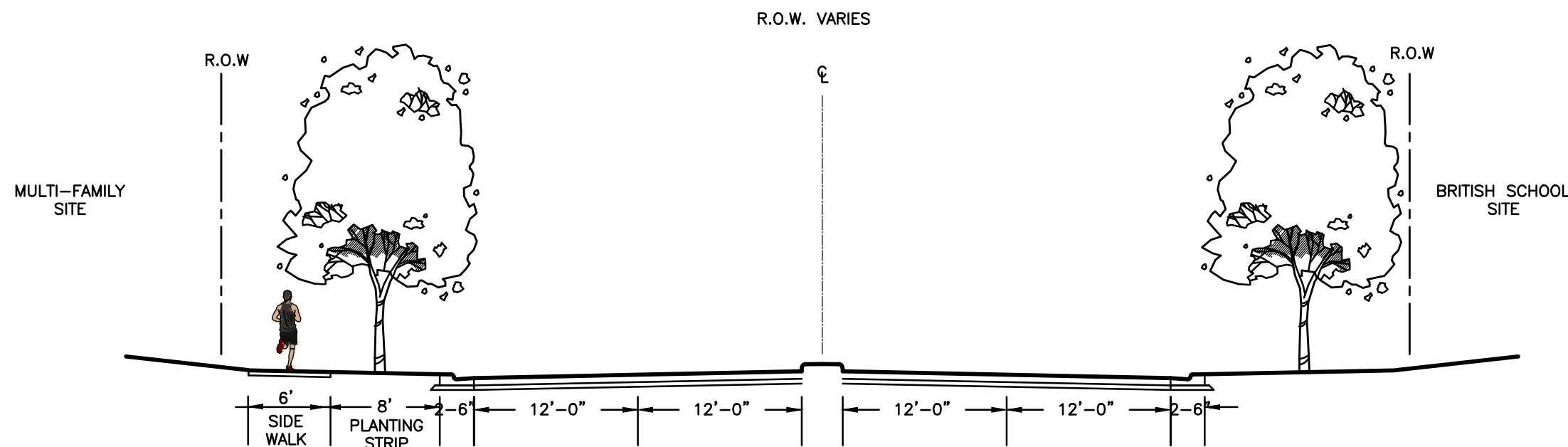
Petition No : 2021-xxx
Project no: 17000344.01
Date: 06.18.2021
Revisions:

NOT FOR CONSTRUCTION

Sheet Title:
Existing Conditions

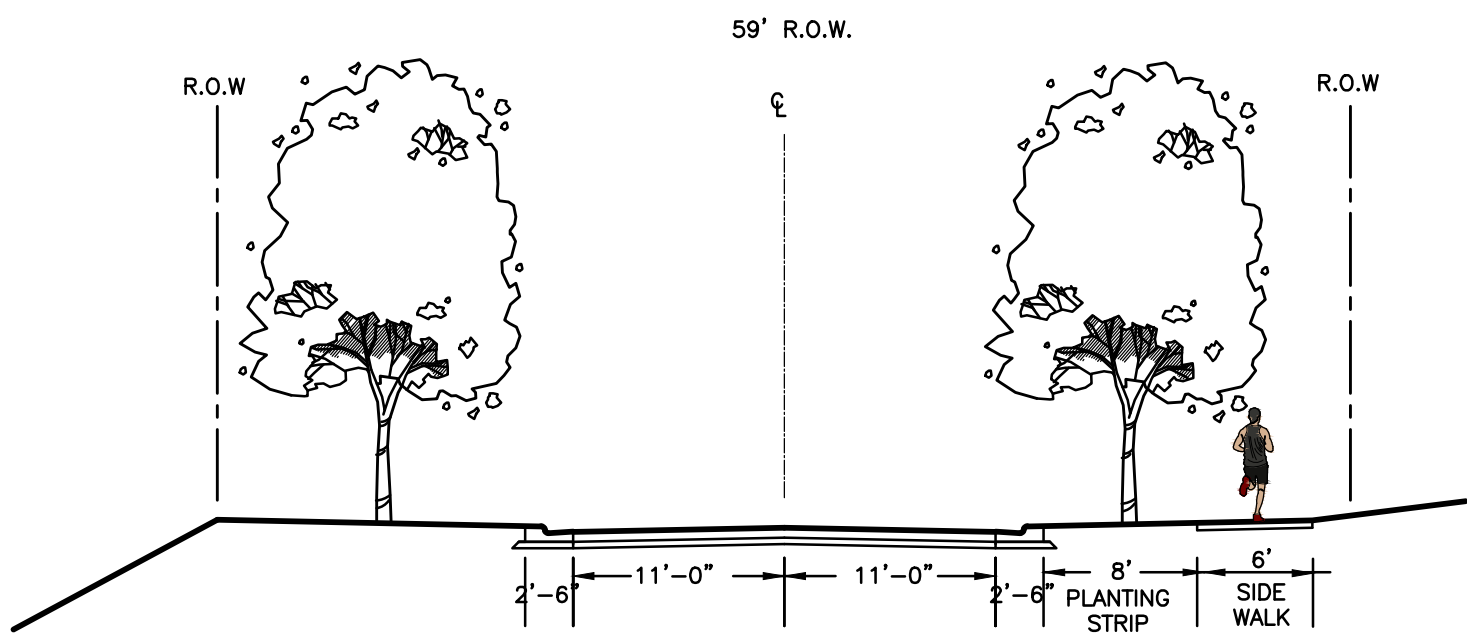
Sheet No:
RZ - 3

SECTION A



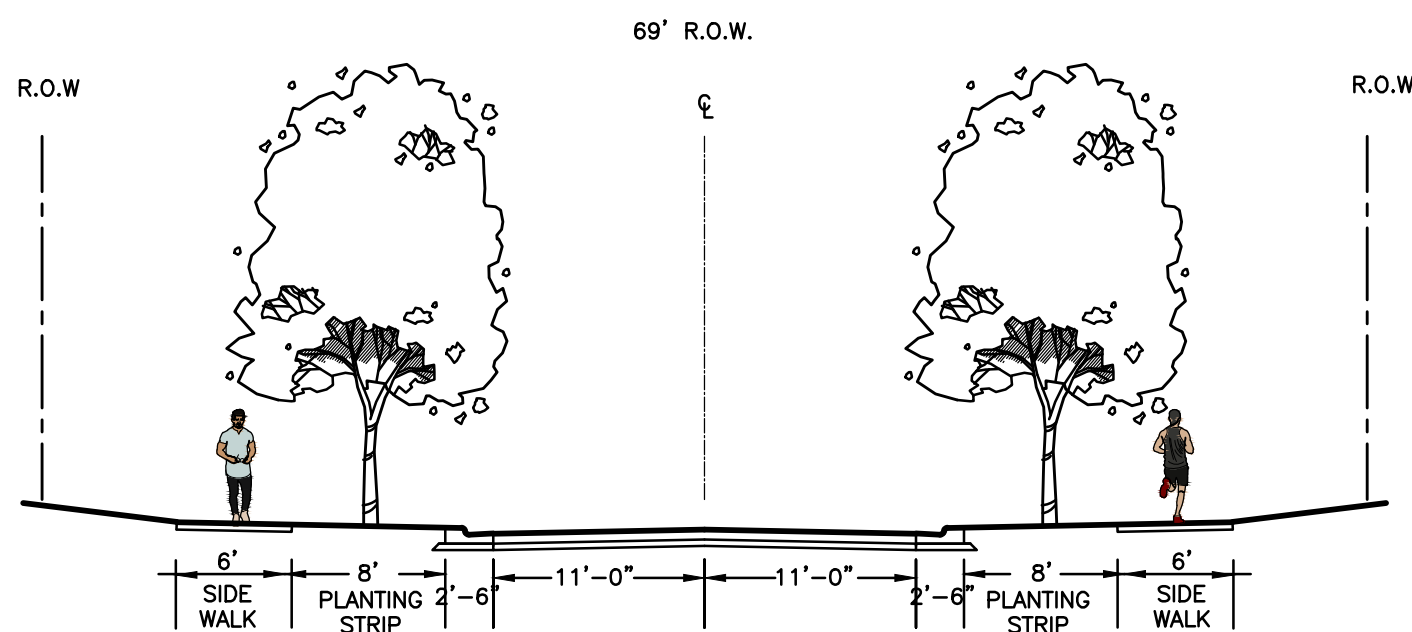
Entrance Road (Community House Road to Roundabout)
N.T.S.

SECTION B



Entrance Road (Roundabout to Bus Drive)
N.T.S.

SECTION C



Local Residential Wide Street
N.T.S.



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Catholic Diocese Site -
CMS & Woodfield Development
North Community House Road
Charlotte, North Carolina

Petition No : 2021-160
Project no: 17000344.01
Date: 06.18.2021
Revisions:
2021.09.13 STAFF COMMENTS

NOT FOR
CONSTRUCTION

Sheet Title:

Typical Road
Sections

Sheet No:

RZ-4



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 25.**File #:** 15-17181 **Type:** Zoning Hearing

Rezoning Petition: 2021-161 by Charlotte-Mecklenburg Schools & Woodfield Development, LLC

Location: Approximately 35.87 acres located along the south side of Ardrey Kell Road, west of Wade Ardrey Road, and east of Marvin Road. (Council District 7 - Driggs)

Current Zoning: MX-2 (INNOV) (mixed use, innovative)

Proposed Zoning: MUDD-O (mixed-use development, optional) with 5-year vested rights

Staff Recommendation:

Staff does not recommend approval of this petition in its current form.

Attachments:

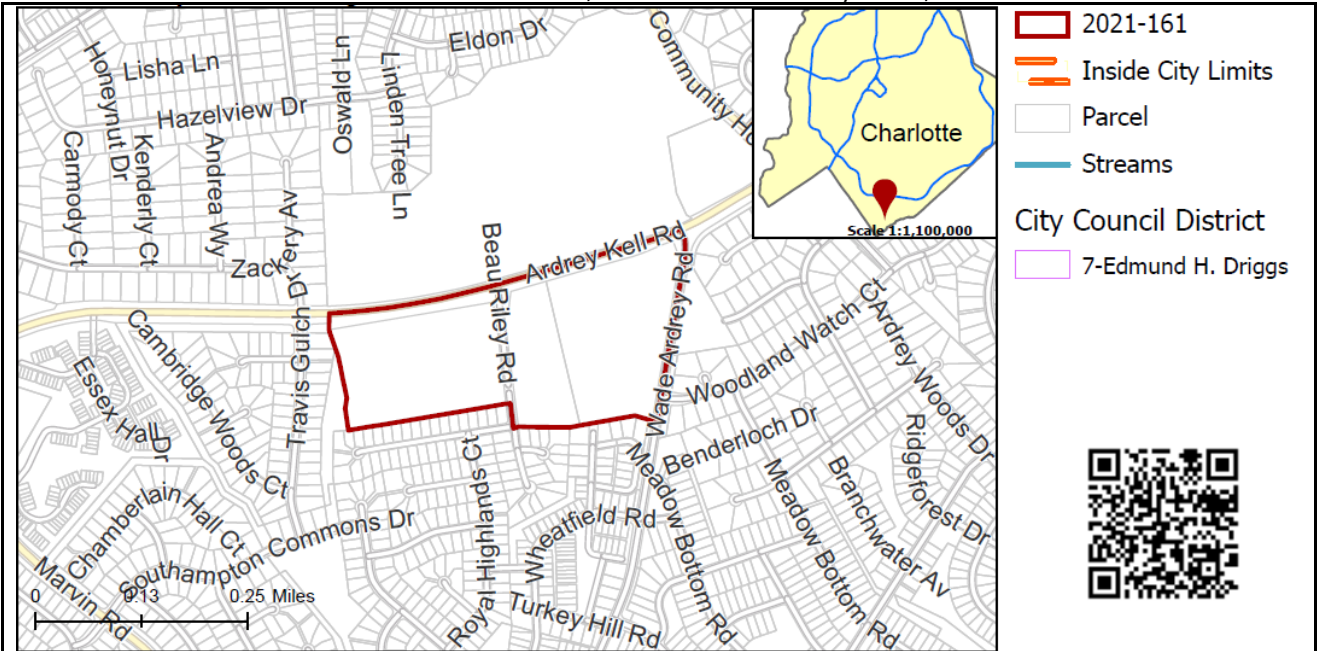
Pre-Hearing Staff Analysis
Site Plan

REQUEST

Current Zoning: MX-2(INNOV) (mixed use, innovative)
Proposed Zoning: MUDD-O with 5-year vested rights (mixed used development, optional, 5 year vested rights)

LOCATION

Approximately 35.87 acres located along the south side of Ardrey Kell Road, west of Wade Ardrey Road, and east of Marvin Road.



SUMMARY OF PETITION

The petition proposes to develop an elementary school on the western portion of the site and 430 unit residential community with a mixture of apartments and townhomes for a density of 20.3 units per acre on the eastern portion of the site located in south Charlotte.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE COMMUNITY MEETING

Charlotte-Mecklenburg Board of Education
Charlotte-Mecklenburg Schools & Woodfield Development LLC
Collin Brown & Brittany Lins / Alexander Ricks

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 65.

STAFF RECOMMENDATION

Staff does not recommend approval of the petition in the current form due to the density inconsistency with the residential portion of the development.

Plan Consistency

The petition is **inconsistent** with the *South District Plan* recommendation for residential up to 6 units per acre as amended by the previous rezoning 2017-171.

Rationale for Recommendation

- The proposed density of 20.3 units per acre, exceeds the recommended density of 6 DUA.
- The scale of the proposed multi-family is out of context with the surrounding development.

- Institutional uses, such as schools, are generally compatible with residential land uses.
- The petition provides school relief in the area.
- The proposal could provide a mixture of housing types to the area creating new housing choices.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from residential up to 6 units per acre to institutional use for the western portion of the site and residential less than or equal to 22 units per acre for the eastern portion of the site.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Splits the site into two development areas (A – western portion, B – eastern portion)

Area A (School)

- Allows a 103,000 square foot elementary school on the western portion of the site (west of Beau Riley Rd.)
- Limits the height of school building to 40 feet.

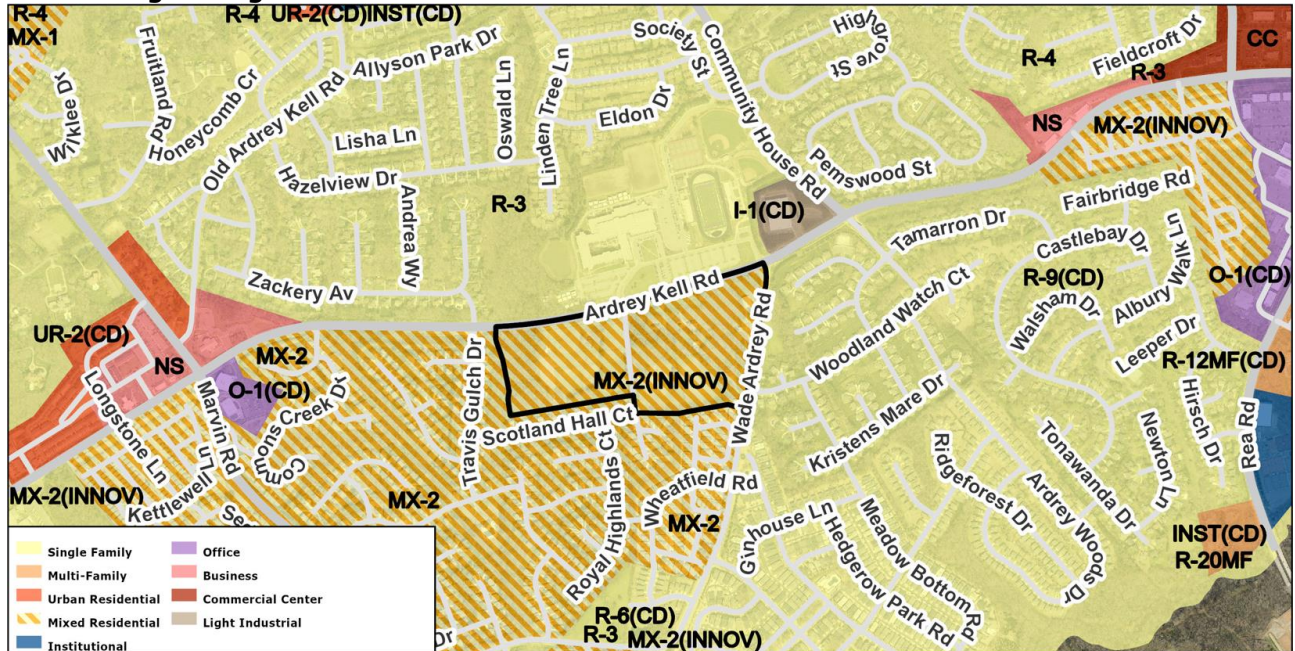
Area B (Residential, multi-family & townhomes)

- Up to 380 multi-family dwellings and 50 single family attached dwellings for a total of 430 units and a density of 20.3 units per acre (listed as 18.25 on site plan).
- Limits the height of the multi-family residential to 48 feet along the Ardrey Kell, Wade Ardrey and Beau Riley frontages, up to 55 feet in the center of the site.
- Limits height of single family attached units to 40 feet.
- Locates townhomes along the southern property line in Area B adjacent to single family homes.
- 27 ft setback along Beau Riley Rd and 26 ft setback along internal public and private streets. 40 ft setback along Wade Ardrey Rd. and variable setback Ardrey Kell Rd. ranging from 76 ft to 84 ft from the proposed back of curb.
- Architectural standards for multi-family buildings related to building massing and height, building placement and frontage, blank walls, roof form and articulation.
- Architectural standards for single family attached units related to raised entrances, pitched roofs, and garage doors.
- Minimum of 9,000 square feet of urban open space.
- Minimum of 10% of total number of multi-family units actually constructed on the site shall maintain monthly rents are income restricted for households earning less than or equal to 80% AMI for a period of not less than 15 years.

General Details

- Requests optional provision to allow parking between buildings and streets.
- Commits to parking lot screening exceeding minimum height requirements at planting or construction of berm or combination of landscape planting and screen wall. Landscaping within the setback will be provided to a Class C standards.
- Vehicular access from Ardrey Kell Rd., Wade Ardrey Rd. via a network of internal public and private streets with Subdivision Ordinance required connections to Sulky Plough Rd. and Beau Riley Rd.
- Proposes a choker street connection to Sulky Plough Rd.
- Architectural standards related to exterior building materials.
- Provides a 37.5 ft wide Class C buffer with a fence along the southern property line if a fence is not provided then buffer will be 50 ft wide. Provides a 50 ft wide buffer along the western property line.
- Dedicates and conveys or provides a greenway/stormwater easement a minimum of 100 ft wide adjacent to the Six Mile Creek tributary along the western property line.
- Limits height of free standing lighting to 21 feet.

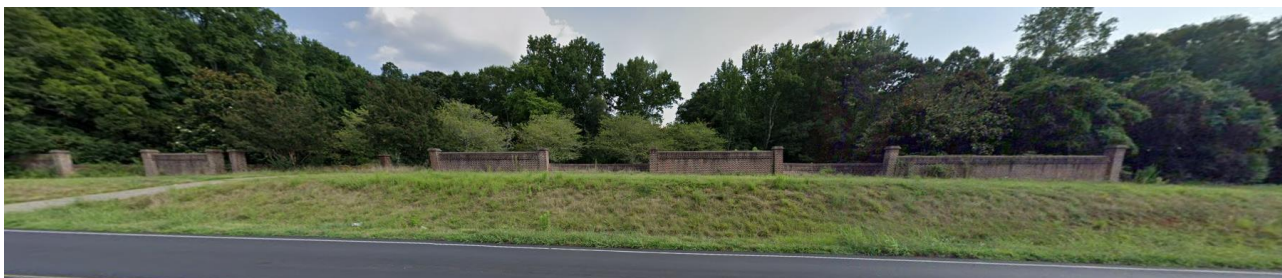
• **Existing Zoning and Land Use**



The site was zoned MX-2(INNOV) by 2017-171 to allow 220 single family attached and detached residential dwelling units, no more than 205 townhomes at a density up to 6 DUA. The site is located in an area with single family residential development and attached residential, further east and west of the site are areas with commercial uses.



The site (red star above) is in an area developed with predominately single family attached and detached residential and institutional uses.



The site is developed with one single family home, the majority of the site is vacant.



North of the site, across Ardrey Kell Road is Ardrey Kell High School.



South of the site along Scotland Hall Ct, Dickie Ross Rd, Winston Hall Ct, Sulky Plow Rd and Red Cow Rd are single family homes.

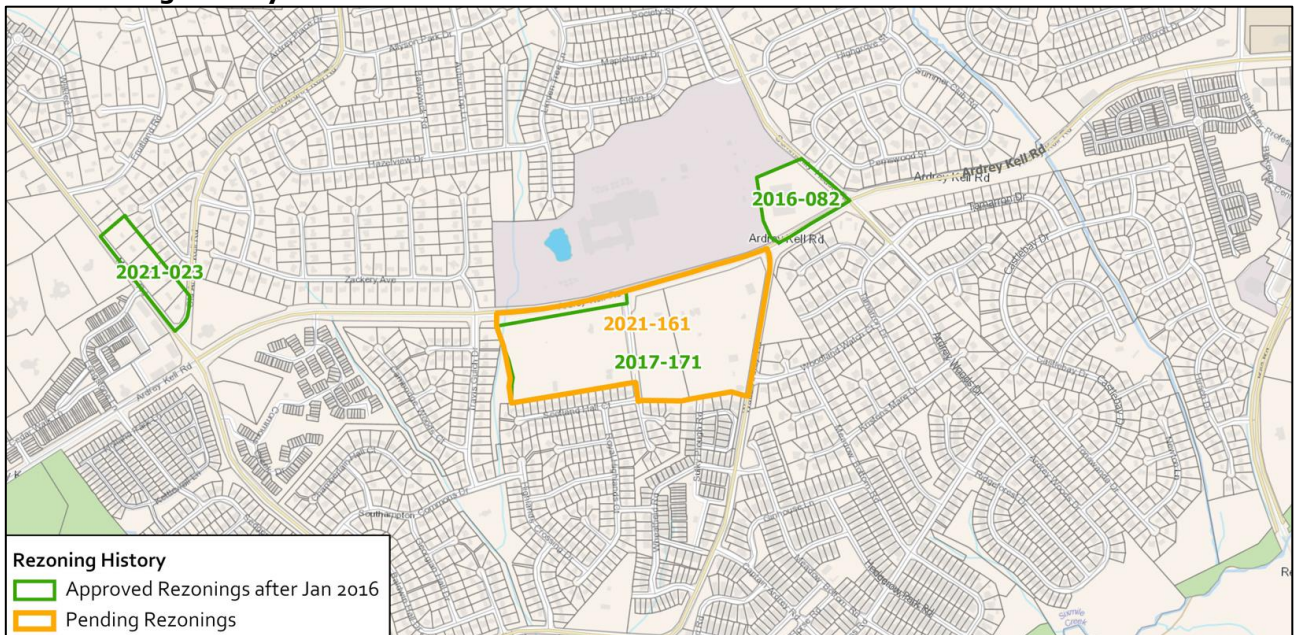


East of the site across Wade Ardrey Rd is a single family neighborhood.



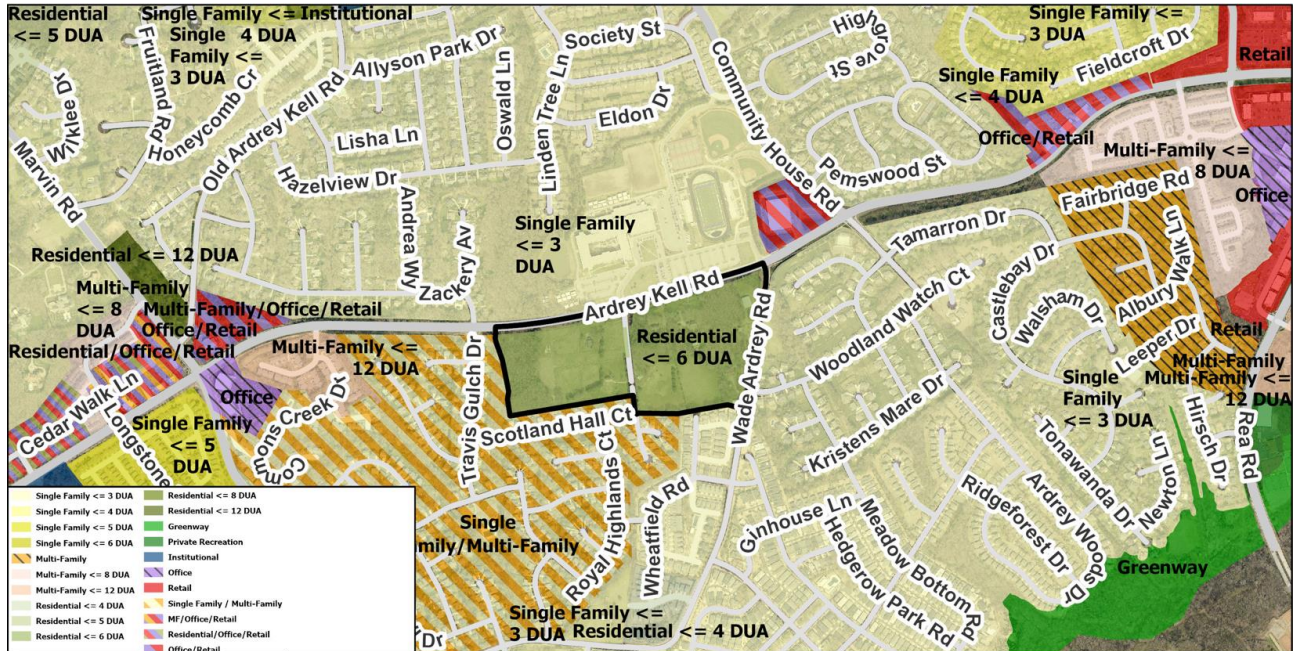
West of the site are single family detached homes along Travis Gulch Dr.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-082	5.67 acres east of the site at the corner of Ardrey Kell Rd and Community House Rd to I-1(CD) (light industrial, conditional) allowing climate controlled self-storage.	Approved
2017-171	36.7 acres (the subject site) to MX-2(INNOV) allowing 220 single family attached and detached residential dwelling units, no more than 205 townhomes.	Approved
2021-023	4.81 acres west of the site on Marvin Rd to UR-2(CD) (urban residential, conditional) allowing up to 42 single family attached dwelling unit.	Approved

• Public Plans and Policies



- The *South District Plan* (1993) recommends residential up to 6 units per acre as amended by the previous rezoning petition 2017-171.

• TRANSPORTATION SUMMARY

- The project is located on Ardrey Kell Road, a State-maintained major thoroughfare, Beau Riley Road, a City-maintained minor collector, and Wade Ardrey Road, a State-maintained minor collector. The site is on approximately 35.87 acres and proposes two development areas with land uses shown in the trip generation table below. Per the City's Traffic Impact Study (TIS) Guideline's thresholds, a TIS is needed for this site. A TIS was submitted on November 22, 2021 and is currently being reviewed by NCDOT and CDOT. The petitioner commits to constructing a 12-foot multi-use path and 8-foot planting strip along Ardrey Kell Road and an 8-foot sidewalk with an 8-foot planting strip along Beau Riley Road and Wade Ardrey Road in accordance with the Subdivision Ordinance and the Charlotte BIKES and Charlotte WALKS Policies. Site plan revisions are needed to commit to constructing all TIS-recommended and ordinance required transportation improvements with applicable phasing and funding sources identified. Site plan revisions are also needed to revise the choker street connection to Sulky Plough Road and to provide a pedestrian safety crossing on Wade Ardrey Road. Conditional notes need to be added to commit to the multi-use path along entire frontage on Ardrey Kell Road, and all other streetscape improvements as depicted on the site plan. Additional traffic mitigation comments may be forthcoming once the TIS is approved by CDOT and NCDOT.

• Active Projects:

- Ardrey Kell Rd Widening (Johnston Rd to Rea Rd)
 - NCDOT STIP #U-6167
 - ROW 2029/ Unfunded for construction

• Transportation Considerations

- See Outstanding Issues, Note 3-6

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family home).

Entitlement: 1,625 trips per day (based on 220 townhomes).

Proposed Zoning: 3,370 trips per day (based on 50 townhomes, 380 apartments, 900 student elementary school).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.

- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 78 students, while the development allowed under the proposed zoning may produce 146 students. Therefore, the net increase in the number of students generated from existing zoning to proposed
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Elon Park Elementary from 137% to 147%
 - Community House Middle from 142% to 144%
 - Ardrey Kell High from 164% to 166%.

Rezoning petition 2021-161 includes the site of the CMS 2017 Bond Projects elementary school to relieve over-crowding at Elon Park, Hawk Ridge and Polo Ridge.

The information presented herein does not capture the relief that may be provided to Elon Park Elementary School as a result of this project, but only reflects additional student yield without relief as attendance boundaries have not been developed. As the site of a relief school, this project will provide more relief than the residential portion will generate students.

- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Beau Riley Rd. See advisory comments at www.rezoning.org
- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES

Land Use

1. Reduce the residential unit count to better align with the recommended DUA for the subject property.

Site and Building Design

2. Ensure solid waste facilities meeting solid waste requirements are shown for multi-family and townhomes. Current site plan does not show solid waste area located in townhome area.

Transportation

3. Add conditional note committing to constructing the multi-use path along entire frontage on Ardrey Kell Road as depicted on the site plan.
4. Revise site plan and conditional notes to remove choker street connection to Sulky Plough Road and continue the full width local residential street.
5. Revise site plan and conditional note(s) committing to pedestrian safety crossing on Wade Ardrey Road at Woodland Watch Court. Crossing type and location to be coordinated with NCDOT and CDOT.
6. Add agreed upon commitments identified from the TIS to the site plan.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

7. Remove Architectural note 3.b.iii as it does not apply.
8. Remove Architectural note 4.e as it does not apply, all units are alley loaded.
9. Clarify acreage and density for area B. Area measured is about 21.174 acres and would result in 20.3 DUA rather than 18.25.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: John Kinley (704) 336-8311









Goals Relevant to Rezoning Determinations

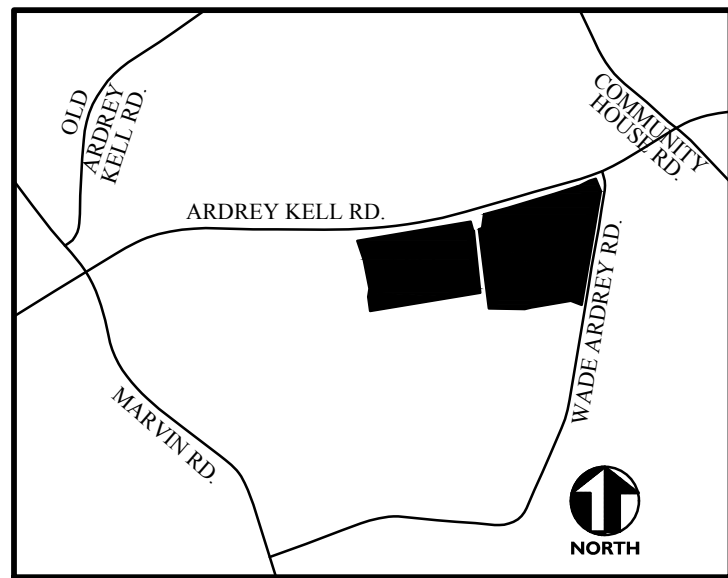
Rezoning Petition # 2021-161

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

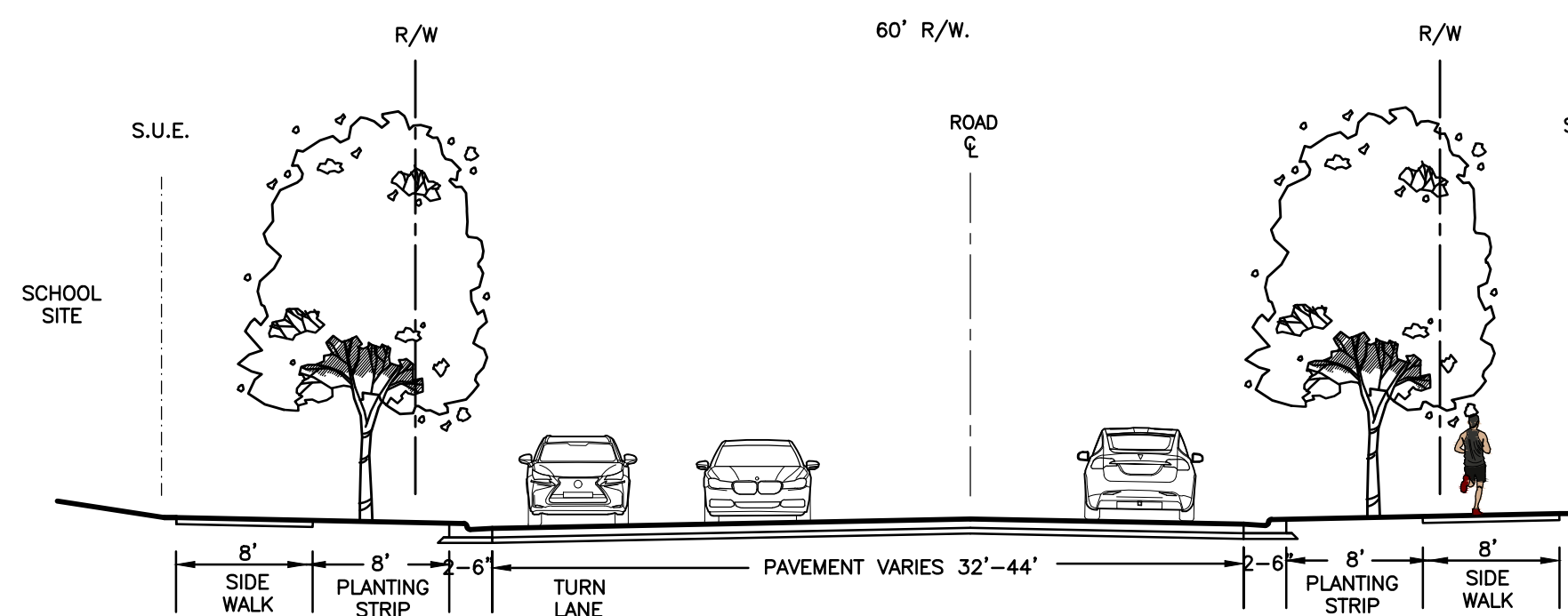
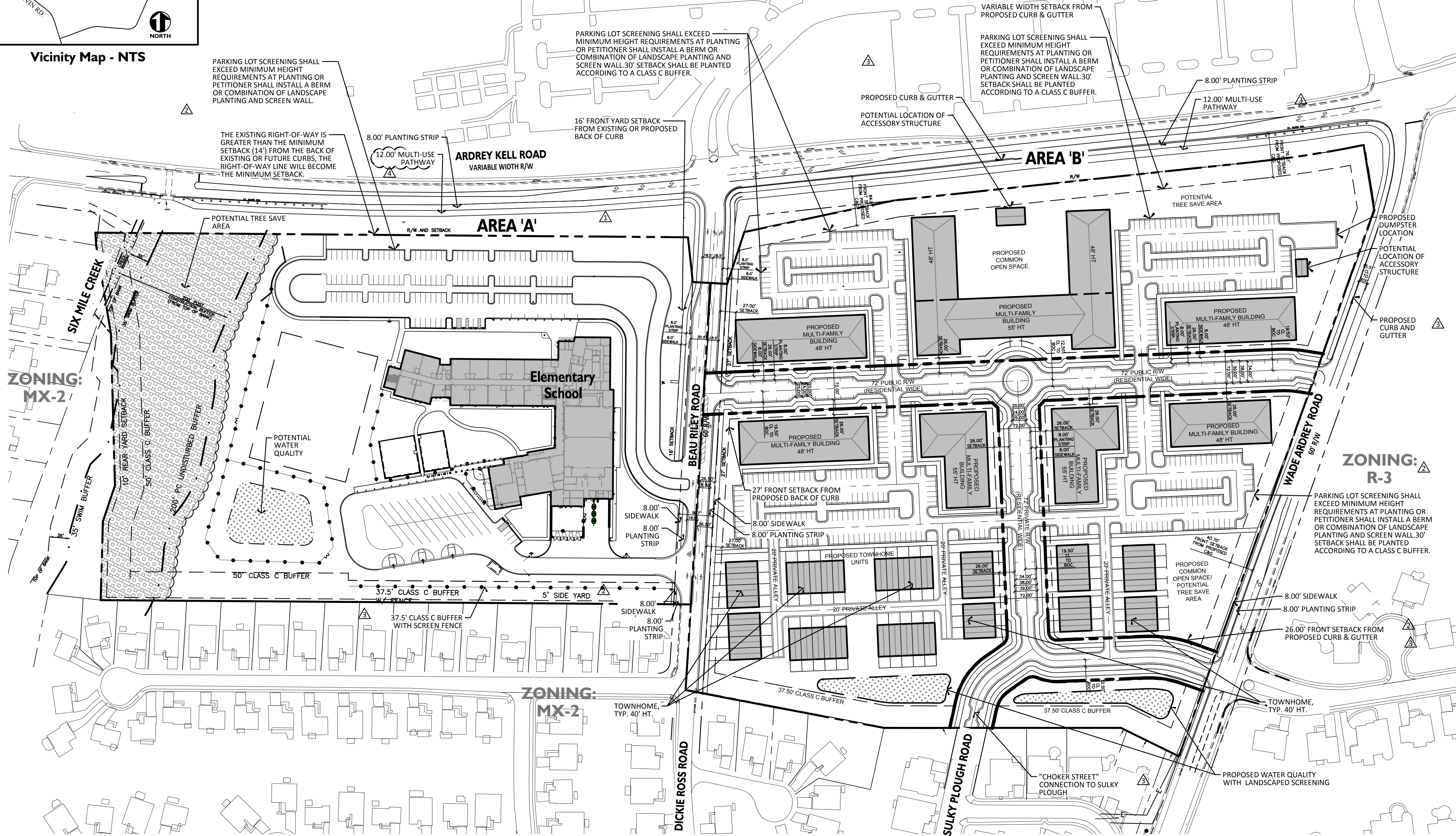
Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	X
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	✓
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	X

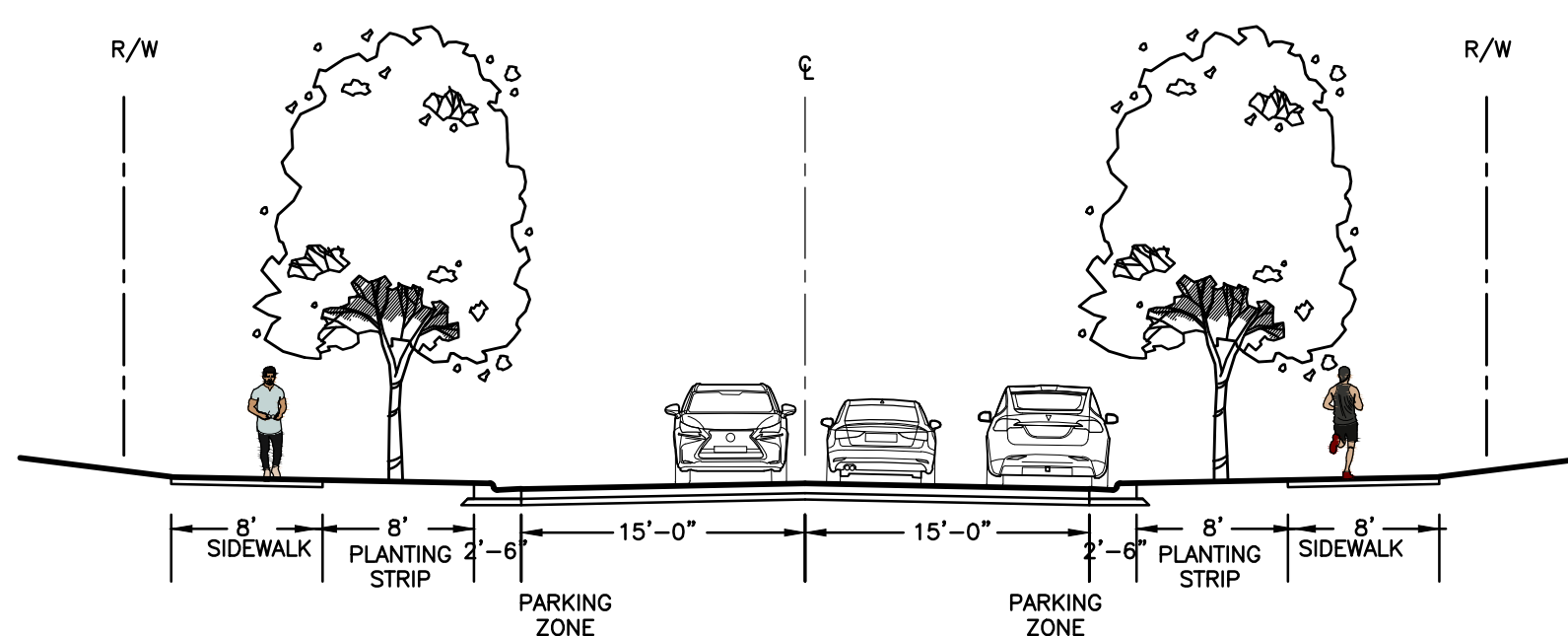
	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



Vicinity Map - NTS



1 Beau Riley Road
N.T.S.



2 Local Residential Wide Street
CLD&M U-03



WOODFIELD
DEVELOPMENT



SITE DATA:	
Rezoning Petition:	2021-161
Parcel Numbers:	229-021-19, 229-021-05 and 229-021-03
Jurisdiction:	CITY OF CHARLOTTE
Existing Zoning:	MX-2 (INNOV)
Proposed Zoning:	MUDD-O
Acreage:	35.87 Acres
Tree Save Required:	5.38 Acres
Min. Tree Save to be provided and preserved in accordance with the Ordinance:	5.38 Acres
Front Setback:	As shown on plans
Side:	5' Minimum
Rear:	10' Minimum

AREA "A"	
Existing Use:	Vacant/Single-Family Residential
Proposed Use:	Elementary School
Max. Building Height:	40'
Parking:	As required by the Ordinance
Bldg. Square Footage	School: Approx. 103,000 sf

AREA "B"	
Existing Use:	Vacant/Detached Residential
Proposed Use:	Multi-Family & Single-Family Attached
Number of Units:	50 Single-Family Attached 380 Multi-Family
Max. Building Height:	Multi-Family Central Portion: 55' max. Multi-Family along Ardrey Kell, Wade Ardrey and Beau Riley frontages: 48' max. Single Family Attached: 40' max.
Parking:	Min. 1.5 spaces per residential unit, all other parking as required by the Ordinance
Total Units:	430 Units
Dwelling Unites/ Acre	18.25 DUA

Ardrey Kell Site CMS & Woodfield Development

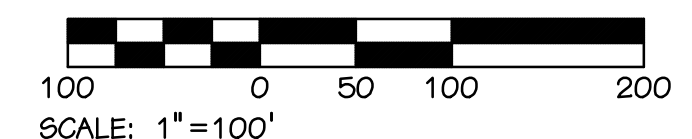
Ardrey Kell Road
Charlotte, North Carolina

Petition No : 2021-161
Project no: 17000428.00
Date: 06.18.21
Revisions:
2021-09-13 STAFF COMMENTS
2021-10-11 STAFF COMMENTS
2021-11-15 STAFF COMMENTS
2021-12-13 STAFF COMMENTS

NOT FOR
CONSTRUCTION

Sheet Title:
Rezoning
Site Plan

Sheet No:
RZ-1





Alfred Benesch & Company
2359 Perimeter Pointe Parkway
Atlanta, Georgia 30328
Charlotte, NC 28208
www.benesch.com
P 704.521.9880

Seals:

Corp. NC license: F-1320

Ardrey Kell Site
CMS & Woodfield Development

Ardrey Kell Road
Charlotte, North Carolina

Petition No : 2021-161

Project no: 17000428.00

Date: 06.18.21

Revisions:

- 2021-09-13 STAFF COMMENTS
- 2021-10-11 STAFF COMMENTS
- 2021-11-15 STAFF COMMENTS
- 2021-12-13 STAFF COMMENTS

NOT FOR CONSTRUCTION

Sheet Title:

Rezoning Notes

Sheet No:

RZ - 2

ARDREY KELL SITE
PETITIONERS: CHARLOTTE-MECKLENBURG SCHOOLS & WOODFIELD DEVELOPMENT LLC
REZONING PETITION NO. 2021-161
12/13/2021

Development Data Table:

Site Area:	+/- 36.78 acres
Tax Parcel:	229-021-19, 229-021-05, and 229-021-03
Existing Zoning:	MX-2(INNOV)
Proposed Zoning:	MUDD-O, with five (5) year vested rights
Existing Use:	Vacant/Single-Family Residential
Proposed Uses:	Elementary School and Single-Family Attached and Multi-Family Residential
Maximum Building Height:	Per Ordinance standards unless otherwise stated herein
Parking:	Minimum of 1.5 spaces per residential unit, all other parking per Ordinance standards

I. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition jointly filed by Charlotte-Mecklenburg School and Woodfield Development LLC (the "Petitioners") to accommodate the development of elementary school and residential community with affordable housing opportunity on that approximately 36.78-acre site located on both sides of the southern intersection of Ardrey Kell Road and Beau Riley Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 229-021-19, 229-021-05, and 229-021-03.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, or as otherwise provided in the Optional Provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern the development and use of the Site.
- The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Permitted Uses

Parcel 229-021-19 may be devoted only to a maximum of 103,000 square feet of institutional uses (elementary secondary schools), including any incidental and accessory uses relating thereto that are permitted in the MUDD zoning district. Parcels 229-021-05 and 229-021-03 may be devoted only to residential uses, containing a maximum of 380 multi-family attached residential units and fifty (50) single-family attached residential units (townhome-style), including any incidental and accessory uses relating thereto that are permitted in the MUDD zoning district.

III. Optional Provisions

The Petitioner seeks the ability to providing parking and/or maneuvering between the building(s) and street(s) in the areas as generally depicted on the Rezoning Plan.

IV. Affordable Housing

A minimum of 10% of the total number of multi-family dwelling units actually constructed on the Site shall maintain monthly rents that are income restricted for households earning less than or equal to 80% of the Area Media Income (AMI) for a period of not less than fifteen (15) years from the date of issuance of certificates of occupancy for the first building to be constructed on the Site.

V. Transportation

- Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and as required for approval by the Charlotte Department of Transportation (CDOT).
- As depicted on the Rezoning Plan, the Site will be served by internal public and/or private streets, and minor adjustments to the location of these streets shall be allowed during the construction permitting process in coordination with CDOT.
- The Petitioner(s) propose a choker street connection to the existing stub at Sulky Plough Road, as generally depicted on the Rezoning Plan.
- Petitioner(s) shall dedicate all rights-of-way where necessary, in fee simple conveyance to the City of Charlotte prior to the issuance of the first building certificate of occupancy for the development area for which the right(s)-of-way relates to.
- Unless stated otherwise herein, the Petitioner(s) shall ensure that all transportation improvements are substantially completed prior to the issuance of the first building certificate of occupancy for the development area for which the transportation improvement(s) relates to. Identified transportation improvements necessary to access the school shall be completed prior to

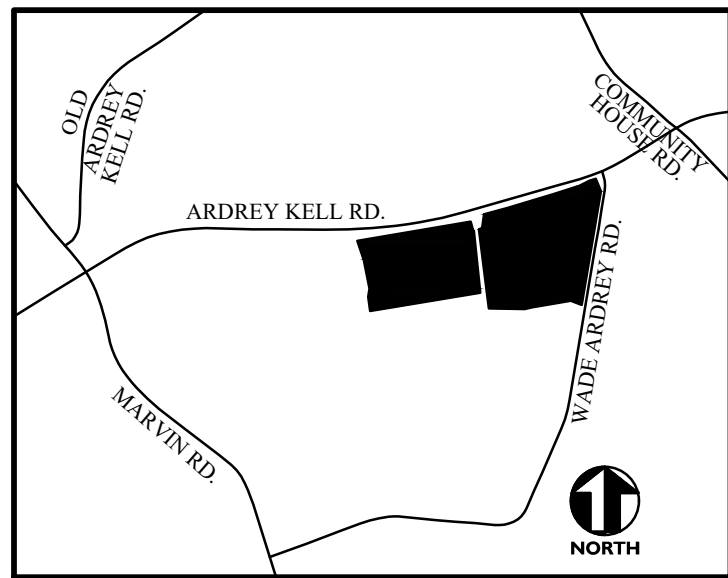
the school being placed in operation. Petitioner(s) agree to fully construct and fund all TIS-recommended and ordinance required transportation improvements per applicable phasing as noted.

VI. Architectural Standards

- Preferred Exterior Building Materials: principal and accessory residential buildings constructed on the Site abutting a network required public or private street shall comprise a minimum of 30% of that building's entire façade facing such network street using a combination of any of the following: brick, stone, simulated stone, pre-cast stone, synthetic stone, stucco/E.I.F.S., cementitious siding (such as hardi-plank), or other materials approved by the Planning Director.
- Prohibited Exterior Building Materials: (a) Vinyl siding (but not vinyl windows, soffits, doors, and trim features); and (b) concrete masonry units not architecturally finished.
- Multi-Family Residential Standards:
 - Building Massing and Height shall be designed to break up long monolithic building forms as follows: Building sides greater than 120 feet in length shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of five (5) feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor. Multifamily buildings shall be a maximum height of fifty-five (55) feet in the central portion of Area B and shall be a maximum of forty-eight (48) feet along the Ardrey Kell Road, Wade Ardrey Kell Road and Beau Riley Road frontages, as measured per the Ordinance and as further depicted on the Rezoning Plan.
 - Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
 - Buildings shall be placed so as to present a front or side façade to all network required streets (public or private);
 - Buildings shall front a minimum of 60% of the total network required street frontage on the site (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities);
 - Parking lots shall not be located between any buildings and network required public or private streets;
 - Driveways intended to serve single units shall be prohibited on all network required streets.
 - Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
 - Buildings shall be designed with a recognizable architectural base on all facades fronting network required public or private streets. Such base may be executed through the use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.
 - Building elevations facing network required public or private streets shall not have expanses of blank walls greater than twenty (20) feet in all directions and articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors, or other design features or materials provided to avoid a sterile, unarticulated blank treatment of such walls.
 - Residential Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
 - Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips dormers, parapets, and/or architectural accent features.
 - For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.
 - Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

Single-Family Attached Residential (Townhome-style) Standards:

- To provide privacy, all residential entrances within fifteen (15) feet of the sidewalk shall be raised or lowered from the average sidewalk grade 12-24".
 - Single-Family Attached buildings shall be a maximum of forty feet (40'), as measured per the Ordinance and as depicted on the Rezoning Plan.
 - Pitched roofs, if provided, shall be sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
 - Attached dwelling units shall be limited to a maximum of five (5) units per building or fewer when fronting a public street.
 - Garage doors fronting Beau Riley Road, Ardrey Kell Road, or Wade Ardrey Road, if provided, shall minimize the visual impact by providing a setback of 12-24" from the front wall plane or contain additional architectural treatments such as translucent windows or projecting elements over the garage door opening.
- Institutional (Elementary School) Standards:
- Building height for the proposed elementary school shall not exceed forty (40) feet as measured per the Ordinance.
- Sidewalk extensions shall be provided between all network-required public and private streets when parking is adjacent.



