

City of Charlotte

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



Zoning Agenda

Tuesday, August 2, 2022

**Charlotte-Mecklenburg Government Center - Virtual
Meeting**

Zoning Committee Work Session

Phillip Gussman, Chairperson

Erin Barbee

Melissa Gaston

Ronnie Harvey

Courtney Rhodes

Wil Russell

Douglas Welton

Zoning Committee Work Session

Zoning Items

1. Rezoning Petition: 2021-209 by Coastal Acquisition Entity, LLC

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 0.99 acres located at the southeastern corner of the intersection of Steele Creek Road and Rigsby Road. (Council District 3 - Watlington)

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

Proposed Zoning: NS (neighborhood services)

2. Rezoning Petition: 2021-213 by Goldberg Companies, Inc.

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 42.85 acres located on the south side of Pineville-Matthews Road, east of Hugh Forest Road, and west of Reverdy Lane. (Council District 7 - Driggs)

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

Proposed Zoning: R-12 MF (CD) SPA (multi-family residential, conditional, site plan amendment)

3. Rezoning Petition: 2021-247 by HRLP Morrocroft LP

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 7.56 acres located on the east side of Colony Road and west side of Morrison Boulevard (now named Carnegie Bv.), north of Fairview Road. (Council District 6 - Bokhari)

Current Zoning: B-1SCD (business, shopping center)

Proposed Zoning: MUDD-O (mixed-use development - optional)

4. Rezoning Petition: 2021-257 by Lennar Carolinas, LLC

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 52.67 acres located on the south side of Old Dowd road and the east side of Amos Smith Road. (ETJ-BOCC: 2-Leake; closest CC: 3-Watlington.

Current Zoning: MX-2 (INNOV) LLWCA (mixed use, innovative, Lower Lake Wylie Critical Area)

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

5. Rezoning Petition: 2021-263 by Colwick Development, LLC

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 2.8 acres located at the northeast intersection of Colwick Road and Chiswick Road, south of Greenwich Road, and east of Randolph Road. (Council District 6 - Bokhari)

Current Zoning: O-2 (office)

Proposed Zoning: MUDD (CD) (mixed-use development, conditional)

6. Rezoning Petition: 2021-280 by The Drakeford Company

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 15.30 acres located south of Johnnette Drive, east of Lawrence Orr Road, and west of East W.T. Harris Boulevard. (Council District 5 - Newton)

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

Proposed Zoning: MX-1 (INNOV) (mixed, innovative)

7. Rezoning Petition: 2022-098 by Charlotte Planning, Design & Development

Location: Approximately 71 acres located along the south side of Oaklawn Avenue, west of Andriil Terrace, north of Brookshire Freeway, and east of Beatties Ford Road. (Council District 1 - Egleston)

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

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

Public Hearing Held: July 18, 2022 - Item #34

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Statement of Consistency

8. Rezoning Petition: 2021-141 by The Drakeford Company

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

Public Hearing Held: February 21, 2022 - Item #23

Staff Resource: [Claire Lyte-Graham](#)

Staff Recommendation:

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

Attachments:

Post-Hearing Staff Analysis

Site Plan

Statement of Consistency

9. Rezoning Petition: 2021-242 by Robert D. Dowdy, LLC

Location: Approximately 0.19 acres located at the southwest intersection of East 35th Street and North McDowell Street, north of Charles Street. (Council District 1 - Egleston)

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

Proposed Zoning: MUDD-O (mixed-use development - optional)

Public Hearing Held: July 18, 2022 - Item #35

Staff Resource: [Claire Lyte-Graham](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation and environment.

Attachments:

Post-Hearing Staff Analysis

Site Plan

Statement of Consistency

10. Rezoning Petition: 2021-252 by WP East Acquisitions, LLC

Location: Approximately 3.10 acres located at the southeast intersection of Seigle Avenue and East 10th Street, north of Central Avenue, and east of Interstate 277. (Council District 1 - Egleston)

Current Zoning: B-2 (general business)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: July 18, 2022 - Item #38

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Statement of Consistency

11. Rezoning Petition: 2021-254 by Joseph Horton

Location: Approximately 2.18 acres located at the southwest intersection of Galleria Boulevard and Monroe Road, south of Sardis Road North. (Council District 6 - Bokhari)

Current Zoning: NS (neighborhood services)

Proposed Zoning: NS SPA (neighborhood services, site plan amendment)

Public Hearing Held: June 20, 2022 - Item #39

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Site Plan

Statement of Consistency

12. Rezoning Petition: 2021-266 by Sere Ventures

Location: Approximately 8.13 acres located on the south side of Rozzelles Ferry Road at Yellowstone Drive. (Council District 2-Graham)

Current Zoning: I-1 and B-2 (light industrial and general business)

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

Public Hearing Held: July 18, 2022 - Item #39

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

Staff recommend APPROVAL of this petition upon resolution of outstanding issues related to the environment.

Attachments:

Post-Hearing Staff Analysis

Site Plan

Statement of Consistency

13. Rezoning Petition: 2021-273 by Hutton ST 21, LLC

Location: Approximately 1.66 acres bound by the south side of Wyalong Drive, west side of Idlewild Road, west side of Margaret Wallace Road, and north side of Mintworth Avenue. (Council District 5-Newton)

Current Zoning: NS (neighborhood services)

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

Public Hearing Held: July 18, 2022 - Item #40

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Site Plan

Statement of Consistency

14. Rezoning Petition: 2021-276 by McCraney Property Company

Location: Approximately 44.95 acres located on I-85 Service Road southwest of the I-85/I-85 interchange. (ETJ-BOCC: 2-Leake; closest CC: 3-Watlington)

Current Zoning: R-3 AIR LLWPA (single-family residential, airport noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1 (CD) AIR LLWPA (light industrial, conditional, airport noise overlay, Lower Lake Wylie Protected Area)

Public Hearing Held: July 18, 2022 - Item #41

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Site Plan

Statement of Consistency

15. Rezoning Petition: 2021-278 by Dream Acres, LLC

Location: Approximately 6.33 acres located on the east side of Harrisburg Road, north of Parkton Road, and west of Cedarbrook Drive. (Council District 5 - Newton)

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

Proposed Zoning: R-6 (single-family residential)

Public Hearing Held: July 18, 2022 - Item #42

Staff Resource: [Claire Lyte-Graham](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Statement of Consistency

16. Rezoning Petition: 2021-283 by Lane Cloninger

Location: Approximately 0.60 acre located on the west side of Keswick Avenue, northwest of North Tryon Street, and east of North Graham Street. (Council District 1 - Egleston)

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

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

Public Hearing Held: July 18, 2022 - Item #43

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Statement of Consistency

17. Rezoning Petition: 2022-001 by White Point Partners

Location: Approximately 2.99 acres located on the west side of Yancey Road and south side of East Peterson Drive, east of South Tryon Street. (Council District 3 - Watlington)

Current Zoning: R-8 (single-family residential) and I-2 TS-O (general industrial, transit supportive - optional)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: July 18, 2022 - Item #44

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis
Statement of Consistency

18. Rezoning Petition: 2022-002 by Cameron CLT South End Owner, LLC

Location: Approximately 12.50 acres located on the wet side of South Boulevard, east of Old Pineville Road, and north of East Woodlawn Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: July 18, 2022 - Item #45

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis
Statement of Consistency

19. Rezoning Petition: 2022-019 by Chris Ogunrinde

Location: Approximately 3.74 acres located on the west side of South Tryon Street and northeast side of Pressley Road, east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: B-2 (general business)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: May 23, 2022 - Item #43

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of his petition.

Attachments:

Post-Hearing Staff Analysis

Statement of Consistency

20. Rezoning Petition: 2022-054 by Carolina Farm Trust

Location: Approximately 2.37 acres located on the south side of South Hoskins Road, east of Welling Avenue, and west of Rozzelles Ferry Road. (Council District 2 - Graham)

Current Zoning: B-D (CD) (distributive business, conditional)

Proposed Zoning: B-2 (general business)

Public Hearing Held: July 18, 2022 - Item #46

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Statement of Consistency



City of Charlotte

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

Agenda Date: 8/2/2022

Agenda #: 1. File #: 15-18425 Type: Zoning Item

Rezoning Petition: 2021-209 by Coastal Acquisition Entity, LLC

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 0.99 acres located at the southeastern corner of the intersection of Steele Creek Road and Rigsby Road. (Council District 3 - Watlington)

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

Proposed Zoning: NS (neighborhood services)



City of Charlotte

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Agenda Date: 8/2/2022

Agenda #: 2. File #: 15-18426 Type: Zoning Item

Rezoning Petition: 2021-213 by Goldberg Companies, Inc.

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 42.85 acres located on the south side of Pineville-Matthews Road, east of Hugh Forest Road, and west of Reverdy Lane. (Council District 7 - Driggs)

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

Proposed Zoning: R-12 MF (CD) SPA (multi-family residential, conditional, site plan amendment)



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Agenda Date: 8/2/2022

Agenda #: 3. File #: 15-18427 Type: Zoning Item

Rezoning Petition: 2021-247 by HRLP Morrocroft LP

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 7.56 acres located on the east side of Colony Road and west side of Morrison Boulevard (now named Carnegie Bv.), north of Fairview Road. (Council District 6 - Bokhari)

Current Zoning: B-1SCD (business, shopping center)

Proposed Zoning: MUDD-O (mixed-use development - optional)



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Agenda Date: 8/2/2022

Agenda #: 4. File #: 15-18431 Type: Zoning Item

Rezoning Petition: 2021-257 by Lennar Carolinas, LLC

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 52.67 acres located on the south side of Old Dowd road and the east side of Amos Smith Road. (ETJ-BOCC: 2-Leake; closest CC: 3-Watlington).

Current Zoning: MX-2 (INNOV) LLWCA (mixed use, innovative, Lower Lake Wylie Critical Area)

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



City of Charlotte

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Agenda Date: 8/2/2022

Agenda #: 5. File #: 15-18432 Type: Zoning Item

Rezoning Petition: 2021-263 by Colwick Development, LLC

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 2.8 acres located at the northeast intersection of Colwick Road and Chiswick Road, south of Greenwich Road, and east of Randolph Road. (Council District 6 - Bokhari)

Current Zoning: O-2 (office)

Proposed Zoning: MUDD (CD) (mixed-use development, conditional)



City of Charlotte

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Government Center
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Agenda Date: 8/2/2022

Agenda #: 6. File #: 15-18437 Type: Zoning Item

Rezoning Petition: 2021-280 by The Drakeford Company

Update: Petitioner is requesting deferral to August 30, 2022

Location: Approximately 15.30 acres located south of Johnnette Drive, east of Lawrence Orr Road, and west of East W.T. Harris Boulevard. (Council District 5 - Newton)

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

Proposed Zoning: MX-1 (INNOV) (mixed, innovative)



Agenda Date: 8/2/2022

Agenda #: 7. **File #:** 15-18443 **Type:** Zoning Item

Rezoning Petition: 2022-098 by Charlotte Planning, Design & Development

Location: Approximately 71 acres located along the south side of Oaklawn Avenue, west of Andriil Terrace, north of Brookshire Freeway, and east of Beatties Ford Road. (Council District 1 - Egleston)

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

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

Public Hearing Held: July 18, 2022 - Item #34

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

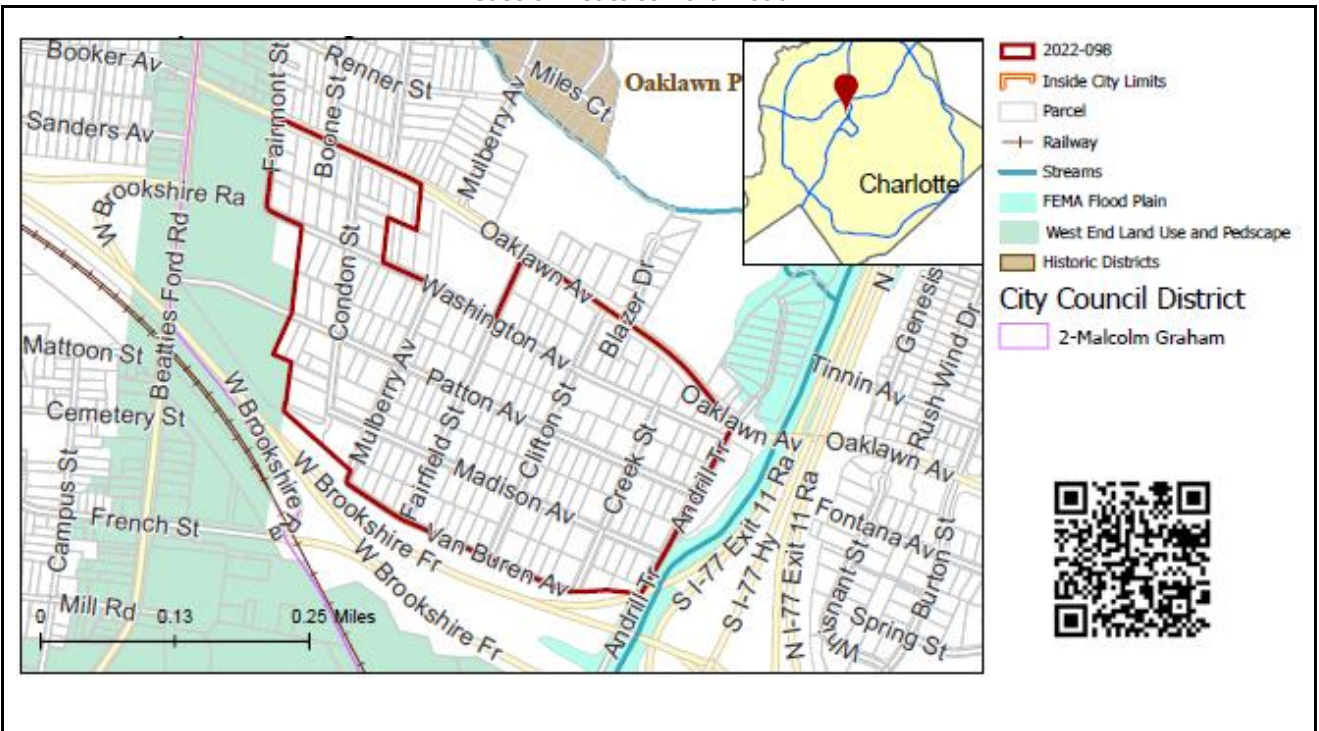
Post-Hearing Staff Analysis
Statement of Consistency

REQUEST

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

LOCATION

Approximately 69.2 acres located along the south side of Oaklawn Avenue, west of Andriell Terrace, north of Brookshire Freeway, and east of Beatties Ford Road.



SUMMARY OF PETITION

The petition proposes to establish a local historic district for the McCrorey Heights neighborhood.

PROPERTY OWNER

Numerous, see www.rezoning.org for a complete list.

PETITIONER

Charlotte Planning, Design and Development

AGENT/REPRESENTATIVE

City of Charlotte Planning Design and Development, Historic District staff

COMMUNITY MEETING

Meeting is not required but has been held. Report available online. Number of people attending the Community Meeting: 26

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation of the Neighborhood 1 place type.

Rationale for Recommendation

- The petition establishes a local historic district overlay.
- The underlying zoning requirements and entitlements remain.
- One of the goals of the *Charlotte Future 2040 Comprehensive Plan* is to "Retain Our Identity & Charm" and to "retain the identity of existing neighborhoods by intentionally directing redevelopment".

- The petition supports the *Charlotte Future 2040 Comprehensive Plan* objective to "Increase the number of historic districts that preserve a wide range of Charlotte's diverse history and character".
- Local historic districts protect the unique and vibrant character of each designated historic neighborhood; maintain the historic human scale, pedestrian orientation, and visual variety of the streetscape; preserve areas of green space and the tree canopy and manage changes to accommodate modern living.

PLANNING STAFF REVIEW

- **Background**

- Currently there are 7 local historic districts within the City of Charlotte with 3000 plus properties.
- Projects within historic districts are reviewed by the Historic District Commission (HDC) and Historic District staff within the Planning, Design and Development Department
- Various types of exterior work require approval by either HDC staff or the full HDC, including new construction, additions, demolition, painting brick, fences, windows/doors, front porches, shed/carport/garages, walkway/driveways, retaining walls, decks/patios, and tree removal.
- The historic district designation does not restrict use beyond the underlying zoning. Interior changes do not require HDC approval. The designation does not require specific paint colors, improvements, or changes, and it would not qualify owners for grants or tax incentives.

- **McCrorey Heights**

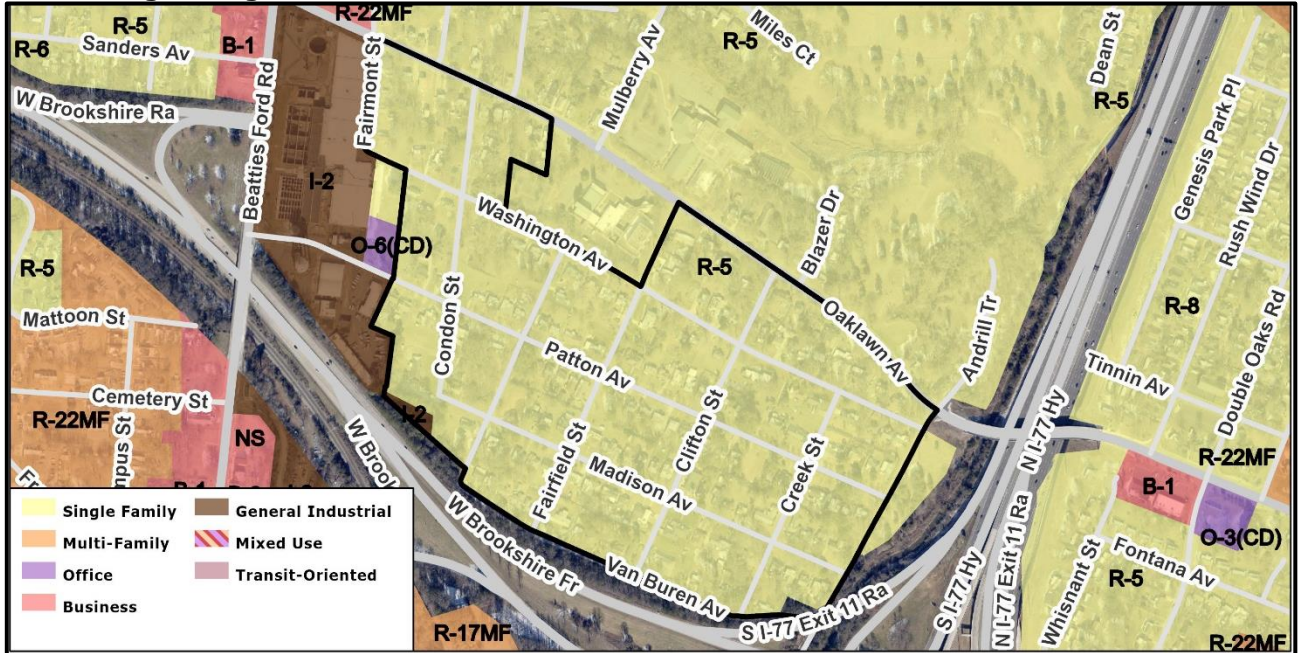
- A kick-off community meeting, site visits, house surveys, history interviews, and a neighborhood petition of support have all been part of the designation process.
- The Charlotte Historic District Commission voted to approve the submission of the McCrorey Heights Local Historic District designation report to the North Carolina Department of Natural Resources State Historic Preservation Office (SHPO) on March 18, 2022. The project met the SHPO review requirements, and SHPO staff provided comments in accordance with North Carolina General Statute 106A-400.6.
- The owners of 105 properties have signed the petition requesting designation as a historic district as part of the Rezoning application. The petition represents 54% of the property owners within the proposed local historic district boundary, which exceeds the 51% minimum required for PDD to bring the petition forward for Rezoning consideration.
- McCrorey Heights is one of Charlotte's most historically important neighborhoods. Founded by JCSU president H.L. McCrorey in 1912, it really took off after World War II as a development of ranch-style suburban homes for Charlotte's African American educated elite.
- The predominant architectural form in McCrorey Heights is a one-story ranch house, constructed in brick. The minimal trim popular in the 1950s and 1960s sometimes has a hint of Colonial style – multi-paned windows, boxed cornices – but more often favors what is now termed "Mid-century Modern".
- The proposed district boundary map was developed as result taking this information into consideration as well as input from neighborhood residents.

- **Proposed Request Details**

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

- This petition establishes a local historic district. All Zoning requirements and entitlements of the underlying R-5 (single-family, residential) zoning remain in place.

• **Existing Zoning and Land Use**



The surrounding land use is predominately developed with single family homes, Oaklawn Language Academy, religious institution, and a water treatment plant along Beatties Ford Road.



The outlined area is the proposed historic district.



Images above show examples of the homes in McCrorey Heights.



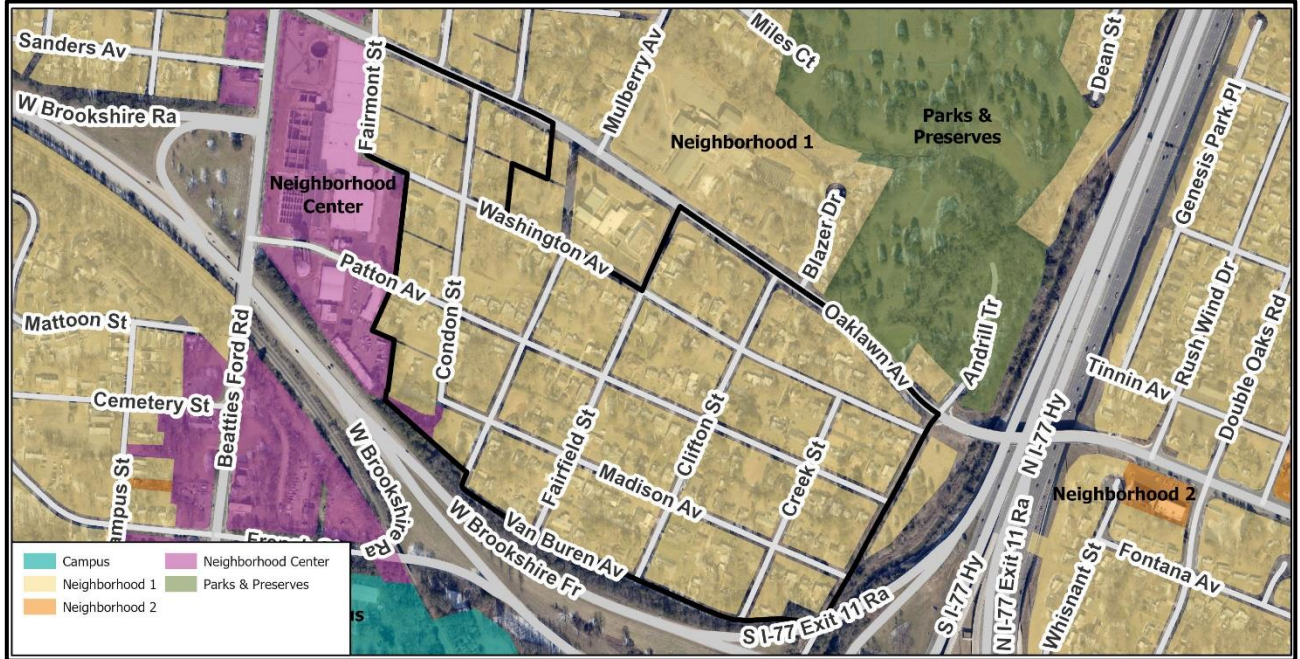
Images above show examples of the homes in McCrorey Heights.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-037	Rezoned 49.3 acres to establish a local historic district for the Oaklawn Park neighborhood.	Approved
2020-154	Rezoned 1.11 acres to allow all uses within the TOD-CC zoning district.	Approved
2021-048	Rezoned 0.65 acres to allow up to 14 single family attached dwelling units.	Approved

• Public Plans and Policies



The 2040 Policy Map recommends the Neighborhood 1 place type for this neighborhood.