Vicinity Map - NTS



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Ardrey Kell Site CMS & Woodfield Development

Ardrey Kell Road
Charlotte, North Carolina

Petition No : 2021-161

Project no: 17000428.00

Date: 06.18.21

Revisions:

- △ 2021-09-13 STAFF COMMENTS
- △ 2021-10-11 STAFF COMMENTS
- △ 2021-11-15 STAFF COMMENTS
- △ 2021-12-13 STAFF COMMENTS

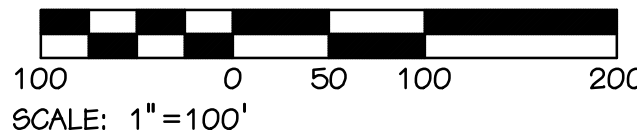
NOT FOR
CONSTRUCTION

Sheet Title:

Existing
Conditions

Sheet No:

RZ - 3





City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 26. **File #:** 15-17172 **Type:** Zoning Hearing

Rezoning Petition: 2021-100 by Donald M. Edward

Location: Approximately 13.37 acres located at the eastern intersection of Eastfield Road and Independence Hill Road, north of Interstate 485. (EJ-BOCC 1-Powell; closest CC 4-Johnson).

Current Zoning: R-3 (single-family residential)

Proposed Zoning: R-12 MF (CD) (multi-family residential, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

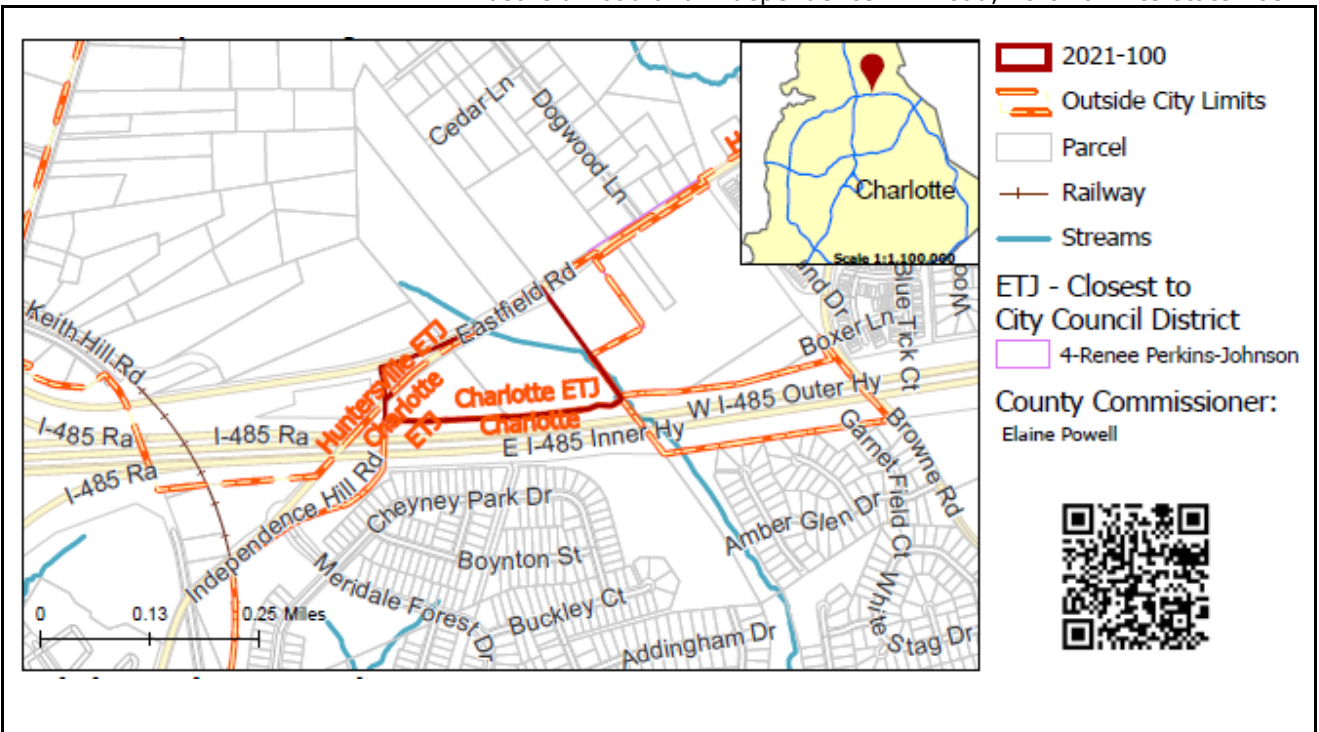
Pre-Hearing Staff Analysis
Site Plan

REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 13.37 acres located at the eastern intersection of Eastfield Road and Independence Hill Road, north of Interstate 485.



SUMMARY OF PETITION

The petition proposes an age-restricted residential community of up to 160 multi-family dwelling units with a density of 11.96 dwelling units per acre.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

Double M Holdings, LLC et al
Donald M. Edward
Donald M. Edward

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 1

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Prosperity Hucks Area Plan's* (2015) recommendation of residential use, but at 11.96 dwelling units per acre (DUA), it is **inconsistent** with the recommended density of 4 DUA.

Rationale for Recommendation

- This petition proposes up to 160 multi-family dwelling units that will be age-restricted (55+) for a density of 11.96 DUA.
- This petition will increase housing options and varieties of housing types in the area.

- Adjacent to this petition is Petition 2020-148, which was recently approved for detached and attached single family housing units and allows for a density of up to 6 DUA. On the other side of Petition 2020-148 is R-12MF(CD) zoning on which are existing townhomes.
- The age-restricted multi-family units are an appropriate density transition from the lower density adjacent townhomes.
- This petition will increase pedestrian connectivity in the area by committing to construct an 8-foot planting strip and 6-foot sidewalk along the site's public street frontages.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan (2015)*, from Residential up to 4 DUA to Residential up to 12 DUA for the site.

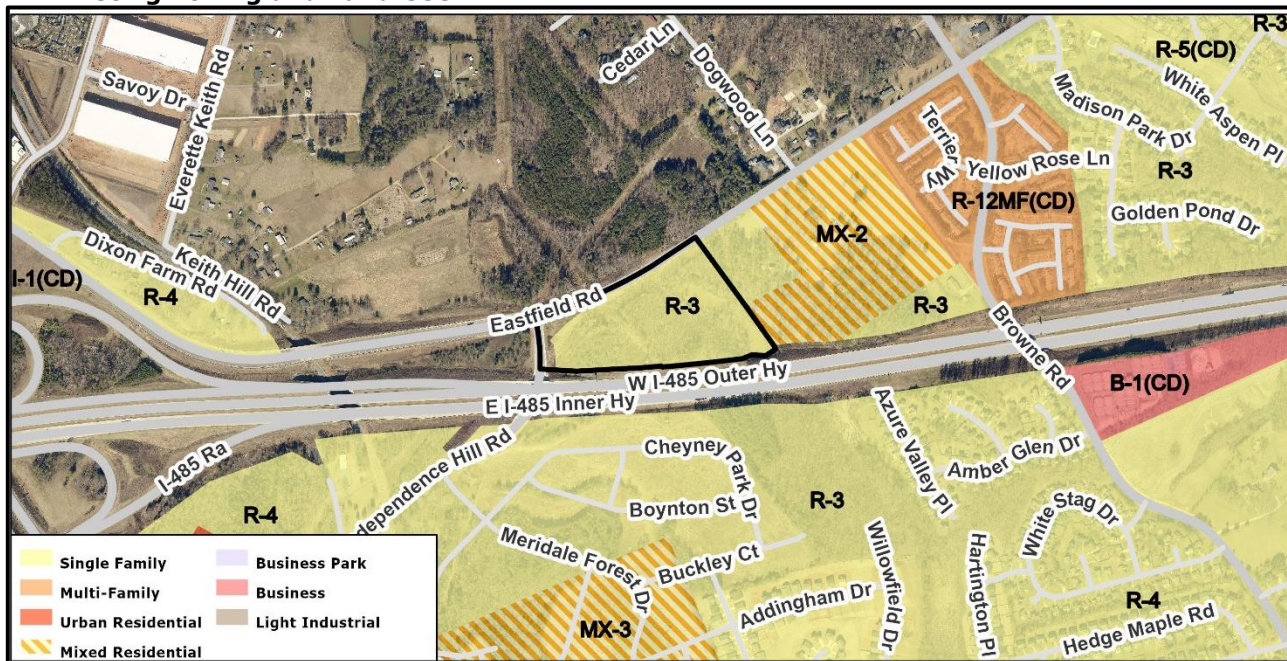
PLANNING STAFF REVIEW

• **Proposed Request Details**

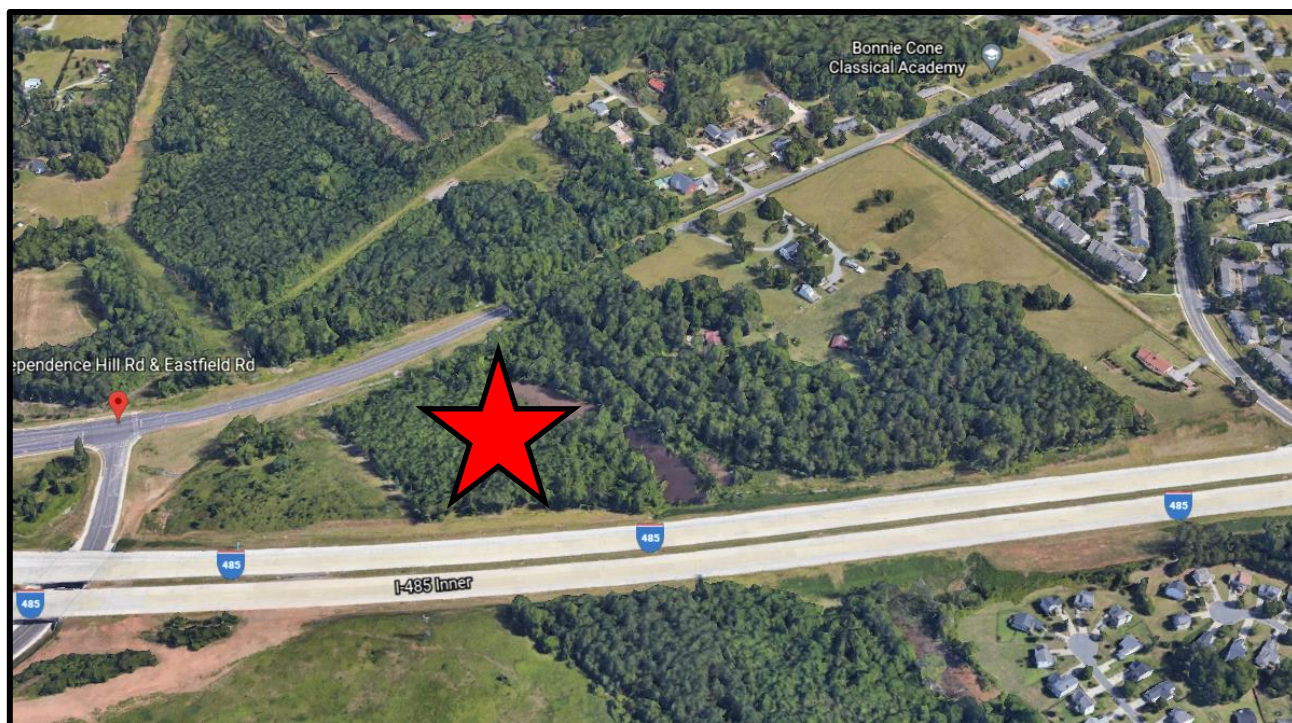
The site plan accompanying this petition contains the following provisions:

- Allows up to 160 age-restricted (55+) multi-family dwelling units.
- Provides a minimum 10% of the units will maintain monthly rents of 80% of the area median income for a period of not less than 15 years.
- Provides community amenities such as a pool, dog park, walking paths, and a clubhouse.
- Provides a 50-foot Class C buffer to abutting residential uses.
- Provides a minimum of 50% open space including ponds, tree save areas, buffers, and green space.
- Commits to 8-foot planting strips and 12-foot multi-use paths along Independence Hill Road and Eastfield Road.
- Limits building height to 45-feet.
- Provides left and right turn lanes at the site driveway on Eastfield Road.
- Architectural details:
 - Primary building materials include a combination of brick veneer, stone, manufactured stone, stucco, and cementitious siding. Vinyl may be used on windows, door, soffits, trim and railing only.
 - Buildings exceeding 120-feet in length will include modulations such as recesses, projections, and architectural details. Modulations will be a minimum of 10-feet wide and project or recess a minimum of 6-feet.
 - Buildings will be placed to present a front or side façade to all required streets.
 - Buildings along public right-of-way will have windows or other architectural detail that limit the maximum blank wall expanse to 15-feet on each level of multi-family building.
 - Pitched roofs, if provided, shall be symmetrically sloped no less than 4:12, unless a flat roof architectural style is employed.

- Existing Zoning and Land Use



The subject property is vacant. The surrounding land uses include single family, multi-family, and a school.



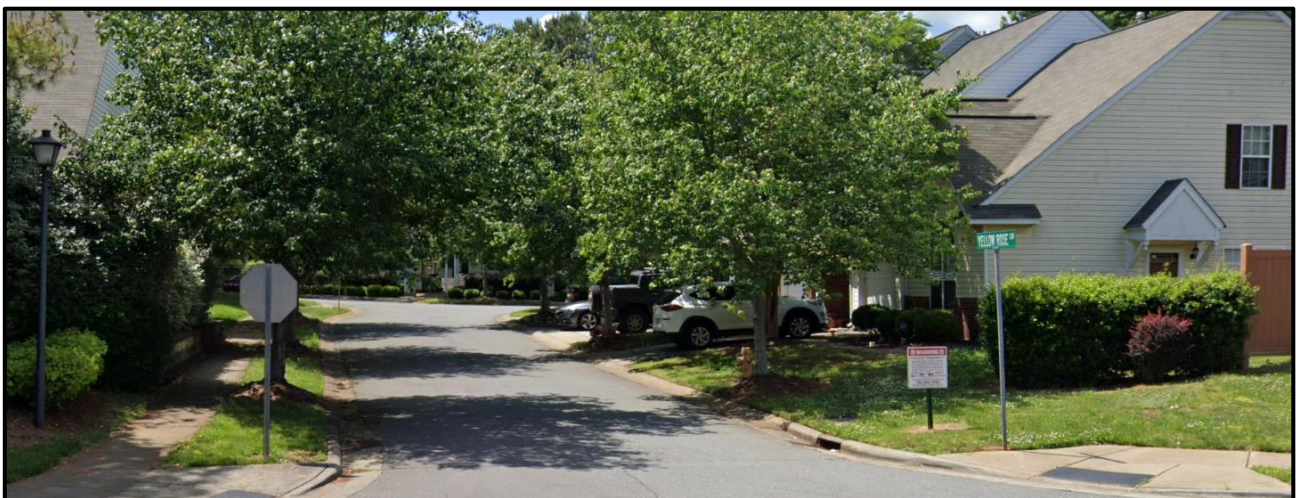
The subject property is denoted by a red star.



The property to the north along Eastfield Road is vacant.

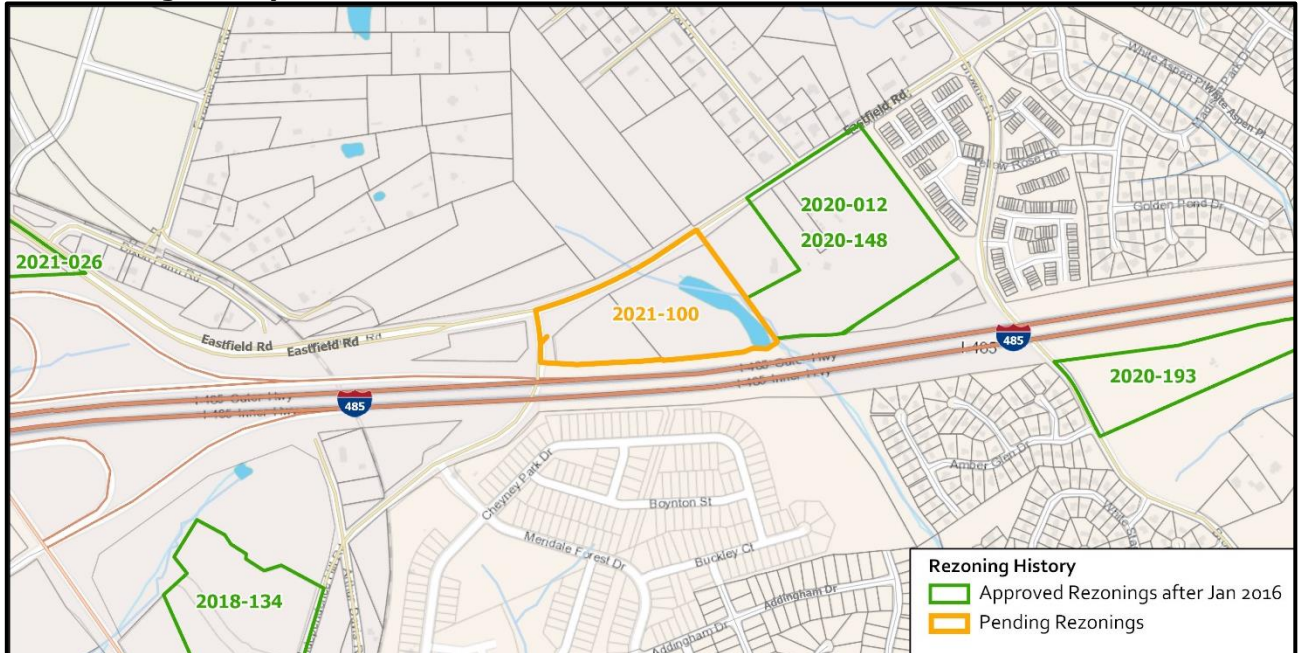


The property to the west along Independence Hill Road is vacant.



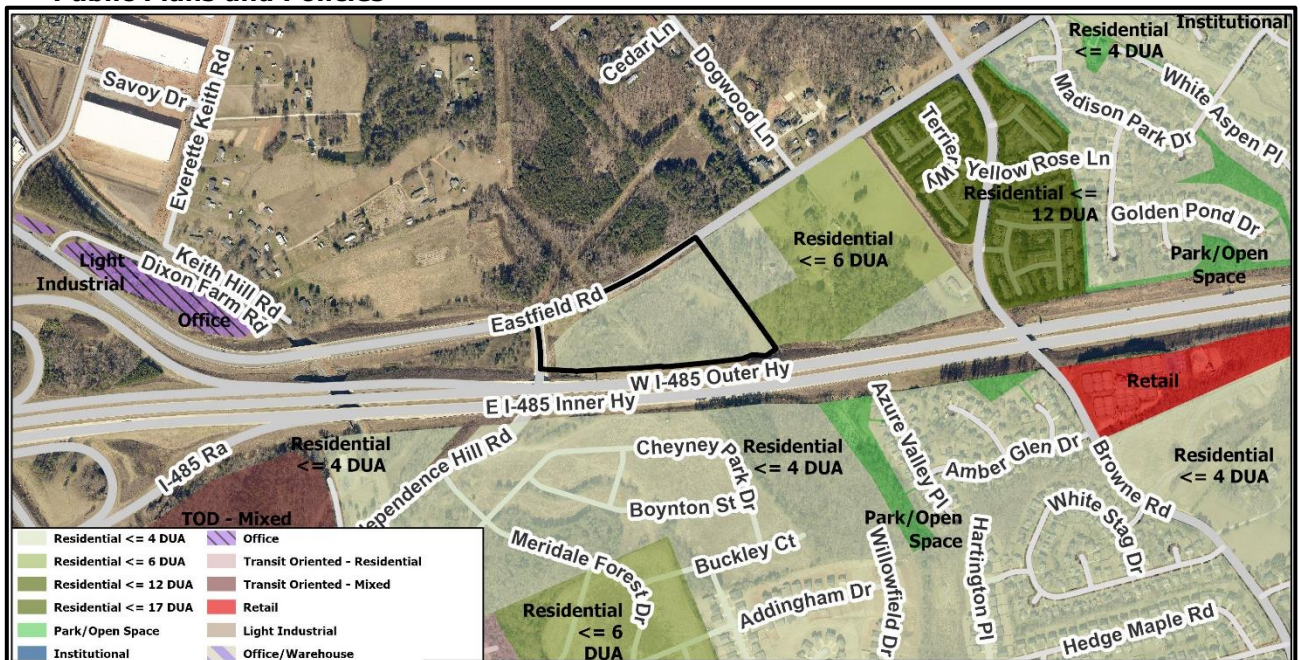
The property to the east along Yellow Rose Lane is developed with townhomes.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2018-134	Rezoned 20.03 acres to allow up to 335 multi-family units.	Approved
2020-012	Rezoned 21.92 acres to allow up to 38 single family dwellings and 48 townhomes.	Approved
2020-148	This site was rezoned in July 2020 to MX-1, proposing up to 48 townhomes and 38 single family homes. The petitioner requested MX-2 zoning because it allows for reduced front yard setbacks.	Approved
2020-193	Rezoned 10.50 acres to allow an expansion to the existing Prosperity Athletic Club facilities with new uses and improvements.	Approved
2021-026	Rezoned 20.55 acres to allow up to 3 automobile sales and service centers.	Approved

• Public Plans and Policies



The Prosperity Hucks Area Plan (2015) calls for Residential up to 4 DUA.

- **TRANSPORTATION SUMMARY**

- The site is located at the intersection of Eastfield Road and Independence Hill Road, both State-maintained minor thoroughfares. A Traffic Impact Study (TIS) is not needed for this site. The petitioner is committing to installing 8-foot planting strips and 12-foot multi-use paths along Independence Hill Road and Eastfield Road in accordance with Charlotte WALKS and Charlotte BIKES policies. The petitioner has also committed to installing left and right turn lanes at the site driveway on Eastfield Road. CDOT has no outstanding issues.
- **Active Projects:**
 - N/A
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**

Current Zoning:
Existing Use: 0 trips per day (based on vacant land).
Entitlement: 140 trips per day (based on 11 single family dwellings).
Proposed Zoning: 875 trips per day (based on 160 apartments).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 20 students, while the development allowed under the proposed zoning may produce 0 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Legette Blythe Elementary remains at 106%.
 - J.M. Alexander Middle remains at 89%.
 - North Mecklenburg High remains at 108%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 24-inch water distribution main located along Eastfield Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 12-inch gravity sewer main located along Eastfield Road. See advisory comments at www.rezoning.org
- **City Arborist:** No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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:** No outstanding issues.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Michael Russell (704) 353-0225



Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-100

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✓
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	✓
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

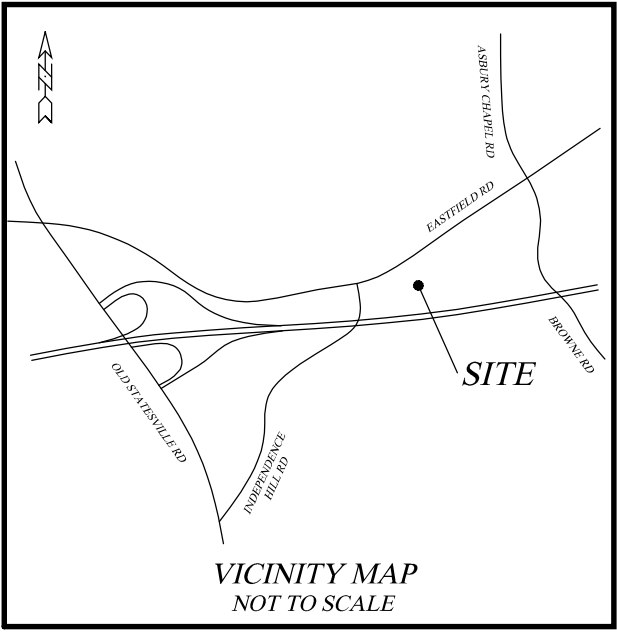
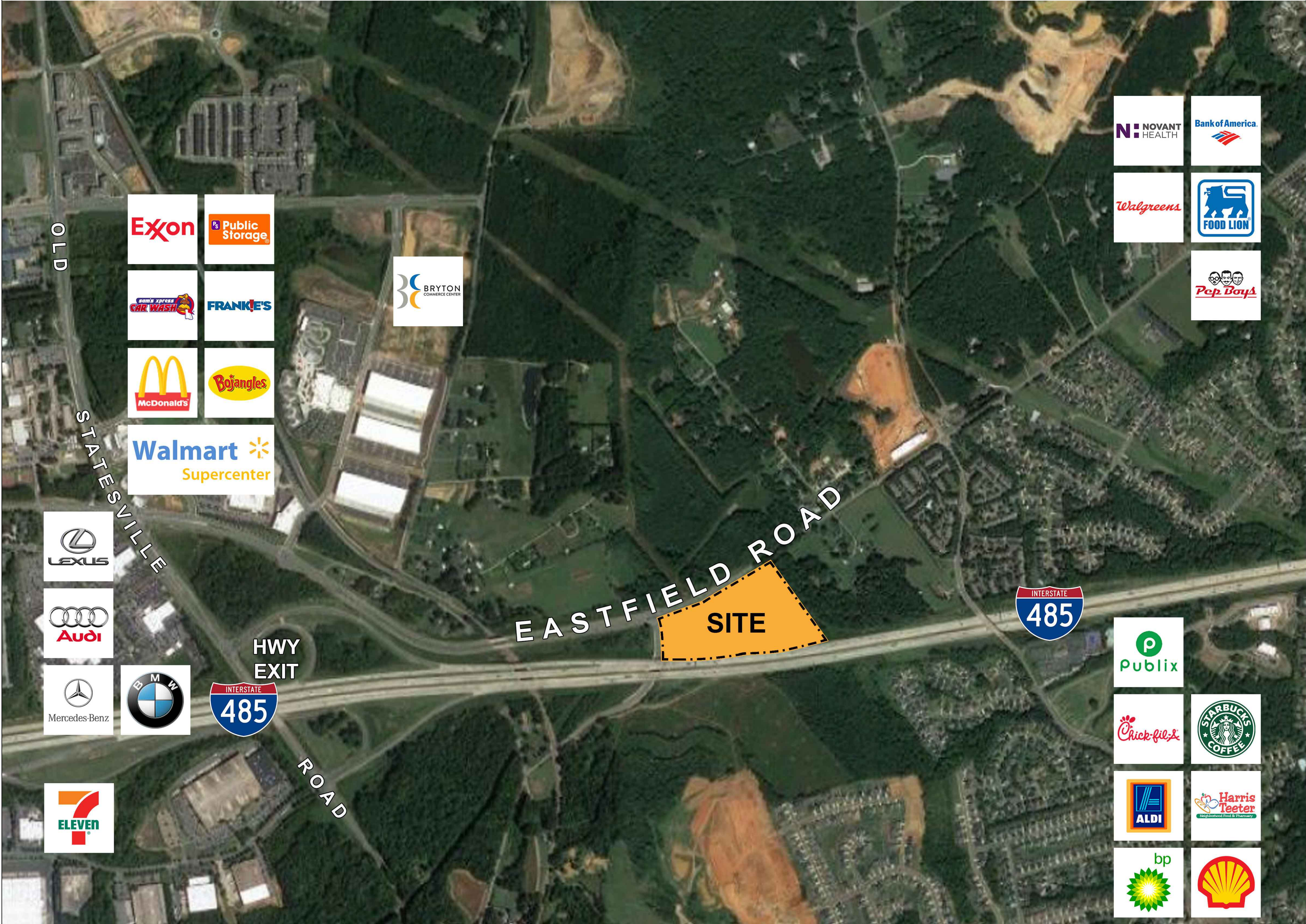
	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>

EASTFIELD PARK AGE RESTRICTED, 55+ SENIOR APARTMENTS

EASTFIELD RD

HUNTERSVILLE, NC

REZONING PETITION RZP. 2021-100



PETITIONER :	OWNER : PARCEL #02761107
DONALD M. EDWARD MARK W. TIEDEMANN 10800 ALABASTER DRIVE DAVIDSON, NC 28036 CONTACT: PHONE : 704.519.5607 EMAIL : DON@MWTUSA.COM	DOUBLE M HOLDINGS, LLC 11132 EASTFIELD ROAD HUNTERSVILLE, NC 28078
OWNER : PARCEL #02762105	OWNER : PARCEL #02762105
CATHERINE JANE MAXWELL 3141 BUTTER CHURN LANE MATTHEWS, NC 28078	RICHARD BENJAMIN FEWEL 3141 BUTTER CHURN LANE MATTHEWS, NC 28078
OWNER : PARCEL #02762105	OWNER : PARCEL #02762105
THOMAS M. MAXWELL INDIVIDUALLY AND AS TRUSTEE OF THE IAN ALEXANDER MAXWELL IRREVOCABLE TRUST 3141 BUTTER CHURN LANE MATTHEWS, NC 28078	THERESIA H. MAXWELL INDIVIDUALLY AND AS TRUSTEE OF THE IAN ALEXANDER MAXWELL IRREVOCABLE TRUST 3141 BUTTER CHURN LANE MATTHEWS, NC 28078
OWNER : PARCEL #02762105	OWNER : PARCEL #02762105
JOHN K. MAXWELL INDIVIDUALLY AND AS TRUSTEE OF THE EDISON KIMBLE MAXWELL IRREVOCABLE TRUST AND THE OLIVER KIMBLE MAXWELL 3141 BUTTER CHURN LANE MATTHEWS, NC 28078	SANDRA R. MAXWELL INDIVIDUALLY AND AS TRUSTEE OF THE EDISON KIMBLE MAXWELL IRREVOCABLE TRUST AND THE OLIVER KIMBLE MAXWELL 3141 BUTTER CHURN LANE MATTHEWS, NC 28078

DRAWING INDEX

- RZ.1 COVER SHEET
- RZ.2 CONCEPT SITE PLAN
- RZ.3 TECHNICAL DATA & METERS AND BOUNDS
- RZ.4 COLORED CONCEPT SITE PLAN
- RZ.5 EXTERIOR RENDERINGS
- RZ.6 PROPERTY SURVEY (INCLUDE ROW TREE SURVEY)
- RZ.7 TREE SAVE PLAN
- RZ.8 FIRE TRUCK ACCESS PLAN



3827 BILLO ROAD
ALDEN, NY, 14004
716-631-0600

PROPOSED:
EASTFIELD PARK
AGE RESTRICTED
55+ SENIOR
APARTMENTS

EASTFIELD ROAD
HUNTERSVILLE, NC, 28078

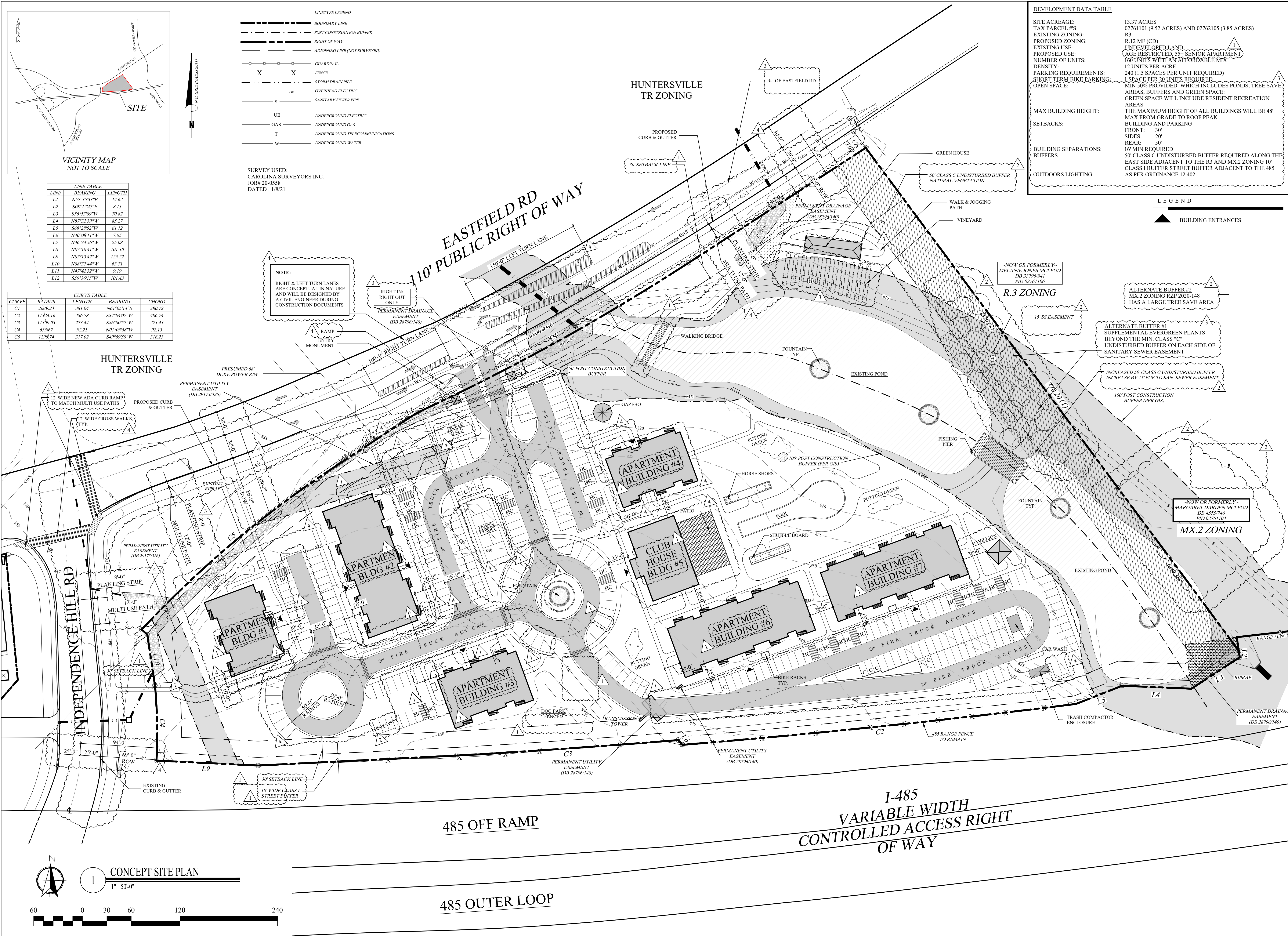
REVISIONS			
NO.	DESCRIPTION	DATE	BY
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2.	ZONING COMMENTS #2	10/6/21	
3.	ZONING COMMENTS #3	11/11/21	
4.	ZONING COMMENTS #4	12/10/21	EM

ISSUED FOR:
REZONING PETITION
RZP. 2021-100

PROJECT NO.: 20-215
DATE: 12/10/2021
DRAWN BY: WM
CHKD. BY: DE

COVER
SHEET

SHEET
RZ.1



DEVELOPMENT DATA

DEVELOPMENT DATA TABLE

SITE ACREAGE:13.37 ACRES

TAX PARCEL #S:02761101 (9.52 ACRES) AND 02762105 (3.85 ACRES)

EXISTING ZONING:R3

PROPOSED ZONING:R-12 MF (CD)

EXISTING USE:UNDEVELOPED LAND

PROPOSED USE:AGE RESTRICTED, 55+ SENIOR APARTMENT

NUMBER OF UNITS:160 UNITS WITH AN AFFORDABLE MIX

DENSITY:12 UNITS PER ACRE

PARKING REQUIREMENTS:240 (1.5 SPACES PER UNIT REQUIRED)

SHORT TERM BIKE PARKING:1 SPACE PER 20 UNITS REQUIRED

OPEN SPACE:MIN 50% PROVIDED WHICH INCLUDES PONDS, TREE SAVE AREAS, BUFFERS AND GREEN SPACE. GREEN SPACE WILL INCLUDE RESIDENT RECREATION AREAS

MAX BUILDING HEIGHT:THE MAXIMUM HEIGHT OF ALL BUILDINGS WILL BE 45'

SETBACKS:BUILDING AND PARKING FRONT: 30' SIDES: 20' REAR: 50'

BUILDING SEPARATIONS:16' MIN REQUIRED

BUFFERS:50' CLASS C UNDISTURBED BUFFER REQUIRED ALONG THE EAST SIDE ADJACENT TO THE R3 AND MX-2 ZONING (CH CLASS 1) BUFFER STREET BUFFER ADJACENT TO THE 485 AS PER ORDINANCE 12.402

OUTDOORS LIGHTING:

2

ARCHITECTURAL STANDARDS

1. PREFERRED EXTERIOR BUILDING MATERIALS : ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 30% OF THAT BUILDING'S ENTIRE FACADE FACING SUCH NETWORK STREET USING BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.

2. PROHIBITED EXTERIOR BUILDING MATERIALS :

A. VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM)

B. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED

3. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING :

A. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FACADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE) WITH EXCEPTION OF 1.485

B. BUILDINGS SHALL FRONT A MINIMUM OF 60% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS, POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES) WITH EXCEPTION OF 1.485

C. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET

D. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS

4. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS :

A. BUILDING EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING / FACADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS), MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 6 FEET EXTENDING THROUGH THE BUILDING

5. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOW:

A. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS

B. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FACADE FEATURES AND COLOR CHANGES

C. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIAL WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS

6. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

A. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS

B. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS

C. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET

7. MULTI FAMILY BUILDING WITH ELEVATIONS ALONG PUBLIC ROW SHALL HAVE WINDOWS OR OTHER ARCHITECTURAL DETAIL THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 15 FEET ON EACH LEVEL OF MULTI FAMILY BUILDING

8. SERVICE AREA SCREENING - SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20 PERCENT PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER BUT NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS

9. CONDENSOR UNITS SHALL BE AT GRADE AND SCREENED BY LANDSCAPING.

10. THE ACTUAL WIDTHS OF THE MULTI FAMILY DWELLING UNITS TO BE CONSTRUCTED ON THE SITE MAY VARY FROM THE WIDTHS DEPICTED ON THE REZONING PLAN

GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH REZONING PETITION.

2. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE.

3. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS SCHEMATIC IN NATURE AND INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, HE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDING FOOTPRINTS AS WELL AS THE INTERNAL PRIVATE STREETS AND PARKING AREAS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.

4. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6.207 OF THE ORDINANCE

2

PERMITTED USES

1. THE SITE MAY ONLY BE DEVOTED TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 160 MULTI-FAMILY DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORIES USES RELATING THERETO THAT ARE ALLOWED IN THE R-12 MF ZONING DISTRICT. INCIDENTAL AND ACCESSORIES USES MAY INCLUDE, WITHOUT LIMITATION, ENTRY MONUMENTS, PUTTING GREENS, DOG PARK, TENNIS COURT, PICKLE BALL, HORSE SHOES, SHUFFLE BOARD, POOL, FOUNTAINS, FISHING PIER, GREEN HOUSE, VINE YARD, WALK & JOG PATHS

2. A MINIMUM OF 10 PERCENT OF THE MULTI FAMILY DWELLING UNITS CONSTRUCTED ON THE SITE SHALL MAINTAIN MONTHLY RENTS THAT ARE INCOME RESTRICTED TO HOUSEHOLD EARNING 80 % OF THE AREA MERIDIAN INCOME FOR A PERIOD NOT LESS THAN 15 YEARS FROM THE DATE OF THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE BUILDING(S) DWELLING UNITS ARE TO BE DISTRIBUTED THROUGHOUT THE DEVELOPMENT, AS PER OUR CONVERSATION WITH MILES VAUGHN AND ZELLEKA BIERMAN WITH THE CITY OF CHARLOTTE HOUSING & NEIGHBORHOOD SERVICE ON 8/30/21

3

TRANSPORTATION

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.

2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE STREETS. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PRIVATE STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.

3. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.

4. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED IS NEEDED. THE PETITIONER MAY PHASE THE TRANSPORTATION IMPROVEMENTS IF SAID IMPROVEMENTS AND PHASING ARE EXPLICITLY DESCRIBED IN SITEPLAN NOTES

5. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTH CENTRAL MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT

6. THE DEVELOPER IS COMMITTING TO CONSTRUCTION AND MAINTENANCE OF THE 8-FOOT PLANTING STRIPS AND 12-FOOT MULTI-USE PATHS ON EASTFIELD ROAD AND INDEPENDENCE HILL ROAD SINCE PROPERTY IS IN THE ETJ. A MAINTENANCE AGREEMENT IS REQUIRED WITH CITY.

7. THE DEVELOPER IS COMMITTING TO CONSTRUCTION AND MAINTENANCE OF TWO NEW CURB RAMPS ON THE CORNER OF INDEPENDENCE HILL ROAD AND EASTFIELD ROAD (BOTH SIDES) AND ONE NEW CURB RAMP TO CROSS EASTFIELD ROAD HEADING NORTH AT A WIDTH OF 12' FOR EACH TO MATCH THE MULTI-USE PATHS. A MAINTENANCE AGREEMENT IS REQUIRED WITH CITY.

8. RIGHT AND LEFT TURN LANES ARE CONCEPTUAL IN NATURE ON THE PLANS, BUT ARE REQUIRED AND WILL BE DESIGNED BY A CIVIL ENGINEER DURING CONSTRUCTION DOCUMENTS TO MEET CITY AND OR STATE REQUIREMENTS.

4

TRANSPORTATION ADVISORY INFORMATION

THE FOLLOWING ARE REQUIREMENTS OF THE DEVELOPER THAT MUST BE SATISFIED PRIOR TO DRIVEWAY PERMIT APPROVAL. THESE REQUIREMENTS SHALL BE REFLECTED ON THE REZONING PLAN, AS APPROPRIATE.

1. THE SETBACK FOR THIS DISTRICT IS MEASURED FROM THE BACK OF THE EXISTING OR FUTURE CURBLINE AS DETERMINED BY CDOT AND PLANNING DURING THE PERMITTING PROCESS.

2. CDOT HAS THE AUTHORITY TO REGULATE/APPROVE ALL PRIVATE STREET/DRIVEWAY AND PUBLIC STREET CONNECTIONS TO THE RIGHT-OF-WAY OF A STREET UNDER THE REGULATORY JURISDICTION OF THE CITY OF CHARLOTTE, PER THE CITY OF CHARLOTTE'S DRIVEWAY REGULATIONS.

3. ADEQUATE SIGHT TRIANGLES MUST BE RESERVED AT THE EXISTING/PROPOSED STREET ENTRANCE(S). TWO 35' X 35' SIGHT TRIANGLES (S) AND TWO 10' X 70' SIGHT TRIANGLES ON NCDOT-MAINTAINED STREETS) ARE REQUIRED FOR THE ENTRANCE(S) TO MEET REQUIREMENTS. ALL PROPOSED TREES, BERMS, WALLS, FENCES, AND/OR IDENTIFICATION SIGNS SHALL NOT INTERFERE WITH SIGHT DISTANCE AT THE ENTRANCE(S) AND SHALL BE IDENTIFIED ON THE SITE PLAN.

4. THE PROPOSED DRIVEWAY CONNECTION(S) TO PUBLIC STREETS WILL REQUIRE A DRIVEWAY PERMIT(S) TO BE SUBMITTED TO CDOT (AND NCDOT ON NCDOT-MAINTAINED STREETS) FOR REVIEW AND APPROVAL. THE EXACT DRIVEWAY LOCATION(S) AND TYPE/WIDTH OF THE DRIVEWAY(S) WILL BE DETERMINED BY CDOT DURING THE DRIVEWAY PERMIT PROCESS. THE LOCATIONS OF THE DRIVEWAY(S) SHOWN ON THE SITE PLAN ARE SUBJECT TO CHANGE IN ORDER TO ALIGN WITH DRIVEWAY(S) ON THE OPPOSITE SIDE OF THE STREET AND COMPLY WITH CITY DRIVEWAY REGULATIONS AND THE CITY TREE ORDINANCE.

5. ALL PROPOSED COMMERCIAL DRIVEWAY CONNECTIONS TO A FUTURE PUBLIC STREET WILL REQUIRE A DRIVEWAY PERMIT SUBMITTED TO CDOT FOR REVIEW AND APPROVAL.

6. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY CDOT.

7. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.

8. THE PETITIONER NEEDS TO COMPLETE AND SUBMIT THE RIGHT OF WAY ABANDONMENT PETITION FORM TO CDOT FOR REVIEW. THE DECISION OF THIS REZONING PETITION DOES NOT CORRELATE WITH THE DECISION OF THE POSSIBLE ABANDONMENT, AS THIS DECISION IS ISSUED WITHIN THE SEPARATE RIGHT OF WAY ABANDONMENT PROCESS THAT IS CONTROLLED BY NORTH CAROLINA GENERAL STATUTES.

9. TO ATTAIN A STREET AND PEDESTRIAN LIGHTING RECOMMENDATION, THE PETITIONER SHOULD COORDINATE WITH ANTHONY MENDEZ, CDOT. PLEASE VISIT THE FOLLOWING LINK:
[HTTP://CHARLOTTENC.GOV/TRANSPORTATION/PROGRAMS/PAGES/STREETLIGHTING.ASPX](http://charlottenc.gov/transportation/programs/pages/streetlighting.aspx)

5

STREETSCAPE AND LANDSCAPING

1. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S PUBLIC STREET FRONTAGES AS GENERALLY DEPICTED ON THE REZONING PLAN

2. THE SIDEWALKS DESCRIBED ABOVE IN PARAGRAPH 1 MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT

6

ENVIRONMENTAL

1. DEVELOPMENT WITHIN ANY SWIMP/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED BY IF REQUIRED BY CITY ORDINANCE. PETITIONER ACKNOWLEDGES INTERMITTENT/PERENNIAL STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL UPON SUBMISSION OF DEVELOPMENT PLANS FOR PERMITTING AND ARE NOT APPROVED WITH REZONING DECISIONS.

2. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

3. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORM WATER ORDINANCE

7

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS REZONING PETITIONS IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN

INTEREST AND ASSIGNS

2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

3. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.

4

FIRE REQUIREMENTS

1. FIRE DEPARTMENT ACCESS ROAD WILL BE A MIN. 20' UNOBSTRUCTED CLEAR WIDTH AND WILL BE CAPABLE OF SUPPORTING 80,000 POUNDS.

2. FIRE DEPARTMENT ACCESS ROAD THAT EXCEEDS 150' SHALL PROVIDE AN APPROVED TURNAROUND IS REQUIRED.

3. TURN RADIUS 30' INSIDE AND 42' OUTSIDE IS REQUIRED.

4. THIS BUILDING IS SPRINKLED WITH A NFPA 13R SYSTEM.

5. FIRE DEPARTMENT MUST BE ABLE TO REACH 200' TO ALL EXTERIOR PORTION OF BUILDING.

6. FOR BUILDINGS THAT IS EQUIPPED WITH A SPRINKLER SYSTEM. A FIRE DEPARTMENT CONNECTION SHALL BE LOCATED WITHIN 750' FOR A BUILDING (NFPA 13R SPRINKLER SYSTEM).

5

WATER SERVICE

WATER AND SEWER SERVICE IS ACCESSIBLE FOR THIS REZONING BOUNDARY.

1. CHARLOTTE WATER HAS ACCESSIBLE WATER SYSTEM INFRASTRUCTURE FOR THE REZONING BOUNDARY VIA AN EXISTING 24-INCH WATER DISTRIBUTION MAIN LOCATED ALONG EASTFIELD RD.

2. CHARLOTTE WATER HAS ACCESSIBLE SANITARY SEWER SYSTEM INFRASTRUCTURE FOR THE REZONING BOUNDARY VIA AN EXISTING 12-INCH GRAVITY SEWER MAIN LOCATED ALONG EASTFIELD RD.

3. DEVELOPMENT IS ENCOURAGED TO CONTACT INSTALLATION DEVELOPMENT SERVICES AT (704) 336-5499 TO REVIEW SERVICE CONNECTION DESIGN REQUIREMENTS AND CITY ORDINANCES (E.G., BACKFLOW, SEPARATE METER ORDINANCE, PUBLIC/PRIVATE PIPELINE EXTENSIONS). COMMENTS: WILL NEED TO ACQUIRE CAP. HAS DIRECT ACCESS TO WATER & SEWER. PLEASE NOTE CLT WATER HAS AN EXISTING 12" SEWER MAIN ON THE NORTH EAST PART OF THE PROPERTY NEAR THE EXISTING POND & NO STRUCTURE OF ANY KIND CAN BE LOCATED INSIDE OUR EASEMENT. ALSO, IF GRADING IN THE EXISTING SEWER LOCATION PLEASE SUBMIT PLAN & PROFILE VIEWS TO DONATED PROJECT FOR REVIEW.WILL NEED TO SEND PLANS TO CHARLOTTE WATER FOR PRIVATE WATER PERMITTING. (IF APPLICABLE) WILL NEED TO SEND PLANS TO NCDEQ FOR PRIVATE SEWER PERMITTING. (IF APPLICABLE).

4. RESERVATION OF SANITARY SEWER SYSTEM CAPACITY THROUGH THE CHARLOTTE WATER'S CAPACITY ASSURANCE PROGRAM IS THE RESPONSIBILITY OF THE CUSTOMER/DEVELOPMENT. CONTACT THE NEW SERVICES GROUP AT (704) 432-2854 FOR FURTHER INFORMATION ONRESERVING CAPACITY UP TO 24 MONTHS.

3827 BILLO ROAD
ALDEN, NY, 14004
716-631-0600

PROPOSED:

1

EASTFIELD PARK
AGE RESTRICTED
55+ SENIOR
APARTMENTS

EASTFIELD ROAD
HUNTERSVILLE, NC, 28078

REVISIONS

NO.	DESCRIPTION	DATE	BY
1.	ZONING COMMENTS	9/10/21	FS
2.	ZONING COMMENTS #2	10/6/21	LD
3.	ZONING COMMENTS #3	11/11/21	WM
4.	ZONING COMMENTS #4	12/10/21	BM

ISSUED FOR:

REZONING PETITION
RZP, 2021-100

PROJECT NO.: 20-215

DATE: 12/10/2021

DRAWN BY: WM/FS/AA/LD

CHKD. BY: DE

TECHNICAL
DATA

SHEET
RZ.3



TREE - LEGEND

- CONIFEROUS TREES
- DECIDUOUS TREES
- FLOWERING TREES
- UNDISTURBED
- EVERGREEN PLANTINGS



3827 BILLO ROAD
ALDEN, NY, 14004
716-631-0600

PROPOSED:

EASTFIELD PARK
AGE RESTRICTED
55+ SENIOR
APARTMENTS

EASTFIELD ROAD
HUNTERSVILLE, NC, 28078

REVISIONS

NO.	DESCRIPTION	DATE	BY
1.	ZONING COMMENTS #1	9/10/21	AA
2.	ZONING COMMENTS #2	10/6/21	LD
3.	ZONING COMMENTS #3	11/11/21	JJ
4.	ZONING COMMENTS #4	12/10/21	JJ

ISSUED FOR:
REZONING PETITION
RZP, 2021-100

PROJECT NO.: 20-215
DATE: 12/10/2021
DRAWN BY: BM/MA
CHKD. BY: DE

COLORED
CONCEPT
SITE PLAN

SHEET
RZ.4

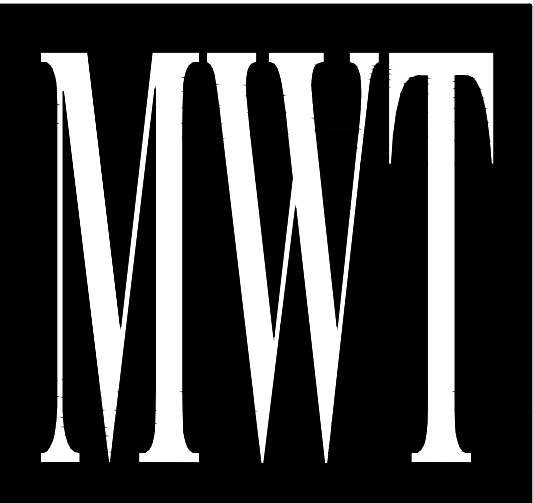
NOTE:
THIS COLORED SITE PLAN IS CONCEPT IN NATURE
A LANDSCAPE PLAN WITH SPECIFY SPECIES WILL
BE DEVELOPED DURING CONSTRUCTION
DOCUMENTS AND WILL FOLLOW CITY CODES.



1 **CLUBHOUSE VIEW**
NTS
CONCEPTUAL: DESIGN & STYLE MAY CHANGE



2 **SITE RENDERING**
NTS



3827 BILLO ROAD
ALDEN, NY, 14004
716-631-0600

PROPOSED:

**EASTFIELD PARK
AGE RESTRICTED
55+ SENIOR
APARTMENTS**

EASTFIELD ROAD
HUNTERSVILLE, NC, 28078

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1.	ZONING COMMENTS #1	9/10/21	BM
2.	ZONING COMMENTS #2	10/6/21	
3.	ZONING COMMENTS #3	11/11/21	BM
4.	ZONING COMMENTS #4	12/10/21	BM

ISSUED FOR:
REZONING PETITION
RZP, 2021-100

PROJECT NO.: 20-215
DATE: 12/10/2021
DRAWN BY: BM
CHKD. BY: DE

**EXTERIOR
RENDERINGS**

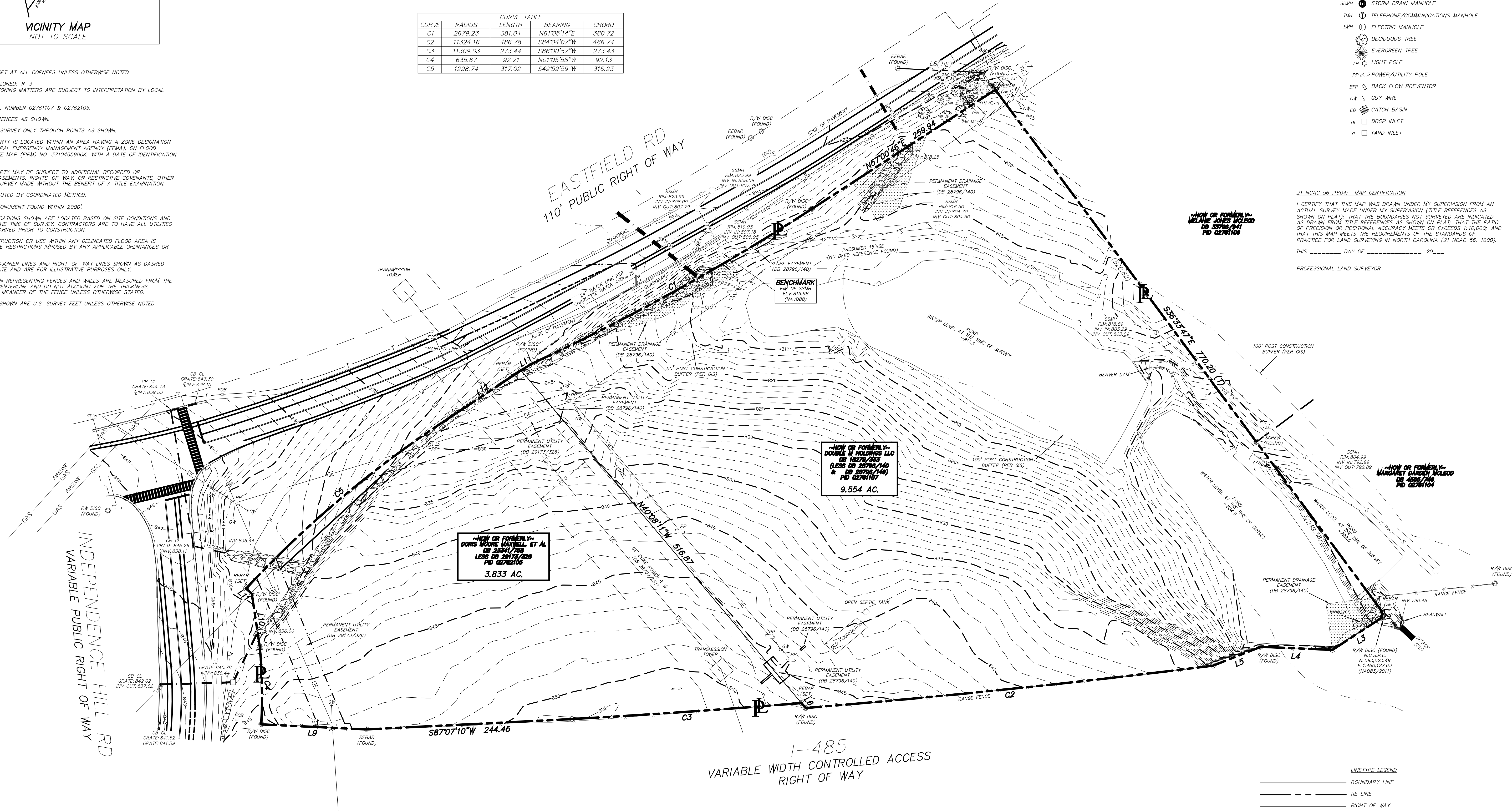
SHEET
RZ.5

























LINE TABLE		
LINE	BEARING	LENGTH
L1	N57°35'33"E	14.62
L2	S08°12'47"E	8.13
L3	S56°53'09"W	70.82
L4	N87°32'39"W	85.27
L5	S68°28'52"W	61.12
L6	N40°08'11"W	7.65
L7	N36°34'56"W	25.08
L8	N87°10'41"W	101.30
L9	N87°13'42"W	125.22
L10	N08°37'44"W	63.71
L11	N47°42'32"W	9.19
L12	S56°36'15"W	101.43

CURVE TABLE				
CURVE	RADIUS	LENGTH	BEARING	CHORD
C1	2679.23	381.04	N61°05'14"E	380.72
C2	11324.16	486.78	S84°04'07"W	486.74
C3	11309.03	273.44	S86°00'57"W	273.43
C4	635.67	92.21	N01°05'58"W	92.13
C5	1298.74	317.02	S49°59'59"W	316.23

1. IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
2. PROPERTY ZONED: R-3
(SETBACKS & ZONING MATTERS ARE SUBJECT TO INTERPRETATION BY LOCAL MUNICIPALITIES)
3. TAX PARCEL NUMBER 02761071 & 0276105.
4. DEED REFERENCES AS SHOWN.
5. BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
6. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL ENERGY MANAGEMENT AGENCY (FEMA), ON FLOOD MAP NUMBER 166 (FIRM) NO. 37105-0000K, WITH A DATE OF IDENTIFICATION OF 9/2/1975.
7. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, RIGHTS-OF-WAY, OR RESTRICTIVE COVENANTS. OTHER THAN SHOWN, SURVEY MAP WILL NOT BE THE BENEFIT OF A TITLE EXAMINATION.
8. AREA CUMULATED BY COORDINATED METHOD.
9. NO MOCS MONUMENT FOUND WITHIN 2000'.
10. UTILITY LOCATIONS SHOWN ARE LOCATED BASED ON SITE CONDITIONS AND INFORMATION AT THE TIME OF SURVEY. CONTRACTORS ARE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.
11. ANY CONSTRUCTION OR USE WITHIN ANY DELINEATED FLOOD AREA IS SUBJECT TO THE RESTRICTIONS IMPOSED BY ANY APPLICABLE ORDINANCES OR REGULATIONS.
12. OFFSITE ADJONDER LINES AND RIGHT-OF-WAY LINES SHOWN AS DASHED ARE APPROXIMATE AND ARE FOR ILLUSTRATIVE PURPOSES ONLY.
13. LINES SHOWN REPRESENTING FENCES AND WALLS ARE MEASURED FROM THE APPROVED CENTERLINE OF THE ROAD TO THE FACE OF THE THICKNESS, PLUMBNESS OR MEANEND OF THE FENCE UNLESS OTHERWISE NOTED.
14. DISTANCES SHOWN ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED.



<u>SYMBOL LEGEND</u>	
	SET MONUMENT (TYPE INDICATED)
	EXISTING MONUMENT (TYPE INDICATED)
	CALCULATED POINT
GV 	GAS VALVE
WV 	WATER VALVE
MB 	MAIL BOX
WM 	WATER METER
	WELL
FH 	FIRE HYDRANT
SSMH 	SANITARY SEWER MANHOLE
	STORM DRAIN MANHOLE
TMH 	TELEPHONE/COMMUNICATIONS MANHOLE
EMH 	ELECTRIC MANHOLE
	DECIDUOUS TREE
	EVERGREEN TREE
LP 	LIGHT POLE
PP 	POWER/UTILITY POLE
BFP 	BACK FLOW PREVENTOR
GW 	GUY WIRE
CB 	CATCH BASIN
DI 	DROP INLET
YI 	YARD INLET

21 NCAC 56 .1604: MAP CERTIFICATION

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (TITLE REFERENCES AS SHOWN ON PLAT); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM TITLE REFERENCES AS SHOWN ON PLAT; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY MEETS OR EXCEEDS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS _____ DAY OF _____, 20____.

PROFESSIONAL LAND SURVEYOR

MWT

3827 BILLO ROAD
ALDEN, NY, 14004
716-631-0600

PROPOSED:

EASTFIELD PARK
AGE RESTRICTED
55+ SENIOR
APARTMENTS

EASTFIELD ROAD
HUNTERSVILLE, NC, 28078

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1.	ZONING COMMENTS	9/10/21	AA
2.	ZONING COMMENTS #2	10/6/21	
3.	ZONING COMMENTS #3	11/11/21	
4.	ZONING COMMENTS #3	12/10/21	

ISSUED FOR:

REZONING PETITION
RZP. 2021-100

PROJECT NO.: 20-215

DATE: 12/10/2021

DRAWN BY: FS

CHKD. BY: DE

SURVEY LOT

SHEET

RZ.6

[illegible]



LEGEND

50' CLASS C BUFFER UNDISTURBED

10' CLASS I STREET BUFFER

SITE TREE SAVE AREA
ALL TREES 8" DBH OR GREATER WILL REMAIN MIN. 15% OF THE SITE REQUIRED.
THIS PLAN IS CONCEPTUAL AND THE EXACT TREE SAVE AREAS WILL BE DETERMINED DURING CIVIL ENGINEERING, BUT A MINIMUM OF 15% WILL BE MAINTAINED.
NO TREES GREATER THAN 2" CALIPER MAY BE REMOVED FROM THE TREE SAVE AREAS.

EVERGREEN PLANTINGS

NOTES

1. A DETAILED LANDSCAPE PLAN WITH SPECIFIED TREE AND PLANT SPECIES WILL BE DEVELOPED DURING CONSTRUCTION DOCUMENTS AND WILL FOLLOW REQUIRED CITY CODES.

2. NO LAND DISTURBING ACTIVITY MAY OCCUR IN TREE SAVE AREAS.

MWT

3827 BILLO ROAD
ALDEN, NY, 14004
716-631-0600

PROPOSED:

EASTFIELD PARK
AGE RESTRICTED
55+ SENIOR
APARTMENTS

EASTFIELD ROAD
HUNTERSVILLE, NC, 28078

REVISIONS

NO.	DESCRIPTION	DATE	BY
1.	ZONING COMMENTS	9/10/21	AA
2.	ZONING COMMENTS #2	10/6/21	LD
3.	ZONING COMMENTS #3	11/11/21	WM
4.	ZONING COMMENTS #4	12/10/21	EM

ISSUED FOR:

REZONING PETITION
RZP, 2021-100

PROJECT NO.: 20-215

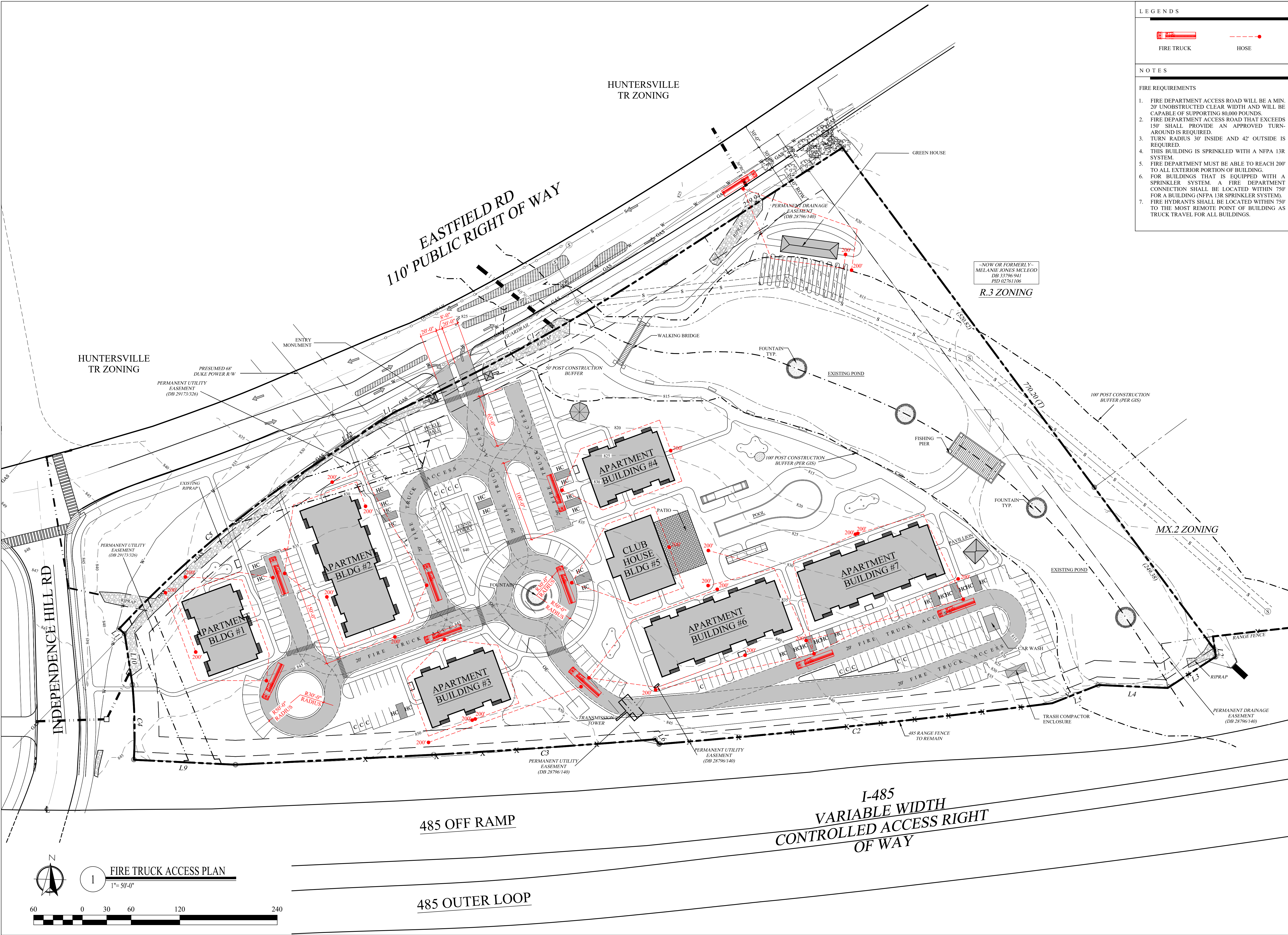
DATE: 12/10/2021

DRAWN BY: FS


CHKD. BY: DE


TREE
SAVE PLAN

SHEET
RZ.7



LEGENDS

 FIRE TRUCK

 HOSE

NOTES

FIRE REQUIREMENTS

1. FIRE DEPARTMENT ACCESS ROAD WILL BE A MIN. 20' UNOBSTRUCTED CLEAR WIDTH AND WILL BE CAPABLE OF SUPPORTING 80,000 POUNDS.

2. FIRE DEPARTMENT ACCESS ROAD THAT EXCEEDS 150' SHALL PROVIDE AN APPROVED TURN-AROUND IS REQUIRED.

3. TURN RADIUS 30' INSIDE AND 42' OUTSIDE IS REQUIRED.

4. THIS BUILDING IS SPRINKLED WITH A NFPA 13R SYSTEM.

5. FIRE DEPARTMENT MUST BE ABLE TO REACH 200' TO ALL EXTERIOR PORTION OF BUILDING.

6. FOR BUILDINGS THAT IS EQUIPPED WITH A SPRINKLER SYSTEM. A FIRE DEPARTMENT CONNECTION SHALL BE LOCATED WITHIN 750' FOR A BUILDING (NFPA 13R SPRINKLER SYSTEM). FIRE HYDRANTS SHALL BE LOCATED WITHIN 750' TO THE MOST REMOTE POINT OF BUILDING AS TRUCK TRAVEL FOR ALL BUILDINGS.

MWT

3827 BILLO ROAD
ALDEN, NY, 14004
716-631-0600

PROPOSED:

1

EASTFIELD PARK
AGE RESTRICTED
55+ SENIOR
APARTMENTS

EASTFIELD ROAD
HUNTERSVILLE, NC, 28078

REVISIONS

NO.	DESCRIPTION	DATE	BY
1.	ZONING COMMENTS #2	9/10/21	
2.	ZONING COMMENTS #2	10/6/21	
3.	ZONING COMMENTS #3	11/11/21	
4.	ZONING COMMENTS #4	12/10/21	BM

ISSUED FOR:

REZONING PETITION
RZP, 2021-100

PROJECT NO.: 20-215

DATE: 12/10/2021

DRAWN BY: BM

CHKD. BY: DE

4

FIRE TRUCK
ACCESS PLAN

4

SHEET
RZ.8



Agenda Date: 1/18/2022

Agenda #: 27. **File #:** 15-17174 **Type:** Zoning Hearing

Rezoning Petition: 2021-119 by Profile Homes

Location: Approximately 30.2 acres on Freedom Drive between Toddville Road and Allenbrook Drive.
(Council District 3 - Watlington)

Current Zoning: R-3 LLWPA (single-family residential, Lower Lake Wylie Protected Area), INST LLWPA (institutional, Lower Lake Wylie Protected Area), and MX-2 (INNOV) LLWPA (mixed-use, innovative, Lower Lake Wylie Protected Area)

Proposed Zoning: MX-2 (INNOV) LLWPA (mixed-use, innovative, Lower Lake Wylie Protected Area), MX-2 (INNOV) LLWPA SPA (mixed-use innovative, Lower Lake Wylie Protected Area, site plan amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of requested technical revisions related to site and building design.

Attachments:

Pre-Hearing Staff Analysis
Site Plan

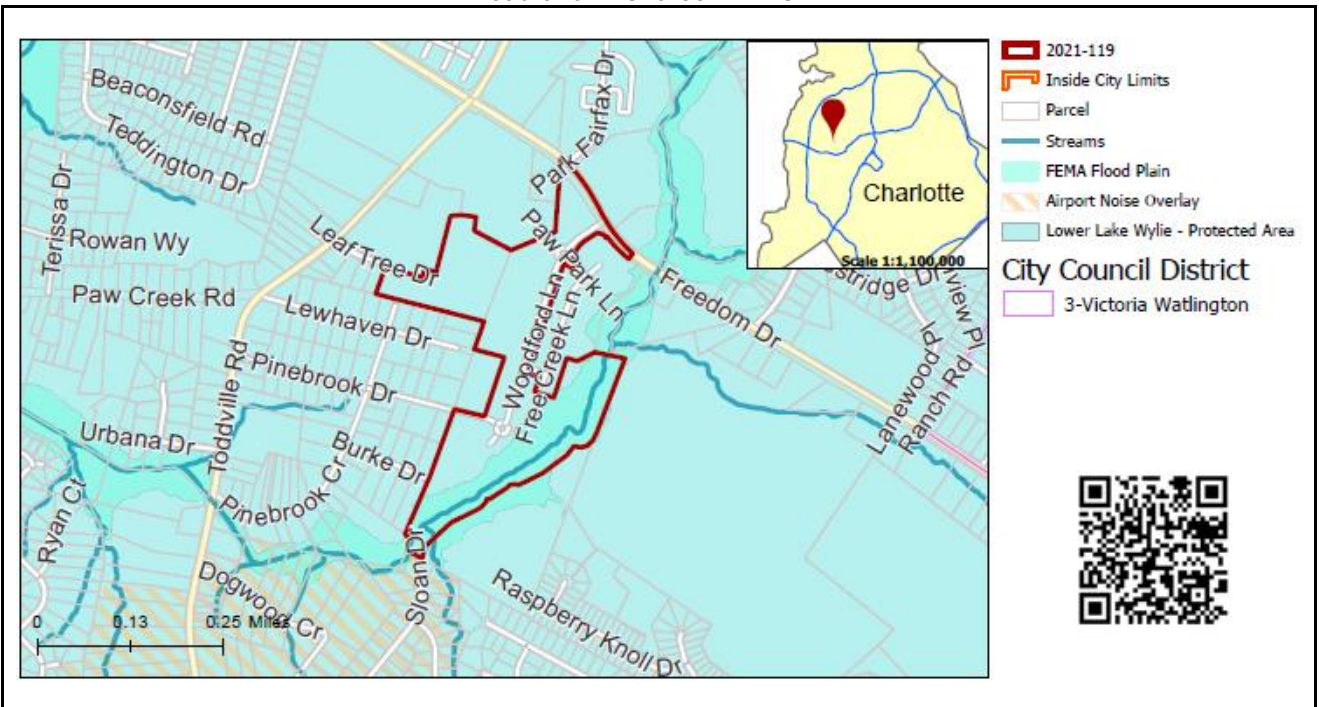
REQUEST

Current Zoning: R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area), INST LLWPA (institutional, Lower Lake Wylie Protected Area), and MX-2(INNOV) LLWPA (Mixed-Use Innovative, Lower Lake Wylie Protected Area)

Proposed Zoning: MX-2(INNOV) LLWPA (Mixed-Use Innovative, Lower Lake Wylie Protected Area), MX-2(INNOV) LLWPA SPA (Mixed-Use Innovative, Lower Lake Wylie Protected Area, site plan amendment)

LOCATION

Approximately 30.2 acres on Freedom Drive between Toddville Road and Allenbrook Drive.



SUMMARY OF PETITION

The petition proposes to expand and amend a previously approved rezoning petition to allow for the development of up to 164 single family attached dwelling units at a density of 5.28 dwelling units per acre.

PROPERTY OWNER

NCMI Metro LMI LLC, Medical Facilities of America LXVIII (68) LIMI

PETITIONER

TED Partnership

AGENT/REPRESENTATIVE

Profile Homes

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 upon resolution of requested technical revisions related to site and building design.

Plan Consistency

- The petition is **consistent** with the portion of the site recommended for residential up to 8 dwelling units per acre (DUA) and the greenway designated portion (to be dedicated to Park & Recreation) as per the *Northwest District Plan* (adopted 1990).

However, it is **inconsistent** with the density recommendation for the portion recommended for single-family up to 4 DUA, and **inconsistent** with the portion recommended for Institutional land uses. The petition is consistent with the *General Development Policies* for consideration of density of up to 6 dwelling units per acre.

Rationale for Recommendation

- The petition is compatible with the general development pattern in the area, consisting of mixed residential uses near the intersection of Freedom Drive and Toddville Road.
- The majority of the site is already zoned to allow single family attached and multifamily residential. This petition would reduce the density of residential use from the existing zoning.
- The proposed development would provide an alternative housing type for this section of the Freedom Drive corridor.
- The petition would improve the street network in the vicinity by connecting to street stubs and provide an 8' planting strip and 6' sidewalk along all public streets.

The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from current recommended single-family at up to 4 DUA to residential up to 6 DUA land use for the site.

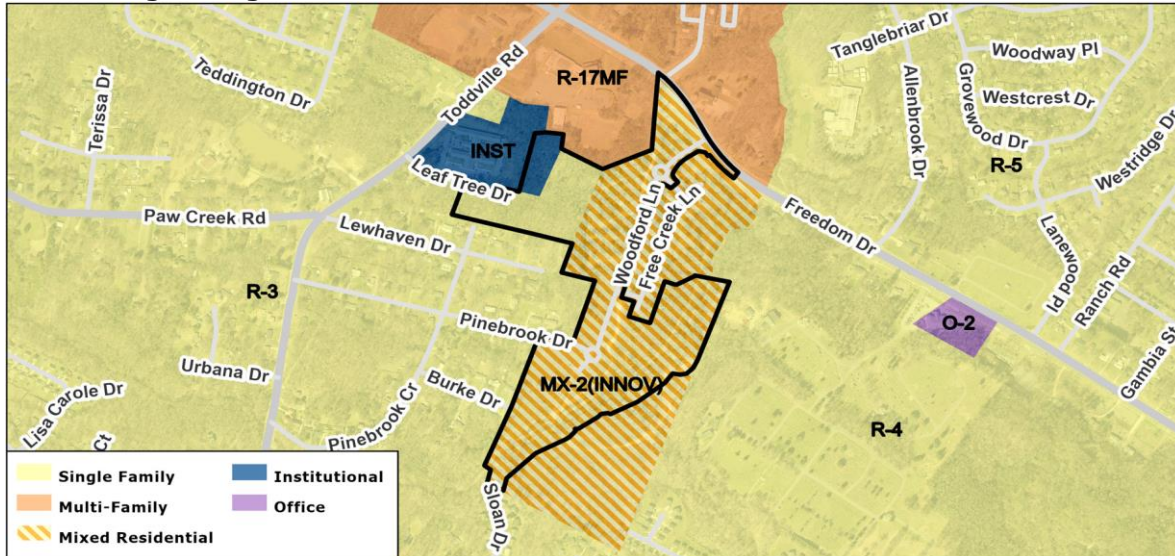
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows for the development of up to 160 single family attached dwelling units at a density of 5.15 units per acre.
- Limits building height to 48'.
- Requests the following innovative provisions:
 - 14' setback from existing or proposed back of curb.
 - 6' side yard and 6' rear yard.
 - Minimum subplot area of 1,200 square feet and width of 22'.
- Commits to several transportation improvements including:
 - Installation of an 8' planting strip and 6' sidewalk along all public street frontages.
 - Public street connections to Burke Drive, Pinebrook Drive, Woodford Lane, and Leaf Tree Drive.
 - Construction of ADA curb ramps at the intersection of Toddville Road and Leaf Tree Drive.
 - Construction of a left turn lane on northbound Freedom Drive at Woodford Lane.
- Commits to design standards including specified building materials, covered entryways, blank wall limitations, and porches and stoops on all corner units facing a public street.
- Commits to providing 3.12 acres of open space with landscaping, seating, and lighting.

- Existing Zoning and Land Use



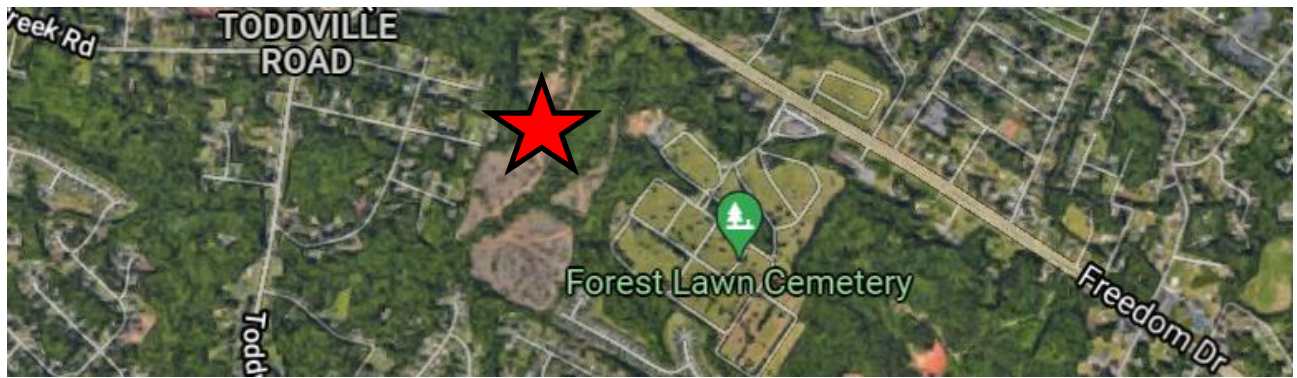
The majority of the site was rezoned by petition 2008-017 to permit up to 77 single family residences, 374 multifamily dwellings, and 24,000 square feet of non-residential uses. Rezoning 2008-017 (shown in orange and yellow stripes in the map above) included additional acreage outside of the boundaries of the current petition.



The site, marked by a red star, is surrounded by a mixture of uses including single family residential, institutional, and senior apartments.



The property to the north of the site at the intersection of Freedom Drive and Toddville Road is developed with an institutional use.



The property to the east of the site, marked by a red star is developed with an institutional use.

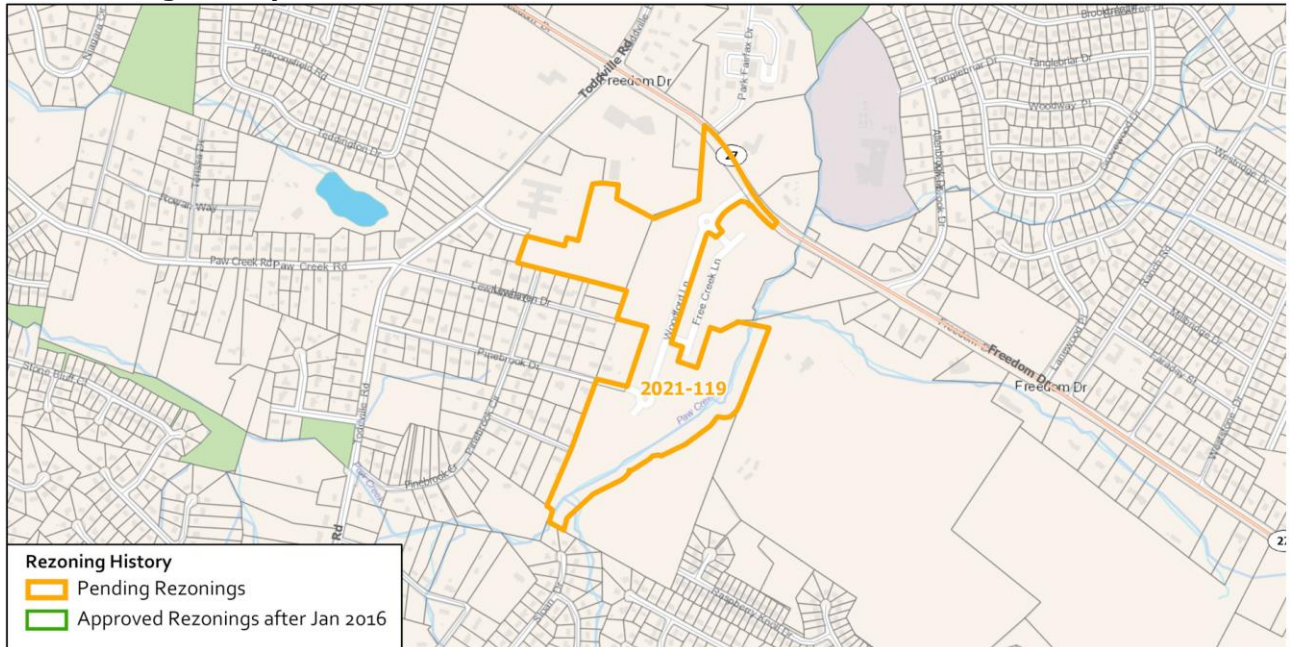


The properties to the south of the site are developed with single family residential uses.



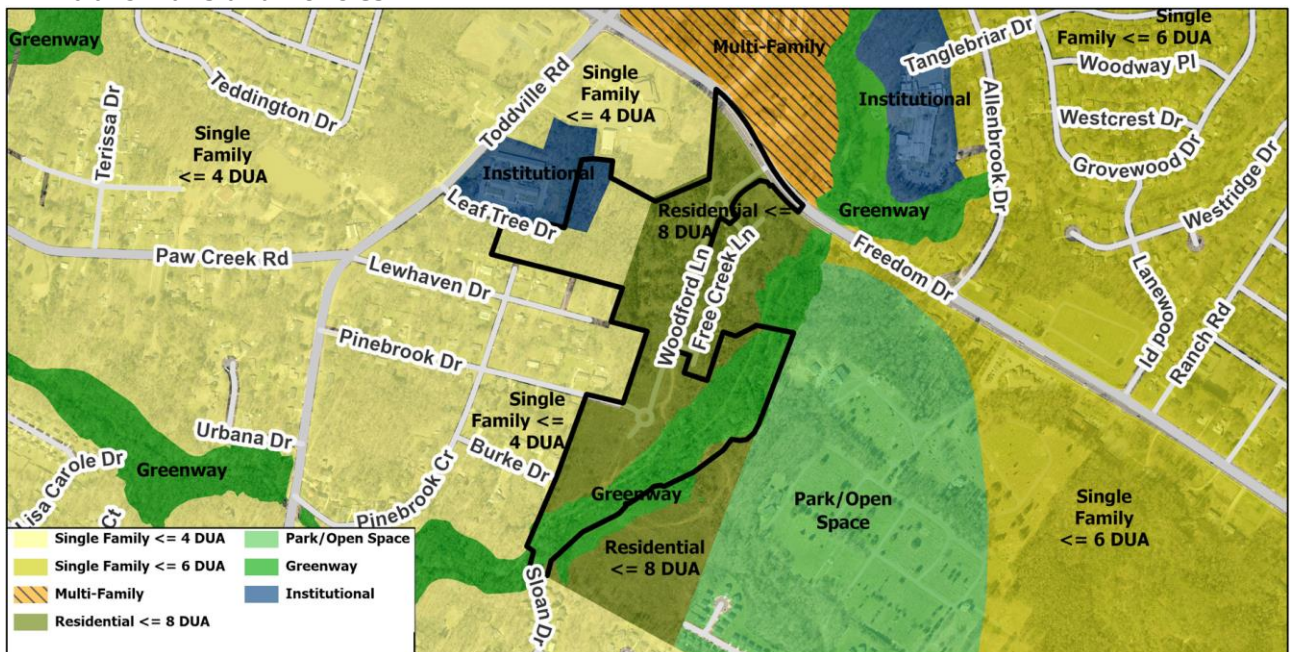
The properties to the west of the site are developed with single family residential and institutional uses.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
	There are no recent rezonings in the vicinity of the site.	

- Public Plans and Policies**



- The Northwest District Plan (adopted 1990) recommends residential up to 8 dwelling units per acre (DUA), single-family up to 4 DUA, and greenway for this site.

- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the General Development Policies locational criteria for consideration of up to 6 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 6 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	4
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 10	Total Points: 14

- TRANSPORTATION SUMMARY**

- This site is located adjacent to Freedom Drive, a State-maintained major thoroughfare and Pinebrook Circle, a City-maintained local street. The petitioner has committed to improve the transportation network by providing additional connectivity to the surrounding local residential streets and committing to coordinate with NCDOT to construct a left-turn lane on Freedom Drive. Additionally, in accordance with City Ordinances and the Charlotte WALKS Policy, the petitioner has committed to providing an internal pedestrian network that will connect to the adjacent, approved, Freedom Flats Multifamily Development, and connect to the existing pedestrian network on Toddville Road.
 - CDOT has no outstanding issues.

- Active Projects:**

- There are no active projects in the vicinity of this site.

- Transportation Considerations**

- No outstanding issues.

- Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 5,420 trips per day (based on 374 townhomes, 96 single family dwellings, 24,000 square feet of retail, and 20 senior apartments).

Proposed Zoning: 1,170 trips per day (based on 160 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System:** No comments submitted.
- 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
- Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- Charlotte-Mecklenburg Police Department:** No comments submitted.
- Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 112 students, while the development allowed under the proposed zoning may produce 24 students. Therefore, the net decrease in the number of students generated from existing zoning to proposed is 88.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Tuckaseegee Elementary from 111% to 113%
 - Whitewater Middle from 92% to 93%
 - West Mecklenburg High to remain at 78%.
 - Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Freedom Dr. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Freedom Dr. See advisory comments at www.rezoning.org
- City Arborist:** No outstanding issues.

- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry:** No outstanding issues.

REQUESTED TECHNICAL REVISIONSSite and Building Design

1. Correct buffer adjacent to private alley D to arc as opposed to taking a hard angle as graphically depicted in the plan room comments.
 2. Confirm that building facing Pinebrook Drive meets the 14' setback.
 3. Delete building pad dimensions from site plan.
 4. Confirm that all setbacks and yards are appropriately measured and in compliance with the zoning ordinance and that notes match the site plan.
 5. Confirm that driveway lengths meet minimum and maximum standards in relationship to sidewalk for front loaded units.
 6. Add language regarding greenway easement to conditional notes.
-





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org










Planner: Joe Mangum (704) 353-1908

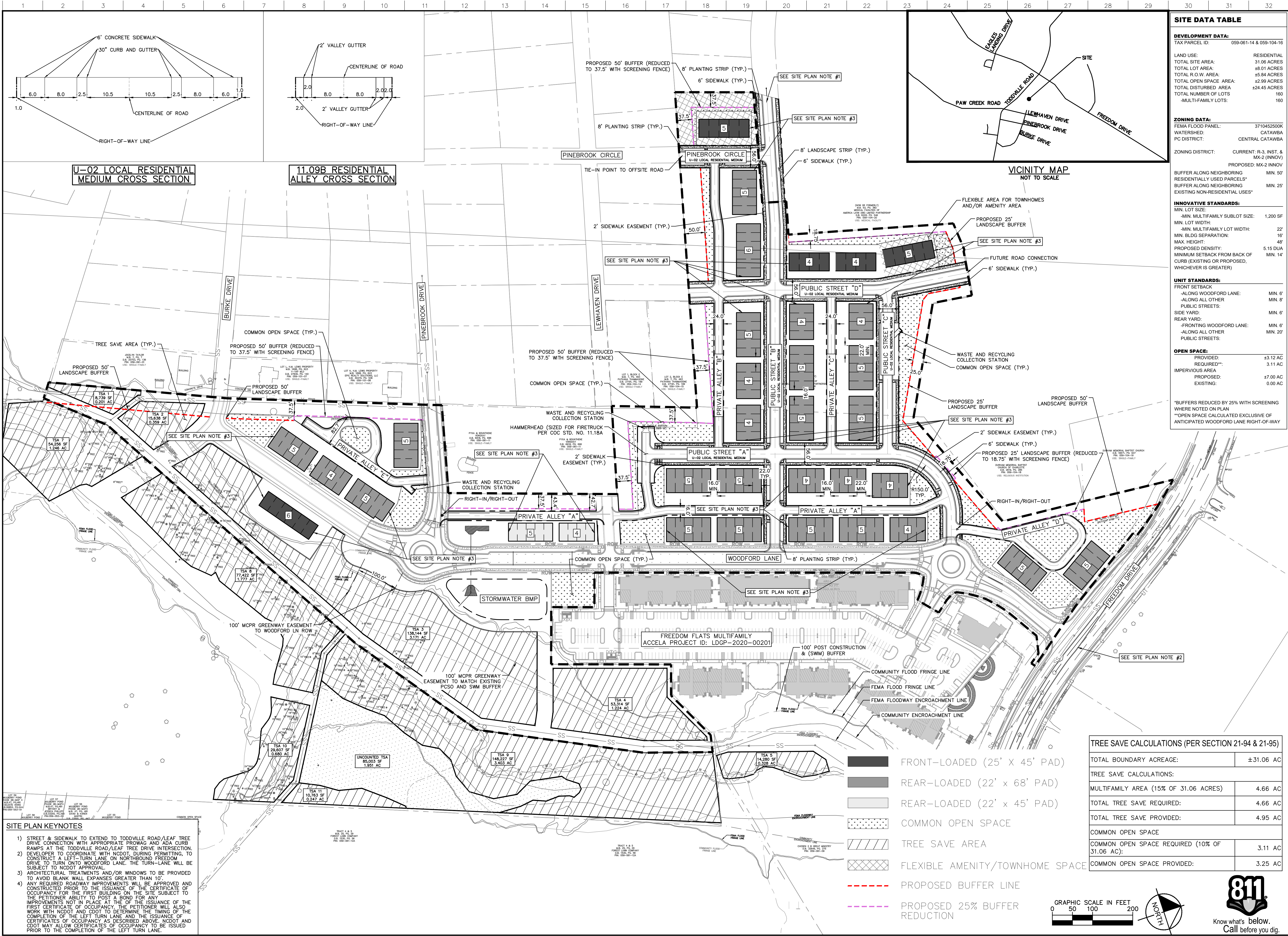
Goals Relevant to Rezoning Determinations Petition 2021-119

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✗
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✓
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	✗
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	✗

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	

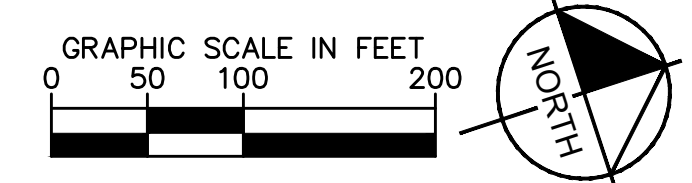


SITE DATA TABLE	
DEVELOPMENT DATA:	
TAX PARCEL ID:	059-061-14 & 059-104-16
LAND USE:	RESIDENTIAL
TOTAL SITE AREA:	31.06 ACRES
TOTAL LOT AREA:	±8.01 ACRES
TOTAL OPEN SPACE AREA:	±5.84 ACRES
TOTAL DISTURBED AREA:	±24.45 ACRES
TOTAL NUMBER OF LOTS:	160
-MULTI-FAMILY LOTS:	160
ZONING DATA:	
FEMA FLOOD PANEL:	3710452500K
WATERSHED:	CATAWBA
PC DISTRICT:	CENTRAL CATAWBA
ZONING DISTRICT:	CURRENT: R-3, INST. & MX-2 (INNOV) PROPOSED: MX-2 INNOV
BUFFER ALONG NEIGHBORING RESIDENTIALLY USED PARCELS*	MIN. 50'
BUFFER ALONG NEIGHBORING EXISTING NON-RESIDENTIAL USES*	MIN. 25'
INNOVATIVE STANDARDS:	
MIN. LOT SIZE:	-MIN. MULTIFAMILY SUBLOT SIZE: 1,200 SF
MIN. LOT WIDTH:	-MIN. MULTIFAMILY LOT WIDTH: 22'
MIN. BLDG SEPARATION:	16'
MAX. HEIGHT:	48'
PROPOSED DENSITY:	5.15 DUA
MINIMUM SETBACK FROM BACK OF CURB (EXISTING OR PROPOSED, WHICHEVER IS GREATER)	MIN. 14'
UNIT STANDARDS:	
FRONT SETBACK:	-ALONG WOODFORD LANE: MIN. 6'
	-ALONG ALL OTHER PUBLIC STREETS: MIN. 8'
SIDE YARD:	MIN. 6'
REAR YARD:	-FRONTING WOODFORD LANE: MIN. 6'
	-ALONG ALL OTHER PUBLIC STREETS: MIN. 20'
OPEN SPACE:	
PROVIDED:	±3.12 AC
REQUIRED**:	3.11 AC
IMPERVIOUS AREA:	
PROPOSED:	±7.00 AC
EXISTING:	0.00 AC
*BUFFERS REDUCED BY 25% WITH SCREENING WHERE NOTED ON PLAN	
**OPEN SPACE CALCULATED EXCLUSIVE OF ANTICIPATED WOODFORD LANE RIGHT-OF-WAY	

- SITE PLAN KEYNOTES**
- 1) STREET & SIDEWALK TO EXTEND TO TODDVILLE ROAD/LEAF TREE DRIVE CONNECTION WITH APPROPRIATE PROWAG AND ADA CURB RAMPS AT THE TODDVILLE ROAD/LEAF TREE DRIVE INTERSECTION.
 - 2) DEVELOPER TO COORDINATE WITH NCDOT, DURING PERMITTING, TO CONSTRUCT A LEFT-TURN LANE ON NORTHBORND FREEDOM DRIVE TO TURN ONTO WOODFORD LANE. THE TURN-LANE WILL BE SUBJECT TO NCDOT APPROVAL.
 - 3) ARCHITECTURAL TREATMENTS AND/OR WINDOWS TO BE PROVIDED TO AVOID BLANK WALL EXPANSES GREATER THAN 10'.
 - 4) ANY REQUIRED ROADWAY IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE. THE PETITIONER WILL ALSO WORK WITH NCDOT AND CDOT TO DETERMINE THE TIMING OF THE COMPLETION OF THE LEFT TURN LANE AND THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AS DESCRIBED ABOVE. NCDOT AND CDOT MAY ALLOW CERTIFICATES OF OCCUPANCY TO BE ISSUED PRIOR TO THE COMPLETION OF THE LEFT TURN LANE.

- FRONT-LOADED (25' x 45' PAD)
- REAR-LOADED (22' x 68' PAD)
- REAR-LOADED (22' x 45' PAD)
- COMMON OPEN SPACE
- TREE SAVE AREA
- FLEXIBLE AMENITY/TOWNHOME SPACE
- PROPOSED BUFFER LINE
- PROPOSED 25% BUFFER REDUCTION

TREE SAVE CALCULATIONS (PER SECTION 21-94 & 21-95)	
TOTAL BOUNDARY ACREAGE:	±31.06 AC
TREE SAVE CALCULATIONS:	
MULTIFAMILY AREA (15% OF 31.06 ACRES)	4.66 AC
TOTAL TREE SAVE REQUIRED:	4.66 AC
TOTAL TREE SAVE PROVIDED:	4.95 AC
COMMON OPEN SPACE	
COMMON OPEN SPACE REQUIRED (10% OF 31.06 AC):	3.11 AC
COMMON OPEN SPACE PROVIDED:	3.25 AC



REZONING PETITION
RZP-2021-119

KH PROJECT
D13594000

DATE
12/13/2021

SCALE AS SHOWN

DESIGNED BY
CJW

DRAWN BY
CJW

CHECKED BY
JEH

REZONING PLAN

FREEDOM GREENE
TOWNHOMES

PREPARED FOR
PROFILE HOMES

SHEET NUMBER
RZ-1

CITY OF CHARLOTTE
NORTH CAROLINA

Kimley»Horn

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200 SOUTH TRYON ST. SUITE 200, CHARLOTTE, NC 28202
WWW.KIMLEY-HORN.COM
NC LICENSE #F-0102

BY

DATE

REVISIONS

No.



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 28.**File #:** 15-17176 **Type:** Zoning Hearing

Rezoning Petition: 2021-152 by R.I. Charlotte Property, L.P.

Location: Approximately 2.49 acres located on the west wide of North Tryon Street, south of West W.T. Harris Boulevard, and north of McCullough Drive. (Council District 4 - Johnson)

Current Zoning: MUDD-O (mixed-use development district, optional)

Proposed Zoning: MUDD-O SPA (mixed-use development, optional, site plan amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

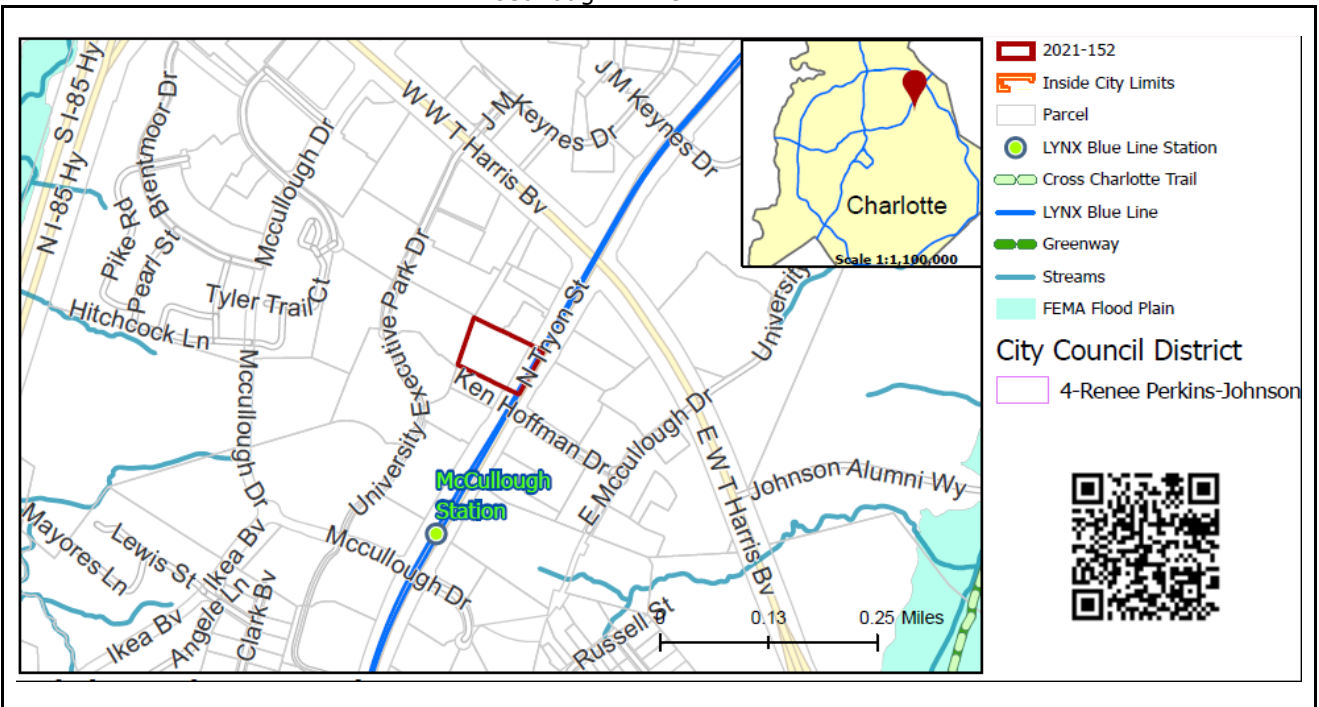
Pre-Hearing Staff Analysis
Site Plan

REQUEST

Current Zoning: MUDD-O (mixed use development district, optional)
Proposed Zoning: MUDD-O SPA (mixed use development district, optional, site plan amendment)

LOCATION

Approximately 2.49 acres located on the west side of North Tryon Street, south of West W.T. Harris Boulevard, and north of McCullough Drive.