• TRANSPORTATION SUMMARY

- The petition is located south of Oaklawn Avenue, a City-maintained minor thoroughfare east of Beatties Ford Road, a City-maintained major thoroughfare west of Andrill Terrace, a City-maintained major collector north of Brookshire Freeway, a State-maintained Freeway. A Traffic Impact Study (TIS) is not needed for this site. CDOT will work with the petitioner during the permitting process to ensure all required streetscape and transportation related ordinance requirements are complied with for adequate access and connectivity to the site and surrounding network
- **Active Projects:**
 - Lincoln Heights Storm Drainage Improvement Project
 - Install and/or repair drainage infrastructure north of Lasalle Street, west of I-77, south of I-85, and east of Beatties Ford Road.
 - Warranty Period 1st Quarter 2023
 - Beatties Ford Road Bike Boulevard
 - Connect bicycle facilities from West Charlotte High School to the Uptown Cycle Track.
 - 4th Quarter 2024 Completion
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - There is no impact to trip generation for this rezoning petition. CDOT will assess future traffic impacts during proposed development rezoning petitions and by-right project submittals.

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:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The conventional rezoning proposes to establish an overlay and would not change school impacts.
- **Charlotte Water:** No outstanding issues.
- **Erosion Control:** No outstanding issues.

- **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 / City Arborist:** 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 # 2022-098

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.	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>✓</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>

Petition 2022-098 by Charlotte Planning, Design and Development

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Neighborhood 1 place type.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The petition establishes a local historic district overlay.
- The underlying zoning requirements and entitlements remain.
- One of the goals of the *Charlotte Future 2040 Comprehensive Plan* is to "Retain Our Identity & Charm" and to "retain the identity of existing neighborhoods by intentionally directing redevelopment".
- The petition supports the Charlotte Future 2040 Comprehensive Plan objective to "Increase the number of historic districts that preserve a wide range of Charlotte's diverse history and character".
- Local historic districts protect the unique and vibrant character of each designated historic neighborhood; maintain the historic human scale, pedestrian orientation, and visual variety of the streetscape; preserve areas of green space and the tree canopy and manage changes to accommodate modern living.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Neighborhood 1 place type.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 8. **File #:** 15-18424 **Type:** Zoning Item

Rezoning Petition: 2021-141 by The Drakeford Company

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

Public Hearing Held: February 21, 2022 - Item #23

Staff Resource: [Claire Lyte-Graham](#)

Staff Recommendation:

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

Attachments:

Post-Hearing Staff Analysis

Site Plan

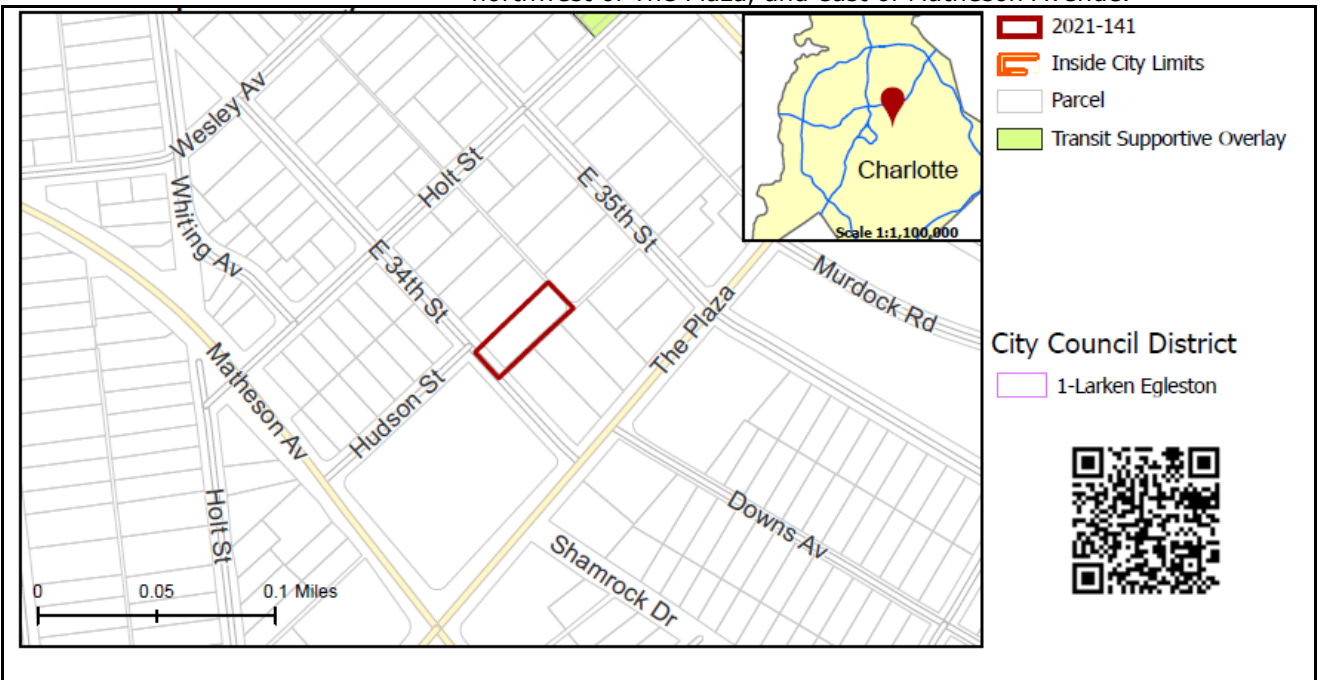
Statement of Consistency

REQUEST

Current Zoning: O-2 (office)
Proposed Zoning: NS (neighborhood services) with 3-year vested rights

LOCATION

Approximately 0.33 acres located on east side of E. 34th Street, northwest of The Plaza, and east of Matheson Avenue.



SUMMARY OF PETITION

The petition proposes to allow a 9-unit single family attached residential development (townhomes) on a vacant lot, at a density of ~~27.27~~ 30.30 units per acre.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

Gus and Zoe Mihelakis
The Drakeford Company
Russell Fergusson

COMMUNITY MEETING

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

STAFF RECOMMENDATION

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

Plan Consistency

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

Rationale for Recommendation

- The proposed building form, one building with 10 units, is not an outcome staff supports. Policy for attached dwellings is no more than 6 per unit. Staff would support a 10 unit project if it was broken into 2 separate buildings as originally proposed.
- Building setback along 35th St. is further out of context than originally proposed. Staff does not support the building being this close to the street in this location given the location of other structures along this block.
- Staff does not support 3 years vested rights for this project.

- A proposal for attached single family residential is consistent with the adjacent development pattern
- The rezoning site is located between retail and multifamily residential land uses.

The approval of this petition will revise the recommended Place Type as specified by the *2040 Policy Map*, from Neighborhood 1 to Neighborhood 2.

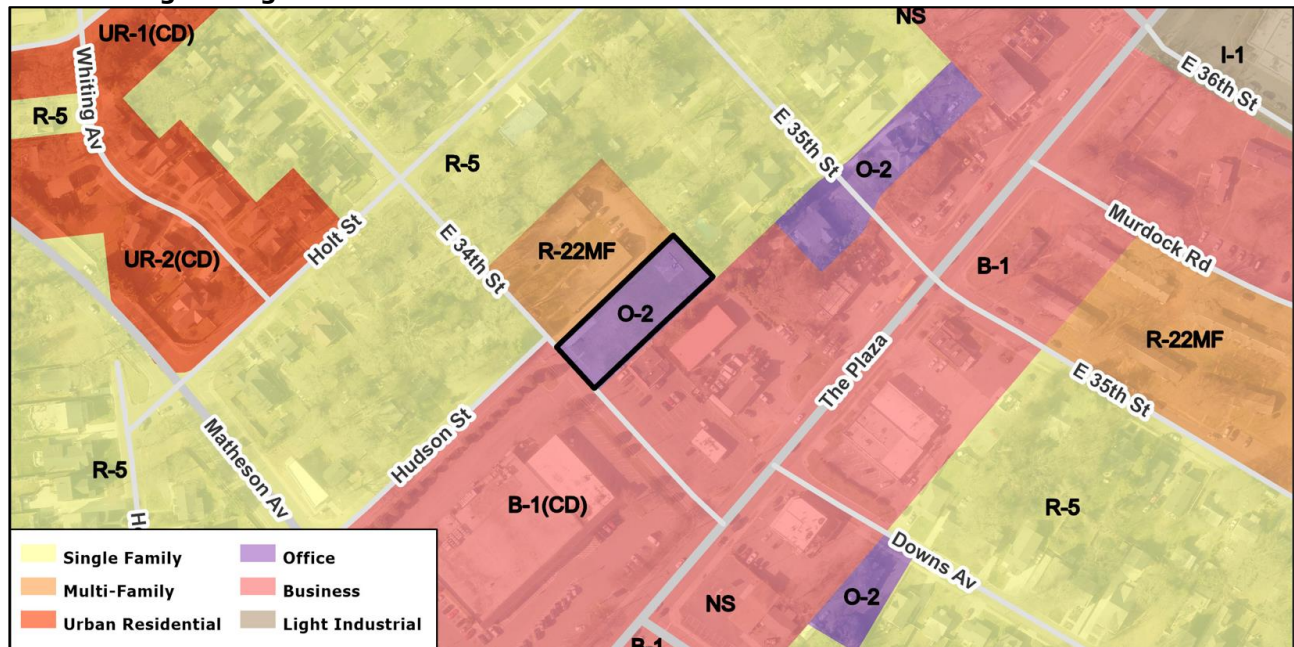
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to ~~9~~ **10** attached single family residential dwelling units with individual garages within a ~~maximum of 3~~ **one** structures, at a density of ~~27-27~~ **30.30** units per acre.
- Maximum building height of 48 feet.
- **Prohibits accessory drive-thru windows, automotive service stations including repair and lubrication, automotive maintenance services, auto sales and rental, fueling stations, and commercial car washes.**
- **Notes the rear unit, closest to adjacent parcel 08316613 will not exceed 3 stories or 40 feet tall.**
- **Proposes an 8-foot planting strip and 8-foot sidewalk along E. 34th Street.**
- Proposed private 20-foot wide access onto E. 34th Street. Petitioner may improve the abutting existing alleyway for vehicular access to the east side of the parcel.
- Proposes a variety of principal building materials to be a combination of the following: masonry, brick, concrete, pre-cast concrete, stone, precast stone, pre-finished metal, aluminum, steel, stucco, wood, ceramic tile, cementitious fiber board and glass fiber reinforced concrete.
- Prohibits vinyl as a building material except for soffits, windows and other minor components.
- Proposes architectural standards addressing blank walls; building façade and orientation; pedestrian connection; and corner or end units facing a public street.

• Existing Zoning and Land Use



- The parcel is currently vacant and immediately surrounded by a mix of single family, multifamily, and retail uses on properties in various zoning districts.



The site is currently vacant.



South, southeast, and southwest are commercial uses located near and at the intersection of E. 34th Street and The Plaza (above and below pics).



West and northwest are single family and multifamily residences (above and below pics).





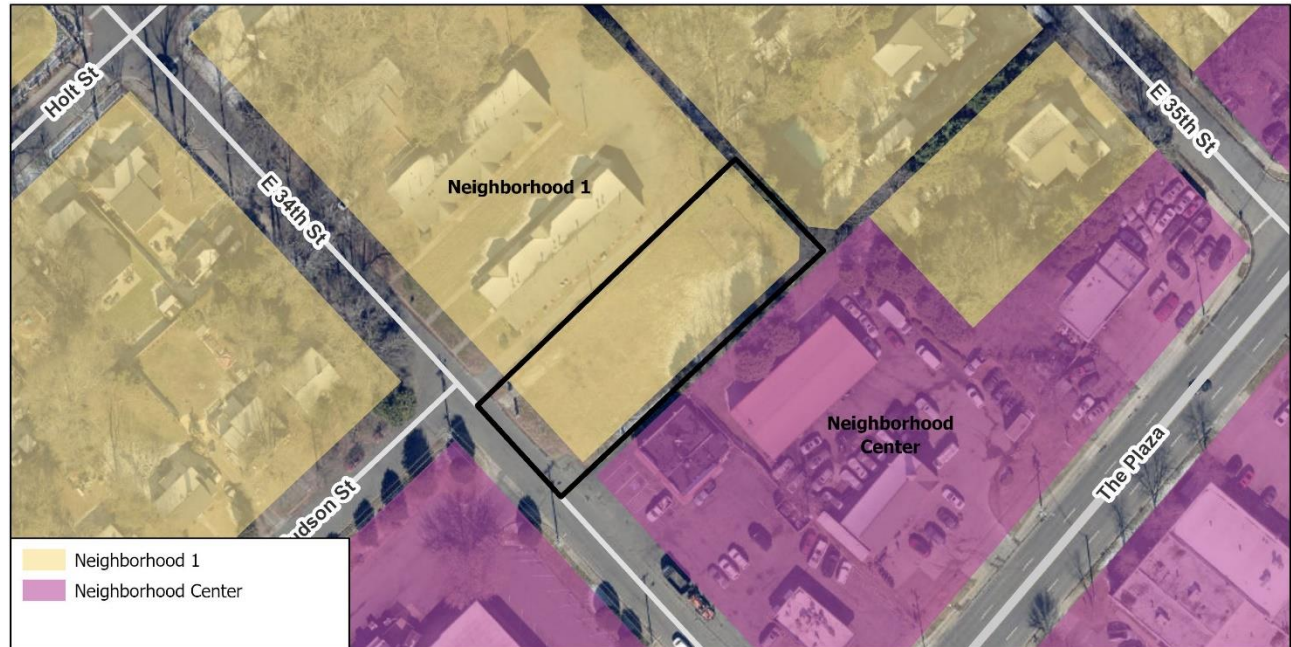
Northeast are single family homes.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-172	Rezoned 0.312 acres to UR-1(CD) to allow 3 single family detached lots.	Approved
2019-170	Rezoned 0.37 acres to NS to allow change of use.	Approved
2018-105	Rezoned 0.90 acres to NS to allow change of use.	Approved
2018-021	Rezoned 0.37 acres to B-1 to allow all uses.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map recommends Neighborhood 1 for the site.

- **TRANSPORTATION SUMMARY**

The site is located on East 34th Street, a City-maintained local street southeast of Hudson Street, a City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site.

The petitioner has committed to constructing an 8-foot planting strip and 8-foot sidewalk along E 34th Street per Chapter 20 Subdivision ordinance and Charlotte WALKS policy and providing a sidewalk utility easement located 2 feet behind the sidewalk along E 34th. The petitioner will also provide a public access easement dimensioned 2 feet from the edge of proposed widening of existing alley. 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: 60 trips per day (based on 4,890 square foot office).

Proposed Zoning: ~~30~~ 35 trips per day (based on ~~9~~ 10 townhouse units).

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:** 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 1 student, while the development allowed under the proposed zoning may produce 0 student. 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:
 - Villa Heights Elementary remains at 75%
 - Eastway Middle remains at 117%%
 - Garinger High remains at 117%%.
 - See advisory memo at www.rezoning.org.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along E 34th St.

Capacity Limited: The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. Sanitary sewer service will be dependent on the completion of a public infrastructure project—Charlotte Water’s Little Sugar Creek Project. This project was identified to support current and future customers, and any proposed sanitary sewer flow shall be coordinated to discharge after completion of said project.

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

OUTSTANDING ISSUES

Transportation

1. ~~Curbline: The proposed zoning district has a setback measured from back of the existing curbline. 34th Street: the existing curb and gutter is in its future location. Label and dimension the back of curb and gutter from the centerline for 34th Street on the site plan.~~ **Addressed**
2. ~~Revise site plan and conditional note(s) to commit to constructing an 8-foot planting strip and 8-foot sidewalk per Chapter 19 and 20.~~ **Addressed**
3. ~~Revise site plan and conditional note(s) to commit to providing a public access easement dimensioned at 2' from the edge of the proposed widened alley.~~ **Addressed**
4. ~~Revise site plan and conditional note to providing a sidewalk utility easement (SUE) located 2' behind the sidewalk located along E 34th Street.~~

Site and Building Design

5. Break up the building into 2 separate buildings with 4 and 5 units. One large building with 9 units is not a desired outcome supported by staff. **Not addressed**
6. Remove 3-year vested rights from request as this is a 9 ~~10~~-unit project. **Not addressed**
7. Remove note 2a from the conditional notes to avoid confusion that other uses outside the proposed 9 units would be permitted. **Not addressed**
8. ~~Add note stating alterations and modifications will be per Section 6.207 of the City of Charlotte Zoning Ordinance.~~ **Addressed**
9. ~~Please make sure the unit along 34th street meets Note 4.f.ii. by providing a SW connection.~~
10. ~~Add a clear note that "this development will not be associated or share any services or amenities with the abutting existing units or parcels not included in this rezoning."~~ **Addressed**
11. **New Outstanding Issue:** Remove "stories" from Note 2c.

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 # 2021-141

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>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>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>

Petition 2021-141 by The Drakeford Company

To Approve:

This petition is found to be **inconsistent** with the *2040 Policy Map*, based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Neighborhood Place Type for this site.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- (To be explained by Zoning Committee)

The approval of this petition will revise the recommended Place Type as specified by the *2040 Policy Map*, from Neighborhood 1 to Neighborhood 2 for the site.

To Deny:

This petition is found to be **inconsistent** with the *2040 Policy Map*, based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Neighborhood Place Type for this site

Therefore, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- The proposed building form, one building with 10 units, is not an outcome staff supports. Policy for attached dwellings is no more than 6 per unit. Staff would support a 10 unit project if it was broken into 2 separate buildings as originally proposed.
- Building setback along 35th St. is further out of context than originally proposed. Staff does not support the building being this close to the street in this location given the location of other structures along this block.
- Staff does not support 3 years vested rights for this project.
- A proposal for attached single family residential is consistent with the adjacent development pattern
- The rezoning site is located between retail and multifamily residential land uses.

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 9. **File #:** 15-18428 **Type:** Zoning Item

Rezoning Petition: 2021-242 by Robert D. Dowdy, LLC

Location: Approximately 0.19 acres located at the southwest intersection of East 35th Street and North McDowell Street, north of Charles Street. (Council District 1 - Egleston)

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

Proposed Zoning: MUDD-O (mixed-use development - optional)

Public Hearing Held: July 18, 2022 - Item #35

Staff Resource: [Claire Lyte-Graham](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation and environment.

Attachments:

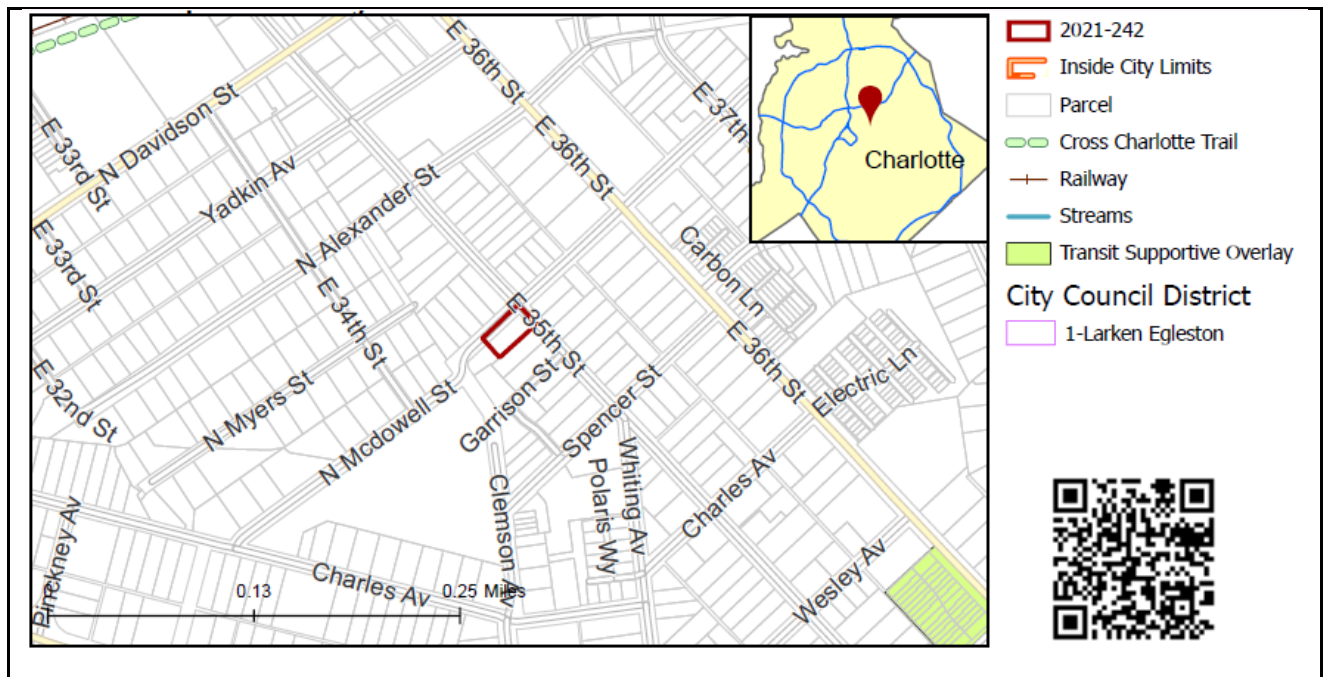
Post-Hearing Staff Analysis
Site Plan
Statement of Consistency

REQUEST

Current Zoning: R-5 (single family residential)
Proposed Zoning: MUDD-O (mixed use development-optional)

LOCATION

Approximately 0.19 acres located at the southwest intersection of East 35th Street and North McDowell Street, north of Charles Street.



SUMMARY OF PETITION

The petition proposes to allow an existing commercial building to have outdoor dining and optional provisions related to architectural standards, parking, and streetscape.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

Patricia L. Dowdy, Robert D. Dowdy LLC
Robert D. Dowdy LLC
Russell Fergusson

Meeting is required and has been held. Report will be available online when received.
Number of people attending the Community Meeting: 6

STAFF
RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map (2022) recommendation for the Neighborhood 1 Place Type.

Rationale for Recommendation

- The petition is consistent with the Charlotte Future 2040 Comprehensive Plan Goals #1: 10-Minute Neighborhood, #4: Trail & Transit Oriented Development (2-TOD), #6: Healthy, Safe & Active Communities, and #9: Retain Our Identity & Charm.
- The petition attempts to balance the provision of service retail with protection of residential areas.