SUMMARY OF PETITION

The petition proposes to allow additional uses on a lot developed with a hotel built in 1987 and located approximately 0.18 mile from the McCullough Station on the Blue LYNX transit line.

PROPERTY OWNER

RI Charlotte Property, L.P.

PETITIONER

Ryan Montgomery/RI Charlotte Property, L.P.

AGENT/REPRESENTATIVE

Sean Mayo/Gavel & Dorn Engineering, PLLC

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 *University City Area - Blue Line Extension Plan's* (2015) recommendation for office/retail uses as amended by rezoning petition 2017-196.

Rationale for Recommendation

- The petition is generally consistent with the existing development pattern in the area.
- While proposed residential uses are inconsistent with the area plan's recommendation, the petition's reuse of existing structures ensures consistency with the current context.

- The site is less than a ½ mile from the McCullough transit station, which will provide appropriate transportation service for residential development.

The approval of this petition will revise the adopted future land use as specified by the University City Area - Blue Line Extension Plan from office/retail uses to residential/office/retail uses for the site.

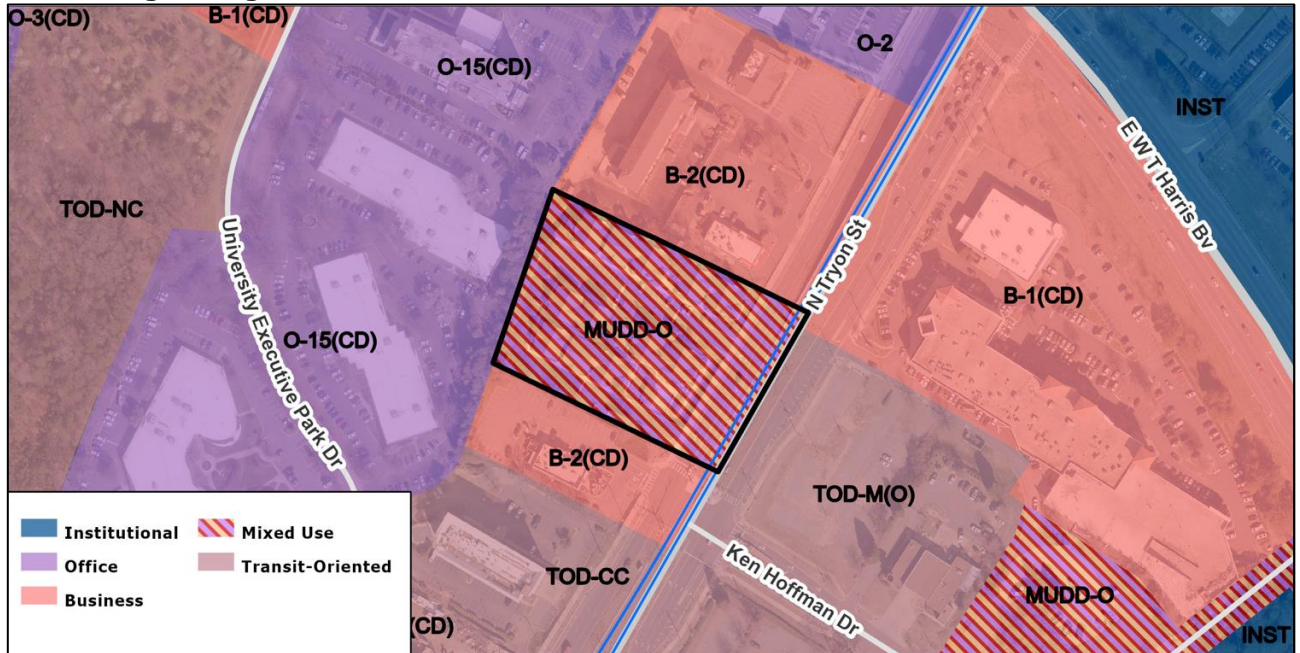
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- MUDD-O site plan amendment to a previously approved rezoning to allow the following uses in addition to the existing hotel: dormitories for the students of colleges, commercial schools, schools providing adult training and for the staff of hospitals; dwellings, detached, duplex, triplex, quadraplex, attached, multi-family and planned multi-family developments, and mixed use buildings.
- Notes existing building and structures will remain in place.
- Notes no new buildings are proposed and any new construction will require a rezoning.
- Notes minor repairs and alterations may occur subject to the rezoning ordinance.
- Limits number of buildings to 7.
- Limits building height to 34 feet.
- Notes all public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad north eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
- Requests the following optional provisions:
 - Access to site adjacent rights-of-way, streets and arterials: No change to the access to the site as shown on the site plan is proposed.
 - Property will need to opt out of the loading space requirement.
 - Request to not provide long-term bicycle parking.
 - Opt out of loading/delivery zone as none currently exists. In addition, the existing property does not currently have an enclosure for a recycling container.
 - Opt out of the signage provision of the MUDD-O zoning. Site has an existing ground sign (pole sign) that does not meet the 5-foot height requirement. The height of the existing sign is roughly 37 feet. Sign face is 108" wide by 70" high.

- **Existing Zoning and Land Use**



- The site is developed with a hotel built in 1987 and is surrounded by a mix of institutional, office, residential and retail uses on properties in various zoning districts. The site abuts the Blue LYNX transit line.
- The site was previously rezoned via petition 2017-196, approving the retention of the existing 56,693 square foot hotel use, and eliminating nonconformities resulting from the expansion of North Tryon Street and construction of the Blue Line extension, along with several optional provisions pertaining to delated compliance with access requirements; waiver of the required loading/delivery zone and recycling container; maneuvering requirements; pedestrian circulation; landscaping requirements; and existing pole sign.



The rezoning site is developed a hotel built in 1987.



Across and along N. Tryon are institutional, office, residential, and retail uses.

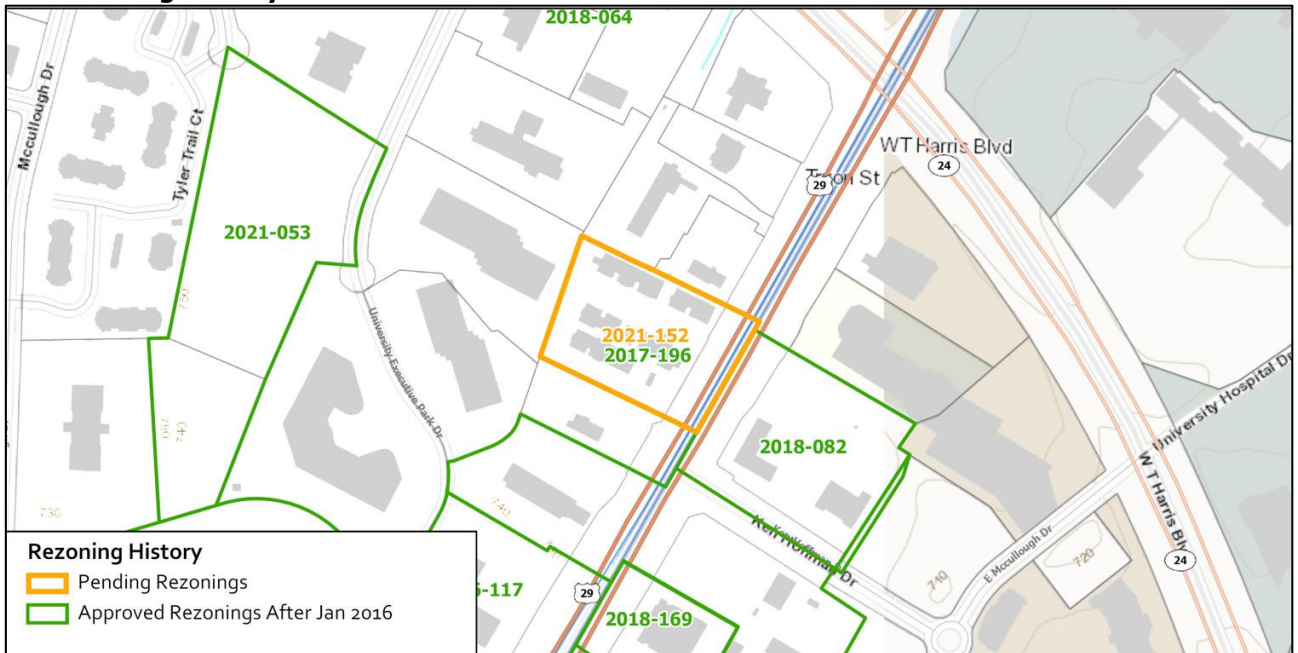


West are office uses.



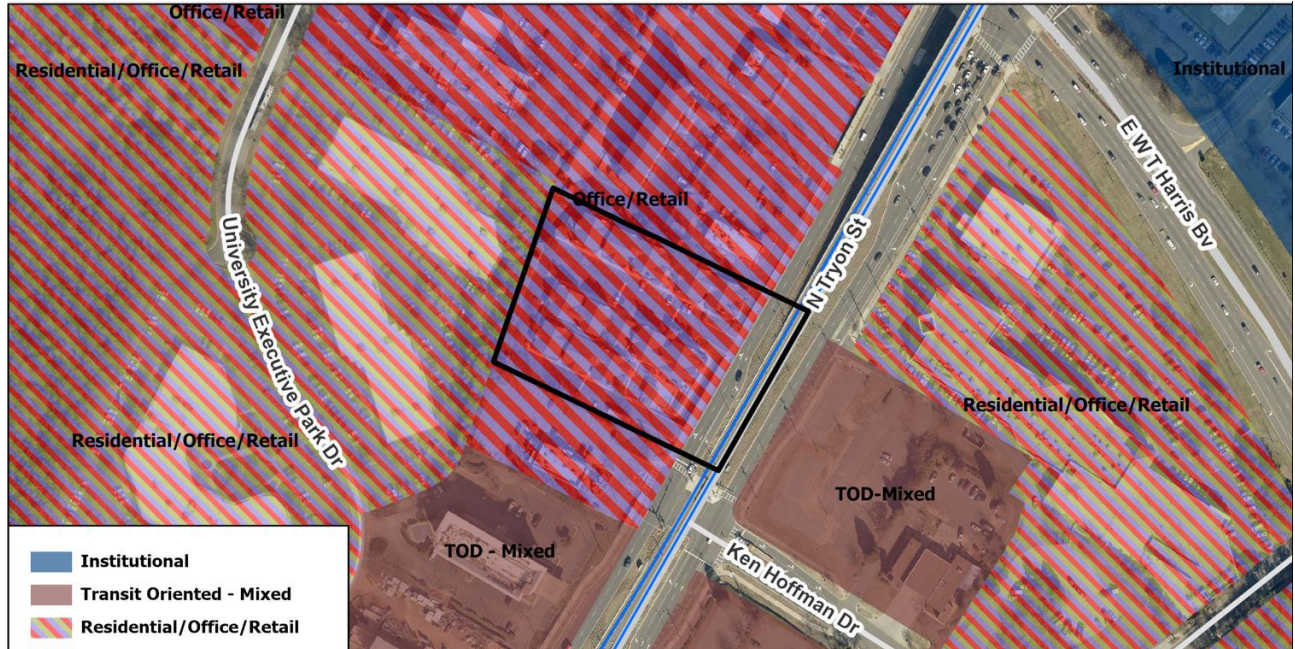
The parcel is located within 0.18 mile of the McCullough Station on the Blue LYNX transit line.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-053	Rezoned 7.06 acres from MUDD-O to TOD-NC.	Approved
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations.	Approved
2018-082	Rezoned 3.02 acres from O-2, MUDD-O and INST to TOD-M(O) to allow a police and fire station.	Approved
2018-064	Rezoned 2.03 acres from O-15(CD) to B-2(CD) to allow an EDEE with accessory drive thru.	Approved
2017-196	Rezoned 2.5 acres from O-6(CD) to MUDD-O to retain the existing 56,693 square foot hotel use, and eliminate nonconformities resulting from the expansion of North Tryon Street and construction of the Blue Line extension	Approved

- **Public Plans and Policies**



- The University City Area Plan (2015) recommends a mix of office and retail uses for this site.
- **TRANSPORTATION SUMMARY**
 - The site is located adjacent to North Tryon Street, a State-maintained major thoroughfare north of Ken Hoffman Drive, a City-maintained local street. This site will utilize the existing 10-foot sidewalk and 5-foot bicycle lane along the site's frontage of Tryon Street, adhering to the Charlotte WALKS and Charlotte BIKES policies. CDOT has no outstanding items.
- **Active Projects:**
 - McCullough Dr. Streetscape/Extension
 - Scope:
 - Add separated bike lanes, lighting, and wide sidewalks (Streetscape)
 - Extend E. McCullough Dr. from Tryon St. to Ken Hoffman Dr. (Extension)
 - PM: Sharon Buchanan
 - Status: Real Estate
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 600 trips per day (based on 91 hotel rooms).
 - Entitlement: 600 trips per day (based on 91 hotel rooms).
 - Proposed Zoning: 600 trips per day (based on 91 hotel rooms).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Too many uses to determine. See advisory memo at www.rezoning.org.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along N Tryon St. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along the western portion of the parcel. See advisory comments at www.rezoning.org
- **City Arborist:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **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:** No comments submitted.
-

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Claire Lyte-Graham (704) 336-3782







Goals Relevant to Rezoning Determinations

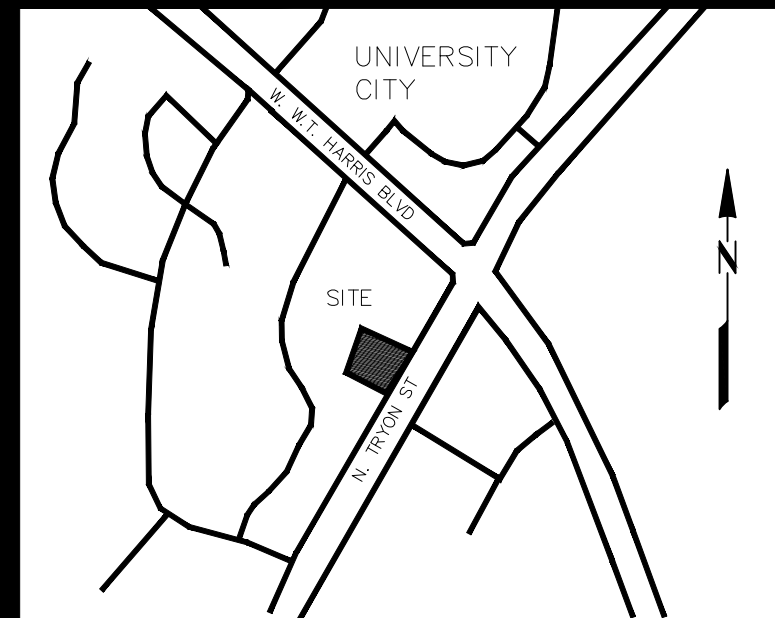
Rezoning Petition # 2021-152

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	✓

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



VICINITY MAP

LEGEND

EIP	EXISTING IRON PIN	---	SANITARY SEWER LINE
UP	UTILITY POLE	---	OVERHEAD ELECTRIC
WM	STORM MANHOLE	WM	WATER METER
CB	CATCH BASIN	LP	LIGHT POLE
SM	SEWER MANHOLE	CT	SEWER CLEAN-OUT
WV	WATER VALVE	EM	ELECTRIC SERVICE METER
FH	FIRE HYDRANT	RCP	REINFORCED CONCRETE PIPE
FDC	FIRE DEPT. CONNECTION	HDPE	HIGH DENSITY POLYETHYLENE PIPE
SW	STORM DRAIN INLET	CM	GAS METER
EPK	EXISTING P-K NAIL	BF	BACKFLOW UNIT
	PLANTED TREE	---	GAS LINE

RI CHARLOTTE PROPERTY, L.P.

- Development Data Table
 - Site Acreage: 2.493
 - Tax Parcels included in Rezoning: 047-211-04
 - Existing Zoning (including overlays and vesting): MUDD-0
 - Proposed Zoning (including overlays and vesting): MUDD-0
 - Number of Residential Units by Housing Type: NA
 - Residential Density: NA
 - Square footage of Non-Residential Uses by Type: 56,683 sq. ft. - Hotel
 - Floor Area Ratio: 0.52
 - Maximum Building Height: 34 Feet
 - Maximum Number of Buildings: 7
 - Number and/or Ratio of Parking Spaces: 100
 - Amount of Open Space: 51,799 sq. ft.

- General Provisions
 - This application is subject to the City of Charlotte Zoning Ordinance, Part 8.5, sections 9.8504 - 9.8512, including any applicable references, additional sections.
 - The existing building and structures will remain as they currently are.
 - No new buildings are proposed and any new construction will require a rezoning.
 - Minor repairs and alterations may occur subject to the zoning ordinance.
 - Should any of the existing structures be removed, the rezoning will be required.
 - Petitioner to consider granting a future public access easement in the event of future redevelopment of the property or redevelopment of neighboring tax parcel 0472120.
 - The property was rezoned to MUDD-0 in 2018 to eliminate non-conformities in zoning that resulted from the expansion of Tryon Street and the construction of the Blue Line extension.
 - This purpose of this rezoning of the property is to allow for additional uses of the property as noted in the Permitted Uses.

- Optional Provisions
Petitioner requests the approval of the following provisions:

- Access to site adjacent rights-of-way, streets and arterials: No change to the access to the site as shown on the site plan is proposed.
- Parking and vehicular circulation areas:
 - The property will need to opt out of the Loading Space requirement
 - Requesting to not provide long-term bicycle parking (12.202A).
- Pedestrian circulation: No change to the pedestrian circulation as shown on the site plan is proposed.
- Service area for uses such as mail delivery, trash disposal, aboveground utilities, loading and delivery: Request to opt out of loading/delivery zone as none currently exists. In addition, the existing property does not currently have an enclosure for a recycling container, see 12.403 (4).
- Areas to be landscaped or screened: Current landscape to remain as part of existing development.
- Signs, banners, flags and pennants to be used: Property will need to opt out of the signage provision of the MUDD-0 Zoning. Site has an existing Ground Sign (Pole Sign) that does not meet the 5' height requirement. The height of the existing sign is roughly 37'. Sign Face is 108" W x 70" High.
- Seating plans: NA

- Permitted Uses
 - Allowed uses:
 - Hotels
 - Dormitories for the students of colleges, commercial schools, schools providing adult training and for the staff of hospitals.
 - Dwellings, detached, duplex, triplex, quadraplex, attached, multi-family and planned multi-family developments, and mixed use buildings.
 - Special Use conditions: Only one of the allowed uses of the property shall be utilized at any given time.

- Transportation
 - All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad north eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

- Architectural Standards: Existing buildings to remain

- Streetscape and Landscaping
 - Streetscape: NA;

- Special landscape, buffer, screening treatment: Existing landscape buffer (trees and shrubs) in place screening AC Condensing Units, Power Transformer and Pool Area/Fence. Elevated street with concrete retaining wall (installed by City of Charlotte as part of the CATS/Lynx Blue Line extension project) also provides buffer to property which sits below street grade (roughly 6').

- Environmental Features: NA

- Parks, Greenways, and Open Space: NA

- Fire Protection: Existing buildings to remain

- Signage
 - Sign limitations - size, type and location if different from ordinance requirements: As stated above in (3), Property will need to opt out of the signage provision of the ordinance. Site has an existing Ground Sign (Pole Sign) that does not meet the 5' height requirement. The height of the existing sign is roughly 37'. Sign Face is 108" W x 70" High.

- Lighting: NA

- Phasing: N/A

HAMILTON INVESTMENT
PROPERTIES I LLC
DB 30148 PG 625
TAX PARCEL 047-211-26
ZONING: B-2(CD)

UNIVERSITY PLACE
SLEEP INN
DB 30449 PG 341
TAX PARCEL 047-211-05
ZONING: B-2(CD)

15' SANITARY
SEWER EASEMENT
(MB 21 PG 267)

NORTH TRYON STREET (US-29)
(R/W WIDTH VARIES)

APPROX CENTERLINE
N. TRYON ST

DRIVEWAY - FUTURE PUBLIC ACCESS
EASEMENT PER NOTE 2(e). ACCESS EASEMENT
TO EXTEND FROM DRIVEWAY TO REAR OF
PROPERTY

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 29°25'47" W	93.82'
L2	S 60°34'13" E	2.67'
L3	S 29°25'47" W	211.83'

JG BLACKMON LLC
DB 33597 PG 225
TAX PARCEL 047-211-01
ZONING: B-2(CD)

ATAPCO UEP INC.
DB 7958 PG 329
TAX PARCEL 047-211-20
ZONING: O-15(CD)

GRAPHIC SCALES
HORIZONTAL
0 10 20
1 inch = 20 ft.

RI CHARLOTTE PROPERTY, L.P.

CHARLOTTE, NC

RESIDENCE INN

SITE PLAN
REZONING PETITION 2021-152

PLANNING DEPT. REVISIONS

12/6/21

Apprvd.

Date: 5/27/2021

Chkd: SM

Drwn: SK

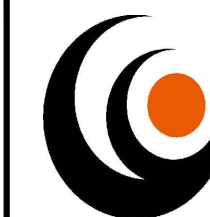
Scale: 1"=20'

Project No.: 2021-009

Sheet:

RZ-1

PREPARED BY:



Gavel & Dorn Engineering, PLLC
6730 Freedom Drive
Charlotte, NC 28214
704-919-1900
License No. P-6061



Agenda Date: 1/18/2022

Agenda #: 29. **File #:** 15-17177 **Type:** Zoning Hearing

Rezoning Petition: 2021-156 by Elite Team Realty & Property Management, Inc.

Location: Approximately 2.0 acres located at the northeast intersection of Wellingford Street and Hershey Street, east of West Sugar Creek Road. (Council District 4 - Johnson)

Current Zoning: R-4 (single-family residential)

Proposed Zoning: UR-2 (CD) (urban residential, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues and technical revisions related to site and building design and transportation.

Attachments:

Pre-Hearing Staff Analysis

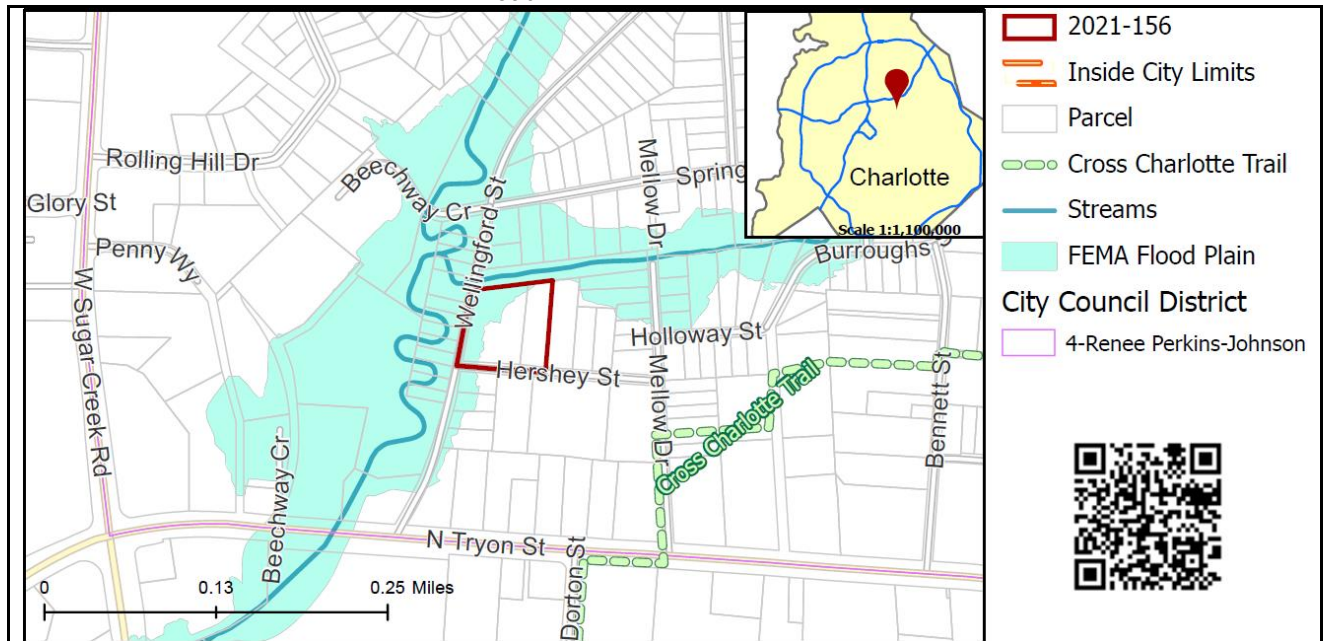
Site Plan

REQUEST

Current Zoning: R-4 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 2 acres located at the northeast intersection of Wellingford Street and Hershey Street, east of West Sugar Creek Road.



SUMMARY OF PETITION

The petition proposes to redevelop the existing single family home and vacant parcel with a townhome community containing up to 20 units for a density of 10 units per acre in northeast Charlotte.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING**

Erasmo Valenzuela
Elite Team Realty & Property Management Inc.
Collin Brown & Brittany Lins, Alexander Ricks

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 upon resolution of outstanding issues and technical revisions related to site and building design and transportation.

Plan Consistency

The petition is **inconsistent** with the *Northeast District Plan* recommendation for single family residential up to 4 units per acre and greenway use. However, the *General Development Policies* support the density requested of less than or equal to 12 units per acre.

Rationale for Recommendation

- The *General Development Policies* would support up to 12 units per acre on this site. However, the petition proposes up to 20 single family attached units for a density of 10 units per acre.

- The plan provides building design standards and limits the building heights to 40 feet, compatible with single family residential development.
- Provides an 8 ft wide landscape area along the eastern property line where the development is closest to existing single family homes.
- Dedicates or provides a greenway/stormwater easement along the northern property line.
- Provides additional housing options in the area.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan*, from single family residential up to 3 units per acre and greenway to residential use less than or equal to 12 units per acre.

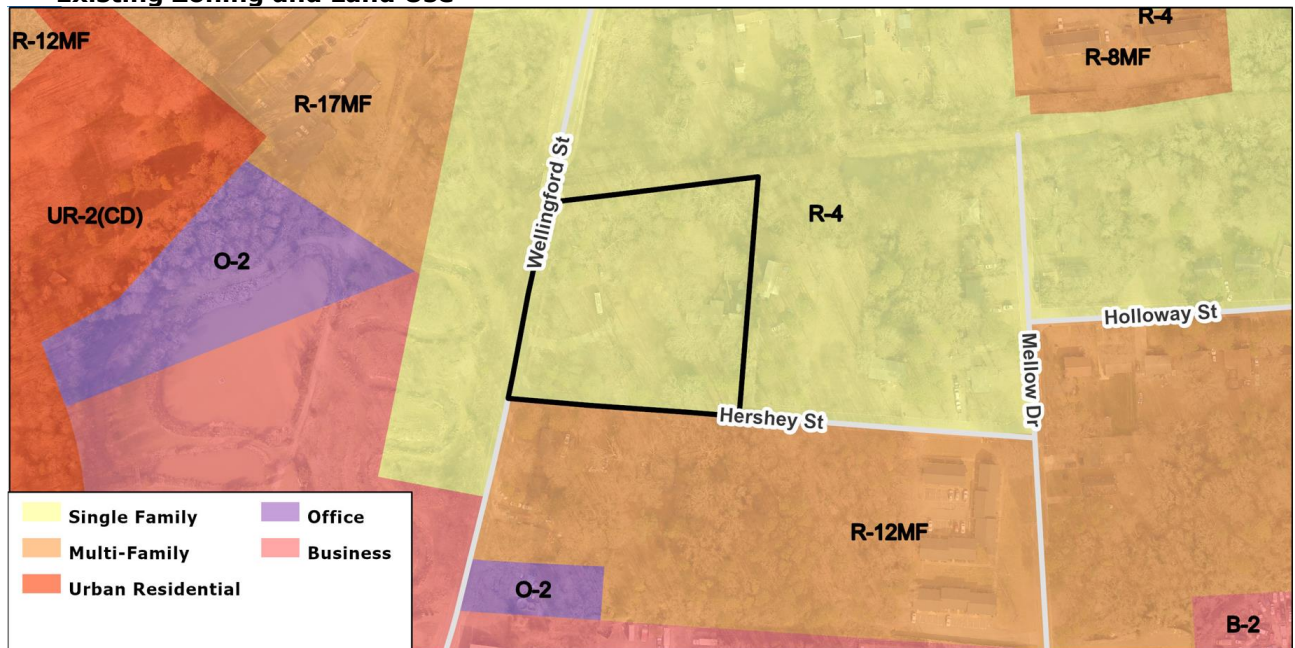
PLANNING STAFF REVIEW

- **Proposed Request Details**

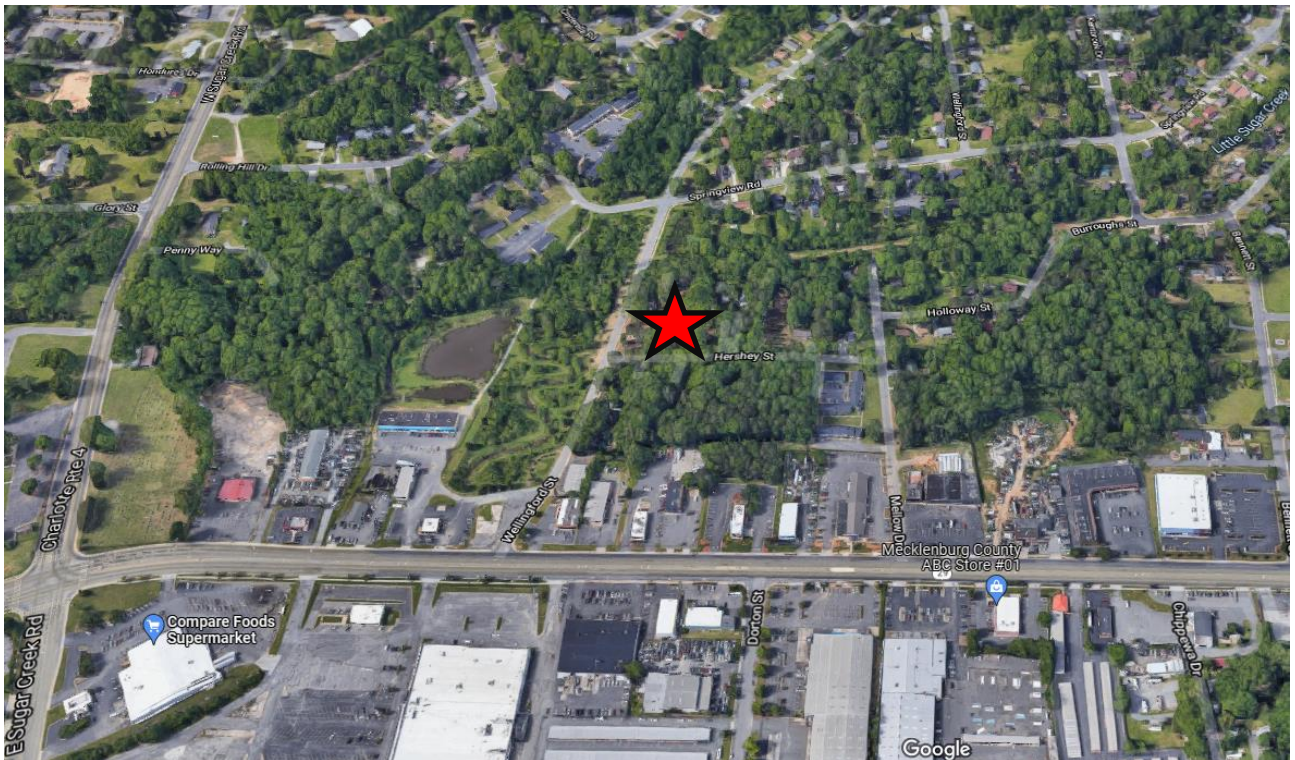
The site plan accompanying this petition contains the following provisions:

- Up to 20 single family attached townhome dwelling units for a density of 10 units per acre.
- Limits building height to 40 ft.
- Access to the site via private drive/alley off Hershey Street.
- Commits to a minimum of 4 visitor parking spaces.
- Maximum of 4 units per building when front a public street.
- Constructs 8 ft planting strip and 6 ft sidewalk along Wellingford Street and Hershey Street.
- Provides building design standards related to allowed exterior building materials, pitched roofs, usable stoops, blank walls, and raised entrances.
- Dedicates and conveys or provides a greenway and stormwater easement to Mecklenburg County along the northern property line.
- Provides an 8 ft wide landscape strip along the eastern property line planted with evergreen trees planted 10 ft on center.
- Limits height of detached lighting to 21 ft.

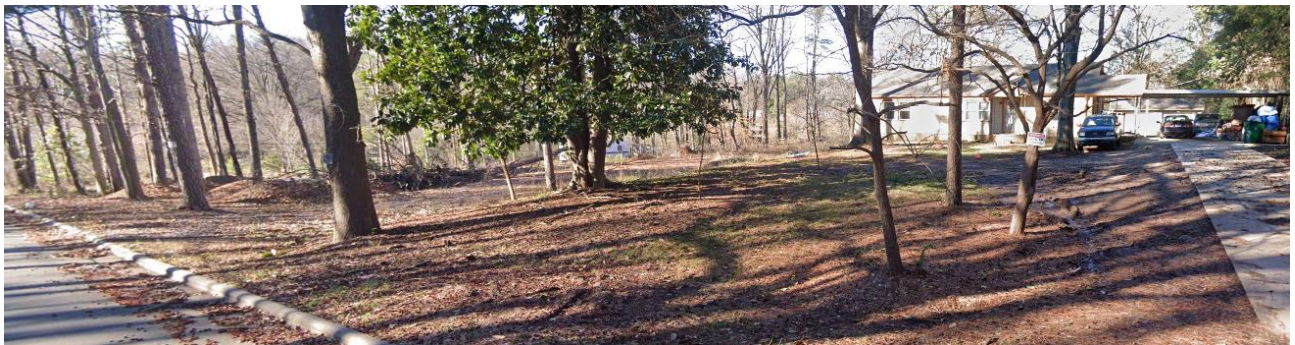
- **Existing Zoning and Land Use**



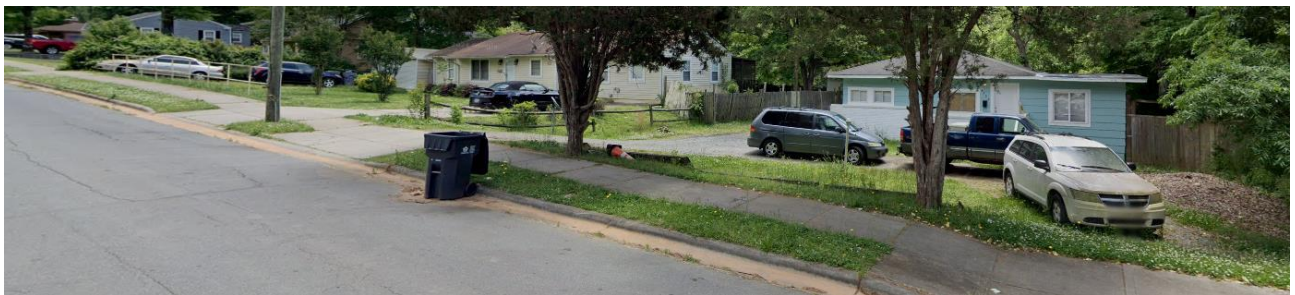
The site is in an area with a mixture of zoning districts and residential dwelling types. The Little Sugar Creek runs east and north of the site.



The site, indicated by the red star above, is located in a residential area just north of N. Tryon.



The site is lightly wooded developed with one single family home.



North of the site along Springview Road, across Little Sugar Creek are single family homes.



South of the site, across Hershey Street are single family homes.

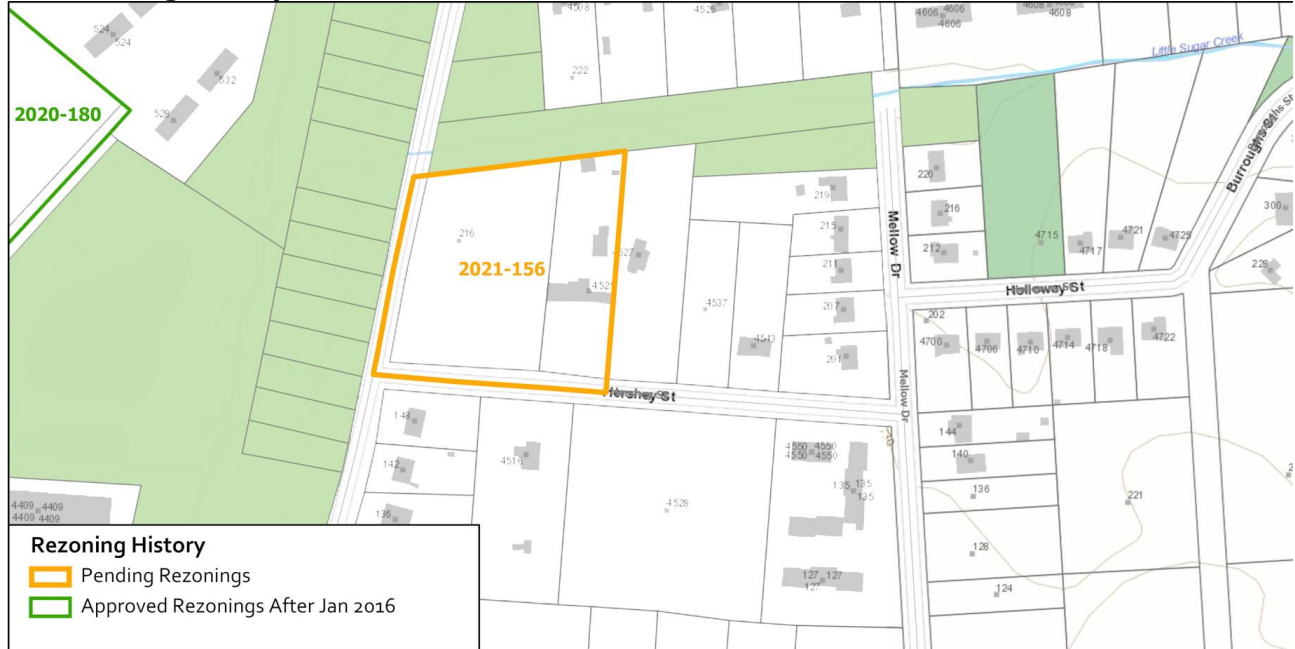


East of the site, along Hershey Street are single family homes.



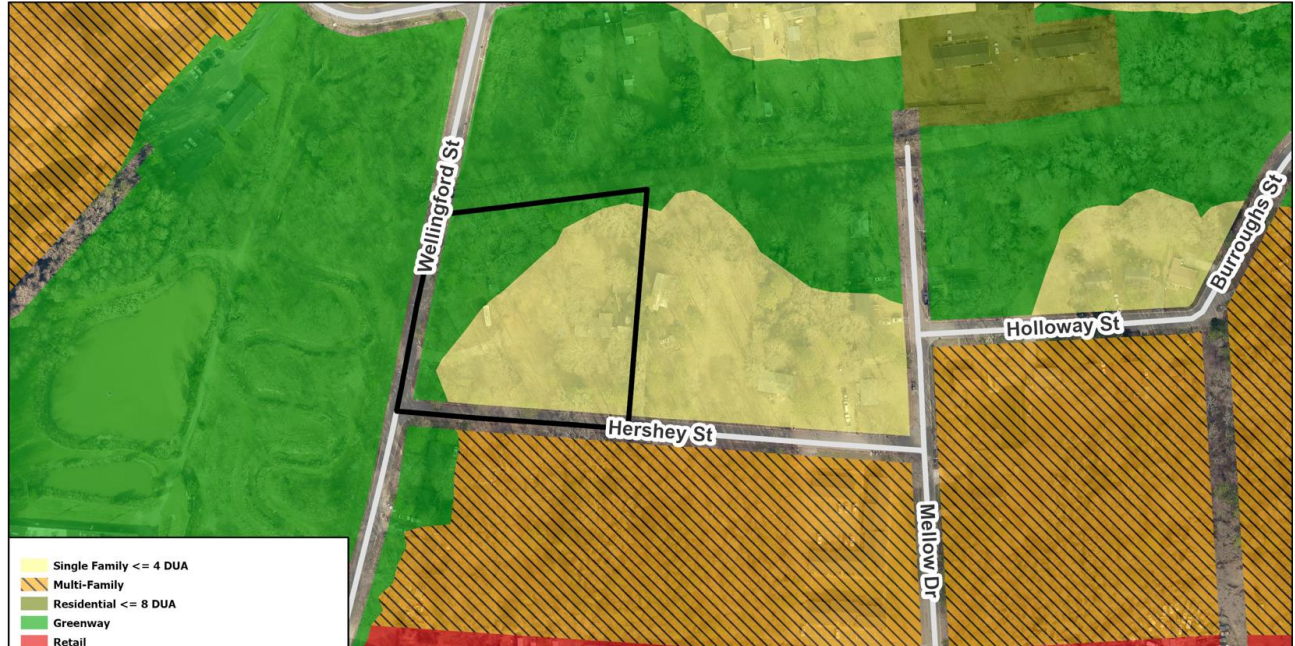
West of the site, across Wellingford Street is wooded area along Little Sugar Creek.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-180	9.93 acres west of the site along Sugar Creek Road to UR-2(CD) to allow up to 200 multi-family dwelling units.	Approved

- Public Plans and Policies**



- The *Northeast District Plan* (1996) recommends single family residential up to 4 units per acre for the eastern portion of the site and greenway for the western portion of the site.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for the density requested as illustrated in the table below. The petitioner is requesting 12 units per acre.

Assessment Criteria	Density Category – up to 12 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	3
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 13	Total Points: 13

• **TRANSPORTATION SUMMARY**

- The site is located on the corner of Wellingford Street, a City-maintained collector street, and Hershey Street, a City-maintained local street. In accordance with City Ordinances and the City's WALKS Policy, CDOT is coordinating with the petitioner to provide an 8-foot planting strip and 6-foot sidewalk along the site's frontage of Wellingford Street and Hershey Street. Additionally, CDOT is coordinating with the petitioner to provide ADA-compliant curb ramps at the intersection of Hershey Street and Wellingford Street and on each side of the storm water culvert located adjacent to this site. Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to, dedication of the appropriate right-of-way and relocating the curbline on Wellingford Street.
- **Active Projects:**
 - No active projects in the area.
- **Transportation Considerations**
 - See Outstanding Issues, Notes 3-7
- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 105 trips per day (based on 8 single family dwellings).

Proposed Zoning: 115 trips per day (based on 20 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **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:** The development allowed under the existing zoning could generate 4 students, while the development allowed under the proposed zoning may produce 3 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Hidden Valley Elementary at 126%
 - Martin Luther King Jr. Middle at 94%
 - Julius L. Chambers High at 126%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Wellingford St. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Hershey St. No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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:** No outstanding issues.

OUTSTANDING ISSUESSite and Building Design

1. Clarify the building footprints and parking enveloped to show how the site is proposed to be developed. At this point it is unclear how units will be accessed with alleys and driveways, how they will be parked (surfaced or driveways), and the number of units doesn't seem to match the building footprints.
2. Increase the proposed/provided setback along Hershey Street to more closely match the established setback along the street. Across the street the homes are approximately 29 feet from the curb line. Label the setback to clarify that it is measured from the back existing or future curb line whichever is greater.

Transportation

3. Label and dimension the curb and gutter from the centerline for each road on the site plan. Show the proposed curb line along frontage of Wellingford Street at 17.5 feet from the existing street centerline.
4. Revise site plan and conditional note(s) to commit to dedicate 36-feet of right-of-way from existing the road centerline. in accordance with CLDSM U-07 Local Collector Street Cross Section along Wellingford Street. Label and dimension the right-of-way from the centerline of the road.
5. Revise site plan and conditional note(s) to commit to dedicate 28-feet of right-of-way from the existing road centerline along Hershey Street. Label and dimension the right-of-way from the centerline of the road.
6. Add callout on site plan for ADA ramp on each side of the culvert to clarify plan.
7. Label proposed ROW or sidewalk utility easement on site plan located 2ft behind sidewalk. Add conditional note to plan.

REQUESTED TECHNICAL REVISIONSSite and Building Design

8. Provide adjacent building footprints.
9. Amend Transportation note III.4 to specify an 8 ft planting strip and 6 ft sidewalk will also be provided along Hershey Street.
10. Amend Environmental note V.3 to clarify "of the same area"
11. Amend Environmental note V.4 to clarify the location of the landscaping strip.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: John Kinley (704) 336-8311



Goals Relevant to Rezoning Determinations

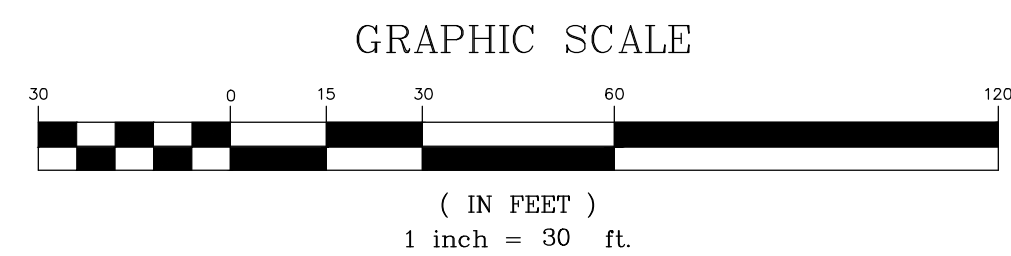
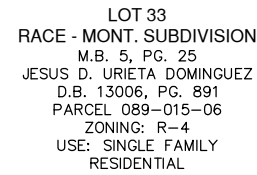
Rezoning Petition # 2021-156

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✓
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



GRAPHIC SCALE

(IN FEET)
inch = 30 ft.

$$1 \text{ inch} = 30 \text{ ft.}$$

Development Data Table:

Site Area:	+/- 2 acres
Tax Parcel:	089-015-04 and 089-015-05
Existing Zoning:	R-4
Proposed Zoning:	UR-2(CD)
Existing Use:	Residential
Proposed Uses:	Up to twenty (20) Single-family Attached (Townhome) Dwelling Units
Maximum Building Height:	Up to Forty (40) feet as measured per the Ordinance

I. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Elite Carolinas (the "Petitioner") to accommodate the development of a single-family attached (townhome) residential community on that approximately 2-acre site located at the northeast intersection of Hershey Street and Wellingsford Street, and more particularly depicted on the Rezoning Plan (the "Site"). The Site is completely bounded by Parcel 088-01-15-01 and 088-0189-03-05.
2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern the development and use of the Site.
4. The development and street layout depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of such uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are not intended to be binding. The layout, locations and sizes of the development and site elements may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Permitted Uses

The Site may be devoted only to residential uses containing a maximum of twenty (20) single-family attached dwelling units and any incidental and accessory uses relating thereto that are permitted by-right or under prescribed conditions in the UR-2 zoning district.

III. Transportation

1. The Site will be served by an internal private drive and/or alley, and minor adjustments to the location of the internal drive and/or alleys shall be allowed during the construction permitting process.
2. A maximum of one (1) access point shall be provided along Hershey Street, as generally depicted on the Rezoning Plan. No vehicular access into the Site is proposed from Wellingford Street.
3. A minimum of four (4) visitor parking spaces shall be provided.
4. Petitioner shall provide a minimum eight (8) foot wide planting strip and six (6) foot wide sidewalk along the Site's frontage of Wellingford Street.
5. Petitioner shall construct ADA-compliant curb ramps as generally depicted on the Rezoning Plan.
6. The Petitioner shall dedicate all necessary rights-of-way in fee simple conveyance to the City of Charlotte before the Site's first building certificate of occupancy is issued.
7. Unless stated otherwise herein, the Petitioner shall ensure that all transportation improvements are approved and constructed prior to the issuance of the Site's first building certificate of occupancy.
8. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad north eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

IV. Architectural Standards

1. Preferred Exterior Building Materials: All principal and accessory buildings shall be comprised of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or other materials approved by the Planning Director.
2. Prohibited Exterior Building Materials: (i) vinyl siding, excluding vinyl handrails, windows, soffits, doors or door trim, and (ii) concrete masonry units not architecturally finished.
3. Pitched roofs, if provided, shall be symmetrically sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
4. Usable stoops shall form a predominant feature of the building design for units fronting Hershey Street or Wellingford Street, and shall be located on the front and/or side of the building. Stoops may be covered but shall not be enclosed. Stoops shall be a minimum of six (6) feet in depth.
5. All corner/end units that face Hershey Street or Wellingford Street shall either have a porch/stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to a maximum of ten (10) feet on all building levels.
6. Walkways shall be provided to connect all residential entrances to sidewalks along public streets.
7. Attached dwelling units shall be limited to a maximum of four (4) units per building or fewer when fronting a public street.
8. Trash/recycling service areas may be located interior to the Site within the property development envelope rather than located along the street frontages.
9. To provide privacy, all residential entrances within fifteen (15) feet of the sidewalk shall be either raised or lowered from the average sidewalk grade a minimum of 12 to 24 inches.

V.Environmental Features, Greenway Dedication, and Buffering/Screening

1. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance. The location, size, and type of stormwater management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
2. The Petitioner shall comply with the Tree Ordinance.
3. Petitioner shall dedicate and convey or provide a greenway and stormwater easement of the same area to Mecklenburg County, which may include overlap with tree save areas, as generally depicted on the Rezoning Plan.
4. Petitioner shall provide a minimum eight (8) foot wide landscaping strip with evergreen trees branched to the ground and planted ten (10) feet on center.
5. Development within any SW/PM/PCSO buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Management Department. Any development mitigated if required by City ordinances. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions.