- Adaptive reuse of an existing building will protect and enhance the existing character.
- The petition is compatible with adjacent uses considering the existing building and character will be retained.
- The petition limits the number of uses to be allowed on the site by right and under prescribed conditions.
- A fence or landscaping is proposed to screen the rezoning site from the abutting single family residential lot.
- The N1 Place Type allows for continued and adaptive reuse of existing non-residential buildings for retail uses.

PLANNING STAFF REVIEW

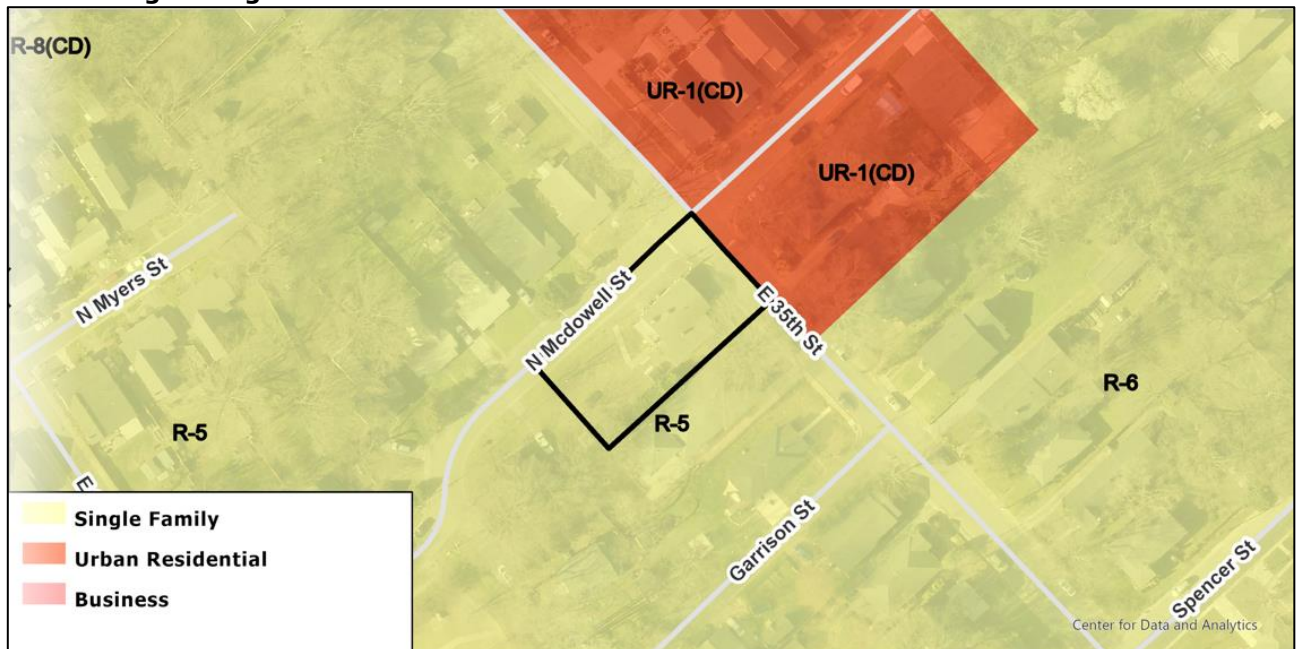
• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes expansion of an existing 2,046 square foot commercial building to not exceed 3,000 square feet.
- Proposes 600 square feet of outdoor seating area in front of the structure and bicycle amenity area, and 2,600 square feet of outdoor seating area in the rear.
- Notes petitioner may increase the size of the existing building, add additional floors or square footage to the building, subject to ordinance requirements and the restrictions of this rezoning plan.
- Specifies building updates and expansions will not increase the existing degree of non-conformity.
- Notes any additional or replacement hood vents shall remain in the same quadrant of the building as the existing hood vent. *Note added to site plan stating any ventilation/fan associated with food and beverage uses will not be located adjacent to single family uses.*
- Limits building height to 40.
- Proposes to allow the following uses by right and under prescribed conditions: EDEE Types 1 and 2; office; professional business and general office; retail sales as allowed in the B-1 district; single family residential; buildings for dramatic musical or cultural activities; outdoor produce markets; services such as beauty shops and barber shops; artist studios and/or galleries; bicycle services; bicycle sharing stations; small-scale class learning businesses; food establishments; and YMCS, buildings for social, fraternal, social service, union and civic organizations, and comparable
- Restricts outdoor uses to 7:00 a.m. to 10:00 p.m.
- Limits outdoor music and entertainment to Sunday – Thursday from 8:00 a.m. until 8:30 p.m., and Friday – Saturday from 8:00 a.m. until 9:30 p.m.
- Notes live amplified outdoor performances shall be further limited to the hours of 12:00 p.m. (noon) until 8:30 p.m. and shall only be allowed on Friday – Sunday and weekdays that are designated as federal or state holidays.
- Notes that if on-site alcohol consumption is provided, then the must also include food service.
- Proposes 10-foot wide landscape screening along property lines abutting single family homes.
- Proposes the following optional provisions:
 - The existing building shall remain, and may be renovated, improved, expanded and replaced in the manner generally depicted on the rezoning plan. The destruction or substantial impairment of the building alone shall not require rezoning and the building may be replaced in a materially similar form in the manner generally depicted on the rezoning plan. In the event the building is permanently removed for redevelopment then the parcel shall be rezoned.
 - The parking requirements of the zoning ordinance shall be reduced to zero, and no parking shall be required for use of the existing building, building expansion and outdoor patio area.
 - To facilitate the retention of the existing building, the petitioner may preserve or remove the existing non-compliant parking in the manner generally depicted on the rezoning plan.
 - Petitioner shall not be required to meet the parking screening requirements of 12.303 and all other parking screening requirements for the existing parking as generally shown on the site plan.
 - In order to facilitate the rehabilitation and use of the existing building, the building and outdoor areas may be renovated, improved and expanded into the areas generally marked on the site plan as "Outdoor Seating Area" on the rezoning plan.
 - The existing sidewalks on E. 35th/ St shall remain and be maintained and petitioner shall not be required to include planting strips or modify the existing curbs.
 - No sidewalk or planting strip shall be required on N. McDowell Street.
 - The existing building is exempt from the MUDD setback requirements only to the extent necessary to allow the retention of the existing building and to allow reasonable minor changes

required for repairs to the building and its fixtures, however, any additions or new building shall comply with the applicable setbacks as set forth in the ordinance.

- In order to facilitate the retention of the existing building the petitioner shall commit to a setback of 10 feet from the back of the existing curbs on both 35th Street and N. McDowell Street.
- Transportation Improvements: Notes public related transportation improvements shall be approved and constructed at the time that the building or site is permitted for an expansion of greater than 25% of the building area and shall be completed before the issuance of a certificate of occupancy for the expansion project. The transportation improvements will not be triggered by minor permits or permitting necessary to repair or replace the building or premises, nor shall it be required by expansion of outdoor seating areas.
 - Construct an ADA compliant corner ramp and connect to the existing sidewalk as generally shown on the site plan.
 - Provide a six-foot wide sidewalk on the back of the curb on E. 35th Street as generally shown on the site plan when required by expansion of the building by more than 25% as set forth above.
 - When the sidewalk on E. 35th Street is improved, the curb cut on E. 35th Street shall be removed or repurposed for bicycle use, subject to approval of CDOT.
 - ~~Provide a five-foot wide planting strip behind the sidewalk where feasible on the E. 35th Street. Upon expansion of the building by more than 25% as set forth above, provided that in order to preserve the existing building, the existing mature oak tree on the adjacent residential lot and provide for bicycle parking area, the area indicated as bicycle amenity area shall not be required to have a planting strip.~~
 - Provide a six-foot wide sidewalk on the back of the curb on N. McDowell Street as generally shown on the site plan when required by expansion of the building by more than 25% as set forth above.
 - Provide a five-foot wide modified planting strip behind the sidewalk on N. McDowell upon expansion of the building by more than 25% as set forth above, provided that in order to preserve the existing building, the area between the building and sidewalk on N. McDowell shall not be required to have a planting strip in order to preserve the existing building, the existing mature oak tree on the adjacent residential lot and provide for bicycle parking areas, the area indicated as bicycle amenity area shall not be required to have a planting strip or landscape screening.
 - Specifies existing sidewalks may remain until the building is expanded by more than 25%.
- **Existing Zoning and Land Use**



The rezoning site is developed with a one story commercial building constructed in 1942 and surrounded by residential and institutional uses zoned R-5, UR-1(CD), and R-8(CD).



The site is developed with a one story commercial building constructed in 1942.



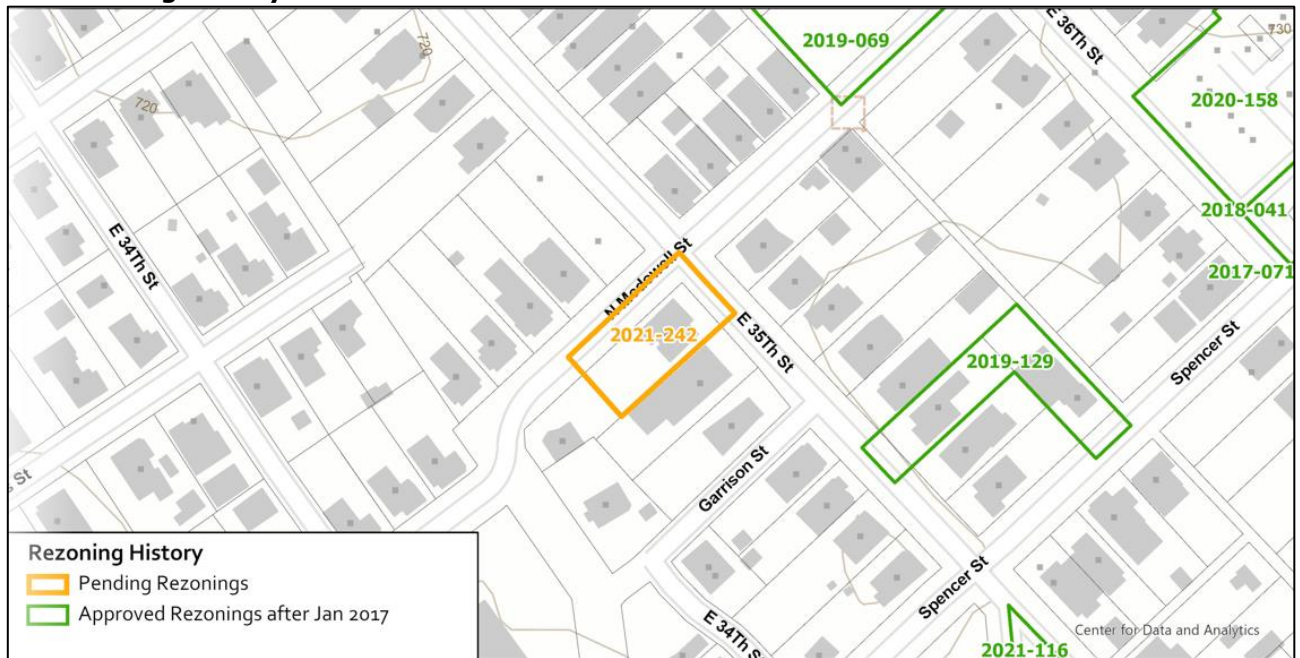
The rezoning site directly abuts single family residential homes (above and below pics).



The rezoning site is surrounded by a mix of residential uses (above) and an institutional use (below – Highland Mill Montessori School).

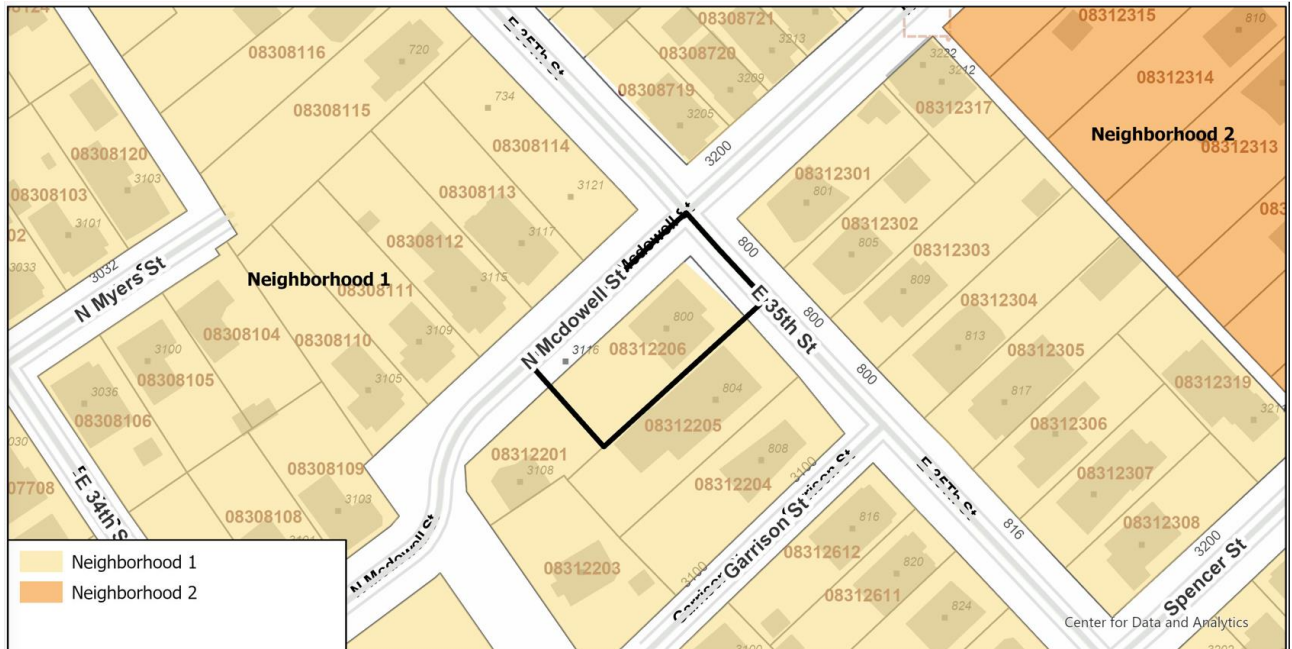


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-116	Rezoned 0.55 acre from R-5 to R-8(CD) to allow 4 detached residential dwelling units.	Approved
2020-158	Rezoned 0.618 from R-5 to MUDD(CD) to allow up to 16 townhomes.	Approved
2019-129	Rezoned 0.34 acres from R-5 to R-6.	Approved
2019-069	Rezoned 0.9 acres from R-5 to NS to allow a mix of residential and non-residential uses in a single building.	Approved
2018-041	Rezoned 1.27 acres from R-5 and UR-2(CD) to UR-2(CD) and UR-2(CD) SPA to allow up to 27 townhomes.	Approved
2017-071	Rezoned 1.5 acres from R-5 and R-22MF to UR-2(CD) to allow up to 22 townhome units and 2 single family residential units.	Approved

- **Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is located on 35th St, a City-maintained local street, and McDowell St, a City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site. The petitioner has committed to replacing existing non-complaint ADA curb ramp at the intersection of 35th St at McDowell St and driveway on 35th St, constructing a 6-foot sidewalk along 35th St and McDowell St. The petitioner has also committed to dedicating 35-feet of right-of-way along both 35th St and McDowell St. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to revising conditional notes to commit to removing the specified non-compliant curb cut along 35th Street and replacing non-compliant curb ramp at the intersection of 35th Street and McDowell Street prior to the sidewalk improvements being triggered. Further details are listed below:
 - Active Projects:
 - No projects near the site.
 - **Transportation Considerations**
 - See Outstanding Issues, Notes 1-3.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 200 trips per day (based on 2,046 sq ft fast casual restaurant).
 - Entitlement: 10 trips per day (based on 1 single family dwelling).
 - Proposed Zoning: 200 trips per day (based on 2,046 sq ft fast casual restaurant).

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 Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Not applicable
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along N McDowell Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along N McDowell Street. 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:** See Outstanding Issues, Notes 12.

OUTSTANDING ISSUES

Transportation

1. The proposed zoning district has a setback measured from back of the existing or proposed future curbline.
35th St and McDowell St: Label and dimension the curb and gutter from the centerline for each road on the site plan.
Update to Comment (New Site Plan, 7-21-2022): Label and dimension curbline along 35th St or add a note that the curbline to stay in its existing location.
2. Revise site plan and conditional note(s) to commit to dedicate 25' of right-of-way from the road centerline along both 35th St and McDowell St. The site plan shall label and dimension the right-of-way from the road centerline.
Update to Comment (New Site Plan, 7-21-2022): Add conditional note(s) committing to the right-of-way dedication referenced above, specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued as needed.
3. **New Comment (New Site Plan, 7-21-2022):** Revise conditional notes to commit to removing the specified non-compliant curb cut along 35th St and replacing non-compliant curb ramp at the intersection of 35th St and McDowell St prior to the sidewalk improvements being triggered.

Site and Building Design

- ~~4. Clearly specify on site plan existing building square footage, proposed addition, and total square footage. Addressed~~
- ~~5. Update notes to commit to improve the existing ADA ramps without it being associated with improvements or expansion to the building. Addressed~~
- ~~6. Update note to say that any modifications and/or building additions will not increase the existing degree of non-conformity. Addressed~~
- ~~7. Provide additional screening through vegetation or fencing along the entire property line adjacent to the single family residence abutting to the south. There is an existing fence and site plan calls out landscape screening.~~
- ~~8. Label on site plan if sidewalks and plantings are existing or proposed. Addressed~~
- ~~9. If applicable, any ventilation/fan associated with food and beverage uses will not be located adjacent to single family uses. Add note to site plan. Addressed~~
- ~~10. Additional language and detail need to be provided regarding location and proposed screening of refuse/recycling area as this is still a predominantly residential neighborhood. Addressed~~
- ~~11. Add notes stating that new or redevelopment on the site would comply with MUDD standards and remove notes regarding needing additional rezoning. Addressed~~

Environment

12. Be aware that a five-foot planting strip is not adequate for street trees, and will require tree pits to meet compliance. Also, some triggers in the tree ordinance would require compliance before the 25% threshold that has been identified. **Not addressed. There is a conflict between Notes #1 and #3. If the site must come into compliance with the tree ordinance, there will be issues with keeping the sidewalks.**

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 # 2021-242

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>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>✓</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>✓</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>

Petition 2021-242 by Robert D. Dowdy LLC

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

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

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The petition is consistent with the Charlotte Future 2040 Comprehensive Plan Goals #1: 10-Minute Neighborhood, #4: Trail & Transit Oriented Development (2-TOD), #6: Healthy, Safe & Active Communities, and #9: Retain Our Identity & Charm.
- The petition attempts to balance the provision of service retail with protection of residential areas.
- Adaptive reuse of an existing building will protect and enhance the existing character.
- The petition is compatible with adjacent uses considering the existing building and character will be retained.
- The petition limits the number of uses to be allowed on the site by right and under prescribed conditions.
- A fence or landscaping is proposed to screen the rezoning site from the abutting single family residential lot.
- The N1 Place Type allows for continued and adaptive reuse of existing non-residential buildings for retail uses.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

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

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 10. **File #:** 15-18429 **Type:** Zoning Item

Rezoning Petition: 2021-252 by WP East Acquisitions, LLC

Location: Approximately 3.10 acres located at the southeast intersection of Seigle Avenue and East 10th Street, north of Central Avenue, and east of Interstate 277. (Council District 1 - Egleston)

Current Zoning: B-2 (general business)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: July 18, 2022 - Item #38

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

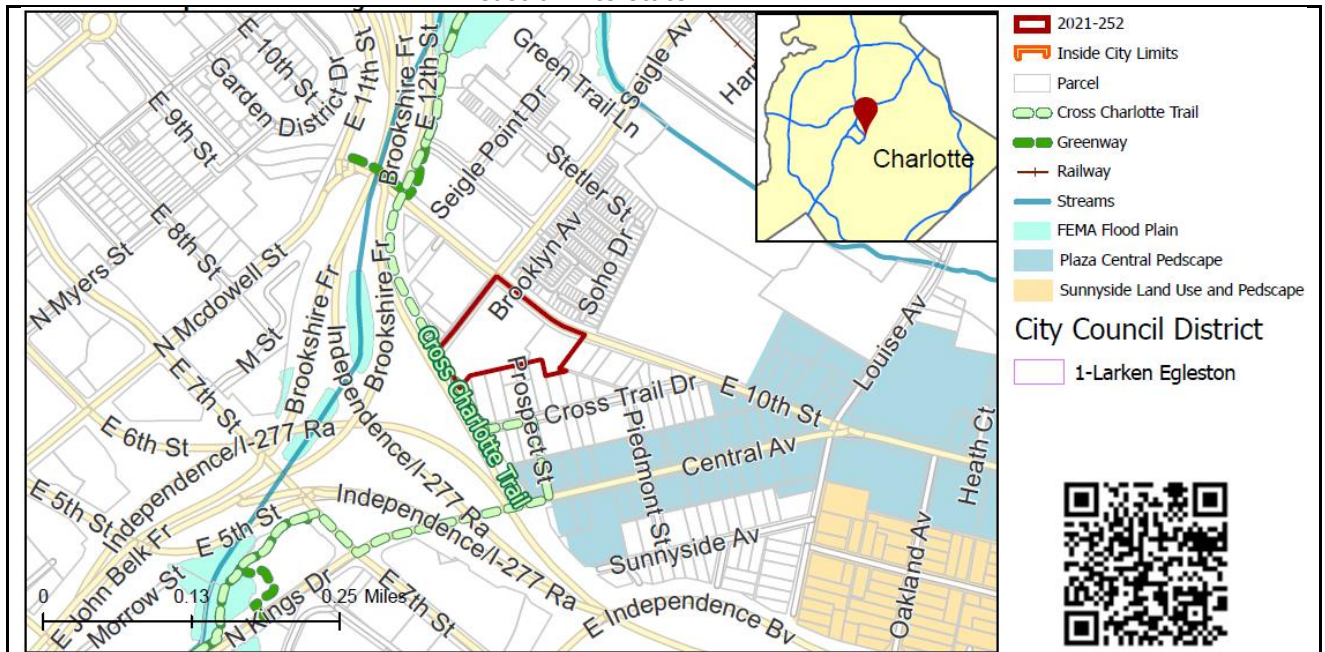
Post-Hearing Staff Analysis
Statement of Consistency

REQUEST

Current Zoning: B-2 (general business)
Proposed Zoning: TOD-NC (transit oriented development – neighborhood center)

LOCATION

Approximately 3.10 acres located at the southwest intersection of Seigle Avenue and East 10th Street, north of Central Avenue, and east of Interstate 277.



SUMMARY OF PETITION

The petition proposes to allow for all uses in the TOD-NC zoning district on parcels currently developed with institutional and retail uses.

PROPERTY OWNER

Hill-Overlook, LLC and PBRM-Overlook Two LLC

PETITIONER

WP East Acquisitions, LLC

AGENT/REPRESENTATIVE

Collin Brown, Alexander Ricks, PLLC

COMMUNITY MEETING

Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map (2022)* recommendation for Neighborhood 2 at this site.