VI. Lighting

All freestanding lighting fixtures installed on the Site greater than twenty-one (21) feet in total height (i.e., excluding decorative lighting less than 21' in height that may be installed along the driveways and sidewalks as pedestrian/landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

VII. Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

REZONING PETITION #2021-156

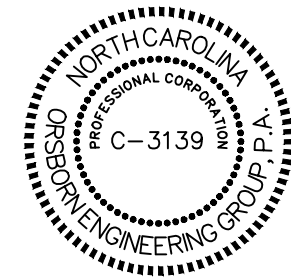
1

216 WELLINGFORD STREET

CHARLOTTE, NORTH CAROLINA

ELITE TEAM REALTY

756 TYVOLA ROAD, SUITE 126
CHARLOTTE, NC 28217

[illegible]

JOB #	21022
DATE:	06/15/21
SCALE:	1" = 30'
DRAWN BY:	JAW
APPROVED BY:	JCO

RZ-1



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 30. **File #:** 15-17178 **Type:** Zoning Hearing

Rezoning Petition: 2021-157 by City of Charlotte Aviation

Location: Approximately 58.26 acres located on the north side of Walkers Ferry Road, just west of I-485 and Charlotte Douglas International Airport. (Council District 3 - Watlington)

Current Zoning: R-3 LLWPA (single-family residential, Lower Lake Wylie Protected Area), R-MH LLWCA (manufactured housing, Lower Lake Wylie Critical Area)

Proposed Zoning: I-2 LLWPA (general industrial, Lower Lake Wylie Protected Area), I-2 LLWCA (general industrial, Lower Lake Wylie Critical Area)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

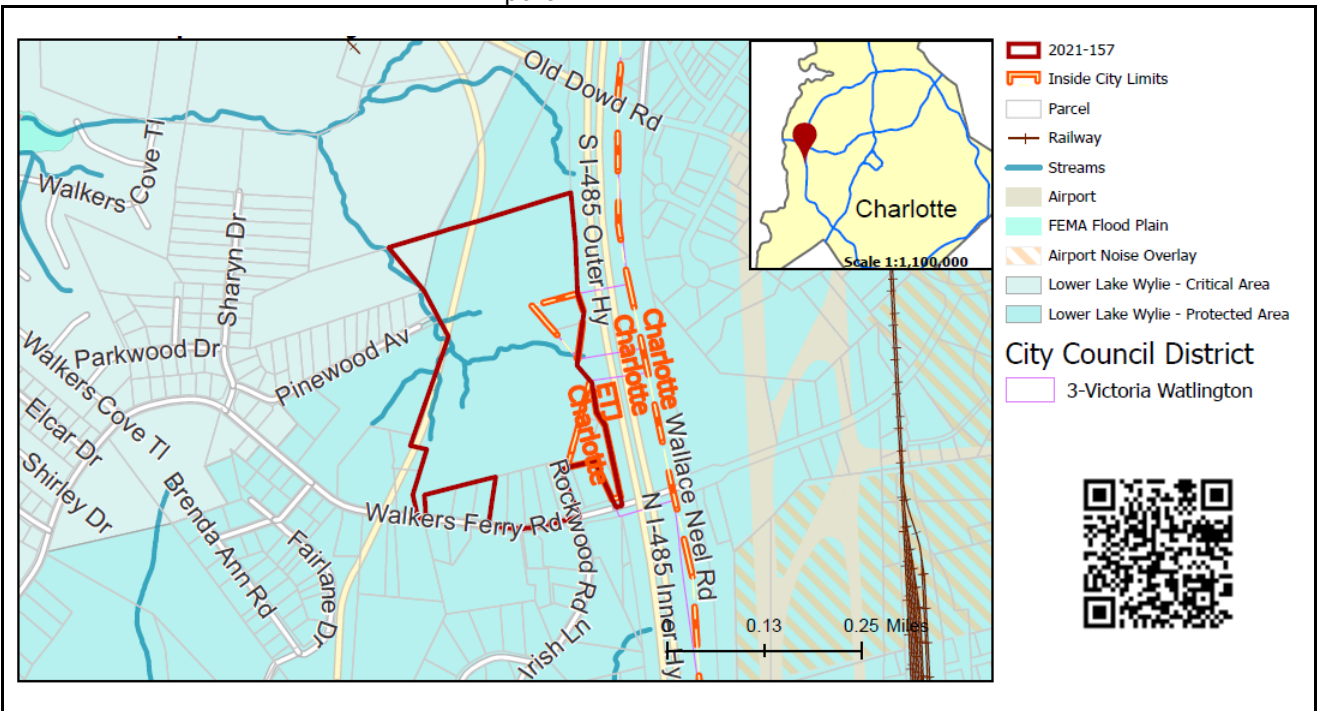
REQUEST

Current Zoning: R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area), R-MH LLWCA (manufactured housing, Lower Lake Wylie Critical Area)

Proposed Zoning: I-2 LLWPA (general industrial, Lower Lake Wylie Protected Area), I-2 LLWCA (general industrial, Lower Lake Wylie Critical Area)

LOCATION

Approximately 58.26 acres located on the north side of Walkers Ferry Road, just west of I-485 and Charlotte Douglas International Airport.



SUMMARY OF PETITION

The petition proposes to rezone vacant land near Charlotte Douglas International Airport to allow all uses permitted in the I-2 district.

PROPERTY OWNER

City of Charlotte

PETITIONER

Stuart Hair

AGENT/REPRESENTATIVE

Stuart Hair

COMMUNITY MEETING

Meeting is not required.

STAFF

RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the office/retail/light industrial uses recommended for this site as per the *Dixie Berryhill Strategic Plan* (adopted 2003).

Rationale for Recommendation

- The petition is inconsistent with the office/retail/light industrial land use recommendation for this site. However, the area is located just west of the airport and the third parallel runway making it compatible for either light or general industrial uses.

- The site is located adjacent to Interstate 485 and just south of I-2 zoned property being developed for general industrial uses.
- Any future development of the site will be required to provide a class A 100-foot landscaped buffer from adjacent residential uses in compliance with the zoning ordinance.

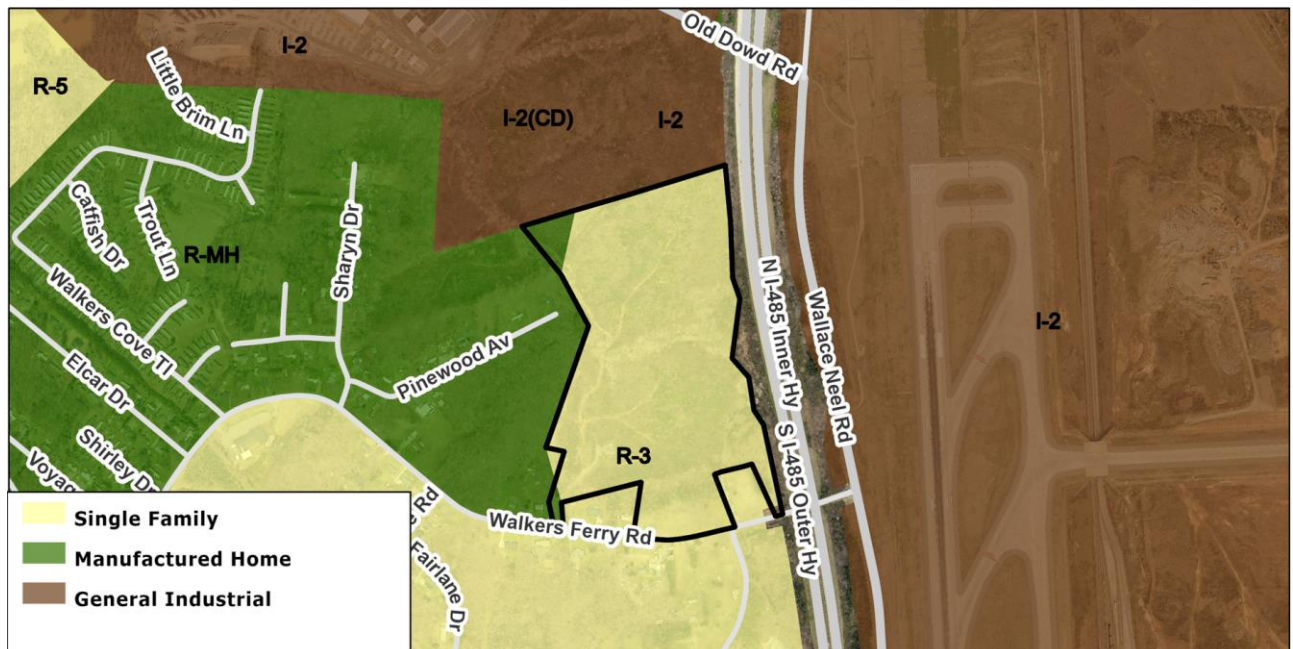
The approval of this petition will revise the adopted future land use as specified by the *Dixie Berryhill Strategic Plan*, from office/retail/light industrial land uses to heavy industrial land use for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- **Existing Zoning and Land Use**



The site is surrounded by a mix of uses including single family residential, manufactured residential, and heavy industrial.



The site, marked by a red star, is situated adjacent to Interstate 485 and near Charlotte Douglas International Airport.



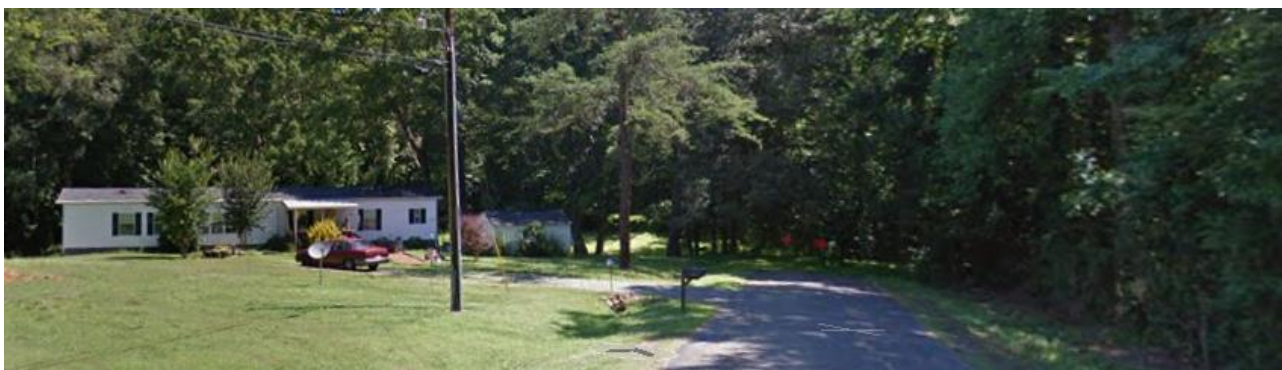
The properties to the north of the site along Old Dowd Road are a mixture of vacant wooded land and developed industrial uses.



The properties to the east of the site are developed with Interstate 485 and Charlotte Douglas International Airport.

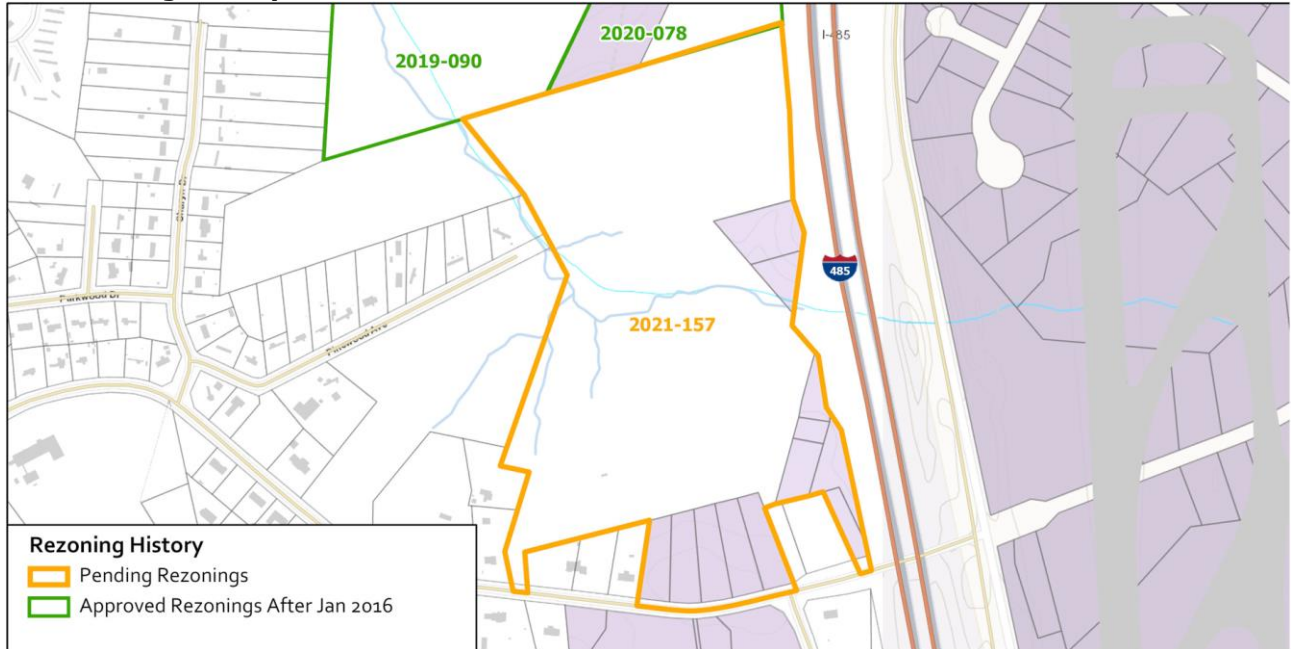


The properties to the south of the site along Walkers Ferry Road are developed with single family residential uses.



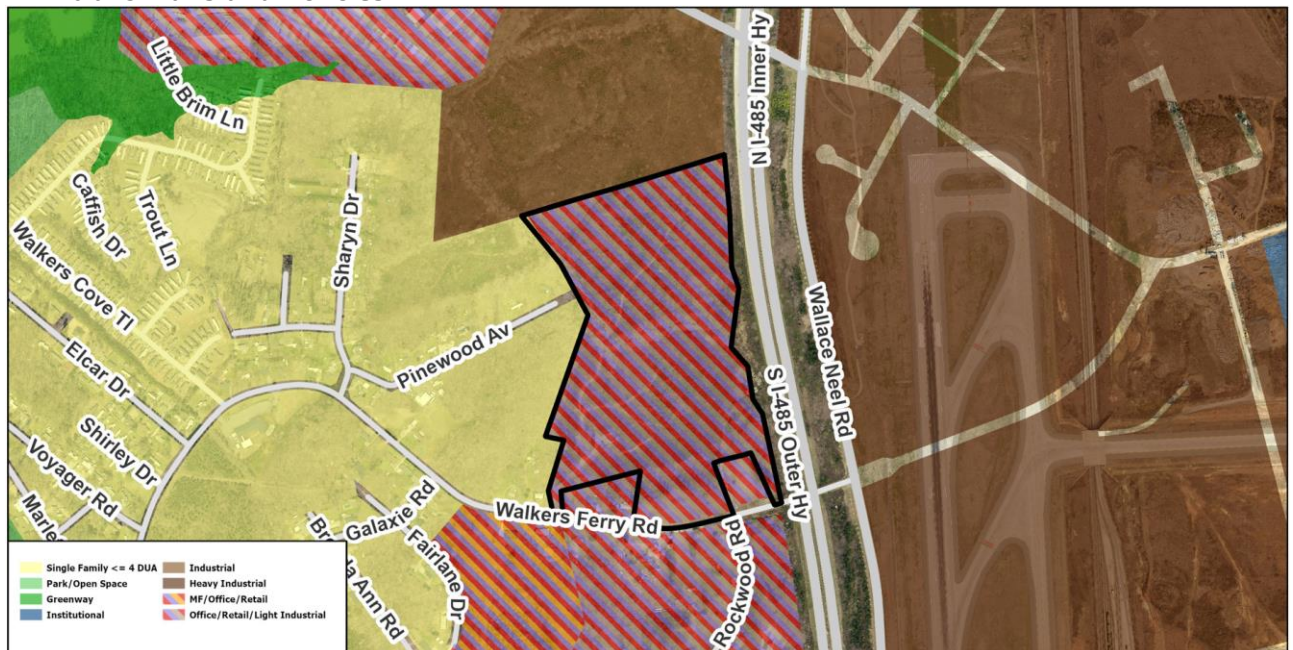
The properties to the west of the site are a mix of vacant wooded land and developed manufactured housing.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-078	Request to allow all uses permitted in the I-2 district.	Approved
2019-090	Request to rezone to I-2(CD) to allow for the development of a contractor office with accessory storage including truck terminals.	Approved

- Public Plans and Policies**



- The *Dixie Berryhill Strategic Plan* (adopted 2003) recommends office/retail/light industrial land uses for this site.

- **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Walkers Ferry Road, a State-maintained major collector and I-485, a State-maintained freeway. A Traffic Impact Study (TIS) is not needed for this site. A CTP alignment connecting Old Dowd Road to Walkers Ferry Road will need to be dedicated during permitting. CDOT will coordinate site access and streetscape improvement requirements during permitting. Further details are listed below.
- **Active Projects:**
 - There are no active projects in the vicinity of the site.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**

Current Zoning:
Existing Use: 0 trips per day (based on vacant land).
Entitlement: 1,790 trips per day (based on 177 single family dwellings).
Proposed Zoning: 1,430 trips per day (based on 873,900 SF warehouse).

DEPARTMENT COMMENTS (see full department reports online)

- **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-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** See advisory comments at www.rezoning.org
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No comments submitted.





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org







Planner: Joe Mangum (704) 353-1908

Goals Relevant to Rezoning Determinations Petition 2021-157

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	N/A
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>✓</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



Agenda Date: 1/18/2022

Agenda #: 31. **File #:** 15-17179 **Type:** Zoning Hearing

Rezoning Petition: 2021-158 by Trevi Partners, LLC

Location: Approximately 45.31 acres located on the southeast side of North Tryon Street, east of Pavilion Boulevard. (Council District 4 - Johnson)

Current Zoning: CC SPA (commercial center, site plan amendment) and UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment)

Proposed Zoning: CC SPA (commercial center, site plan amendment) and UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment), with 5-year vested rights

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to land use and site and building design.

Attachments:

Pre-Hearing Staff Analysis
Site Plan

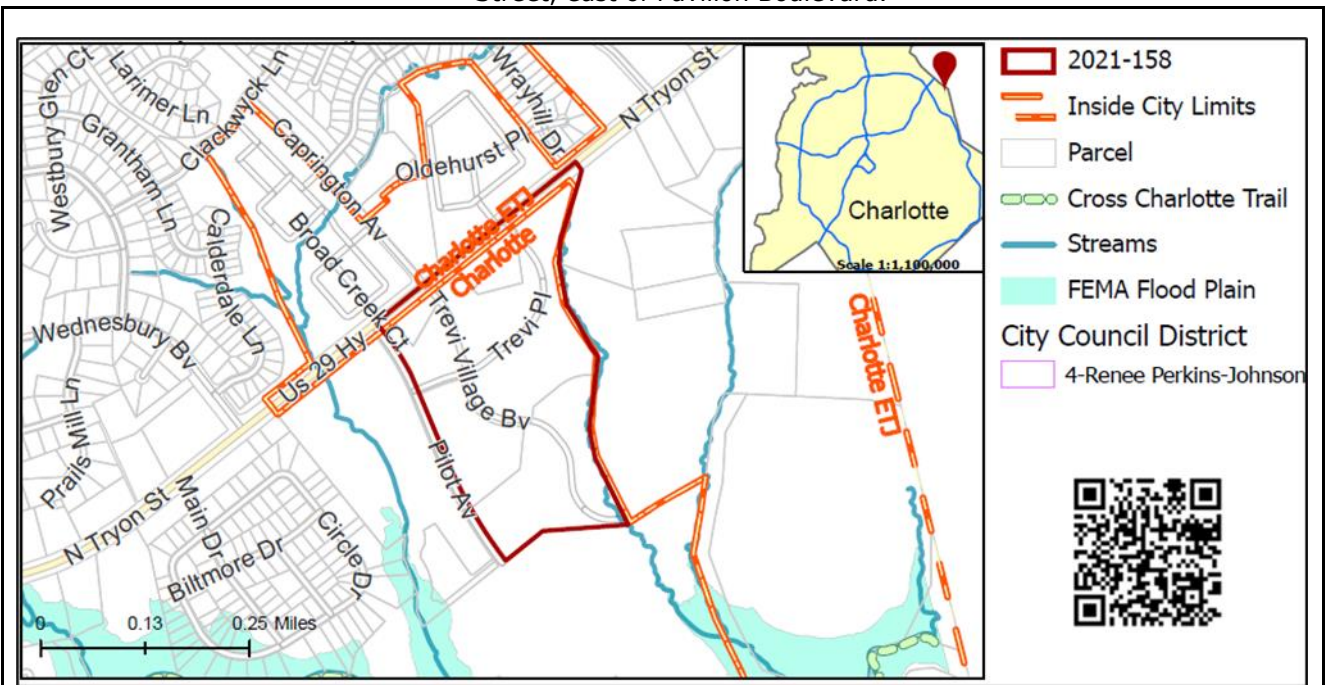
REQUEST

Current Zoning: CC SPA (commercial center, site plan amendment) and UR-C(CD) SPA (urban residential-commercial, conditional, site plan amendment)

Proposed Zoning: CC SPA (commercial center, site plan amendment) and UR-C(CD) SPA (urban residential-commercial, conditional, site plan amendment, with 5-year vested rights)

LOCATION

Approximately 45.31 acres located on the southeast side of N. Tryon Street, east of Pavilion Boulevard.



SUMMARY OF PETITION

The petition proposes a site plan amendment to an approved development to allow additional uses, clarify architectural standards, and adjust layout.

PROPERTY OWNER

Trevi Partners, LLC

PETITIONER

Trevi Partners, LLC

AGENT/REPRESENTATIVE

Colin Jenest/ColeJenest & Stone, PA

COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to land use and site and building design.

Plan Consistency

The petition is **consistent** with the *Northeast Area Plan's* (2000) recommendation for institutional and residential/office/retail uses as amended by rezoning petition 2010-047.

Rationale for Recommendation

- The adopted future land use for this site was amended by rezoning petition 2010-047.

- The proposal to allow additional uses, increase in height, and clarify architectural standards not drastically alter the intent of the previous approved rezoning.
- The petition furthers the Northeast Area Plan's goal to establish "a balanced land use pattern that includes a mixture of housing, shopping, employment and civic uses".

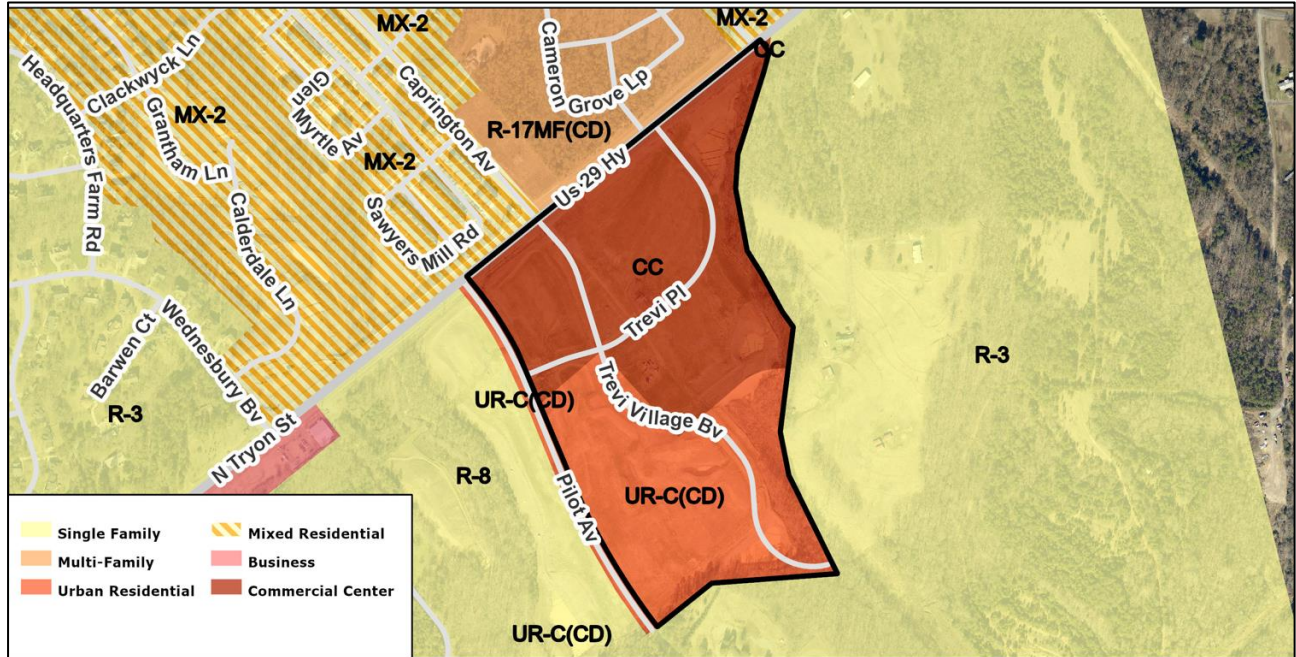
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan amendment contains the following changes:

- Maintains 204 multi-family residential units restricted to persons 55 and older.
- Maintains the following residential type uses:
 - 109 independent living/dependent living/flex units (CCRC; currently under construction)
 - 79 independent living/dependent living/flex units ("elderly")
 - 52 skilled nursing units ("elderly")
- Maintains the 110,000 square feet of allowable commercial/retail/restaurant uses.
- Modifies medical office to allow medical office/office while maintaining allowable 70,000 square feet.
- Maintains the number of hotel rooms at 170 and 125,000 square feet.
- Adds 14,000 square foot automotive service station.
- Remove 25,000 square foot wellness center.
- Remove 14,000 square foot adult care center.
- Proposes to add the following uses to permitted uses on site: dry cleaning and laundry establishments; indoor recreation; kitchen, commercial; nurseries and greenhouses; pet services indoor; EDEE (Type 1 and 2); retail establishments, shopping centers, and business, personal recreation services permitted in the B-1 district.
- Modifies proposed 70-foot maximum building height to read "Per ordinance".
- Removes parking ratios for individual uses and replace with "minimum and maximum parking requirements shall be per the ordinance".
- Retains streetscape and landscaping language regarding 8-foot planting strip and 8-foot sidewalk; adherence to the Charlotte Urban Street Design Guidelines.
- Modifies streetscape and landscaping language to read vegetative screening shall be provided in accordance with the City of Charlotte ~~Land Development Standards~~ Zoning Ordinance.
- Retains transportation improvements language pertaining to traffic signal installation; dedication in fee simple; driveway connections; public and private streets; and, provision of a CATS bus shelter and waiting pad.
- Adds the following transportation improvements language:
 - Dedication and fee simple conveyance of all right-of-way to the City is required before the site's first building certificate of occupancy is issued. CDOT requests rights-of-way be set at 2 feet behind back of sidewalk where feasible.
 - All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements for Trevi Place and St. Margarets Way so long as these private streets are approved and constructed prior to the issuance of the first building certificate of occupancy for any building located within Tract 3C.
 - All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the petitioner on its own or in conjunction with other development or roadway projects taking place within the broad north eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
- Retains development language pertaining to overhead pedestrian bridge encroachments.
- Retains architectural standards language pertaining to composition of building exteriors; large expanses of solid walls.
- Modifies the following architectural standards language:
 - No vinyl siding ~~or EIFS~~ shall be used in the construction of the units. *Removed "...or EIFS.."*
 - Added "EIFS or similar synthetic siding materials shall be allowed on stories above the ground floor only (2nd floor and above)."
- Retains environmental features language pertaining to PCCO treatment and buffers; compliance with tree ordinance and tree save; and payment in lieu.

• **Existing Zoning and Land Use**



- A portion of the site is currently under construction and is surrounded by single family residential neighborhoods, apartments, vacant land, office, and retail uses on parcels zoned R-3, R-8, R-17MF(CD), and MX-2.
- The site is part of 68.9 acres rezoned via 2006-045 allowing 480 "for sale" residential units, 110,000 square feet of commercial uses, 30,000 square feet of office uses, and a 90-room hotel.
- The site was rezoned again via petition 2010-047 to maintain the 110,000 square feet of retail allowed by the existing CC zoning while increasing the allowable office from 30,000 to 70,000 square feet, and the number of hotel rooms from 90 to 170. The plan also proposes to add a 25,000 square foot wellness center, a 14,000 square foot adult care center, 275 multi-family units (independent and dependent living units), a minimum of 79 multi-family (elderly) units, 100 skilled nursing beds, while eliminating the previously approved 480 "for sale" residential units.
- The western 16 acres was rezoned via petition 2016-107 to allow up to 275 multi-family residential units at a density of 17.3 units per acre. Rezoning petition 2017-088 rezoned the western 23.3 acres (including the aforementioned 16 acres) to retain the 275 multi-family dwelling units, at a density of 11.8 units per acre, and eliminate the nonresidential uses permitted via previously approved rezoning petitions 2016-107 and 2010-047.
- There have been subsequent administrative amendments to petition 2010-047 to allow a modification a tree ordinance note (March 2021), and a modification to the multi-family units and to the site layout (April 2021).



The site is vacant and being cleared and graded for construction. A Duke Energy transmission traverses the site.



North across N. Tryon Street are apartments, vacant land, and land being cleared for development (above and below pics)



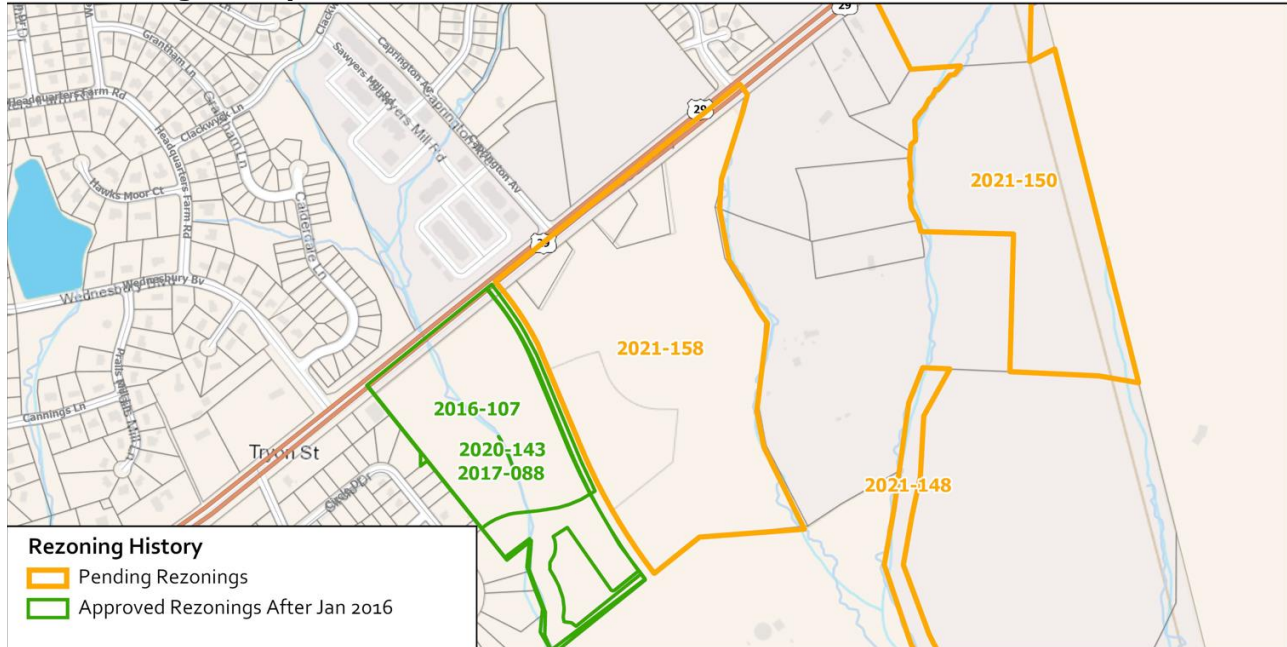


East along N. Tryon Street are office and retail uses.



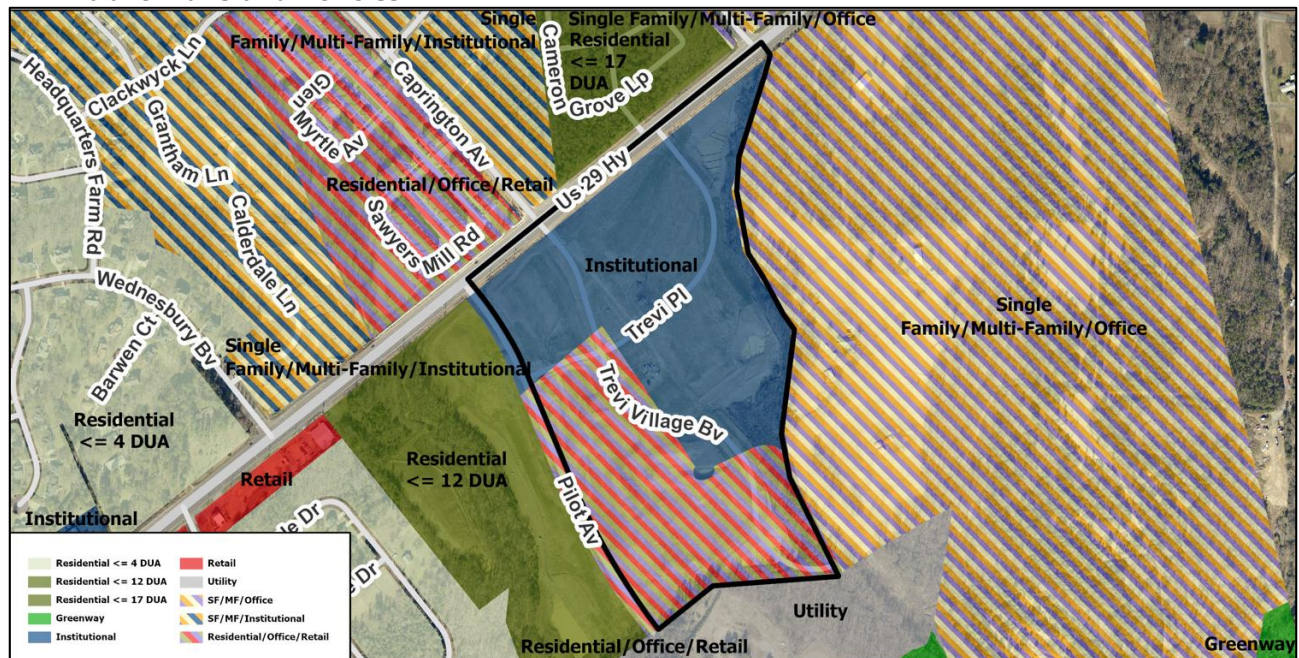
West along N. Tryon Street are single family residential neighborhoods, commercial uses, and vacant land.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2021-150	Rezone 37.14 acres from R-3 to R-12MF(CD) to allow apartments.	Pending
2021-148	Rezone 114.46 acres from R-3 to R-4 to allow all uses in R-4.	Pending
2020-143	Rezoned 21.34 acres from UR-C(CD) to R-8.	Approved
2017-088	Rezoned from CC and UR-C(CD) to UR-C(CD) and UR-C(CD) SPA with 5-year vested rights to amend existing development rights, retain the 275 multi-family dwelling units, and eliminate the nonresidential uses via previously approved petitions 2016-107 and 2010-047.	Approved
2016-107	2016-107 to allow up to 275 multi-family residential units at a density of 17.3 units per acre	Approved

• Public Plans and Policies



- The *Northeast Area Plan* recommends institutional and residential/office/retail uses for this site.

- **TRANSPORTATION SUMMARY**

- The site petition is located adjacent to US 29 Highway, a State-maintained major thoroughfare, and Wrayhill Drive, a City-maintained local street. This petition is a site plan amendment to the previously approved Rezoning 2010-047. Proposed site changes include the addition of an automotive service station, reducing the number of multifamily units and extending internal private streets to property line to line up with future connections. This petition is still subject to all previously committed to transportation and streetscape improvements per the approved traffic study and Rezoning 2010-047. The proposed trip generation for this plan amendment does not trigger any new traffic improvements, as the previous traffic accounts for these additional vehicle trips. All CDOT items have been addressed.

- **Active Projects:**

- Cross-Charlotte Trail Segment 11 (Pavilion Blvd. to Cabarrus County), phases 1 and 2
 - Scope: Construct multi-use path generally following Mallard Creek
 - PM: Carlos Alzate
 - Funded for advanced planning (phases 1 and 2), design (phase 1 only – Pavilion Blvd. to Kempsford Dr.)

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 12,310 trips per day (based on 70,000 sq ft medical/dental office; 110,000 sq ft retail; 170 hotel rooms; 454 senior housing units; petition 2010-047).

Proposed Zoning: 11,975 trips per day (based on 170 hotel rooms; 70,000 sq ft medical/dental office; 9,500 sq ft sit down restaurant; 100,500 sq ft retail; auto service center; 444 senior housing units; site plan 06/23/2021).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 75 students, while the development allowed under the proposed zoning may produce 55 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Stoney Creek Elementary from 110% to 115%
 - James Martin Middle from 65% to 67%
 - Julius L. Chambers High from 126% to 127%.
 - See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Not applicable due to units being age-restricted.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel.
- Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along N Tryon St.
- Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 600 feet west of the rezoning boundary along N Tryon St. A developer donated project will be required in cases there is not direct service. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections. See advisory comments at www.rezoning.org
- **City Arborist:** No comments submitted.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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:** No comments submitted.

OUTSTANDING ISSUESLand Use

1. Dry cleaning and laundry establishments are limited to 4,500 square feet. Please note on plan or remove the use.
2. Commercial kitchens are not permitted in the CC (B-1) zoning district. Please remove from site plan.
3. The proposed EDEE cannot have a drive through and must comply with Section 12.546. Please note on the site plan.
4. Please confirm if the 204 multi-family residential units are age restricted.
5. Please place the Development Summary Table on the plan, as previously provided on the approved plan.

Site and Building Design

6. Remove note stating height will be per ordinance and add original development table with heights and uses back to the plans.
7. Under Rezoning Summary note existing zoning is CC SPA and UR-C(CD) SPA.
8. Add note stating maximum parking requirements will be per ordinance.
9. Notes 1F and 1G contain asterisks without explanation. Please provide explanation or remove.
10. The development notes reference a pedestrian bridge connection not clearly shown on the site plan. Show where this will be per "generally depicted".

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Claire Lyte-Graham (704) 336-3782










Goals Relevant to Rezoning Determinations

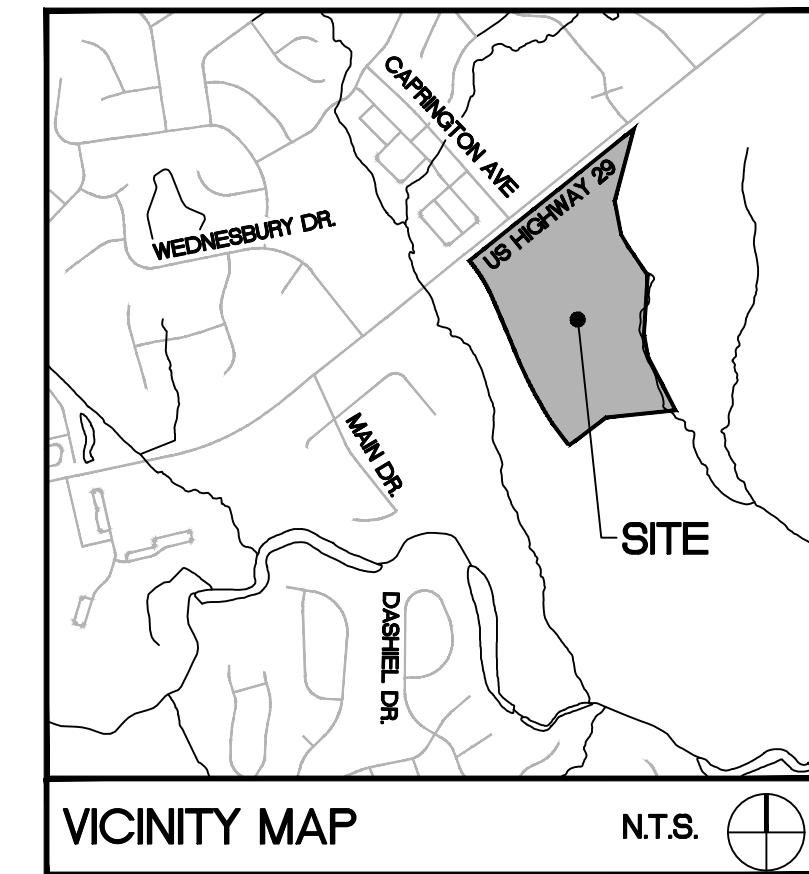
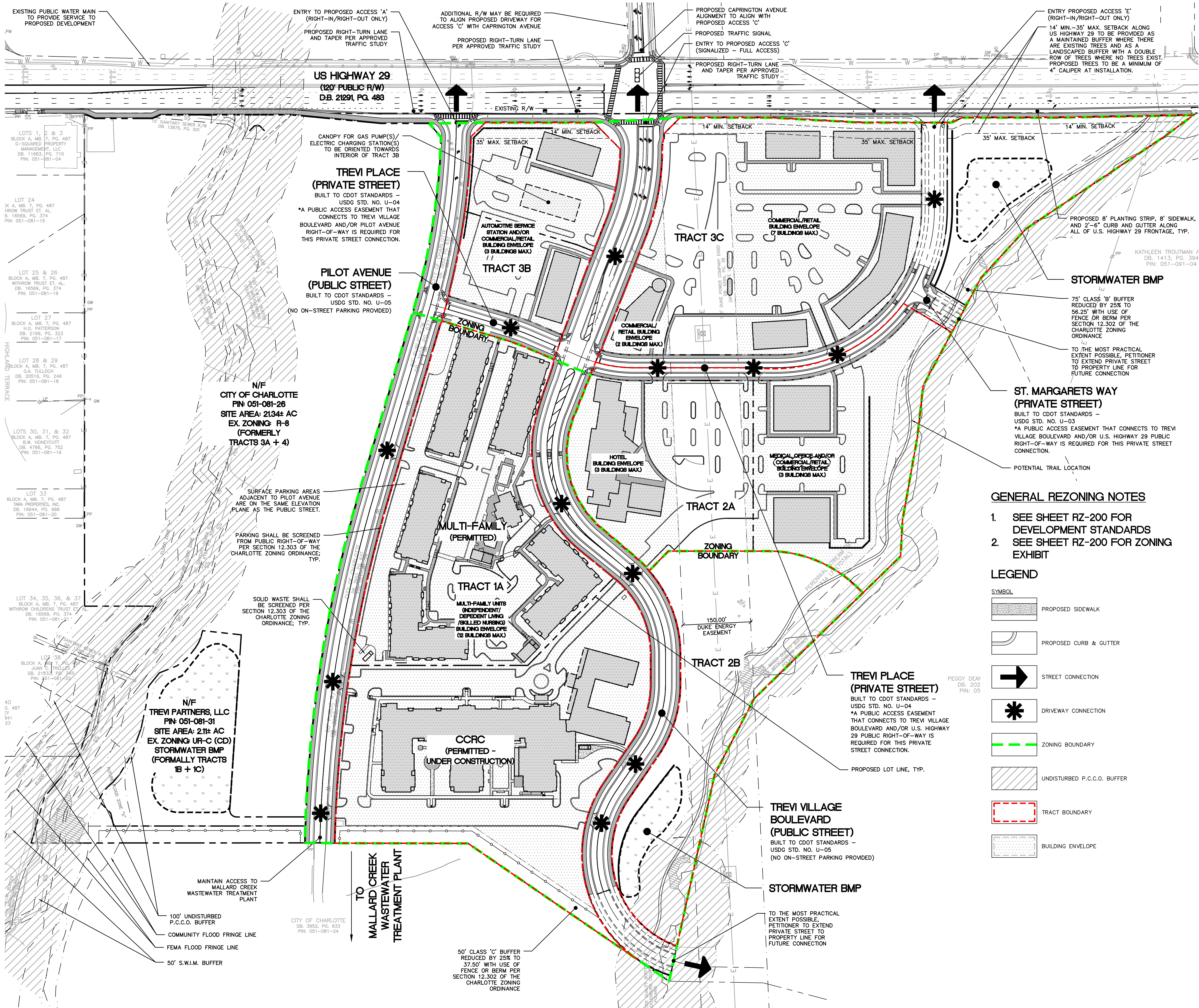
Rezoning Petition # 2021-158

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	X
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



SURVEY DISCLAIMER
ALTA/ASCM LAND TITLE SURVEY ISSUED JUNE 6, 2010,
PROVIDED BY R.B. PHARR & ASSOCIATES, P.A., 420
HAWTHORNE LANE, CHARLOTTE, NC 28204, (704) 376-2186.

REZONING SUMMARY:	
PETITIONER:	TREVI PARTNERS, LLC 55 MIDTOWN PARK EAST MOBILE AL, 36606
PROPERTY OWNER:	TREVI PARTNERS, LLC 55 MIDTOWN PARK EAST MOBILE AL, 36606
REZONING SITE AREA:	45.31± ACRES
TAX PARCEL #:	051-091-09, 051-091-10, 051-091-11, 051-091-12, 051-091-15, 051-091-16
EXISTING ZONING:	CC (SPA), UR-C (SPA)
PROPOSED ZONING:	CC (SPA), UR-C (CD)
EXISTING USE:	VACANT
PROPOSED USE:	MULTI-FAMILY RESIDENTIAL, COMMERCIAL, OFFICE
MIN. SETBACK: (ALONG US 29)	14' FROM RIGHT-OF-WAY
MIN. SETBACK: (INTERNAL PUBLIC STREETS)	14' FROM BACK-OF-CURB
MAX. SETBACK: (ALONG US 29)	35' FROM RIGHT-OF-WAY
MIN. SIDE YARD:	5'
MIN. REAR YARD:	20'
MAX. BUILDING HEIGHT:	PER ORDINANCE
MAX. FLOOR AREA RATIO:	3.0
REQUIRED PARKING:	PER ORDINANCE
REQUIRED TREE SAVE:	PER ORDINANCE

- GENERAL REZONING NOTES**
- SEE SHEET RZ-200 FOR DEVELOPMENT STANDARDS
 - SEE SHEET RZ-200 FOR ZONING EXHIBIT

LEGEND	
	PROPOSED SIDEWALK
	PROPOSED CURB & GUTTER
	STREET CONNECTION
	DRIVEWAY CONNECTION
	ZONING BOUNDARY
	UNDISTURBED P.C.C.O. BUFFER
	TRACT BOUNDARY
	BUILDING ENVELOPE

- REZONING SUMMARY NOTES:**
- MULTI-FAMILY (ELDERLY) UNITS SHALL BE RESTRICTED TO THE AGES OF 55 AND OLDER.
 - MEDICAL OFFICE TO BE LOCATED IN TRACT 2 AS NOTED ON PLAN.
 - TREVI VILLAGE IS A MIXED-USE DEVELOPMENT, SHARED PARKING SHALL BE PERMITTED FOR MIXED-USE DEVELOPMENTS AS DEFINED BY THE CITY OF CHARLOTTE ZONING ORDINANCE.
 - PARKING STRUCTURES ARE EXCLUDED FROM BUILDING AREA CALCULATIONS.

ColeJenest & Stone
Shaping the Environment
Realizing the Possibilities

Land Planning
+ Landscape Architecture
+ Civil Engineering
+ Urban Design

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Charlotte, North Carolina 28202

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url+ www.colejeneststone.com

TREVI PARTNERS, LLC

55 MIDTOWN PARK EAST
MOBILE, AL 36606

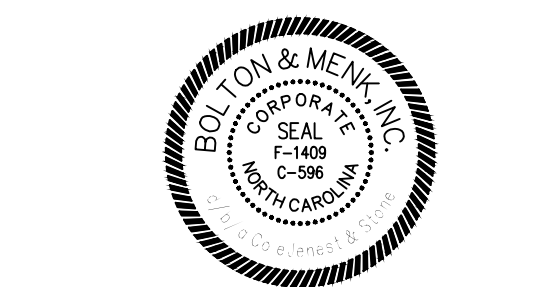
TREVI VILLAGE SITE PLAN AMENDMENT 12220 U.S. HIGHWAY 29 CHARLOTTE, NC 28262

REZONING PLAN

Project No.
4004

Issued
06/23/21

Revised
12/13/21 - 1ST CYCLE STAFF COMMENTS



SCALE: 1"=100'

0 50' 100' 200'

RZ-100

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DEVELOPMENT STANDARDS
DECEMBER 13, 2021

1. DEVELOPMENT SUMMARY - TREVI VILLAGE

- REZONING PETITION 2021-100**
- A. SITE ACREAGE
TOTAL 45.31 +/-
- B. TAX PARCELS INCLUDED IN REZONING
05109109
05109110
05109111
05109212
05109215
05109216
- C. EXISTING ZONING
COMMERCIAL CENTER, UR-C (CD)
- D. PROPOSED ZONING (5-YEAR VESTING IS BEING REQUESTED)
COMMERCIAL CENTER - (SITE PLAN AMENDMENT)
URBAN RESIDENTIAL - COMMERCIAL (CONDITIONAL ZONING DISTRICT)
- E. EXISTING AND PROPOSED USES
EXISTING - VACANT
PROPOSED - RETAIL, COMMERCIAL, AUTOMOTIVE SERVICE STATION, HOTEL, OFFICE, MEDICAL OFFICE, RESIDENTIAL, INDEPENDENT LIVING, DEPENDENT LIVING, ASSISTED LIVING, SKILLED NURSING, FLEX UNITS AND OTHER ALLOWED USES IN THE CC DISTRICT
a. ASSISTED LIVING UNITS THAT PROVIDE ASSISTANCE FOR RESIDENTS WITH CHRONIC CARE NEEDS, EXCLUDING 24-HOUR SKILLED NURSING CARE. ASSISTED LIVING SERVICES INCLUDE HELPING A RESIDENT WITH BATHING, DRESSING, TAKING MEDICATIONS, AND OTHER DAILY ACTIVITIES.
b. FLEX UNITS: RESIDENTIAL UNITS THAT CAN BE USED AS INDEPENDENT, DEPENDENT OR ASSISTED LIVING UNITS
c. COMMERCIAL/RETAIL USES IN THE CC DISTRICT INCLUDE BUT ARE NOT LIMITED TO:
- DRY CLEANING AND LAUNDRY ESTABLISHMENTS
- INDOOR RECREATION
- KITCHEN, COMMERCIAL
- NURSERIES AND GREENHOUSES
- PET SERVICES INDOOR
- EDEE (TYPE 1 & 2)
- RETAIL ESTABLISHMENTS, SHOPPING CENTERS, AND BUSINESS, PERSONAL AND RECREATION SERVICES PERMITTED IN THE B-1 DISTRICT
- F. NUMBER OF RESIDENTIAL UNITS BY HOUSING TYPE *
- | | |
|--|-----------|
| MULTI-FAMILY: | 204 UNITS |
| INDEPENDENT/DEPENDENT LIVING/FLEX UNITS (CCRC): | 109 UNITS |
| INDEPENDENT/DEPENDENT/FLEX UNITS - ELDERLY (CCRC): | 79 UNITS |
| SKILLED NURSING: | 52 UNITS |
| TOTAL | 444 UNITS |
- G. SQUARE FOOTAGE OF NON-RESIDENTIAL USES BY TYPE (RETAIL, OFFICE, COMMERCIAL, ETC.)
NOTE: PARKING STRUCTURES EXCLUDED FROM BUILDING AREA CALCULATIONS **
- | | |
|------------------------------|---------------------------|
| OFFICE/MEDICAL OFFICE | 70,000 SF |
| COMMERCIAL/RETAIL/RESTAURANT | 110,000 SF |
| HOTEL | 125,000 SF (170 ROOMS)+/- |
| AUTOMOTIVE SERVICE STATION | 14,000 SF |
| TOTAL | 319,000 SF |
- ADDITIONAL SQUARE FOOTAGE BEYOND APPROVED TOTALS SHALL BE IN ACCORDANCE WITH SECTION 6.207 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- HOTEL TO BE LOCATED IN TRACT 2A AS INDICATED ON RZ-100.
- H. FLOOR AREA RATIO (NON-RESIDENTIAL ONLY)
- 319,000 SF / 17.04 AC +/- = 0.43
- I. MINIMUM AND MAXIMUM PARKING REQUIREMENTS SHALL BE PER THE ORDINANCE.

2. GENERAL PROVISIONS

- A. UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE "THE ORDINANCE" AND THE CITY OF CHARLOTTE POST CONSTRUCTION CONTROLS ORDINANCE "PCCO ORDINANCE" FOR THE CC-SITE PLAN AMENDMENT (CC-SPA) AND URBAN RESIDENTIAL - COMMERCIAL - CD (URC-CD) SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- B. THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY TREVI PARTNERS, LLC TO ACCOMMODATE DEVELOPMENT OF A MIXED USE, NEIGHBORHOOD-SIZE CENTER ON AN APPROXIMATELY 45.31 +/- ACRE SITE LOCATED ON NORTH TRYON STREET BETWEEN I-485 AND THE CABARRUS COUNTY LINE (THE "SITE"). THE SITE CURRENTLY CONSISTS OF SIX (6) DISTINCT TAX PARCELS, EACH OF WHICH IS OWNED BY TREVI PARTNERS, LLC (TP) AS WELL AS A PORTION OF A TRACT (TAX PARCEL ID# 05109124) OWNED BY THE CITY OF CHARLOTTE. THE PORTION OF THE CITY OF CHARLOTTE'S PROPERTY CONSISTS OF A SIXTY FOOT (60') WIDE PRIVATE DRIVEWAY PROVIDING ACCESS TO AND FROM THE MALLARD CREEK WASTEWATER TREATMENT PLANT. TREVI PARTNERS, LLC WILL CONVERT EXISTING PRIVATE DRIVEWAY SERVING MALLARD CREEK WASTEWATER TREATMENT PLANT TO A PUBLIC STREET. TREVI PARTNERS, LLC WILL MAINTAIN ACCESS TO THE WASTEWATER PLANT DURING CONSTRUCTION.
- C. THE SITE SHALL BE VIEWED AS A UNIFIED DEVELOPMENT PLAN AS SUCH; THE PETITIONER MAY SUBDIVIDE THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE DEVELOPMENT WITH NO PUBLIC STREET FRONTAGE OR SIDE AND/OR REAR YARD AS PART OF A UNIFIED DEVELOPMENT PLAN.
- D. PROPOSED BUILDING LOCATIONS MAY BE REVISED WITHIN THE PROPOSED BUILDING ENVELOPES INDICATED ON THE REZONING PLAN RZ-100 IN ACCORDANCE WITH SECTION 6.207 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- E. THE AUTOMOTIVE SERVICE STATION SHALL BE LOCATED IN TRACT 3B AS NOTED ON SHEET RZ-100.
- F. ALL BUILDINGS USING A 14-FOOT SETBACK SHALL COMPLY WITH CHAPTER 11, SECTION 11.405(7)(a)(b)(c)(d)(e) OF THE CITY OF CHARLOTTE ZONING ORDINANCE.

3. TRANSPORTATION

- A. THE PETITIONER SHALL DEDICATE IN FEE SIMPLE AND RESERVE FOR PUBLIC STREET RIGHT-OF-WAY TO CDOT/NC DOT AS DEPICTED AND LABELED.
- B. IT IS ANTICIPATED THAT PILOT AVENUE AND TREVI VILLAGE BOULEVARD SHALL BE PUBLICLY DEDICATED AND CONVEYED TO THE CITY OF CHARLOTTE. IT IS ANTICIPATED THAT THE REMAINING ROADWAYS SHALL BE PRIVATELY MAINTAINED.
- C. THE CONSTRUCTION OF PILOT AVENUE WILL BE IN ACCORDANCE WITH THE LAND SWAP AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND THE PETITIONER AS NOTED IN SECTION 2: GENERAL PROVISIONS.
- D. THE PETITIONER SHALL FOLLOW THE CURRENT SUBDIVISION ORDINANCE AND CONSTRUCT TREVI VILLAGE BOULEVARD AND ST. MARGARETS WAY TOWARDS TAX PARCEL #051-091-05. THE PETITIONER SHALL ALSO PROVIDE PRELIMINARY ENGINEERING PLANS TO DETERMINE THE VERTICAL AND HORIZONTAL CONTROL OF THE FUTURE TREVI VILLAGE BOULEVARD AND ST. MARGARETS WAY CONNECTIONS ACROSS THE CREEK (SEE SUBDIVISION ORDINANCE FOR DETAILS). TO THE MOST PRACTICAL EXTENT POSSIBLE, THE PETITIONER WILL EXTEND THE STREET TO THE PROPERTY LINE FOR FUTURE CONNECTION.
- E. THE PETITIONER WILL DEDICATE IN FEE SIMPLE THE NECESSARY RIGHT-OF-WAY FEE SIMPLE TITLE TO ACCOMMODATE THE PROPOSED IMPROVEMENTS ON US 29 PLAN, DATED JUNE 2010 (REVISED JULY 2010 & JUNE 2016).
- F. TRANSPORTATION IMPROVEMENTS WILL BE CONSTRUCTED IN CONJUNCTION WITH DEVELOPMENT.

- G. THE PETITIONER AGREES TO INSTALL A TRAFFIC SIGNAL AT THE INTERSECTION OF PROPOSED TREVI VILLAGE BOULEVARD AND U.S. HIGHWAY 29 AT THE TIME DICTATED BY CDOT AND/OR NC DOT. THE PETITIONER SHALL ENTER INTO A DEVELOPER TRAFFIC SIGNAL AGREEMENT WITH CDOT. THIS AGREEMENT SHALL BE EXECUTED BEFORE THE SITE'S FIRST BUILDING PERMIT IS ISSUED, TO INSURE THE TRAFFIC SIGNAL EQUIPMENT IS PURCHASED AND SIGNAL DESIGN IS

COMPLETED AND IMPLEMENTED BEFORE THE FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. PETITIONER SHALL BE RESPONSIBLE FOR 100% OF THE COST OF THE SIGNAL, INCLUDING INTERCONNECTION COST TO ADJACENT TRAFFIC SIGNALS AND ANY PEDESTRIAN SIGNALS AND ASSOCIATED CURB RAMP IMPROVEMENTS, BEFORE THE TRAFFIC SIGNAL CAN BE IMPLEMENTED. THE PETITIONER SHALL BE RESPONSIBLE OF THE IMPLEMENTATION COSTS TO PROPERLY ALIGN THE SITE'S MAIN ENTRANCE TO THE EXISTING CAPRINGTON AVENUE ACROSS US 29.

- H. FINAL LOCATION FOR DRIVEWAY CONNECTIONS TO US 29 WILL BE CONFIRMED DURING THE DRIVEWAY PERMIT REVIEW PROCESS APPROVED BY BOTH NC DOT AND CDOT.

- I. PUBLIC VS. PRIVATE STREETS

PROPOSED PUBLIC STREETS
PILOT AVENUE
TREVI VILLAGE BOULEVARD

PROPOSED PRIVATE STREETS
TREVI PLACE
ST. MARGARETS WAY

- J. PARKING LOCATION - SURFACE OR DECKED:

SITE PARKING WILL BE PROVIDED PRIMARILY WITH SURFACE PARKING.

- K. TREVI VILLAGE IS CLASSIFIED AS A MIXED USE DEVELOPMENT. SHARED PARKING IS PERMITTED FOR MIXED USE DEVELOPMENTS PER THE CITY OF CHARLOTTE ZONING ORDINANCE.

- L. TRANSIT FACILITIES:

THE PETITIONER WILL PROVIDE A CATS BUS SHELTER AND WAITING PAD FOR THE DEVELOPMENT. THE LOCATION OF THE BUS SHELTER SHALL BE APPROVED BY CATS BEFORE TRACT 1A CONSTRUCTION PLANS ARE APPROVED BY THE CITY.

- M. DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHT-OF-WAY TO THE CITY IS REQUIRED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. CDOT REQUESTS RIGHTS-OF-WAY BE SET AT 2' BEHIND BACK OF SIDEWALK WHERE FEASIBLE.

- N. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. THE PETITIONER MAY PHASE TRANSPORTATION IMPROVEMENTS FOR TREVI PLACE AND ST. MARGARETS WAY SO LONG AS THESE PRIVATE STREETS ARE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST BUILDING CERTIFICATE OF OCCUPANCY FOR ANY BUILDING LOCATED WITHIN TRACT 3C.

- O. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NC DOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTH EASTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

4. ARCHITECTURAL STANDARDS

THE FOLLOWING ADDITIONAL DESIGN AND ARCHITECTURAL TREATMENTS SHALL APPLY TO RESIDENTIAL USES ON THE SITE FOR ALL STREET-FACING FACADES.

- A. THE PORTION OF THE BUILDING EXTERIORS LOCATED BELOW THE ROOF LINE AND WITH THE EXCEPTION OF WINDOWS, DOORS, GARAGE DOORS, ARCHITECTURAL ACCENTS, FENESTRATION AND WALL SIGNAGE SHALL BE COMPOSED OF BRICK, STONE, CULTURED STONE, OTHER EQUAL MASONRY PRODUCTS TO 25% OF EACH BUILDING EXTERIOR. HARDY PLANK MAY BE USED TO PROVIDE ARCHITECTURAL ACCENTS AND DETAIL UP TO 10% OF EACH BUILDING EXTERIOR. THE REMAINING PORTIONS OF THE BUILDING FACADE SHALL BE COMPOSED OF STUCCO.
- B. NO VINYL SIDING SHALL BE USED IN THE CONSTRUCTION OF THE UNITS.
- C. EIFS OR SIMILAR SYNTHETIC SIDING MATERIALS SHALL BE ALLOWED ON STORIES ABOVE THE GROUND FLOOR ONLY (2ND FLOOR AND ABOVE).
- D. DORMERS, PITCHED ROOFS, ARCHITECTURAL FENESTRATION AND ACCENTS SHALL BE INCORPORATED INTO THE BUILDING DESIGN.
- E. LARGE EXPANSES OF SOLID WALLS EXCEEDING 20 LINEAR FEET FOR THESE BUILDINGS WILL BE AVOIDED THROUGH THE INTRODUCTION OF ARTICULATED FACADES AND OTHER SPECIALLY DESIGNED ARCHITECTURAL ELEMENTS.
- F. TREATMENT OF SOLID WASTE AND RECYCLING ENCLOSURES:

DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE ENCLOSURE WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL OF THAT BUILDING MAY BE SUBSTITUTED FOR A SIDE.

G. OVERHEAD PEDESTRIAN BRIDGE ENCROACHMENTS

- H. THE DEVELOPER RESERVES THE RIGHT FOR THE ENCROACHMENT OF CERTAIN OVERHEAD PEDESTRIAN CONNECTION IMPROVEMENTS INTO THE PROPOSED PUBLIC AND PRIVATE STREET SETBACKS IN THE MANNER AS GENERALLY DEPICTED ON THE REZONING PLAN.
- I. THE DEVELOPER RESERVES THE RIGHT FOR THE ENCROACHMENT OF CERTAIN STRUCTURAL COLUMNS TO SUPPORT THE PROPOSED OVERHEAD PEDESTRIAN CONNECTION WITHIN THE PROPOSED PUBLIC AND PRIVATE STREET SETBACKS IN THE MANNER AS GENERALLY DEPICTED ON THE REZONING PLAN.
- J. ALL OVERHEAD PEDESTRIAN BRIDGE CONNECTIONS WILL MEET THE REQUIREMENTS SET FORTH IN THE CHARLOTTE LAND DEVELOPMENT ORDINANCE.
- K. INSTALLATION OF OVERHEAD PEDESTRIAN BRIDGE OVER PUBLIC STREETS CAN OCCUR UPON GRANT OF AIR-RIGHTS EASEMENT & ENCROACHMENT PERMIT APPROVAL FROM CITY. INSTALLATION OF OVERHEAD PEDESTRIAN BRIDGE OVER PRIVATE STREETS CAN OCCUR UPON GRANT OF AIR-RIGHTS & ENCROACHMENT EASEMENT FROM OWNER(S) OF PROPERTY OVER WHICH OVERHEAD PEDESTRIAN BRIDGE WILL TRAVERSE.
- L. OVERHEAD PEDESTRIAN BRIDGES SHALL BE PROVIDED TO CONNECT SKILLED NURSING, INDEPENDENT/DEPENDENT LIVING WITH THE WELLNESS CENTER/ADULT DAYCARE. LOCATION OF PEDESTRIAN BRIDGE DEPENDENT ON FINAL LOCATION OF ADULT DAYCARE AND WELLNESS FACILITIES.

5. STREETScape AND LANDSCAPING

- A. ALL PUBLIC STREETS WILL HAVE A MINIMUM 8' PLANTER STRIP AND 8' SIDEWALK.

- B. ALL PUBLIC STREET WILL ADHERE TO THE CITY OF CHARLOTTE URBAN STREET DESIGN GUIDELINES.

- C. VEGETATIVE SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF CHARLOTTE ZONING ORDINANCE.

6. ENVIRONMENTAL FEATURES

- A. PCCO TREATMENT AND BUFFERS WILL BE PROVIDED AS GENERALLY DEPICTED ON THE PROPOSED REZONING PLAN.
- B. THE PETITIONER WILL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.
- C. THE SITE SHALL CONSIST OF +/-45.31 ACRES AS SHOWN ON THE APPROVED PLAN AND SHALL COMPLY WITH THE TREE SAVE AREA ("TSA") PROVISIONS OF THE ORDINANCE. PRIOR TO ISSUANCE OF THE FIRST BUILDING CERTIFICATE OF OCCUPANCY ON THE SITE, PETITIONER, IF UNABLE TO SATISFY ALL OF THE TSA REQUIREMENTS FOR THE SITE VIA TREE PROTECTION OR REPLANTING ON THE SITE, SHALL MEET THE TSA REQUIREMENTS FOR THE SITE AS FOLLOWS:
- I. PAYMENT OF MITIGATION FEES IN LIEU OF PROVIDING TREE SAVE AREA REQUIRED FOR SITE; OR
- II. AGREEMENT WITH CITY OF CHARLOTTE OR OTHER PARTY TO ALLOW USE OF OFF-SITE PROPERTY TO MEET THE TREE SAVE AREA REQUIREMENTS FOR THE SITE; OR
- III. COMBINATION OF PAYMENT OF MITIGATION FEES AND USE OF CITY OF CHARLOTTE OR OTHER PARTY PROPERTY TO MEET TREE SAVE AREA REQUIREMENTS.

7. PARKS, GREENWAYS AND OPEN SPACE

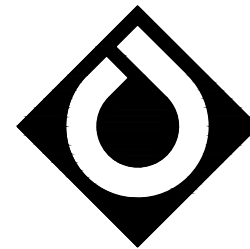
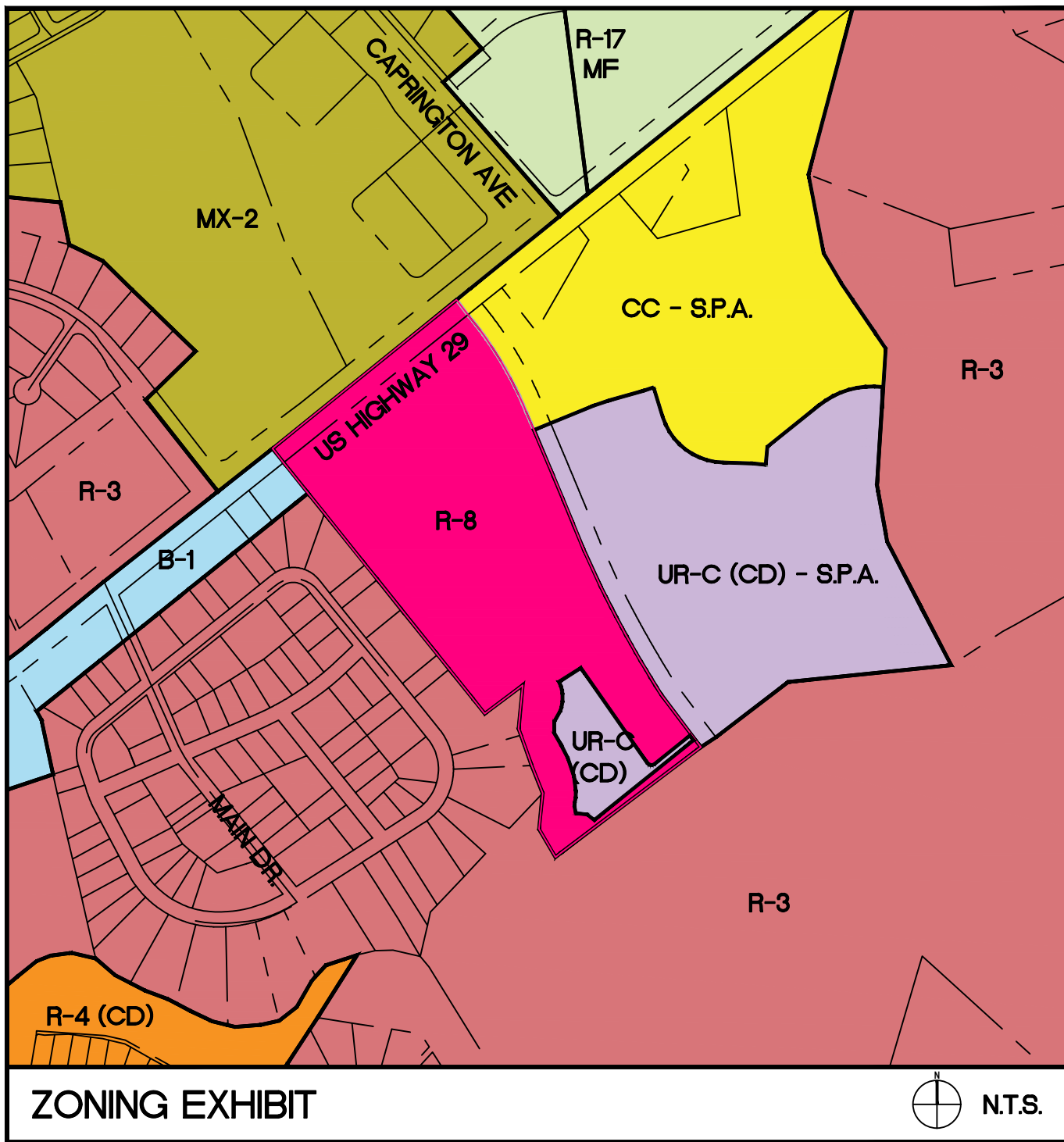
- A. RESERVED.

8. LIGHTING

- A. ALL FREE STANDING LIGHTING FIXTURES INSTALLED WITHIN THE SITE WILL BE UNIFORM IN DESIGN.
- B. ALL PARKING LOT LIGHTING ON SITE SHALL BE CAPPED, DOWNWARDLY DIRECTED AND FULLY SHIELDED.
- C. ANY LIGHTING ATTACHED TO A BUILDING ON SITE SHALL BE CAPPED AND DOWNWARDLY DIRECTED.
- D. WALL-MOUNTED DECORATIVE LIGHT FIXTURES SUCH AS SCONCES ARE PERMITTED.
- E. A LIGHTING PLAN SHALL BE SUBMITTED SHOWING ZERO FOOT CANDLES AT THE RESIDENTIAL PROPERTY LINES.

9. OTHER

- A. APPLICABLE REQUIREMENTS REGARDING SOLID WASTE, DUMPSTER, COMPACTOR AND RECYCLING AREAS SHALL BE ADHERED TO.
- B. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- C. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



ColeJenest
& Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
+
Landscape Architecture
+
Civil Engineering
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Urban Design

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TREVI
PARTNERS, LLC

55 MIDTOWN PARK EAST
MOBILE, AL 36606

TREVI VILLAGE
SITE PLAN
AMENDMENT
12220 U.S. HIGHWAY 29
CHARLOTTE, NC 28262

DEVELOPMENT
STANDARDS

Project No.

4004

Issued

06/23/21

Revised

12/13/21 - 1ST CYCLE STAFF COMMENTS



RZ-200

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City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 32. **File #:** 15-17182 **Type:** Zoning Hearing

Rezoning Petition: 2021-162 by Rosemara Espinoza

Location: Approximately 0.73 acre bound by the south side of North Linwood Avenue and north side of Interstate 85, west of Brookshire Boulevard. (Council District 2 - Graham)

Current Zoning: R-22 MF (multi-family residential)

Proposed Zoning: B-2 (general business)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

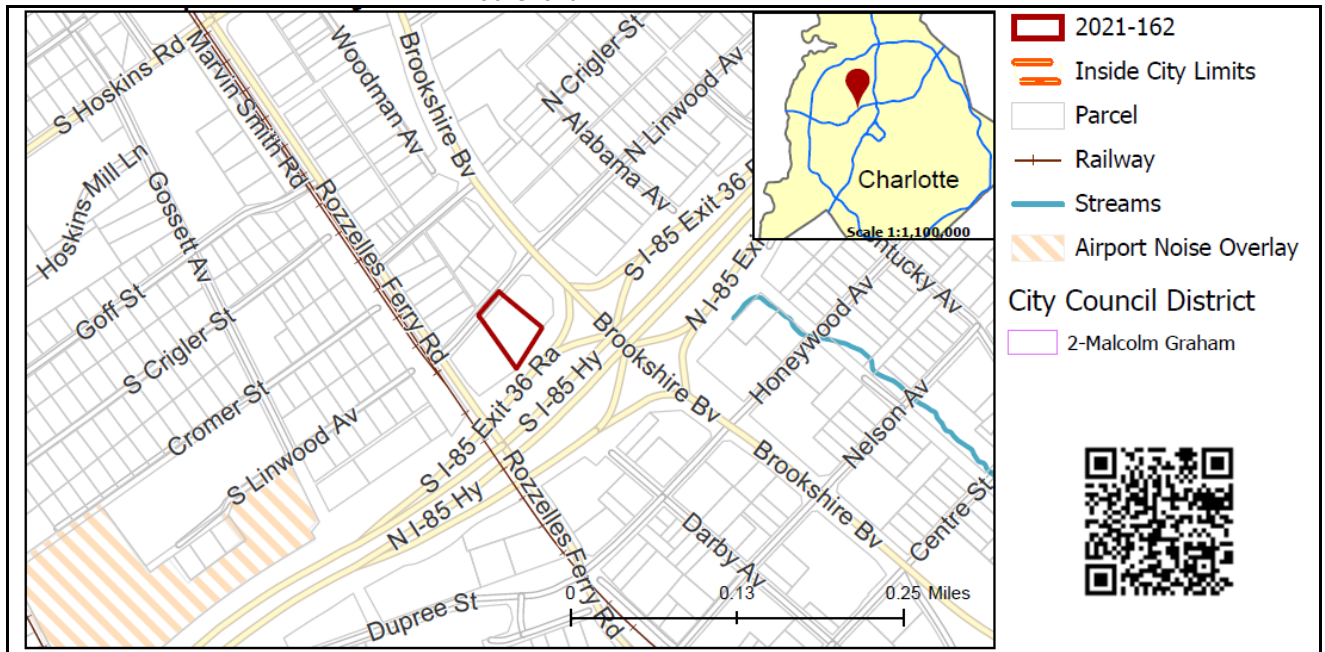
Pre-Hearing Staff Analysis

REQUEST

Current Zoning: R-22MF (multi-family residential)
Proposed Zoning: B-2 (general business)

LOCATION

Approximately 0.73 acres bound by the south side of North Linwood Avenue and north side of Interstate 85, west of Brookshire Boulevard.



SUMMARY OF PETITION

The petition proposes to allow all uses in the B-2, general business, zoning district on a parcel that is currently vacant.

PROPERTY OWNER

Five Star Investment Group

PETITIONER

Rosemara Espinoza

AGENT/REPRESENTATIVE

Rosemara Espinoza

COMMUNITY MEETING

Meeting is not required.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Thomasboro/Hoskins Small Area Plan* (2002) recommendation for retail uses on the site.

Rationale for Recommendation

- The subject site is surrounded by both general business and neighborhood business zoning districts.
- The rezoning of this site would bring the block all under business zoning districts, allowing for a more consistent development pattern.
- The application of the B-2 zoning district is more appropriate than the existing R-22MF zoning given the retail and industrial land uses that are directly adjacent to the parcel.
- The site is between Brookshire Boulevard and Rozzelles Ferry Road, major thoroughfares that are appropriate for the application of the B-2 zoning district to the surrounding parcels.

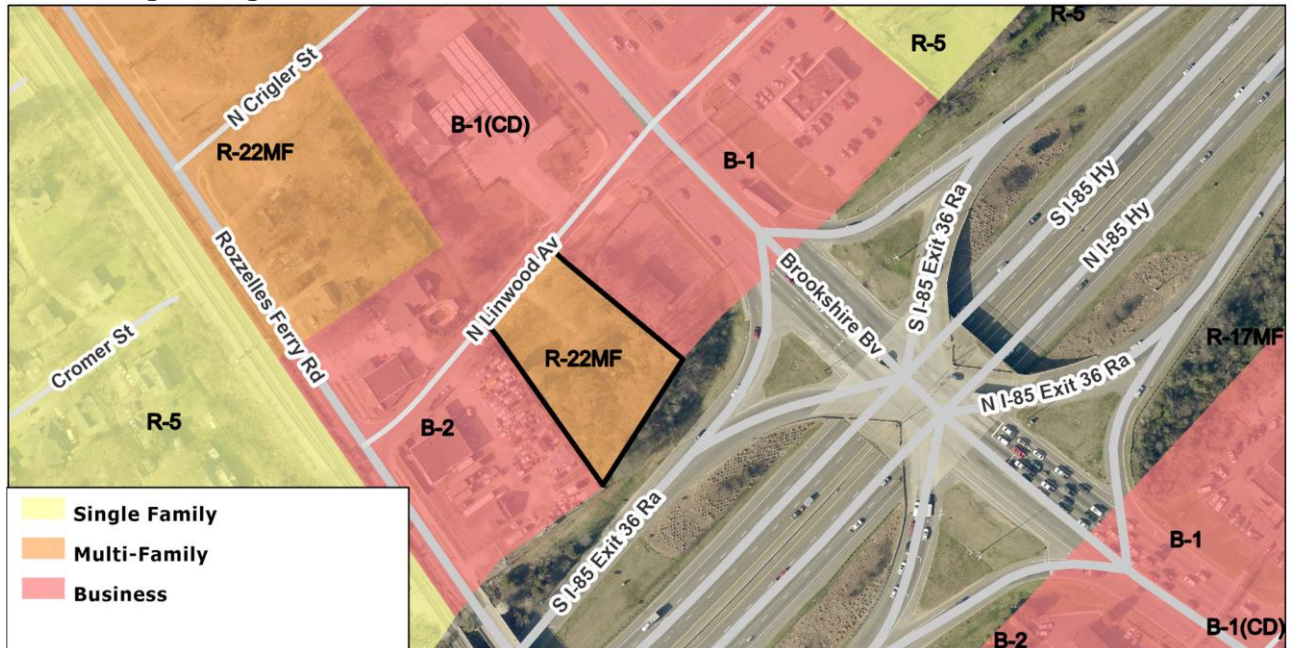
PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- Allows all uses in the B-2 (general business) zoning district.

- **Existing Zoning and Land Use**



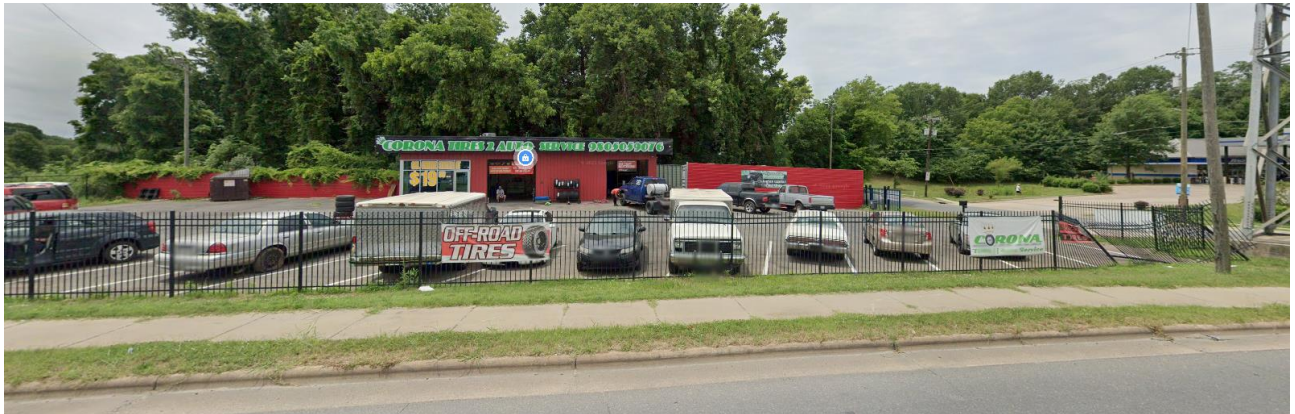
- The site is zoned R-22MF and is in an area with retail, industrial, and single family residential land uses.



- The subject site is denoted with a red star.



- North of the site is a gas station.



- East of the site are auto retail uses.

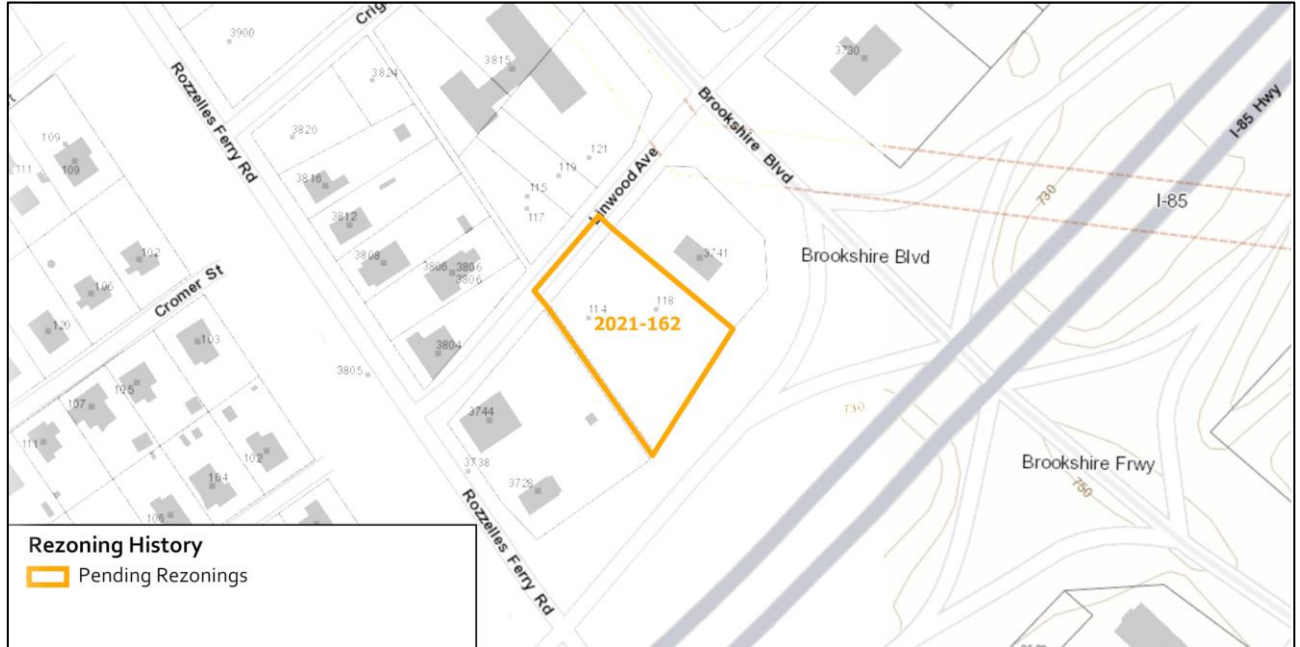


- South of the site is the I-85 Highway.



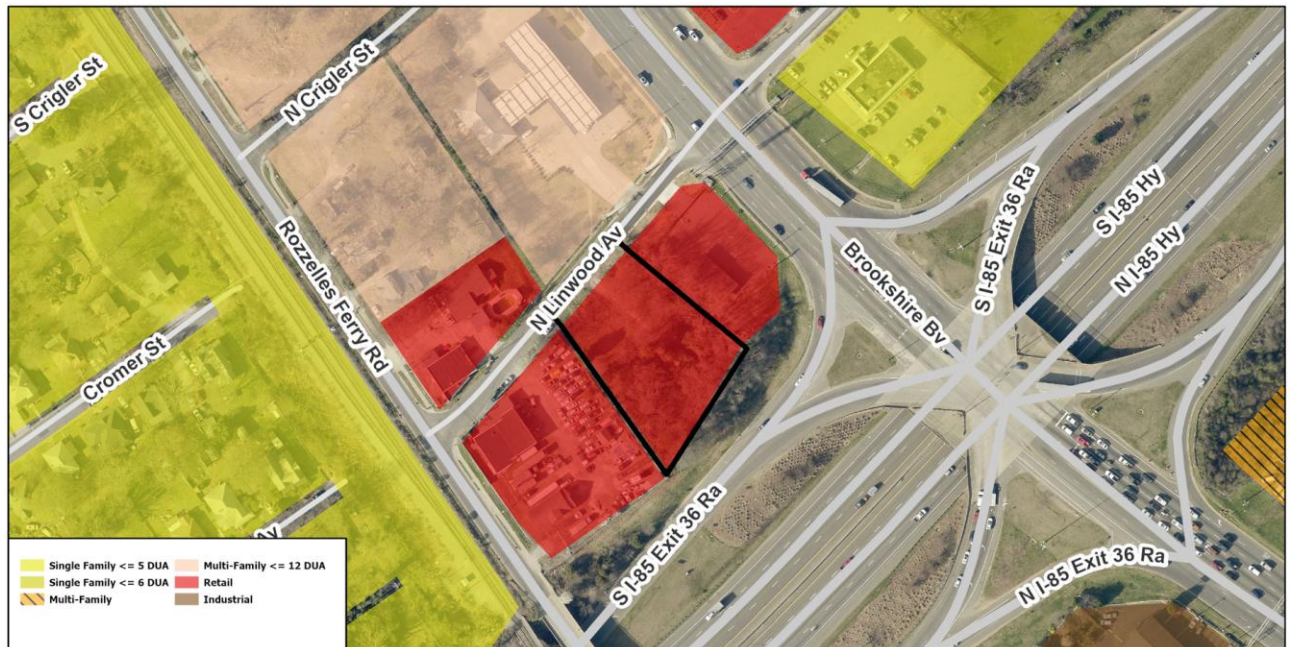
- West of the site are industrial uses.

- **Rezoning History in Area**



- There have been no recent rezonings near the site.

- **Public Plans and Policies**



- The *Thomasboro/Hoskins Small Area Plan* (2002) recommends retail uses on the site.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to North Linwood Avenue, a City-maintained local street northeast of Rozzelles Ferry Road, a City-maintained minor thoroughfare. A Traffic Impact Study (TIS) is not needed for this site. CDOT will coordinate site access and streetscape improvement requirements during permitting.

- **Active Projects:**

- There are no active projects near the site.

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on the site being currently vacant).

Entitlement: 90 trips per day (based on 16 units in the R-22MF district).

Proposed Zoning: 1,340 trips per day (based on 10,950 square feet of business uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
 - **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
 - **Charlotte Department of Solid Waste Services:** No comments submitted.
 - **Charlotte Fire Department:** See advisory comments at www.rezoning.org
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 2 students, while the development allowed under the proposed zoning may produce 2 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Thomasboro K-8 at 128%
 - West Charlotte High at 96%.
 - **Charlotte Water:** See advisory comments at www.rezoning.org
 - **Erosion Control:** No comments submitted.
 - **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry / City Arborist:** No comments submitted.
-





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org


Planner: Holly Cramer (704) 353-1902

Goals Relevant to Rezoning Determinations Petition 2021-162

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	X
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>X</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 33.**File #:** 15-17183 **Type:** Zoning Hearing

Rezoning Petition: 2021-169 by City of Charlotte Engineering

Location: Approximately 9.43 acres located on the south side of Mt. Holly-Huntersville Road, west of Mountain Aire Circle and east of Northwoods Forest Drive. (Council District 2 - Graham)

Current Zoning: R-3 LWPA (single-family residential, Lake Wylie Protected Area)

Proposed Zoning: NS LWPA (neighborhood services, Lake Wylie Protected Area)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of requested technical revisions related to site and building design.

Attachments:

Pre-Hearing Staff Analysis

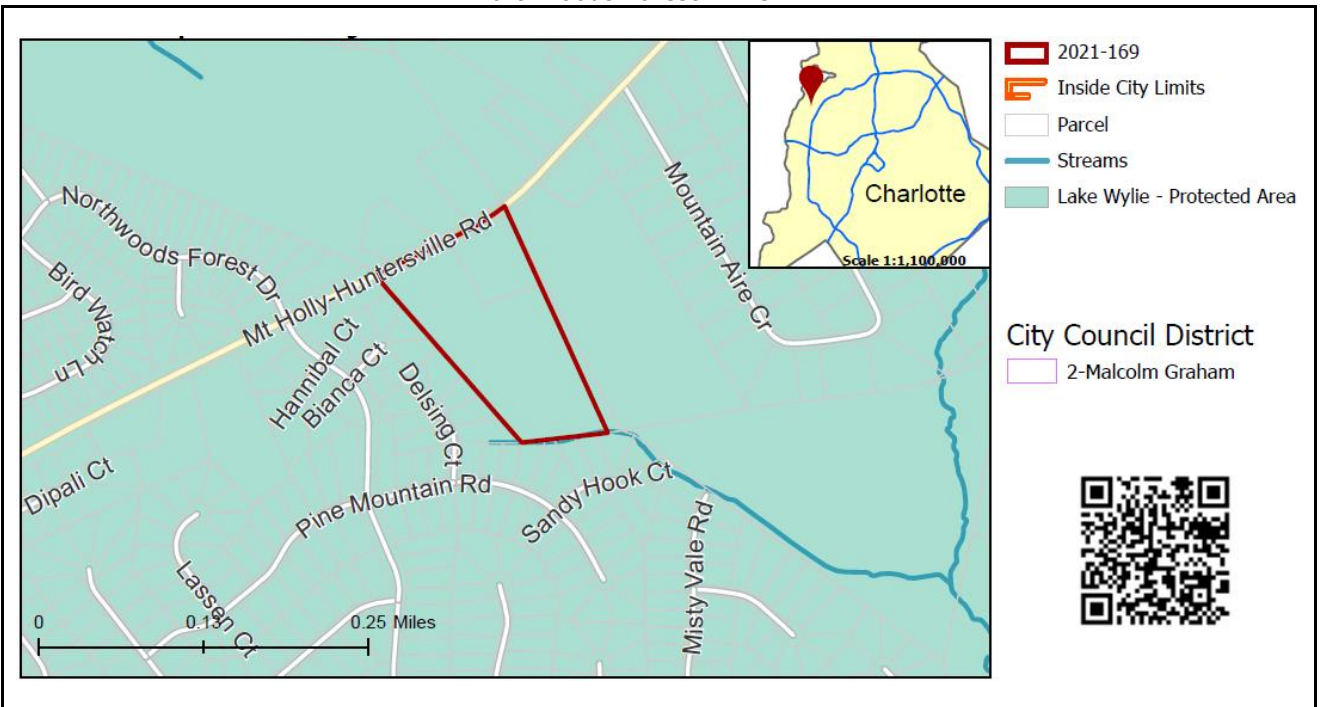
Site Plan

REQUEST

Current Zoning: R-3 (single family residential) LWPA (Lake Wylie Protected Area)
Proposed Zoning: NS (neighborhood services) LWPA (Lake Wylie Protected Area)

LOCATION

Approximately 9.43 acres located on the south side of Mt Holly-Huntersville Road, west of Mountain Aire Circle and east of Northwoods Forest Drive.



SUMMARY OF PETITION

The petition proposes to allow up to 27,000 square feet of building area of police station, neighborhood services, emergency services, and general office uses on a site currently occupied by two single family homes near the Mountain Island Lake community.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING**

City of Charlotte
Patrick Cerri
Jason Dolan

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 3

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of requested technical revisions related to site and building design.

Plan Consistency

The petition is **inconsistent** with the single family up to 4 dwelling units per acre for this site as per the *Northwest District Plan* (adopted).

Rationale for Recommendation

- The proposed rezoning to NS (neighborhood services) which proposes neighborhood services, a police station and emergency

services for this site, is compatible with the single-family land use recommendation for the site and surrounding area.

- Police Stations and emergency services are complimentary uses for single-family residential areas, especially when the site is located along a major thoroughfare such as Mt. Holly – Huntersville Road, as they provide protection for the residents near the site
- Fire Station #33 is located 700 feet from this site, on Mt. Holly-Huntersville Road.
- The petition would contribute to multimodal mobility in the area by providing an 8' planting strip and 12' multi-use path along the site's Mt. Holly-Huntersville Road frontage.

The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from current recommended single-family up to 4 DUA land use to institutional land use for the site.

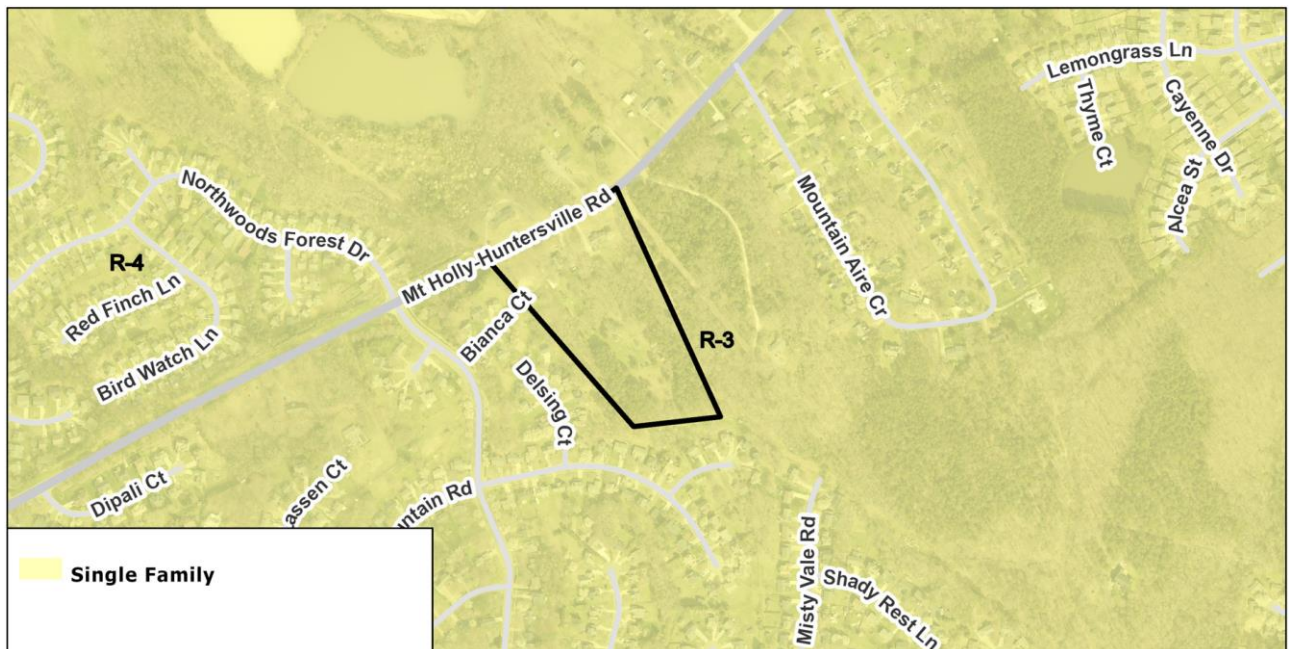
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes up to 15,000 square feet of neighborhood services, police station, and general office uses in Development Area A (front of site) and 12,500 square feet of emergency services and general office uses in Development Area B (rear of site).
- Limits building height to one story and 40'.
- Commits to the following transportation improvements:
 - Right-of-way dedication along Mt. Holly-Huntersville Road at 52' from centerline.
 - Construction of curb and gutter, 8' planting strip, and 12' multi-use path.
 - Left turn lane and right turn lane into the site with appropriate storage and taper.
- Provides a 54' Class B buffer along the perimeter of the site.
- Limits detached lighting height to 25' and requires that it be full cut-off type and downwardly directed.

• Existing Zoning and Land Use



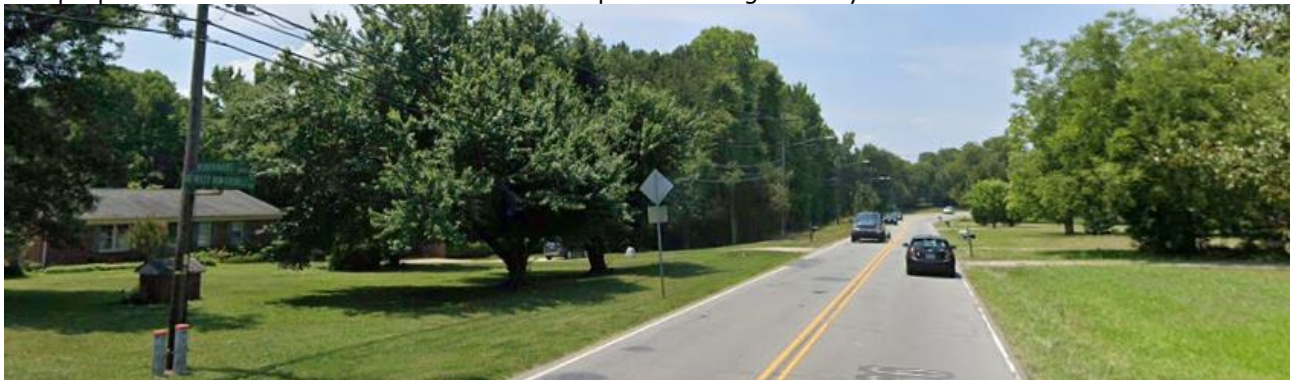
The site is surrounded primarily by vacant wooded land and single family residential uses.



The site, marked by a red star, is surrounded primarily by single family homes and vacant land. There is a Charlotte Fire Department station less than $\frac{1}{4}$ mile to the east on Mt. Holly-Huntersville Road.



The properties to the north of the site are developed with single family residential uses.



The properties to the east of the site include single family residential and vacant wooded land.

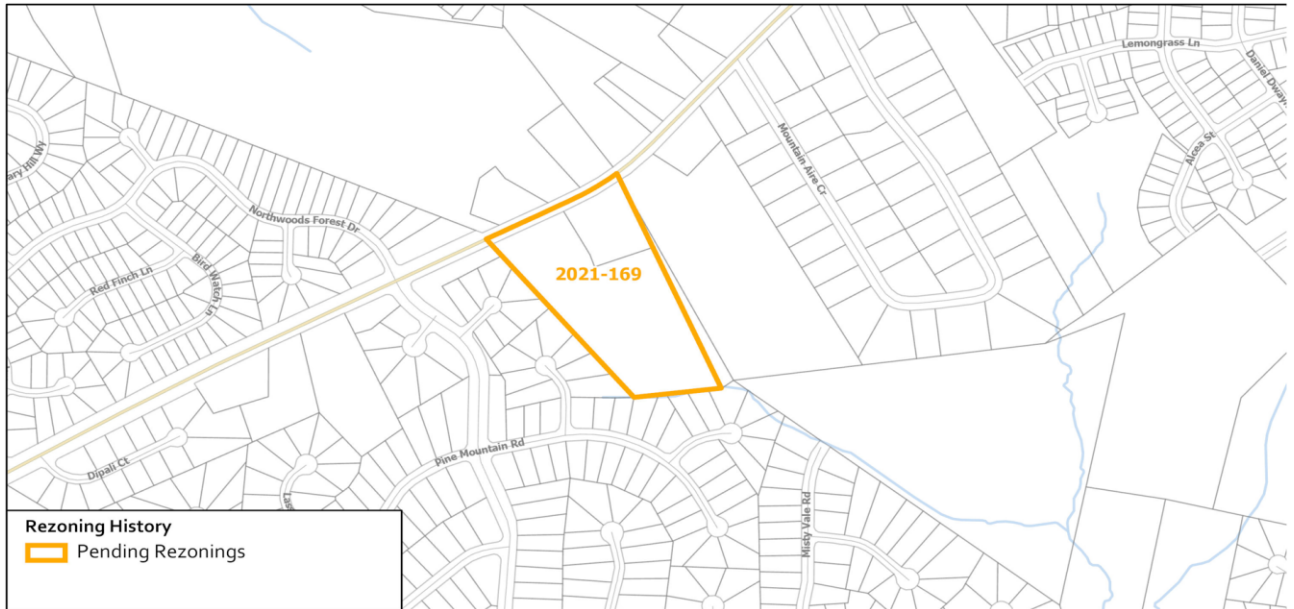


The properties to the south of the site are developed with single family residential uses.