Rationale for Recommendation

- The site is within a ½-mile walk of the future Central Avenue Station along the Silver Line. The existing Sunnyside Station along the Gold Line is also within a 1-mile walk of the site.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- The site is along the existing Cross Charlotte Trail and future Silver Line and associated Rail Trail, making it an appropriate location for TOD development that further encourages pedestrian and transit connections.

- Although inconsistent with the current Place Type recommended in the *2040 Policy Map*, the site meets a number of criteria that make it appropriate for a minor map amendment to change the recommended Place Type to Neighborhood Center. If approved, the Neighborhood Center Place Type at this location would allow for an appropriate transition between the adjacent Community Activity Center and Neighborhood 2 Place Types along the north side of 10th Street into the single family residential areas under the Neighborhood 1 Place Type that are just south of the subject site.
- The TOD-NC zoning district maintains the high level of design standards associated with the TOD-UC zoning district.
- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

The approval of this petition will revise the adopted future land use as specified by the *2040 Policy Map* (2022) from Neighborhood 2 to Neighborhood Center for the site.

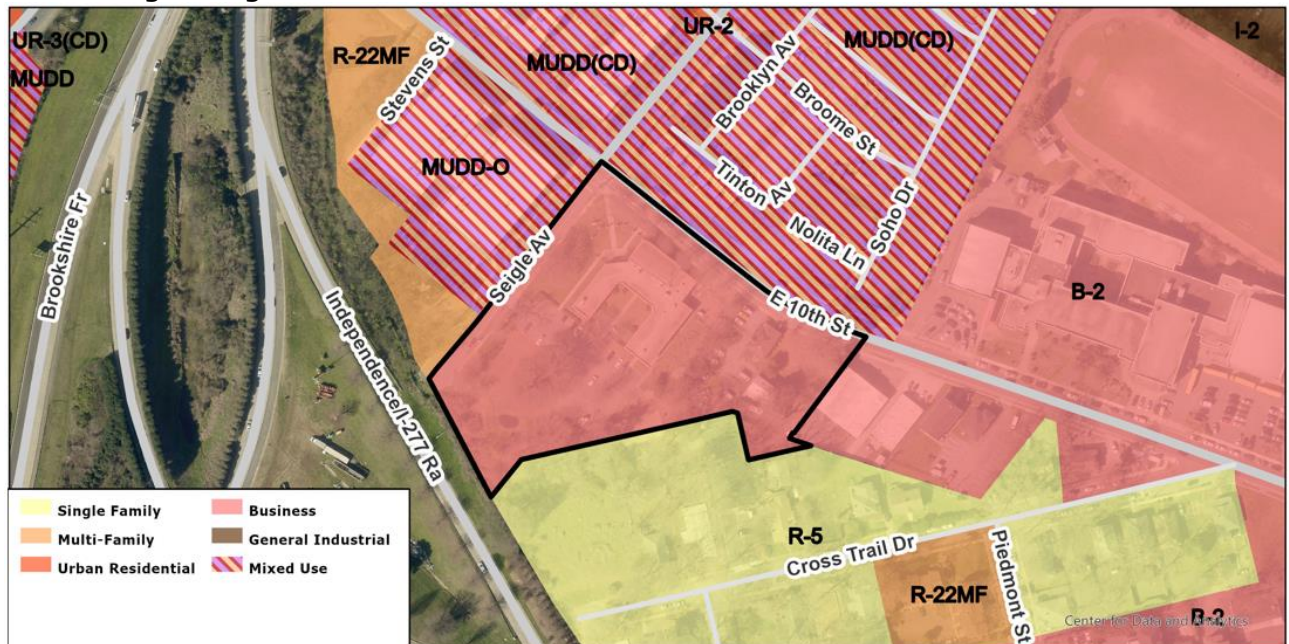
PLANNING STAFF REVIEW

- **Proposed Request Details**

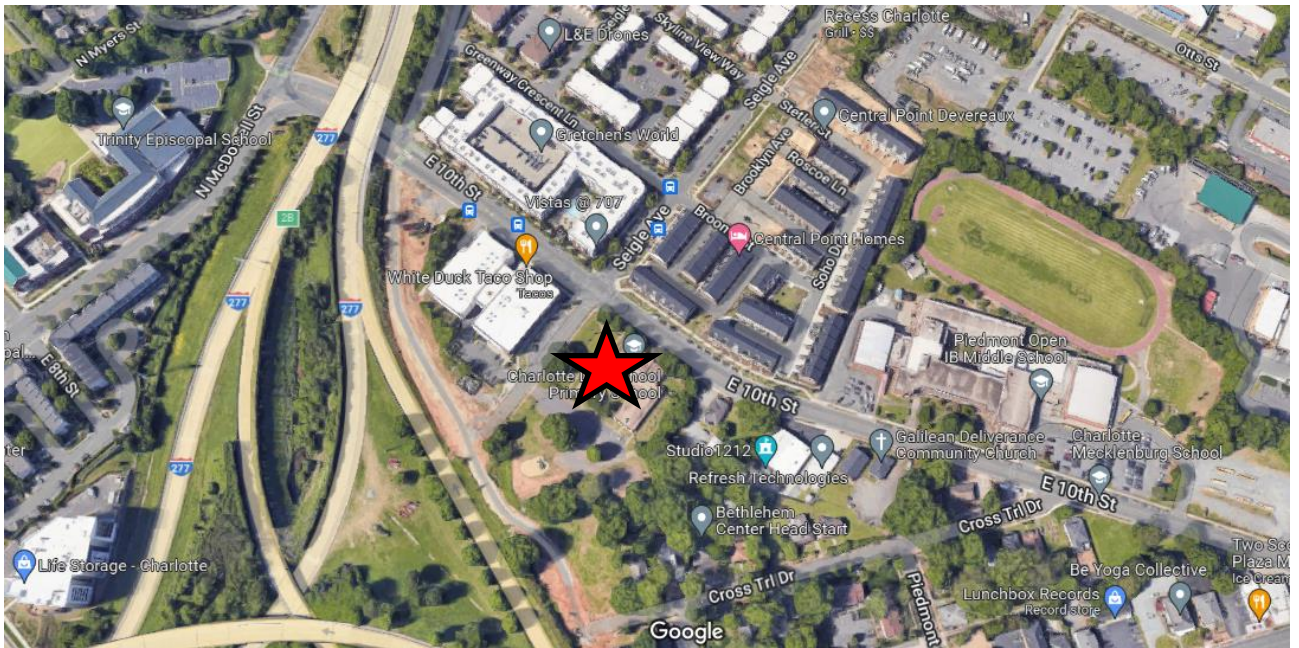
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-NC (transit oriented development – neighborhood center) zoning district.

- **Existing Zoning and Land Use**



- The site is currently zoned B-2 and is in an area with multi-family residential developments, EDEEs, institutional uses, single family residential homes, and various commercial uses.



- The subject site is denoted with a red star.



- North of the site is a townhome development.



- East of the site is a church and office uses.

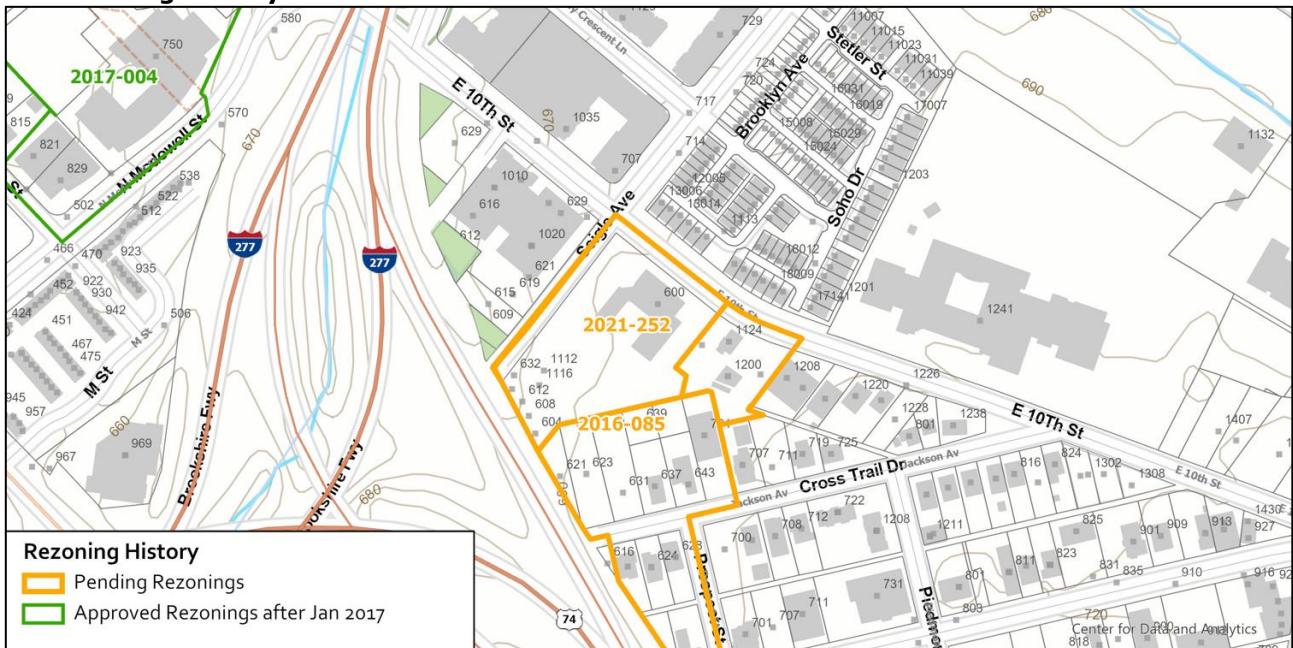


- South of the site are single family homes.



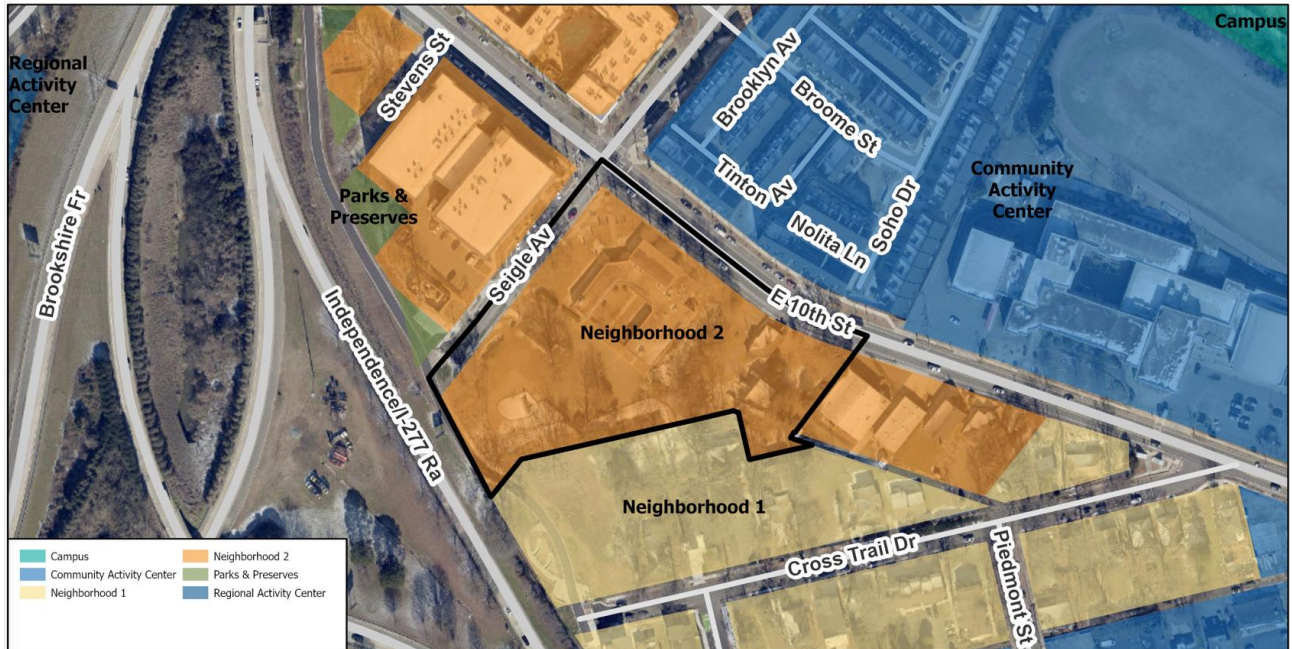
- West of the site is the mixed-use Belmont Mills development.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2016-085	Request to rezone 5.03 acres from R-5 and B-2 to MUDD-O	Withdrawn
2017-004	Rezoned 6.16 acres from UR-1 and UR-2(CD) to UR-3(CD) and MUDD(CD).	Approved