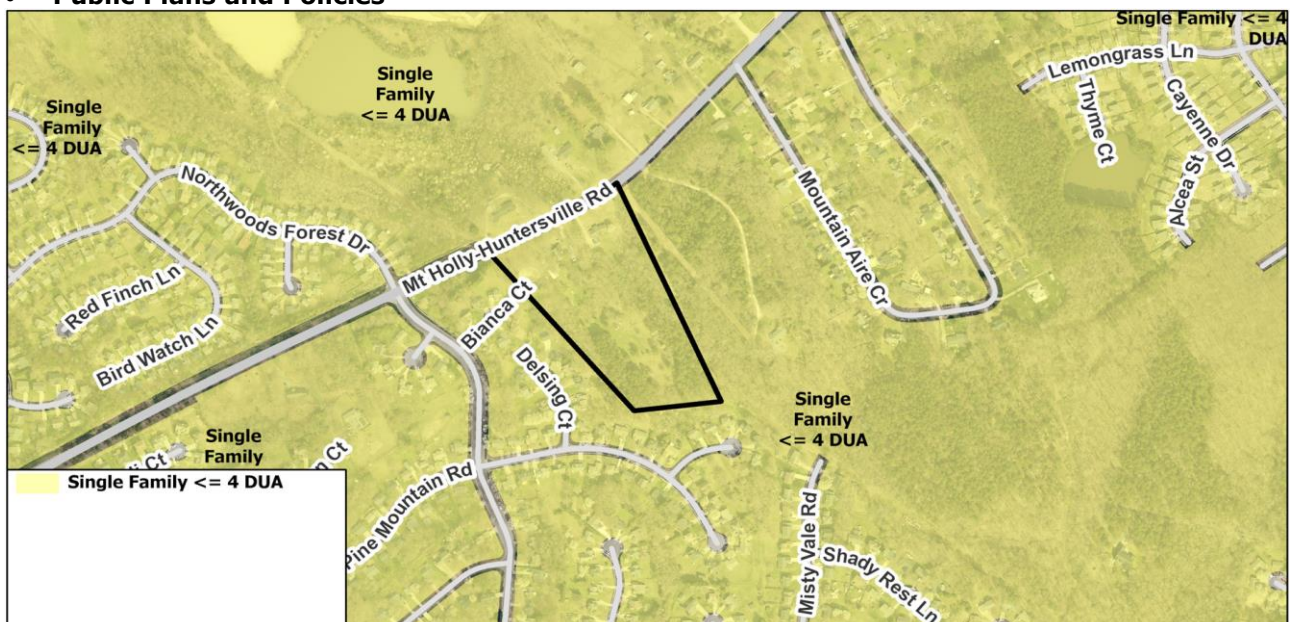
The properties to the west of the site are developed with single family residential uses.

- Rezoning History in Area**



There are no recent rezoning petitions in the vicinity of this site.

- Public Plans and Policies**



The *Northwest District Plan* (adopted 1990) recommends single family up to 4 DUA for this site and surrounding area.

- **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Mount Holly Huntersville Road, a State-maintained major thoroughfare northeast of Northwoods Forest Drive, a City-maintained local street. In accordance with City Ordinances and the City's WALKS and BIKES Policies, the petitioner has committed to provide a 12-foot shared-use path along the site's frontage of Mount Holly-Huntersville Road. Additionally, the petitioner has committed to widening Mount Holly-Huntersville Road and provide left and right-turn lanes into the site. All CDOT comments have been addressed.

- **Active Projects:**

- There are no active projects in the vicinity of this site.

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 20 trips per day (based on 2 single family dwellings).

Entitlement: 325 trips per day (based on 28 single family dwellings).

Proposed Zoning: 625 (based on 27,500 SF police department branch).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Mt Holly-Huntersville Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Mt Holly-Huntersville Rd. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at 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:** No comments submitted.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

1. Delete note regarding screening.
2. Revise site plan and notes to confirm the buffer width. The site plan indicates a 57' buffer while the notes list a 54' buffer.
3. Show proposed fence within the inner half of the buffer.
4. Delete all items that are standard ordinance requirements.





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org







Planner: Joe Mangum (704) 353-1908

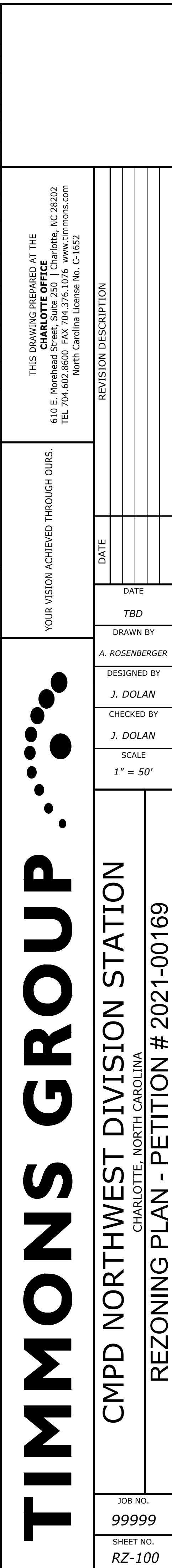
Goals Relevant to Rezoning Determinations Petition 2021-169

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

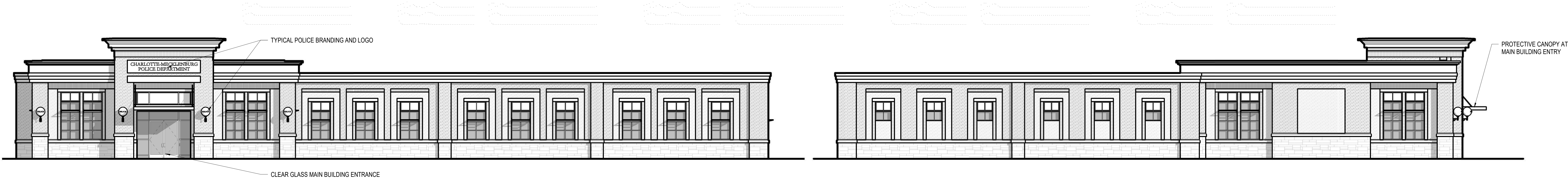
Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	N/A
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>





VIEW ALONG MT HOLLY - HUNTERSVILLE RD



NORTH ELEVATION (MT HOLLY - HUNTERSVILLE RD)

EAST ELEVATION





City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 34. **File #:** 15-17185 **Type:** Zoning Hearing

Rezoning Petition: 2021-173 by OPM Limited & Benfield

Location: Approximately 2.22 acres located on the south side of Old Mt. Holly Road, the east side of Melynda Road, and south of Rozzelles Ferry Road. (Council District 2 - Graham)

Current Zoning: R-4 and R-5 (single-family residential)

Proposed Zoning: I-1 (light industrial)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

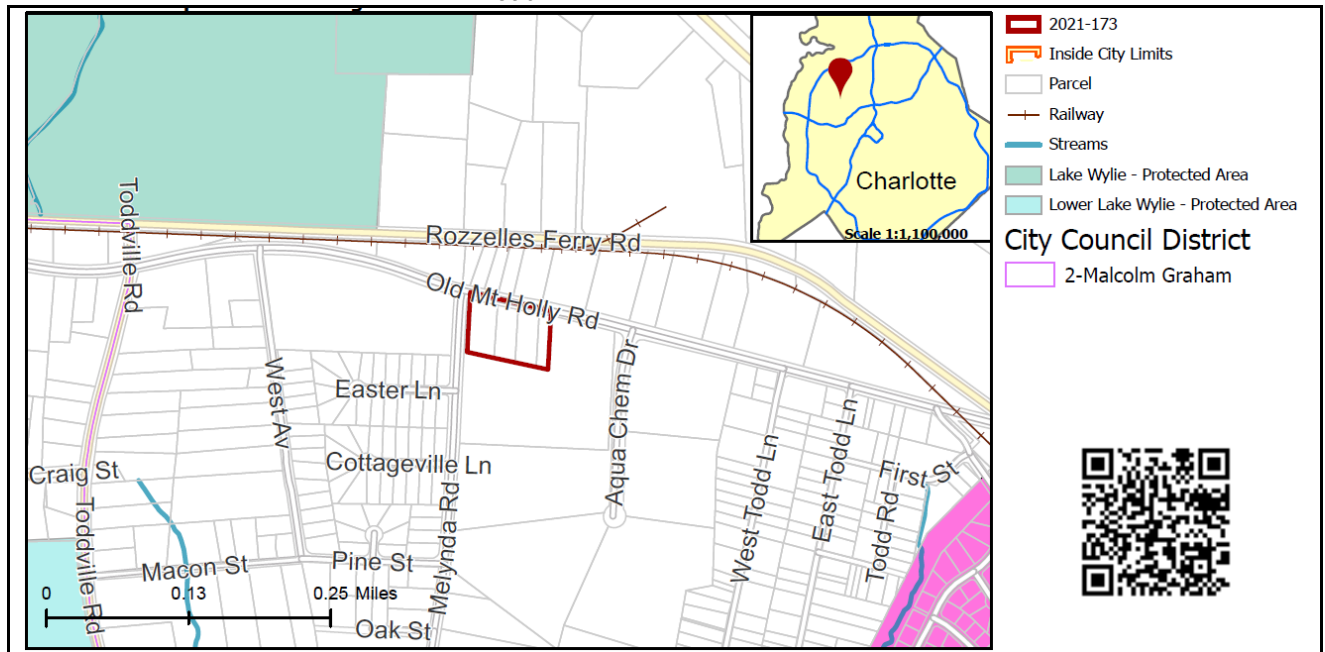
Pre-Hearing Staff Analysis

REQUEST

Current Zoning: R-4 and R-5 (single family residential)
Proposed Zoning: I-1 (light industrial)

LOCATION

Approximately 2.22 acres located on the south side of Old Mt. Holly Road, the east side of Melynda Road, and south of Rozzelles Ferry Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the I-1, light industrial, zoning district on parcels that are currently vacant
OPM Limited, LLC and Aaron Benfield
OPM Limited and Benfield
Susanne Todd
Meeting is not required.

PROPERTY OWNER

PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

STAFF

RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northwest District Plan* (1990) recommendation for residential uses up to 8 dwelling units per acre on a portion of the site and single family residential uses up to 6 dwellings units per acre on the rest of the site.

Rationale for Recommendation

- The site is adjacent to a number of industrial-zoned parcels and this rezoning would bring the block along the south side of Old Mt. Holly Road and east side of Melynda Road under one consistent type of zoning district, industrial.
- Though the site is across from two single family homes on the north side of Old Mt Holly Road, the other surrounding land uses are compatible with the proposed rezoning. Surrounding land uses include institutional, auto-related retail, and auto-related office uses.
- Though the site is near single family residential homes and is zoned for single family residential uses, if this vacant site were developed

under the current zoning district it would be almost entirely surrounded by industrial-zoned parcels and land uses that include an auto repair business and the office and retail sites of two transportation companies.

The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan* (1990), from single family residential uses up to 6 dwelling units per acre for a majority of the site and residential uses up to 8 dwellings units per acre for a portion of the site to industrial uses.

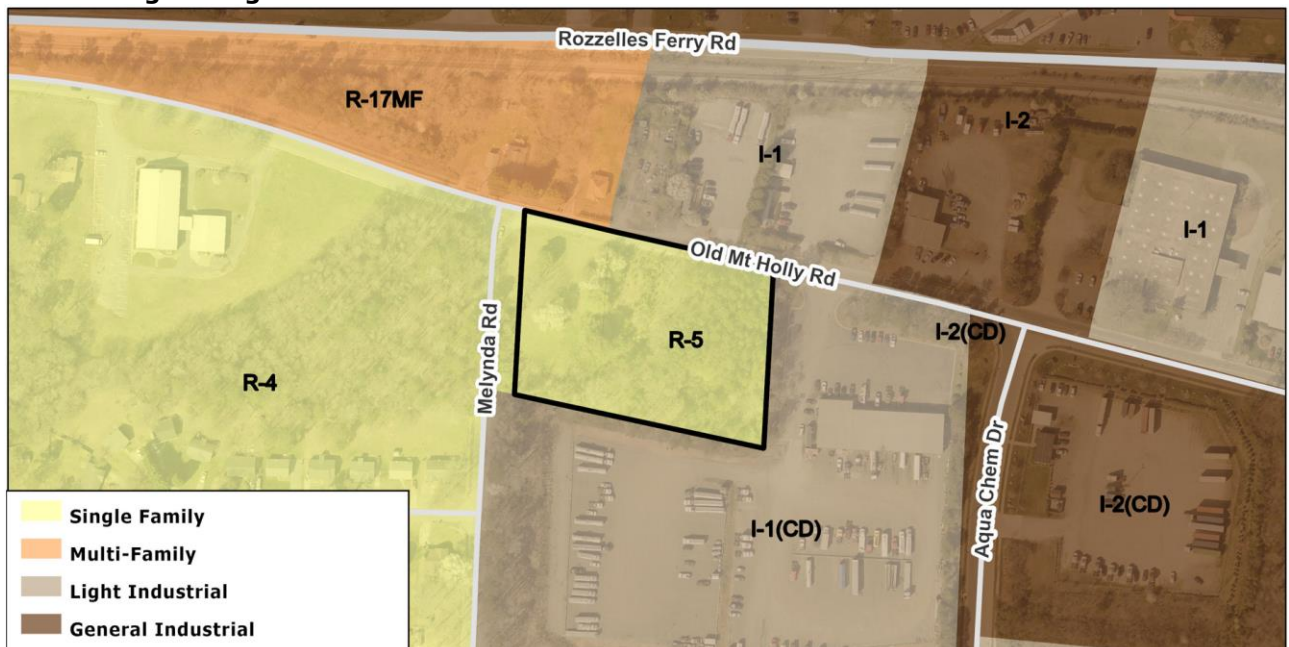
PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- Allows all uses in the I-1, light industrial, zoning district.

- **Existing Zoning and Land Use**



- The site is currently zoned R-4 and R-5 and is surrounded by retail, office, institutional, industrial, and residential uses.



- The subject site is denoted with a red star.



- North of the site are auto-related retail uses and two single family homes.



- East and south of the site is a truck and trailer repair business.



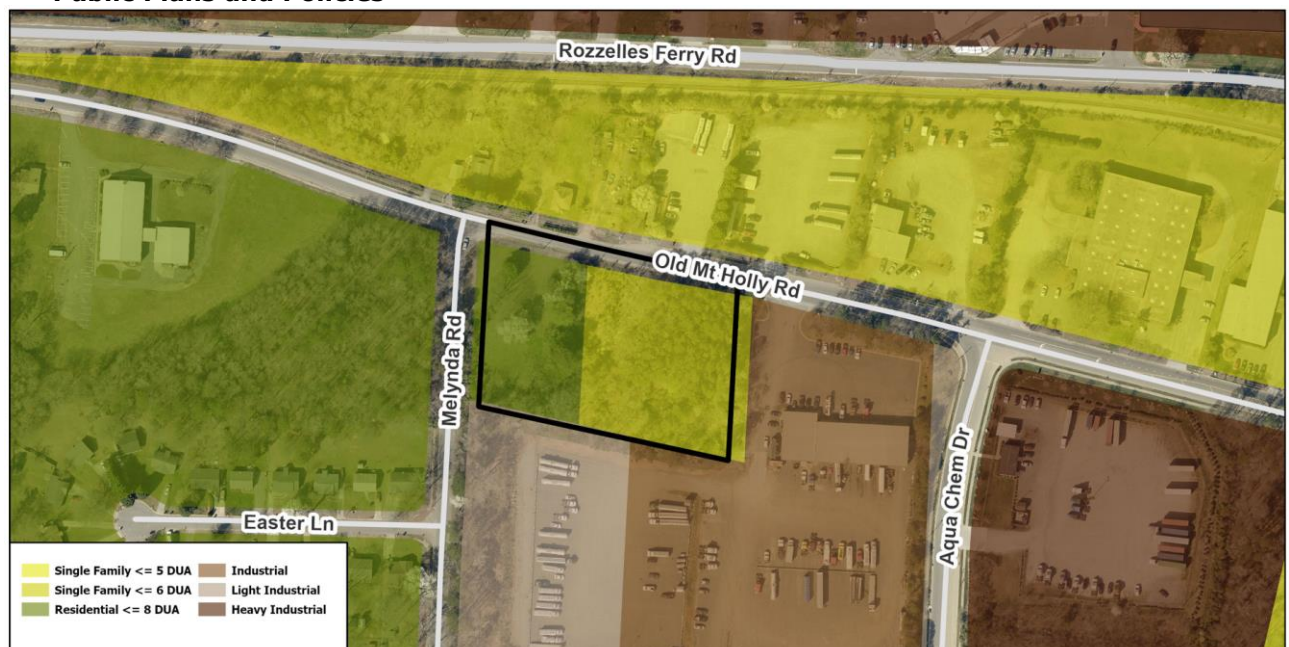
- West of the site is a church.

• Rezoning History in Area



- There have been no recent rezonings near the site.

• Public Plans and Policies



- The *Northwest District Plan* (1990) recommends residential uses up to 8 dwelling units per acre on a portion of the site and single family residential uses up to 6 dwellings units per acre on the rest of the site.
- **TRANSPORTATION SUMMARY**
 - The site is located adjacent to Melynda Drive, a City-maintained local street and Old Mount Holly Road, a City-maintained major collector. A Traffic Impact Study (TIS) is not needed for this site. CDOT will coordinate site access and streetscape improvement requirements during permitting.
- **Active Projects:**
 - There are no active projects near the site.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on the site being currently vacant).
 - Entitlement: 115 trips per day (based on 9 single family units).
 - Proposed Zoning: 85 trips per day (based on 22,200 square feet of industrial uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Not applicable
- **Charlotte Water:** See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No comments submitted.





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org







Planner: Holly Cramer (704) 353-1902

Goals Relevant to Rezoning Determinations Petition 2021-173

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	N/A
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>✓</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



Agenda Date: 1/18/2022

Agenda #: 35.**File #:** 15-17186 **Type:** Zoning Hearing

Rezoning Petition: 2021-176 by Anita Thomas

Location: Approximately 0.58 acre located on the east side of Randolph Road, west of Colwick Road, and north of North Sharon Amity Road. (Council District 6 - Bokhari)

Current Zoning: B-2 (neighborhood business)

Proposed Zoning: B-2 (CD) (general business, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues and technical revisions related to transportation and site and building design.

Attachments:

Pre-Hearing Staff Analysis

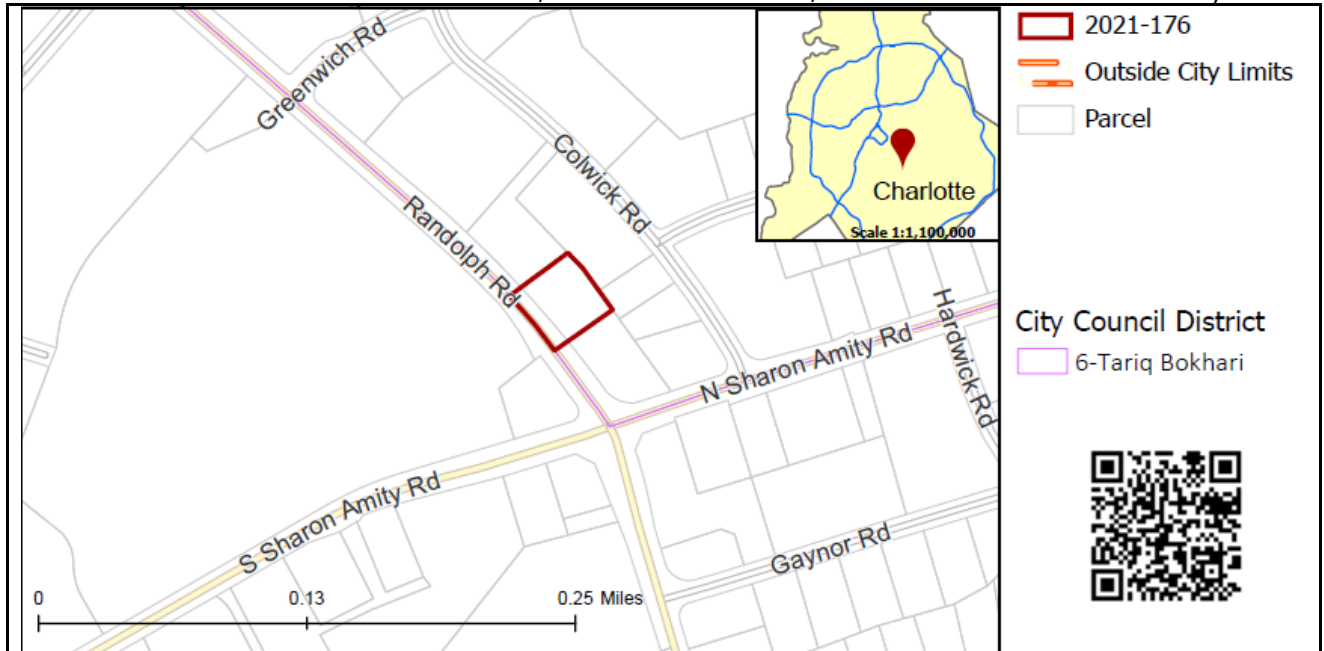
Site Plan

REQUEST

Current Zoning: B-1 (neighborhood business)
Proposed Zoning: B-2(CD) (general business, conditional)

LOCATION

Approximately 0.58 acres located on the east side of Randolph Road, west of Colwick Road, and north of North Sharon Amity Road.



SUMMARY OF PETITION

The petition proposes to redevelop the existing EDEE (eating, drinking, entertainment establishment) with an updated building and site design located in the Cotswold mixed use activity center.

PROPERTY OWNER

BJ Development Corporation

PETITIONER

Anita Thomas

AGENT/REPRESENTATIVE

Sara Shirley, American Engineering

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 upon resolution of outstanding issues and technical revisions related to transportation and site and building design

Plan Consistency

The petition is **consistent** with the *South District Plan* recommendation for retail use.

Rationale for Recommendation

- The proposal demolishes the existing 2,108 square foot EDEE and allows an EDEE up to 1,500 square feet.
- Improves drive through stacking with dual lanes.
- Improves pedestrian experience along Randolph Road by installing a sidewalk connection from the public sidewalk to the building, a planting strip and sidewalk along the frontage and screening the drive through lane with a screen wall and landscaping.

- Improves transit access by installing a CATs bus shelter pad on the site frontage.
- Provides pedestrian access from the public sidewalk to the building.

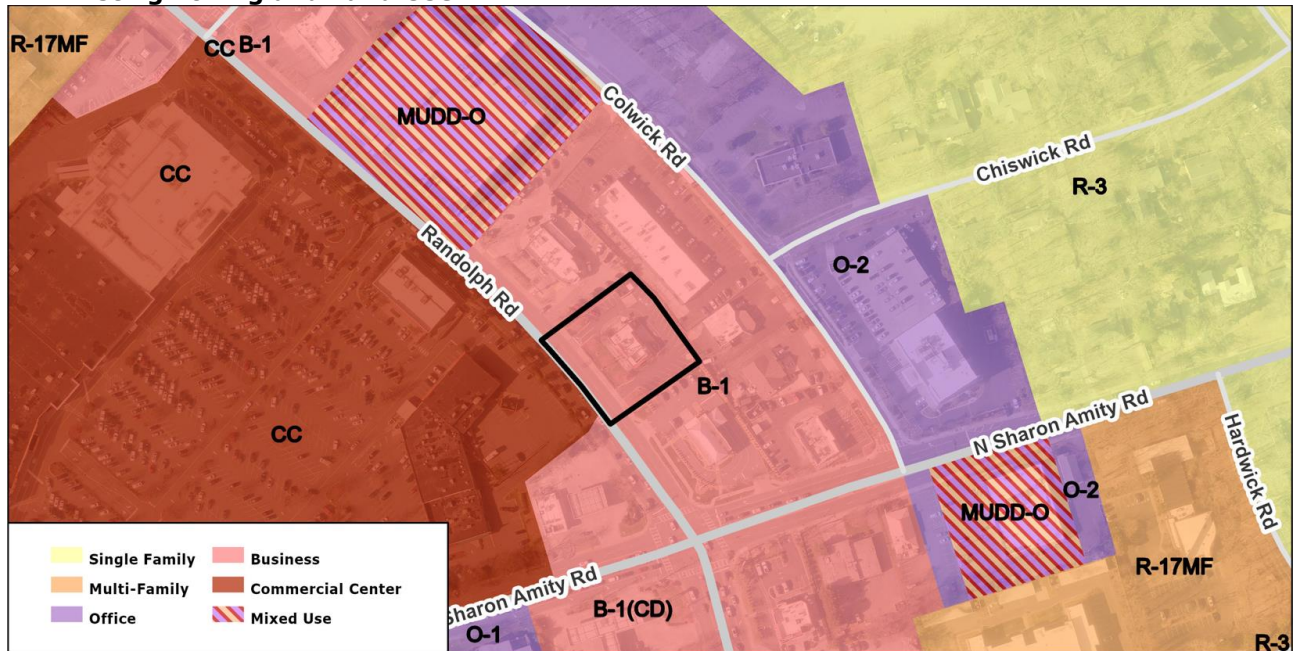
PLANNING STAFF REVIEW

• Proposed Request Details

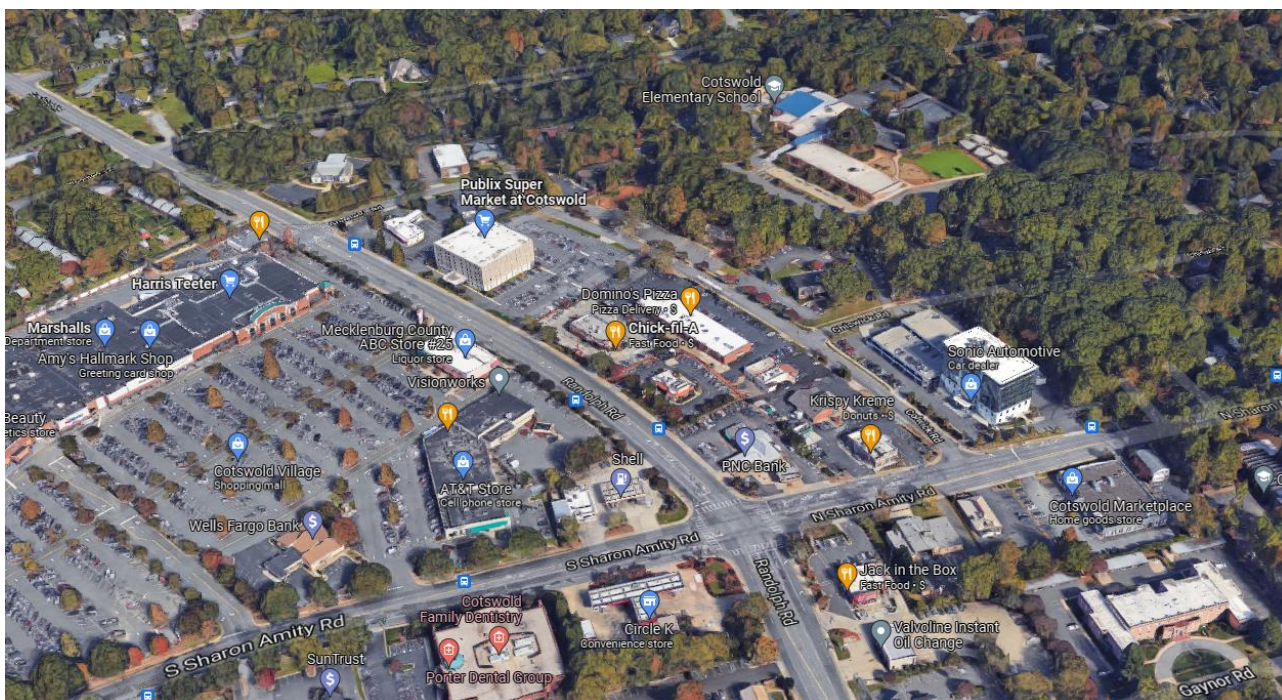
The site plan accompanying this petition contains the following provisions:

- Demolishes the existing 2,108 square foot EDEE and allows a new EDEE with up to 1,500 square feet and no indoor seating.
- Reduces the number of parking spaces and installs dual drive through lanes.
- Dedicates 50 ft of right-of-way from the centerline of Randolph Road.
- Constructs an 8ft planting strip and 6 ft sidewalk along the site frontage.
- Provides the building design standards related to the following:
 - Facades facing public streets containing combination of windows and doors with a minimum percentage of transparent glass.
 - Minimum percentage of masonry materials on facades facing public street
 - Limits expanses of blank walls to 20 ft in all directions and provides architectural features to break up facades.
- Limits the building height to 22 feet.
- Installs an 18" tall seat wall and landscaping between the sidewalk and building/drive thru.

• Existing Zoning and Land Use



The area contains a mixture of commercial, office and residential uses in a mix of zoning districts. Single family residential neighborhoods are located around the edges of the activity center



The site is located in the Cotswold mixed use activity center, an area with a mix of uses.



The site is developed with and EDEE with a drive thru.



North of the site is an EDEE with drive thru fronting Randolph Road



South of the site, at the corner of Randolph Road and Sharon Amity Road is a financial institution with drive thru.

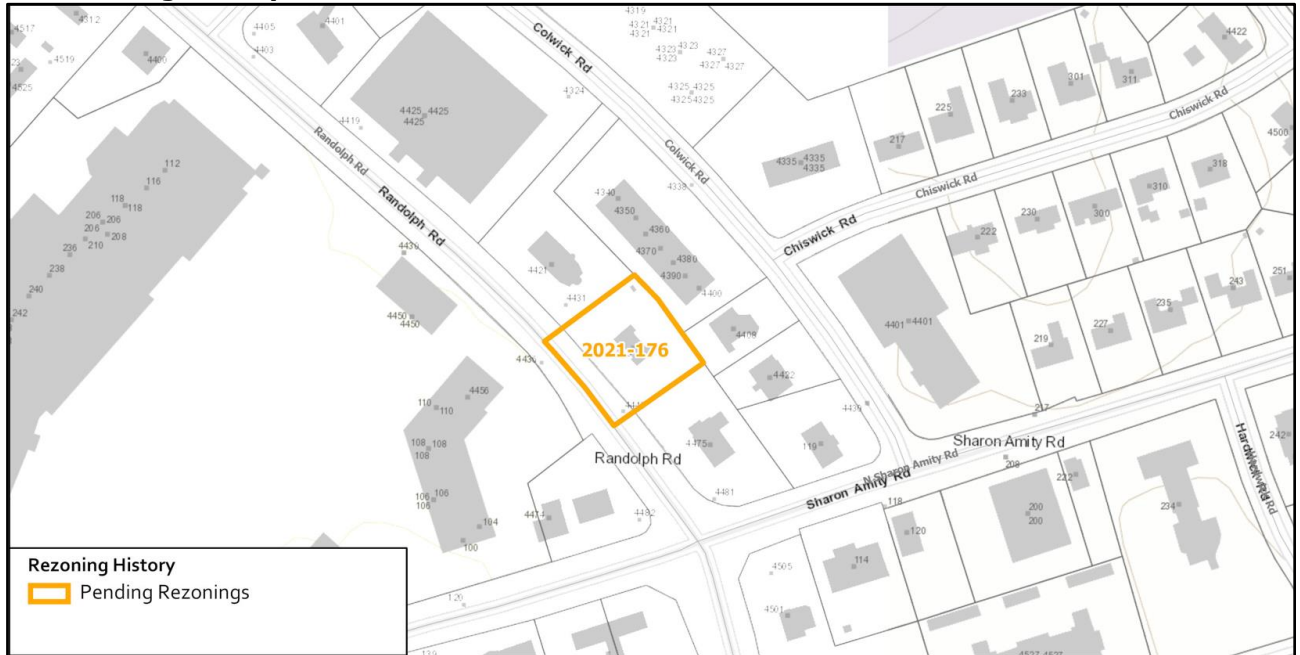


East of the site are commercial, and office uses fronting Colwick Road



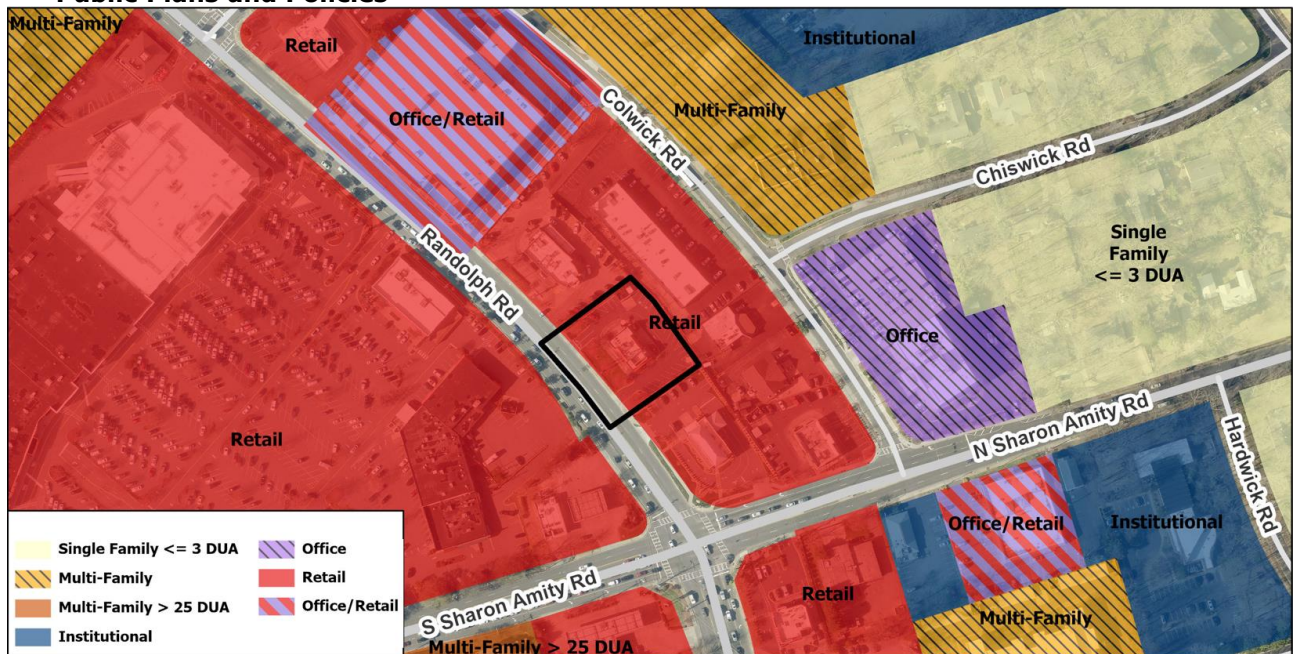
West of the site is the Cotswold shopping center.

- **Rezoning History in Area**



No recent rezonings in the area.

- **Public Plans and Policies**



- The *South District Plan* (1993) recommends retail use for the site.
- **TRANSPORTATION SUMMARY**
 - The site is located adjacent to Randolph Road, a City-maintained major thoroughfare northwest of North Sharon Amity Road, a City-maintained major thoroughfare. A Traffic Impact Study (TIS) is not needed for this site. The site plan commits to providing pedestrian facilities along their frontage per Chapter 19 of the City's Ordinance. The proposed plan also commits to widening Randolph Road to accommodate future buffered bike lanes in accordance with the Charlotte BIKES Plan. CDOT continues to request the safe transition of sidewalk, Curb and Gutter and edge of pavement where the proposed facilities tie into existing infrastructure at the site's north and south limits per CDOT standards
- **Active Projects:**
 - No active projects in the area.
- **Transportation Considerations**
 - See Outstanding Issues, Note 3

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 995 trips per day (based on 2,108 sqft drive thru EDEE).

Entitlement: 870 trips per day (based on 5,800 sqft retail).

Proposed Zoning: 615 trips per day (based on drive thru EDEE).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **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:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Randolph Rd. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 800 feet west of the rezoning boundary on Randolph Rd.. No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. Amend the site plan so that the 5 ft internal sidewalk connects to the public sidewalk rather than striping off the driveway. If the location remains create a curb and ramp for pedestrian crossing the drive aisle.
2. Amend the seat wall to be a minimum of 3 feet in height with a mixture of wall and landscaping. The wall shall include masonry accents to match the primary structure. The wall should incorporate at least one functional seat, as shown the shrubs would block the wall.

Transportation

3. Revise site plan and condition note(s) to commit to removing the sidewalk transition to the south of the site along Randolph Road and continuing the 8-foot planting strip and 6-foot sidewalk to tie-in to the property's sidewalk. Revise site plan and condition note(s) to commit to transitioning proposed Curb and gutter, sidewalk, and edge of pavement, to tie into the existing facilities.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

4. Amend Architectural note IV B. D. to change should to shall.
5. Remove Architectural note IV B.H. as the building is not multi-story.
6. Amend Architectural note IV B.G to provide the maximum building height rather than minimum.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: John Kinley (704) 336-8311









Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-176

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	X
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	X

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>

SITE STATISTICS

SITE ACREAGE:	0.58 ACRES
PIN #:	157-17-310
CURRENT ZONING:	B-1
PROPOSED ZONING:	B-2 (CD)
SETBACKS:	20' FRONT
	0' SIDE
	10' REAR
LANDSCAPING SETBACKS:	8' FRONT
	5' SIDE
	5' REAR
EXISTING USE:	RESTAURANT
PROPOSED USE:	SEE DEVELOPMENT STANDARDS
PROPOSED USE SQUARE FOOTAGE:	1,407 SF
FLOOR AREA RATIO:	AS PER ORDINANCE STANDARDS
MAXIMUM BUILDING HEIGHT:	AS PER ORDINANCE STANDARDS
MAXIMUM NUMBER OF BUILDINGS:	1
REQUIRED PARKING SPACES:	AS PER ORDINANCE STANDARDS
PROVIDED PARKING SPACES:	12

DRAWING COMPONENTS

- PROPERTY LINE, TOPOGRAPHY AND ZONING INFORMATION FROM CITY OF CHARLOTTE GIS
- PROPERTY SETBACKS FROM CITY OF CHARLOTTE ZONING ORDINANCE



PROPOSED CONCEPTUAL ELEVATIONS

SCALE: N.T.S.



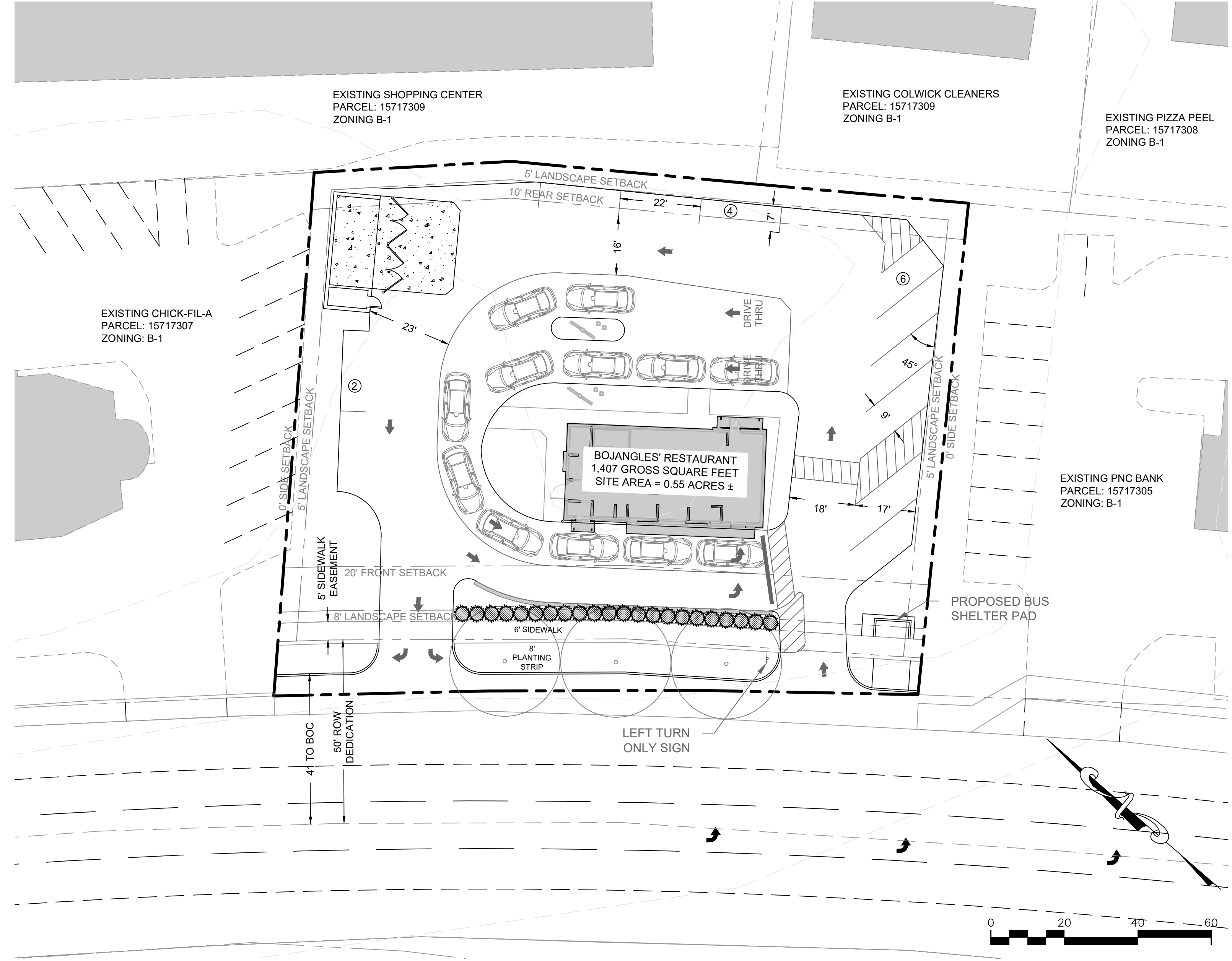
EXISTING SITE

SCALE: 1" = 30'



LOCATION MAP

SCALE: 1" = 2,000'



CONCEPTUAL REZONING PLAN

SCALE: 1" = 20'

DEVELOPMENT STANDARDS

- I. General provisions**
- A. These development standards form a part of the rezoning plan associated with the Rezoning petition filed by **B.J. Development Corporation** to request the rezoning of an approximately **0.58 acre** site located at **4435 Randolph Road** (the "site"), from the B-1 zoning District to the B-2 (CD) zoning district. The site is more particularly depicted on the Rezoning plan, and the site is comprised of Tax Parcel No. **157-17-310**. The development and use of the site will be governed by the rezoning plan, these Development standards and the applicable provisions of the city of Charlotte Zoning Ordinance (the "Ordinance").
- B. Unless the rezoning plan or these development standards establish more stringent Standards, the regulations established under the ordinance for the B-2 Zoning District shall govern the development and use of the site.
- D. The development depicted on the rezoning plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the site. Accordingly, the configuration, placement and size of the building footprint as well as the internal drives and parking and circulation areas depicted on the rezoning plan are schematic in nature and, subject to the terms of these development standards and the ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- E. The purpose of this rezoning request is to demolish the existing building on the site that is utilized for an eating, drinking and entertainment establishment type 1 with accessory drive-thru windows and to construct a new building on the site that would be devoted to an eating, drinking and entertainment establishment Type 1 or Type 2 with drive-thru windows and no indoor seating for patrons.
- F. Future amendments to the rezoning plan and/or these development standards may be applied for by the then owner or owners of the site in accordance with the provisions of chapter 6 of the ordinance. Alterations to the rezoning plan are subject to section 6.207 of the ordinance.

II. Permitted use/development limitations

- A. The site may only be devoted to an eating, drinking and entertainment establishment (type 1 or type 2) with drive-thru windows and no indoor seating for patrons, together with any incidental or accessory uses associated therewith that are permitted under the ordinance in the B-2 zoning district.
- B. An eating, drinking and entertainment establishment type 2 shall be subject to the applicable regulations of section 12.546 of the ordinance.
- C. The maximum gross floor area of the principal building to be constructed on the Site shall be **1,500 square feet**.

III. Transportation

- A. Vehicular access shall be as generally depicted on the rezoning plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department Of Transportation ("CDOT") and/or the North Carolina Department Of Transportation ("NCDOT").
- B. The alignments of the private drives and the parking and vehicular circulation areas may be modified by petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
- C. All transportation improvements will be approved and constructed prior to the issuance of a certificate of occupancy for a new building constructed on the site.
- D. Petitioner will dedicate 50' of right-of-way from centerline of Randolph Road. Dedication and fee simple conveyance of right-of-way will occur prior to the building certificate of occupancy.
- E. Petitioner will construct an 8-foot planting strip and 6-foot sidewalk along Randolph Road as per City of Charlotte Chapter 19 zoning ordinance.
- F. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

IV. Architectural standards

- A. Rezoning plan shows an architectural perspective of the building to be constructed on the site that is intended to depict the general conceptual architectural style and character of the building. Notwithstanding the foregoing, changes and alterations to the building that do not materially change the overall conceptual architectural style and character shall be permitted.
- B. Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets, through the following:
- B.A. Buildings shall be placed so as to present a front or side façade to all streets.
- B.B. Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.
- B.C. The facades of first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry materials such as brick or stone.
- B.D. Direct pedestrian connection should be provided between street facing doors, corner entrance features to sidewalks on adjacent streets.
- B.E. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but to limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- B.F. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
- B.G. Buildings should be a minimum height of 22'.
- B.H. Multi-story buildings should have a minimum of 20% transparency on all upper stories

V. Landscape standards

- A. Petitioner will install an 18" tall seat wall and landscaping for screening between the sidewalk and the building/drive thru.

Vi. Binding effect of the rezoning documents and definitions

- A. If this rezoning petition is approved, all conditions applicable to the use and development of the site imposed under these development standards and the rezoning plan will, unless amended in the manner provided under the ordinance, be binding upon and inure to the benefit of petitioner and the current and subsequent owners of the site and their respective successors in interest and assigns.
- B. Throughout these development standards, the term "petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of petitioner or the owner or owners of the site from time to time who may be involved in any future development thereof.
- C. Any reference to the ordinance herein shall be deemed to refer to the requirements of the ordinance in effect as of the date this rezoning petition is approved.

Conceptual Rezoning Plan

Bojangles - Randolph Road

City of Charlotte, North Carolina





Agenda Date: 1/18/2022

Agenda #: 36.**File #:** 15-17187 **Type:** Zoning Hearing

Rezoning Petition: 2021-180 by Daniel Corporation

Location: Approximately 1.70 acres located on the south side of North Graham Street, east side of West 6th Street, and west side of West 7th Street. (Council District 2 - Graham)

Current Zoning: UR-3 HD (urban residential, historic district)

Proposed Zoning: UMUD-HD (uptown mixed-use district, historic district)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

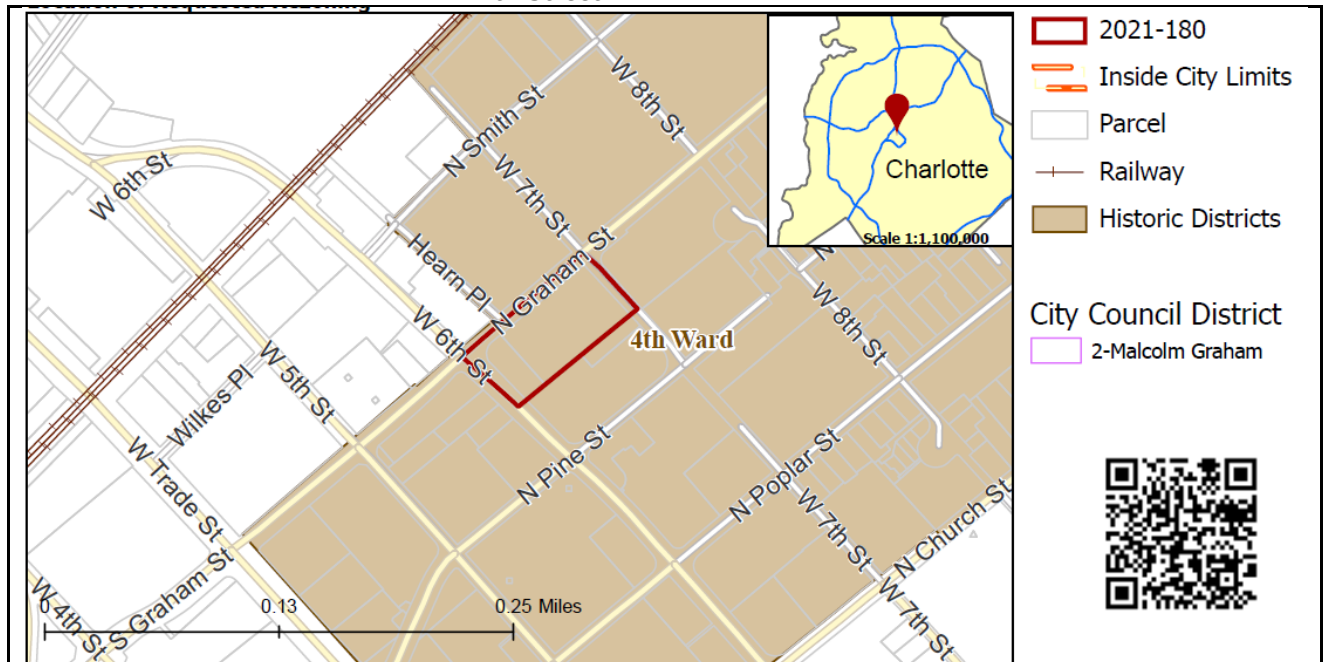
Pre-Hearing Staff Analysis

REQUEST

Current Zoning: UR-3 HD (urban residential, historic district)
Proposed Zoning: UMUD HD (uptown mixed use district, historic district)

LOCATION

Approximately 1.70 acres located on the south side of North Graham Street, east side of West 6th Street, and west side of West 7th Street.



SUMMARY OF PETITION

The petition proposes to allow all uses in UMUD, uptown mixed use district, on two parcels currently developed with surface parking and auto-retail uses.

PROPERTY OWNER

Gerrard Family, LLC

PETITIONER

Daniel Corporation

AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins, Alexander Ricks PLLC

COMMUNITY MEETING

Meeting is not required.

STAFF

RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Charlotte Center City 2020 Vision Plan* (2011). Although the plan does not make a specific land use recommendation for this site, it encourages future development that contributes to the overall viability and livability of Center City.

Rationale for Recommendation

- This rezoning would allow for the redevelopment of the site for dense, mixed urban uses. A majority of the site is currently utilized as surface parking.
- The site is adjacent to other UMUD-zoned parcels that host various uses.
- The surrounding context of the site at the nexus of 6th Street and Graham Street in the Fourth Ward display a gradual shift in the area

- to higher-density residential, retail, and office uses. The rezoning of these parcels would be in line with the redevelopment in the area.
- The subject site is located in the Fourth Ward Historic District and any future redevelopment on the site must adhere to the standards of the Historic District Commission.

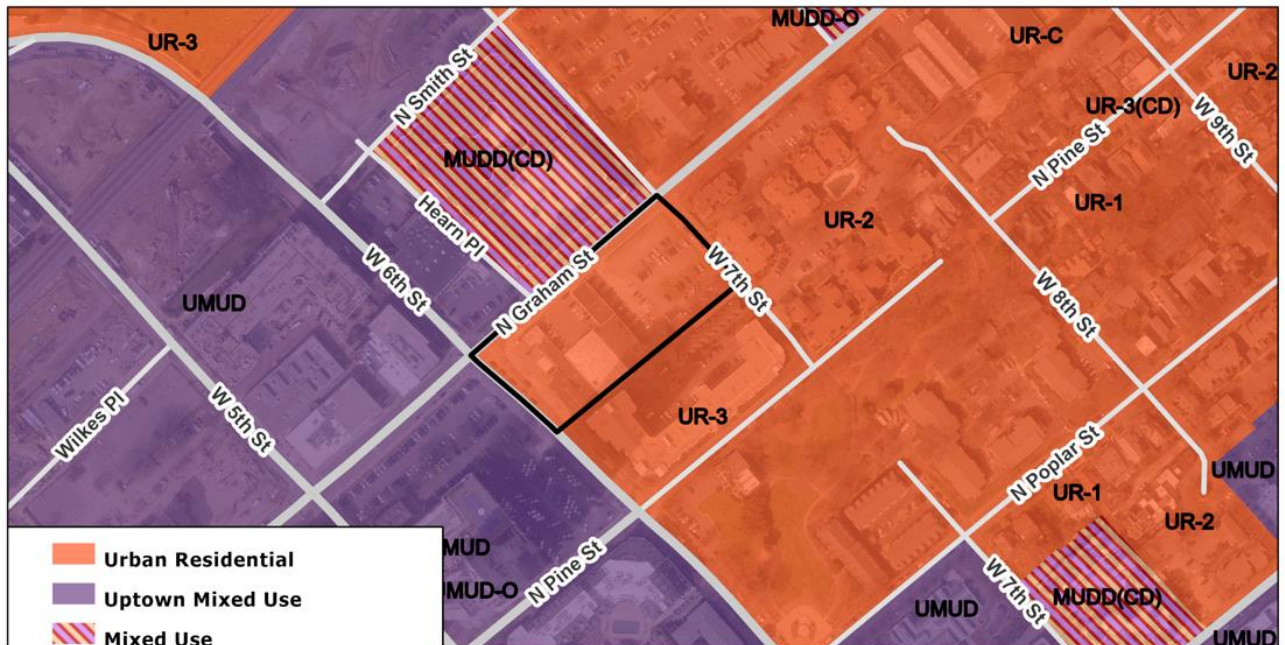
PLANNING STAFF REVIEW

- Proposed Request Details**

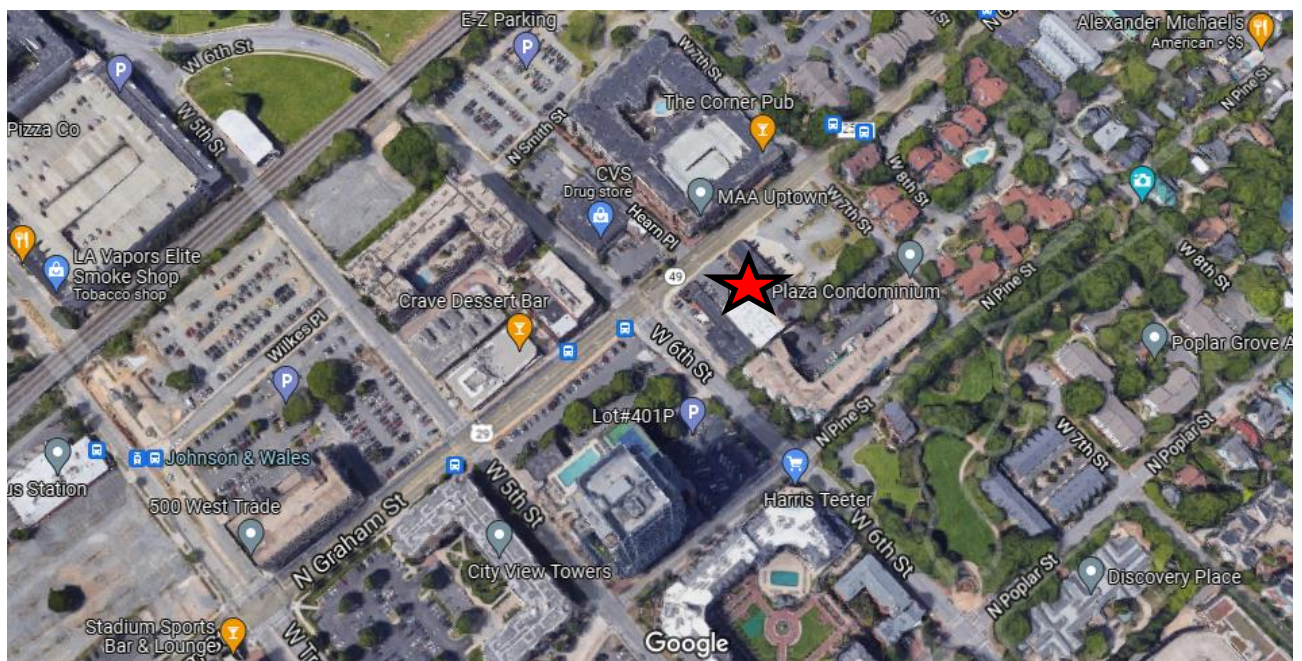
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the uptown mixed use district.

- Existing Zoning and Land Use**



- The site is currently zoned UR-3 and is in an area with retail, multi-family residential, office, and vertical mixed uses.



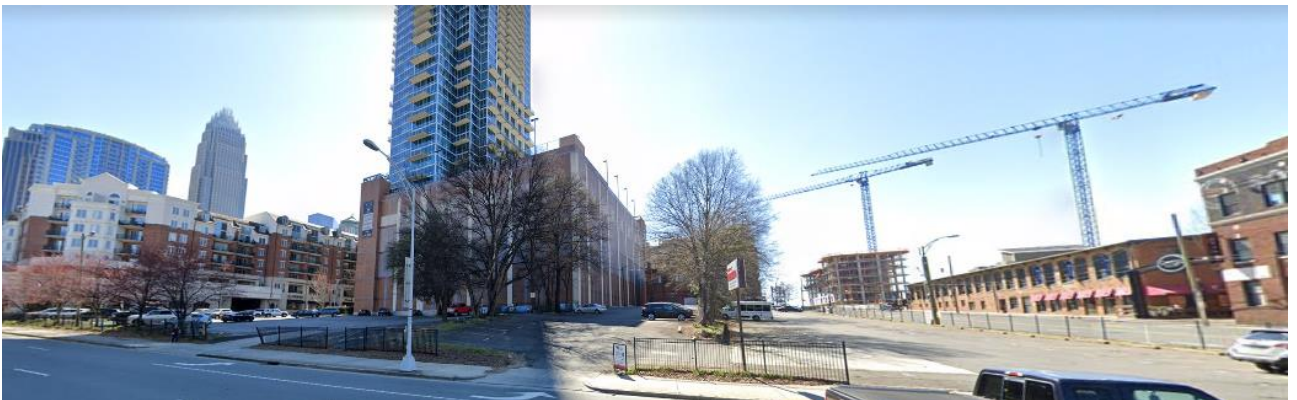
- The subject site is denoted with a red star.



- North of the site are various retail uses and a multi-family residential building with retail on the ground level.



- East of the site is a multi-family development and Fourth Ward Park.



- South of the site is surface parking and multi-family developments.



- West of the site is a mix of retail, office, and commercial uses.

- Rezoning History in Area**



- There have been no recent rezonings in the area.

- Public Plans and Policies**



- The *Charlotte Center City 2020 Vision Plan* (2011) does not make a specific land use recommendation for this site. However, the plan encourages future development that contributes to the livability and viability of Center City.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to North Graham Street, a State-maintained major thoroughfare, West 7th Street, a City-maintained local street, and West 6th Street, a City-maintained major thoroughfare. A Traffic Impact Study (TIS) is not needed for this site. CDOT will coordinate site access and streetscape improvement requirements during permitting.
- **Active Projects:**
 - 5th/6th Street CycleTrack (part of the Uptown CycleLink)
 - Create a two-way separated cycle track in Uptown Charlotte along portions of 5th and 6th streets to provide an east-west bicycle connection between Little Sugar Creek Greenway and Irwin Creek Greenway.
 - In Construction
 - <https://charlottenc.gov/Projects/Pages/UptownCycleTrack.aspx>
 - General Services PM: Kristie Kennedy
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 300 trips per day (based on 18,400 square feet of auto-retail uses).
 - Entitlement: No data available.
 - Proposed Zoning: Too many uses to determine.

DEPARTMENT COMMENTS (see full department reports online)

- **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:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No comments submitted.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org




Planner: Holly Cramer (704) 353-1902







Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-180

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	✓

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 37.**File #:** 15-17188 **Type:** Zoning Hearing

Rezoning Petition: 2021-183 by James Howell

Location: Approximately 1.12 acres located on the north side of Ervin Lane and west side of China Grove Church Road, south of East Westinghouse Boulevard. (Council District 3 - Watlington)

Current Zoning: R-8 (CD) (single-family residential, conditional)

Proposed Zoning: R-8 (single-family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

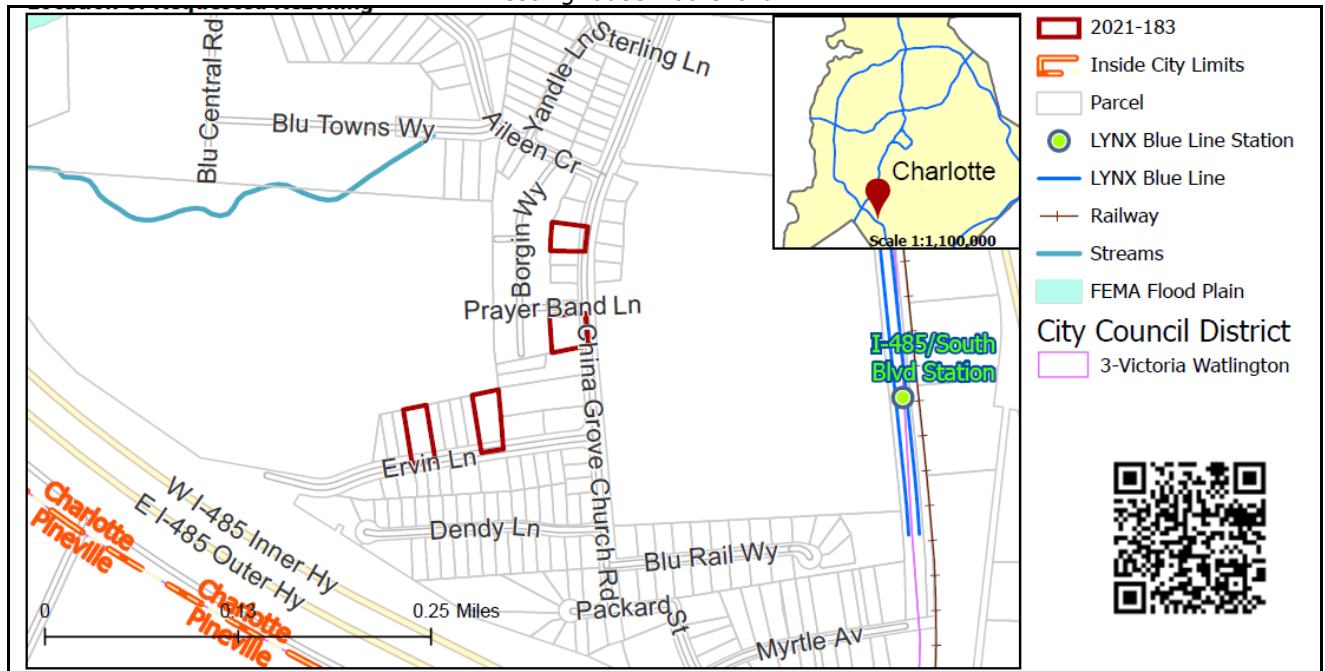
Pre-Hearing Staff Analysis

REQUEST

Current Zoning: R-8(CD) (single family residential, conditional)
Proposed Zoning: R-8 (single family residential)

LOCATION

Approximately 1.12 acres located on the north side of Ervin Lane and west side of China Grove Church Road, south of East Westinghouse Boulevard.



SUMMARY OF PETITION

The petition proposes to allow all uses in the R-8 zoning district on an assemblage of parcels that are currently developed with single family homes.

PROPERTY OWNER

Borgin Properties, LLC

PETITIONER

James Howell

AGENT/REPRESENTATIVE

James Howell

COMMUNITY MEETING

Meeting is not required.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Sharon & I-485 Transit Station Area Plan* (2009) recommendation for single family residential uses up to 8 dwelling units per acre on the site.

Rationale for Recommendation

- The rezoning of these parcels from the existing R-8 (CD) zoning and its associated site plan would allow for infill development on the sites which, given their acreage, are currently underutilized.
- This petition is consistent with the proposed land use for the area.
- The approval of this petition would maintain uniformity with the surrounding zoning designations and development patterns.

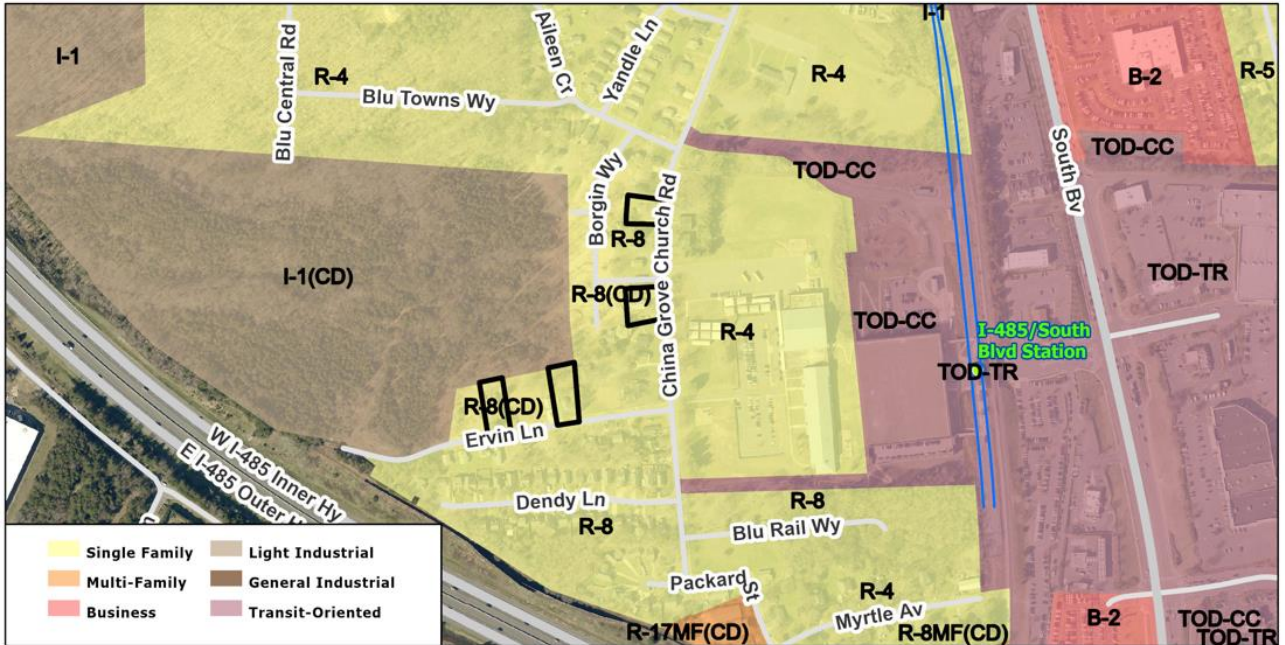
PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- Allows all uses in the R-8, single family residential, zoning district.

- **Existing Zoning and Land Use**



- These parcels were rezoned as part of petition 1997-090 which rezoned the area from R-4 to R-8(CD). The surrounding land uses include single family residential and institutional uses.



- The subject sites are denoted with red stars.



- North of the parcels are single family homes.



- East of the parcels is Sterling Elementary School.

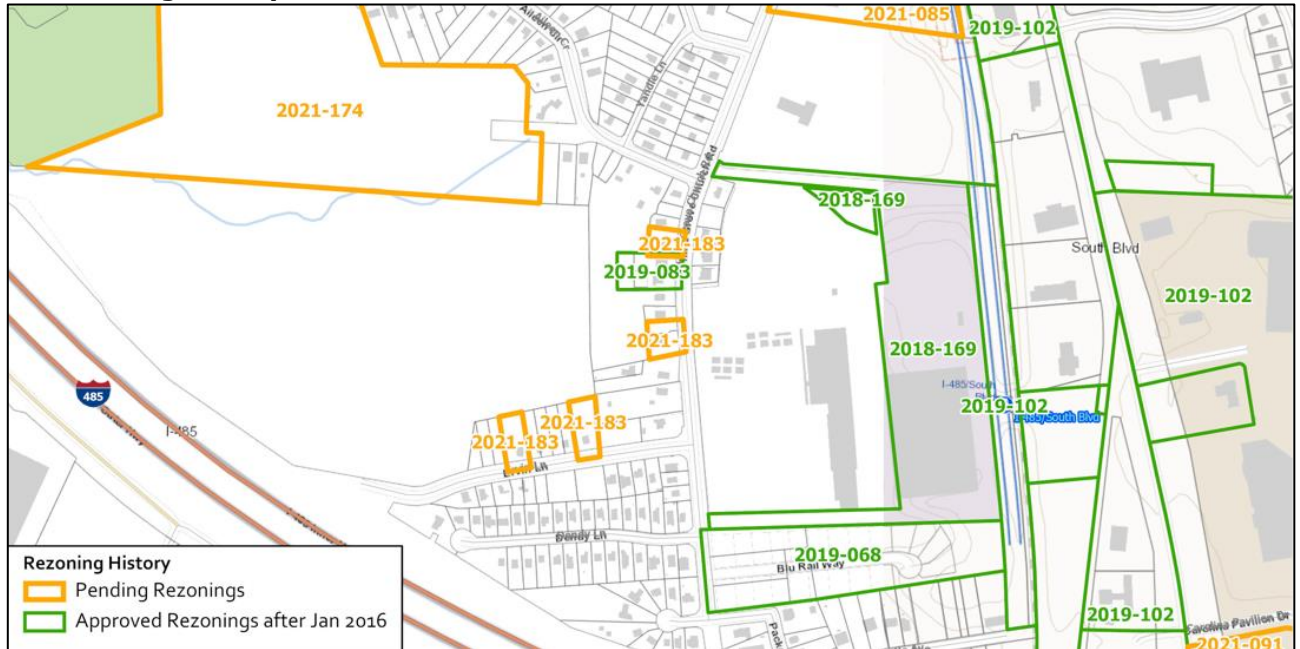


- South of the parcels are single family homes.



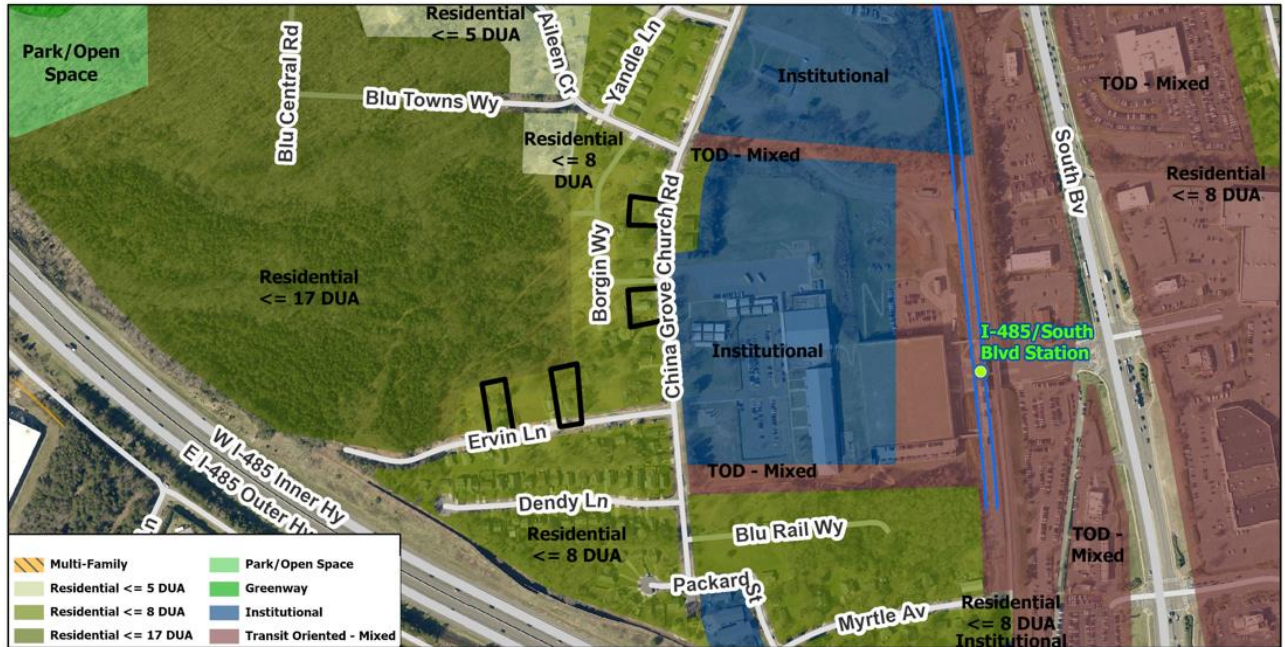
- West of the subject area is a large swath of vacant land.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations. The amendment resulted in 3 existing conventional districts translating to the new TOD-CC district.	Approved
2019-068	Rezoned 6.17 acres from R-4 to R-8.	Approved
2019-083	Rezoned 0.56 acres from R-4 to R-8.	Approved
2019-102	Rezoned 1,7771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC, or TOD-TR.	Approved
2021-085	Rezoning 4.55 acres from I-1 and I-2 to I-2(CD).	Pending
2021-091	Rezoning 1.21 acres from TOD-CC to MUDD-O.	Pending
2021-174	Rezoning 36.73 acres from B-2(CD), R-12MF, and R-4 to UR-C and UR-2(CD).	Pending

- **Public Plans and Policies**



- The *Sharon & I-485 Transit Station Area Plan* (2009) recommends single family residential uses up to 8 dwelling units per acre for the site.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to China Grove Church Road, a City-maintained minor collector and Ervin Lane a City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site. CDOT will coordinate site access and streetscape improvement requirements during permitting.
- **Active Projects:**
 - There are no active projects near the site.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 55 trips per day (based on 4 single family homes).
 - Entitlement: 55 trips per day (based on 4 single family homes).
 - Proposed Zoning: 105 trips per day (based on 8 single family homes).

DEPARTMENT COMMENTS (see full department reports online)

- **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:** The development allowed under the existing zoning could generate 3 students, while the development allowed under the proposed zoning may produce 5 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 2 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Sterling Elementary at 119%
 - Quail Hollow Middle at 124%
 - South Mecklenburg High at 134%.
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No comments submitted.

- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
 - **Mecklenburg County Parks and Recreation Department:** No comments submitted.
 - **Stormwater Services Land Development Engineering:** No comments submitted.
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry / City Arborist:** No comments submitted.
-

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Holly Cramer (704) 353-1902









Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-183

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	X
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	X

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



Agenda Date: 1/18/2022

Agenda #: 38.**File #:** 15-17189 **Type:** Zoning Hearing

Rezoning Petition: 2021-184 by Revolve Residential

Location: Approximately 0.86 acre located on the west of Yeoman Road, east of South Tryon Street, and north of Woodlawn Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-TR (transit-oriented development - transition)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

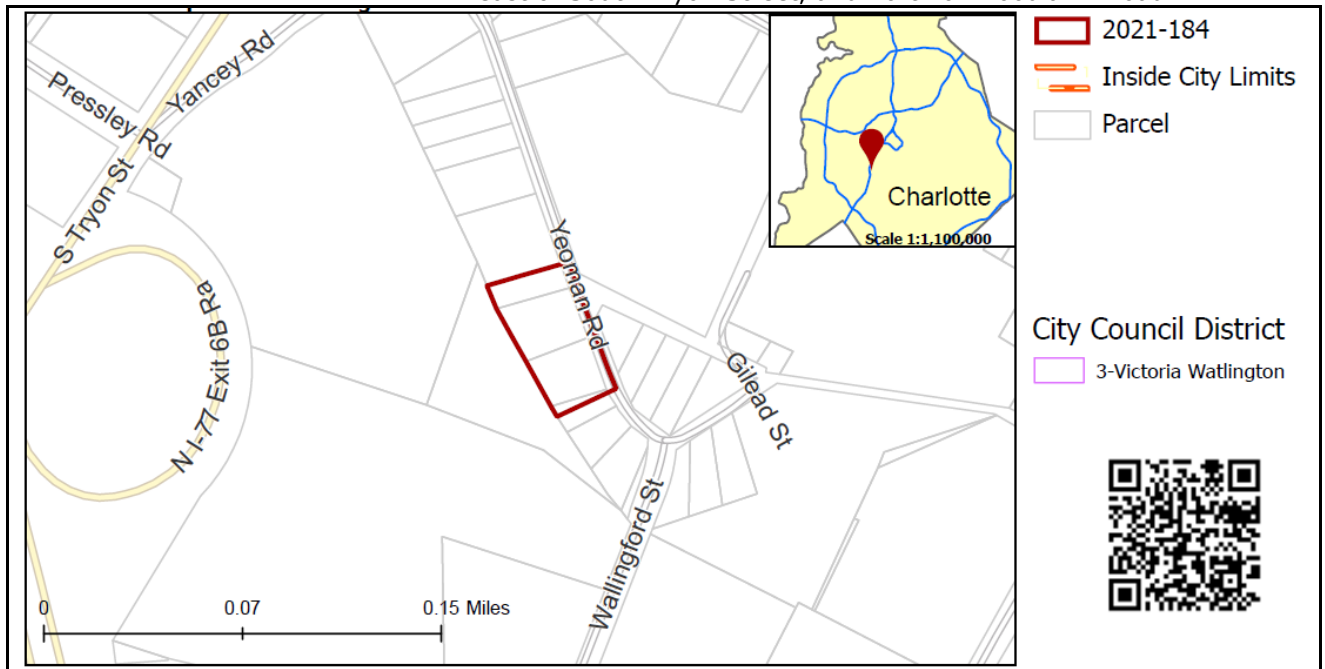
Pre-Hearing Staff Analysis

REQUEST

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-TR (transit oriented development – transition)

LOCATION

Approximately 0.86 acres located on the west side of Yeoman Road, east of South Tryon Street, and north of Woodlawn Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the TOD-TR (transit oriented development – transition) zoning district on parcels currently developed with an auto-repair shop and single family home.

PROPERTY OWNER

Gary Benfield, David Palin, and Ann S. Palin

PETITIONER

Revolve Residential

AGENT/REPRESENTATIVE

Bridget Grant, Moore & Van Allen

COMMUNITY MEETING

Meeting is not required.

STAFF

RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Woodlawn Transit Station Area Plan* (2008) recommendation for office and industrial-warehouse-distribution uses on the site.

Rationale for Recommendation

- The site is within a 1-mile walk of both the Woodlawn Station and Scaleybark Station.
- The TOD-TR district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station, or within ½ mile walking distance of an existing streetcar stop.
- This petition would allow for the redevelopment of the site to transit oriented uses.
- This site is adjacent to a number of parcels zoned TOD-TR that were formerly zoned I-2, reflecting a shift in the area away from intensive, industrial uses.

- The use of the conventional TOD-TR zoning applies standards and regulations to create desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

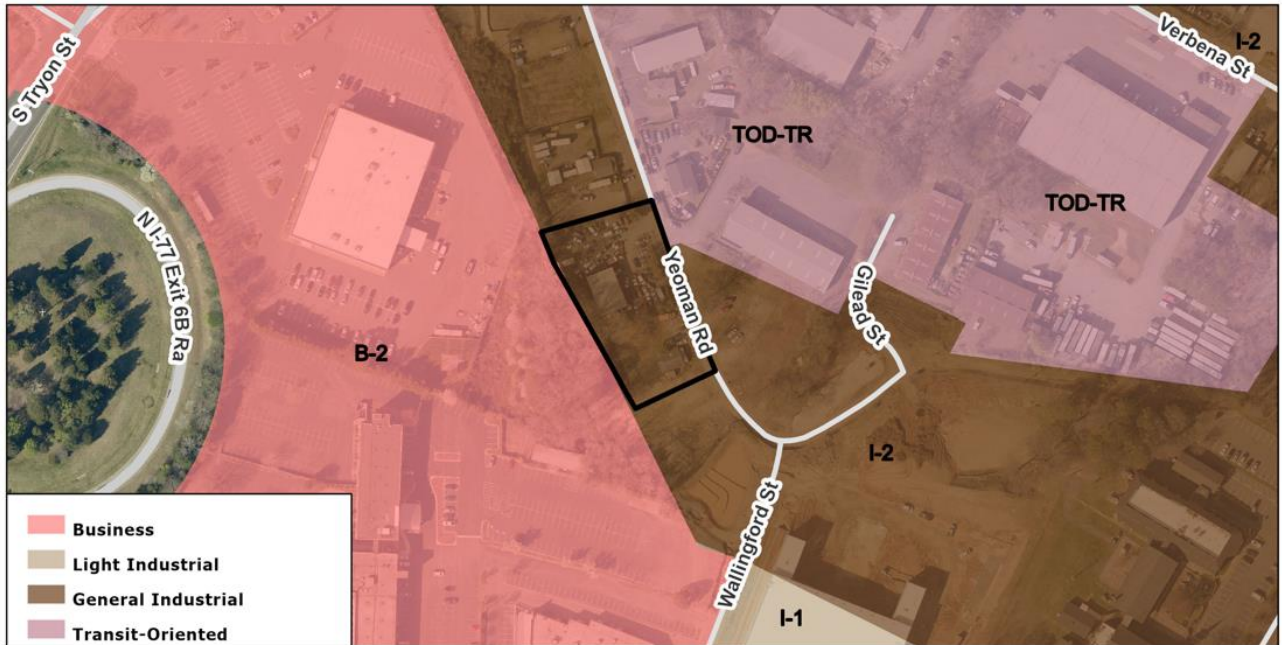
PLANNING STAFF REVIEW

- **Proposed Request Details**

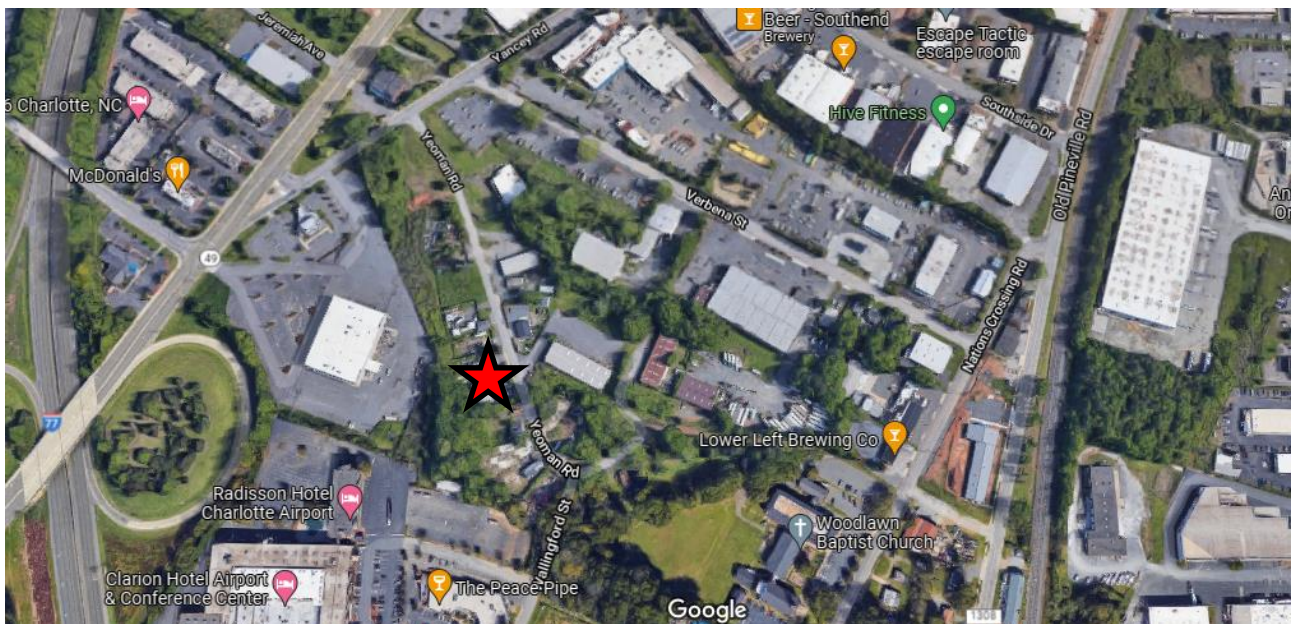
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-TR (transit oriented development – transition) zoning district.

- **Existing Zoning and Land Use**



- The site is currently zoned I-2 and is in an area with retail, office, light industrial, and residential uses.



- The subject site is denoted with a red star.



- North of the site are auto-related retail uses and offices.



- East of the site are industrial uses.



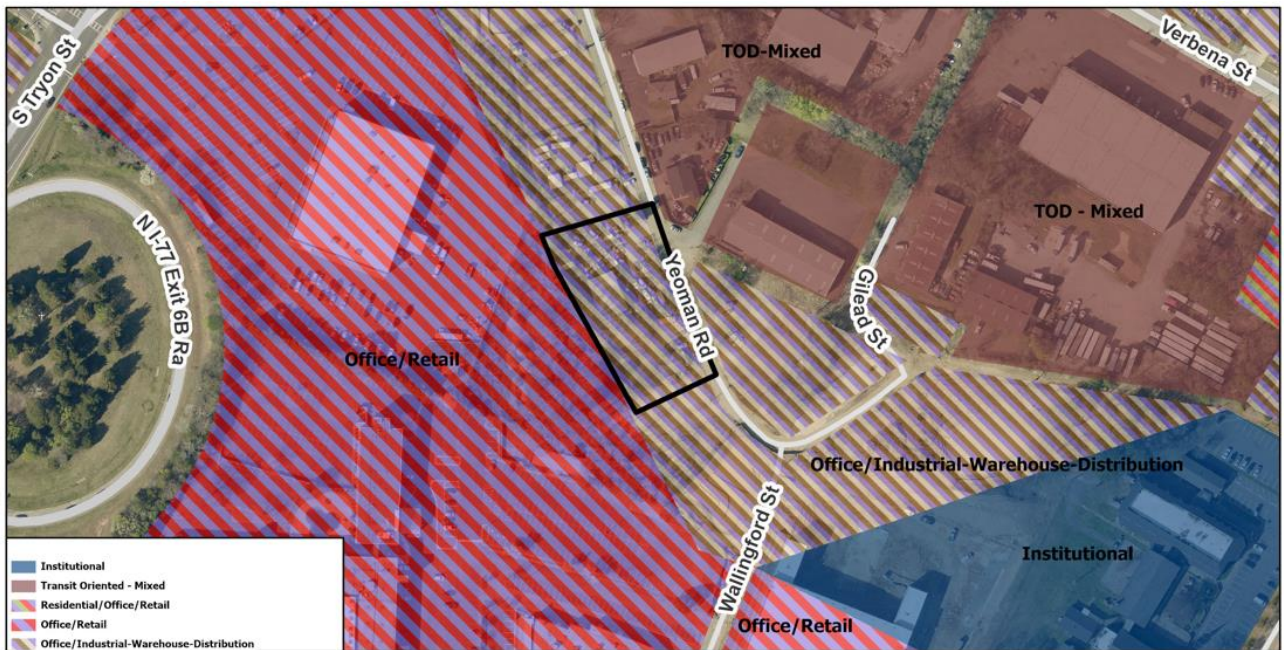
- South and west of the site are several vacant lots.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-132	Rezoned 5.9 acres from I-2 to TOD-TR.	Approved
2020-126	Rezoned 4.25 acres from I-2 to TOD-TR	Approved

- Public Plans and Policies**



- The *Woodlawn Transit Station Area Plan* (2008) recommends office and industrial-warehouse-distribution uses for the site.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Yeoman Road, a City-maintained local street and Yancy Road a City-maintained major collector. This site is requesting a TOD-TR zoning and will be subject to transportation improvements in accordance with the TOD Ordinance 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 in the TOD-zoned areas.
- **Active Projects:**
 - There are no active projects near the site.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 60 trips per day (based on 2,400 square feet of warehouse uses and 1 single family home).
 - Entitlement: 70 trips per day (based on 12,900 square feet of warehouse uses).
 - Proposed Zoning: Too many uses to determine.

DEPARTMENT COMMENTS (see full department reports online)

- **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:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No comments submitted.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Holly Cramer (704) 353-1902








Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-184

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	✓

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	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 1/18/2022

Agenda #: 39.**File #:** 15-17190 **Type:** Zoning Hearing

Rezoning Petition: 2021-185 by SXCW Properties II, LLC

Location: Approximately 2.48 acres located on the east side of Freedom Drive, south of Interstate 85, and west of Tuckaseegee Road. (Council District 3 - Watlington)

Current Zoning: B-1 SCD AIR (shopping center, airport noise overlay)

Proposed Zoning: B-2 AIR (general business, airport noise overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

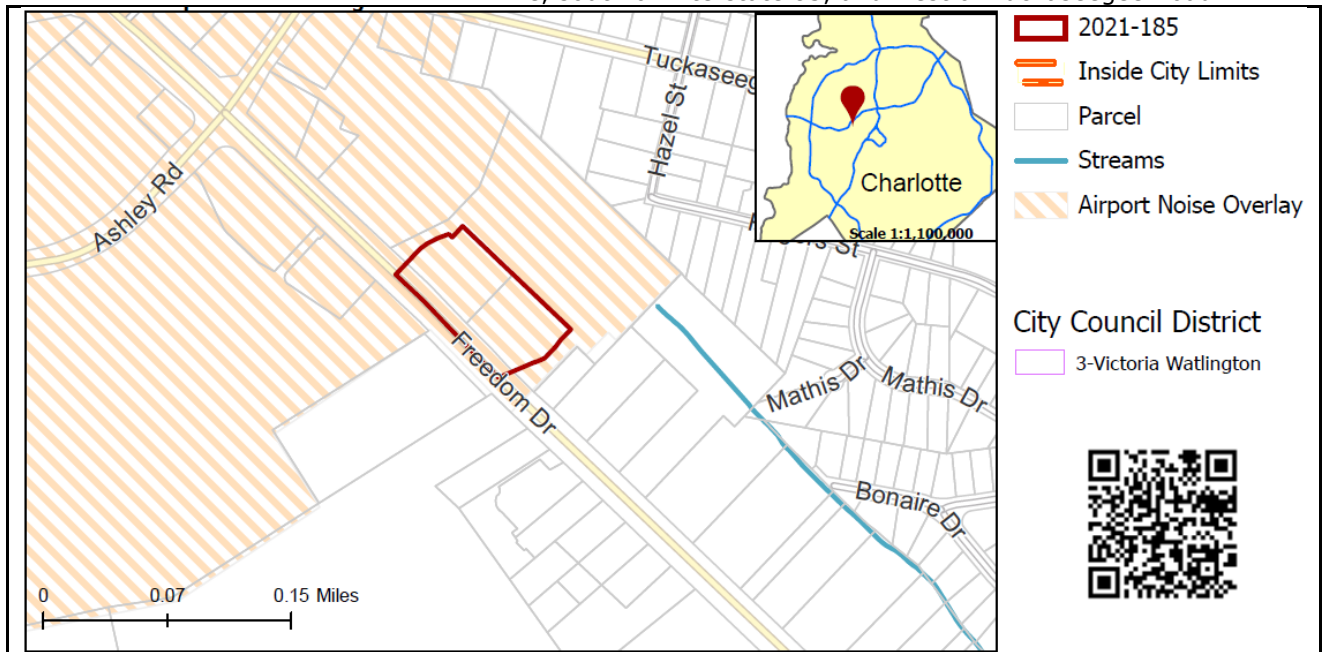
Pre-Hearing Staff Analysis

REQUEST

Current Zoning: B-1 SCD AIR (shopping center, airport noise overlay)
Proposed Zoning: B-2 AIR (general business, Airport Noise Overlay)

LOCATION

Approximately 2.48 acres located on the east side of Freedom Drive, south of Interstate 85, and west of Tuckaseegee Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the B-2, general business, zoning district on parcels currently undeveloped and previously used as surface parking.

PROPERTY OWNER

C4 Freedom OP, LLC

PETITIONER

SXCW Properties II, LLC

AGENT/REPRESENTATIVE

Anthony Fox

COMMUNITY MEETING

Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Central District Plan* (1993) recommendation for retail on the site.

Rationale for Recommendation

- The site is located along Freedom Drive, a major thoroughfare, making it appropriate for the application of the B-2 zoning district.
- The current site plan associated with the area from rezoning petition 1987-074 calls for the parcels to be utilized as surface parking for a shopping center. If approved, this rezoning would allow for the site to be redeveloped with various uses as prescribed by-right in the B-2 zoning district.
- The site is adjacent to a number of other parcels zoned B-2.

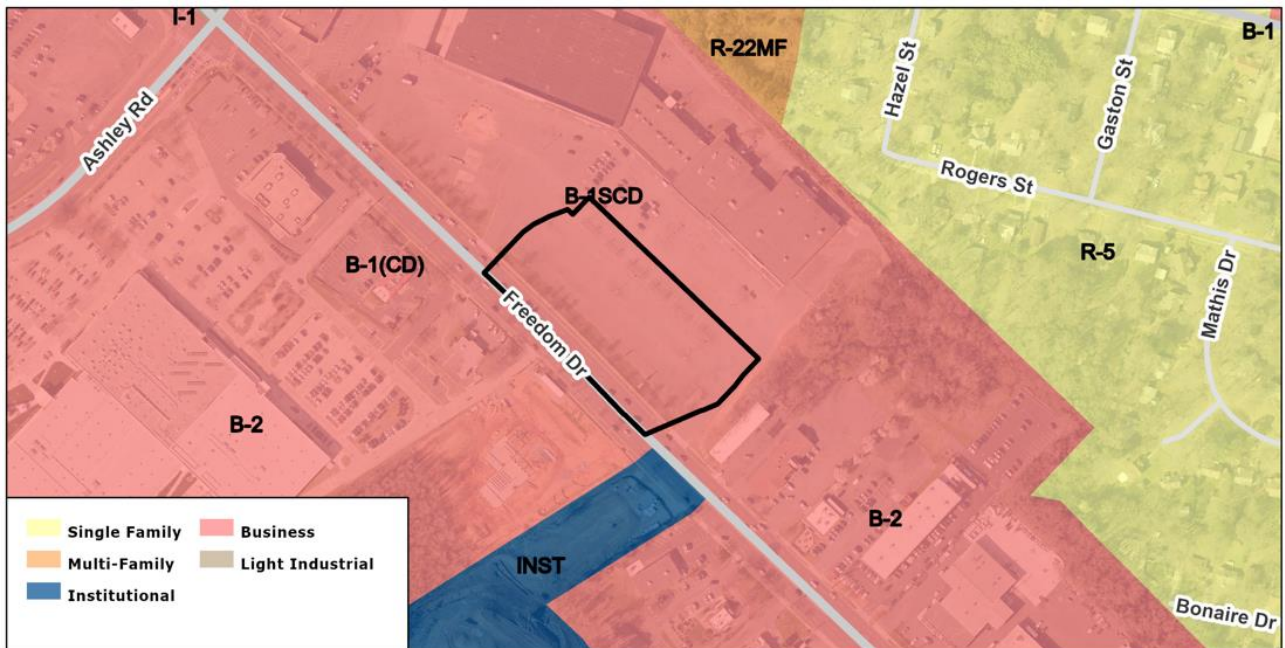
PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- Proposes to allow all uses in the B-2, general business, zoning district.

- **Existing Zoning and Land Use**



- The site is currently zoned B-1SCD and is in an area with retail, institutional, single family residential, and mixed uses.



- North of the site is a recently constructed medical office and a vacant building previously used as a shopping center.



- East of the site are various retail uses.

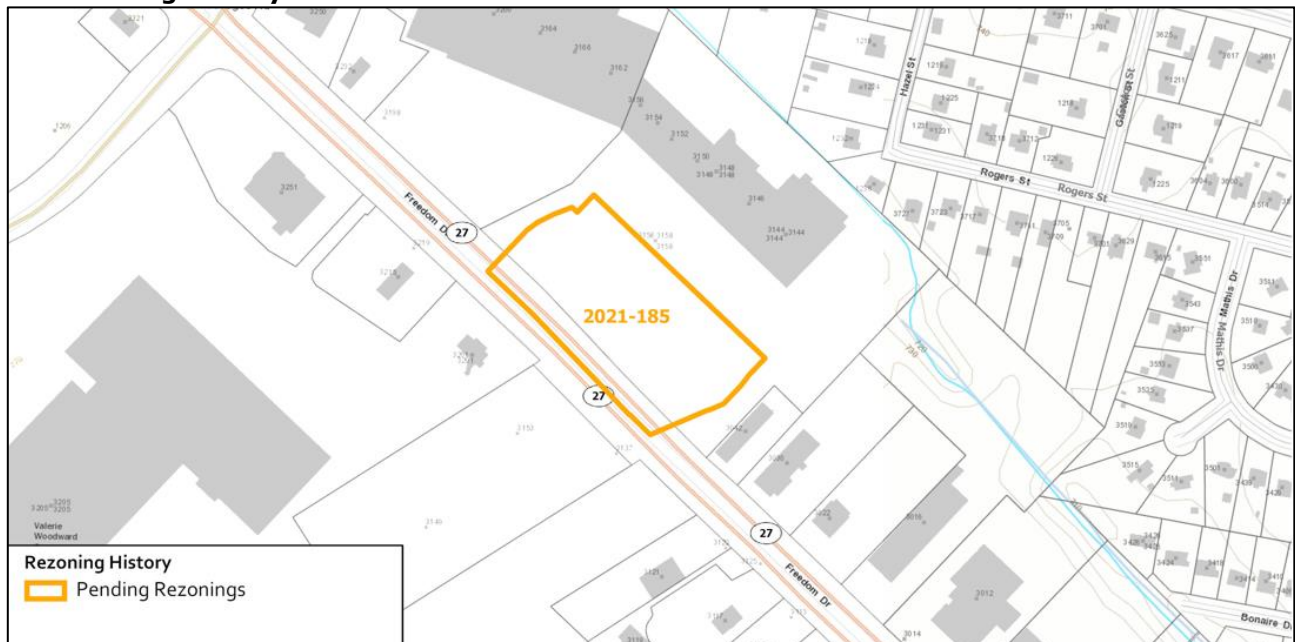


- South of the site is a mixture of uses including retail, office, and institutional.



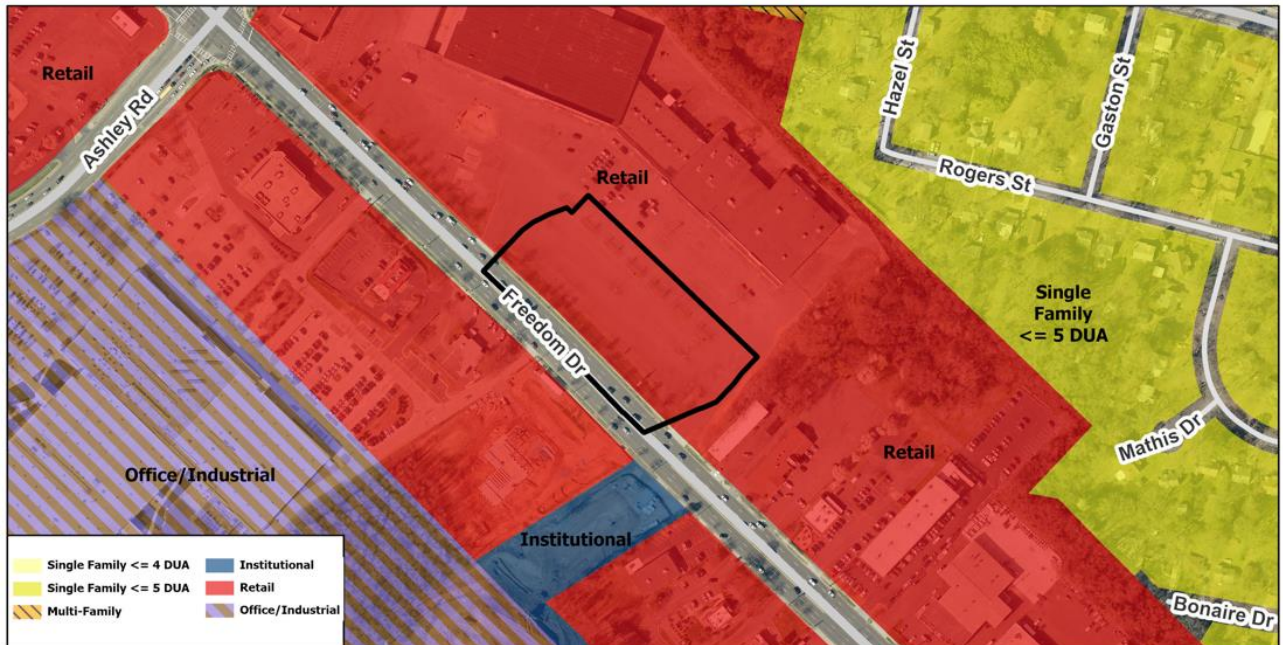
- West of the site are various retail uses.

- **Rezoning History in Area**



- There have been no recent rezonings in the area.

- **Public Plans and Policies**



- The *Central District Plan* (1993) recommends retail on the site.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Freedom Drive, a State-maintained major thoroughfare southeast of Tuckaseegee Road a State-maintained major thoroughfare. A Traffic Impact Study (TIS) is not needed for this site. CDOT will coordinate site access and streetscape improvement requirements during permitting.
- **Active Projects:**
 - There are no active projects near the site.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on site being vacant).
 - Entitlement: 1,015 trips per day (based on 7,300 square feet of retail uses).
 - Proposed Zoning: 3,070 trips per day (based on 37,200 square feet of retail uses).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 10 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 10.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Westerly Hills Elementary from 100% to 101%
 - Wilson Stem Academy at 90%
 - Harding University High at 129%.
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

- **Stormwater Services Land Development Engineering:** No comments submitted.
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry / City Arborist:** No comments submitted.
-





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org







Planner: Holly Cramer (704) 353-1902

Goals Relevant to Rezoning Determinations Petition 2021-185

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
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