- **Public Plans and Policies**



- The *2040 Policy Map* (2022) recommends Neighborhood 2 for the site.
- **TRANSPORTATION SUMMARY**
 - The site is located at the southwest intersection of Seigle Avenue, a City-maintained Minor Thoroughfare, and East 10th Street, a City-maintained Major Thoroughfare, east of Interstate 277. This site is requesting a TOD-NC 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:**
 - CATS Silver Line Light Rail
 - Silver Line Rail Trail
 - **Transportation Considerations**
 - No outstanding issues.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 390 trips per day (based on use as a private school with 190 students).
 - Entitlement: 3,575 trips per day (based on 3.1 acres of retail).
 - Proposed Zoning: Too many uses to determine trip generation.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **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 outstanding issues.
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Storm Water Services:** See Outstanding Issues, Note
- **Urban Forestry / City Arborist:** No outstanding issues.

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 # 2021-252

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>

Petition 2021-252 by WP East Acquisitions, LLC

To Approve:

This petition is found to be **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Neighborhood 2 Place Type for this site.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The site is within a ½-mile walk of the future Central Avenue Station along the Silver Line. The existing Sunnyside Station along the Gold Line is also within a 1-mile walk of the site.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- The site is along the existing Cross Charlotte Trail and future Silver Line and associated Rail Trail, making it an appropriate location for TOD development that further encourages pedestrian and transit connections.
- Although inconsistent with the current Place Type recommended in the 2040 Policy Map, the site meets a number of criteria that make it appropriate for a minor map amendment to change the recommended Place Type to Neighborhood Center. If approved, the Neighborhood Center Place Type at this location would allow for an appropriate transition between the adjacent Community Activity Center and Neighborhood 2 Place Types along the north side of 10th Street into the single family residential areas under the Neighborhood 1 Place Type that are just south of the subject site.
- The TOD-NC zoning district maintains the high level of design standards associated with the TOD-UC zoning district.
- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

The approval of this petition will revise the adopted future land use as specified by the *2040 Policy Map* (2022) from Neighborhood 2 to Neighborhood Center for the site.

To Deny:

This petition is found to be **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Neighborhood 2 Place Type for this site.

Therefore, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 11. **File #:** 15-18430 **Type:** Zoning Item

Rezoning Petition: 2021-254 by Joseph Horton

Location: Approximately 2.18 acres located at the southwest intersection of Galleria Boulevard and Monroe Road, south of Sardis Road North. (Council District 6 - Bokhari)

Current Zoning: NS (neighborhood services)

Proposed Zoning: NS SPA (neighborhood services, site plan amendment)

Public Hearing Held: June 20, 2022 - Item #39

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Site Plan

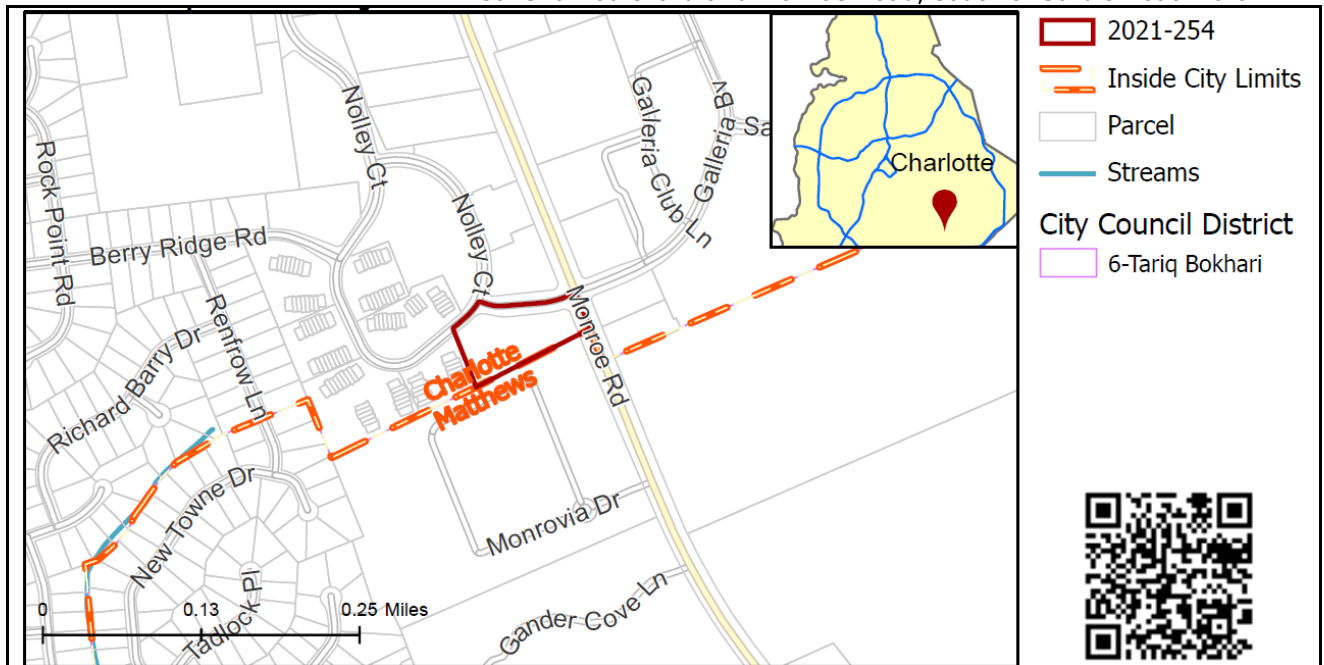
Statement of Consistency

REQUEST

Current Zoning: NS (Neighborhood Service)
Proposed Zoning: NS SPA (Neighborhood Service, Site Plan Amendment)

LOCATION

Approximately 2.18 acres located at the southwest intersection of Galleria Boulevard and Monroe Road, south of Sardis Road North



SUMMARY OF PETITION

The petition proposes to allow the addition of a drive through service lane to the existing eating/drinking/entertainment establishment (EDEE) on Monroe Rd in southeast Charlotte.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

National Retail Properties LP
Joseph Horton
Jeff Lonchor

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 petition is **consistent** with the 2040 Policy Map recommendation for Community Activity Center (CAC).

Rationale for Recommendation

- Community Activity Centers are typically along transit corridors or major roadways, providing access to goods, services, dining, entertainment, and residential for residents.
- The site is located on Monroe Road across from the Galleria shopping center, an area with a mixture uses including other EDEEs with drive through service windows.
- The site is an existing EDEE use and site layout accommodates the addition of a service lane/window without reconfiguration of parking and drive aisles.

- The site is at the south western edge of the activity center.
- The petition removes the existing back of curb sidewalk and constructs a 12-ft multi-use path along Monroe Rd.
- The drive through window and lane is located to the side and rear of the building and will be screened by existing landscaped areas.

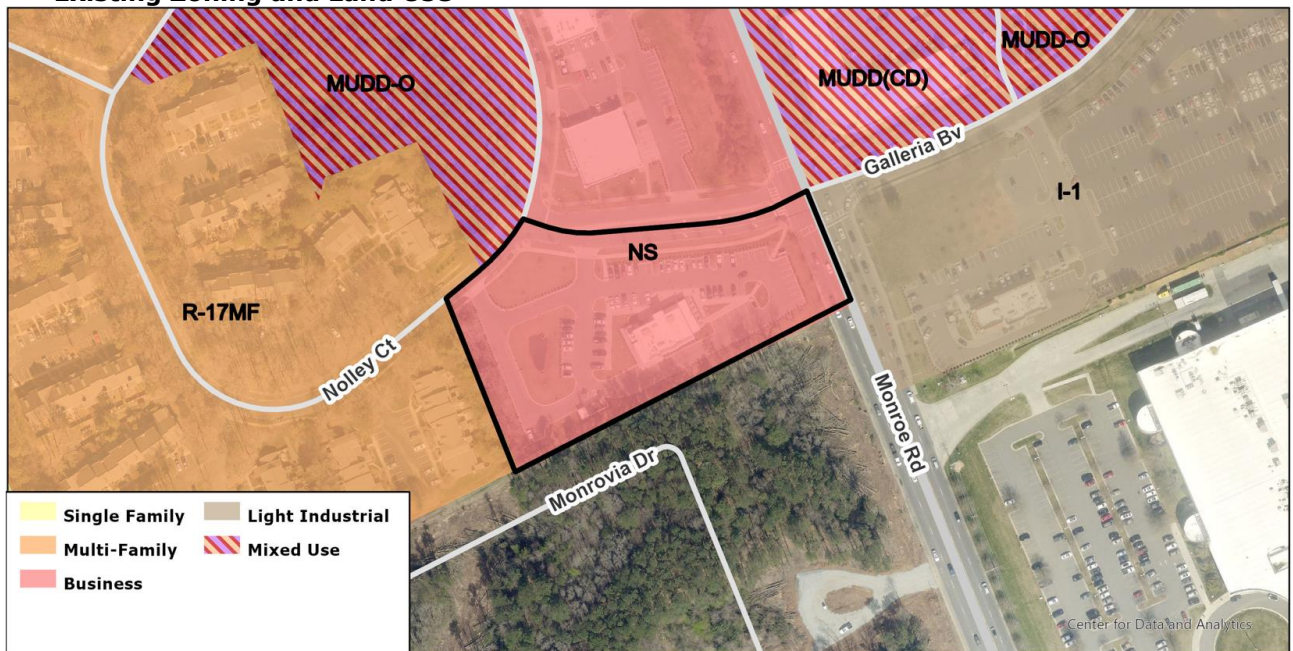
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan amendment contains the following changes:

- Proposes the existing EDEE to remain.
- Allows the addition of a drive through service lane for the existing EDEE.
- Does not change the existing site driveway and parking layout.
- Provides right of way dedication and notes future Lynx Silver Line along Monroe Rd.
- Removes the existing back of curb sidewalk, establishes a 8 ft planting strip and constructs a 12 ft multi-use path along Monroe Rd. and reconstructs curb ramps at Galleria Blvd.

- **Existing Zoning and Land Use**



The site was previously rezoning as part of 2004-022 to NS to allow a office, retail, financial institution, commercial and/or EDEE uses. Drive through service windows were limited to financial institutions. The site is located on Monroe Road in an area with a mix of uses in around the Galleria shopping center.



The site, indicated by the red star above, is located in an area with a mix of uses with commercial fronting Monroe Road and residential uses primarily to the northwest, south and west.



The site is currently developed with an existing EDEE.



North of the site, across Galleria Blvd. is a commercial retail use.



East of the site, across Monroe Rd is a financial institution and an EDEE, both with drive through service windows.

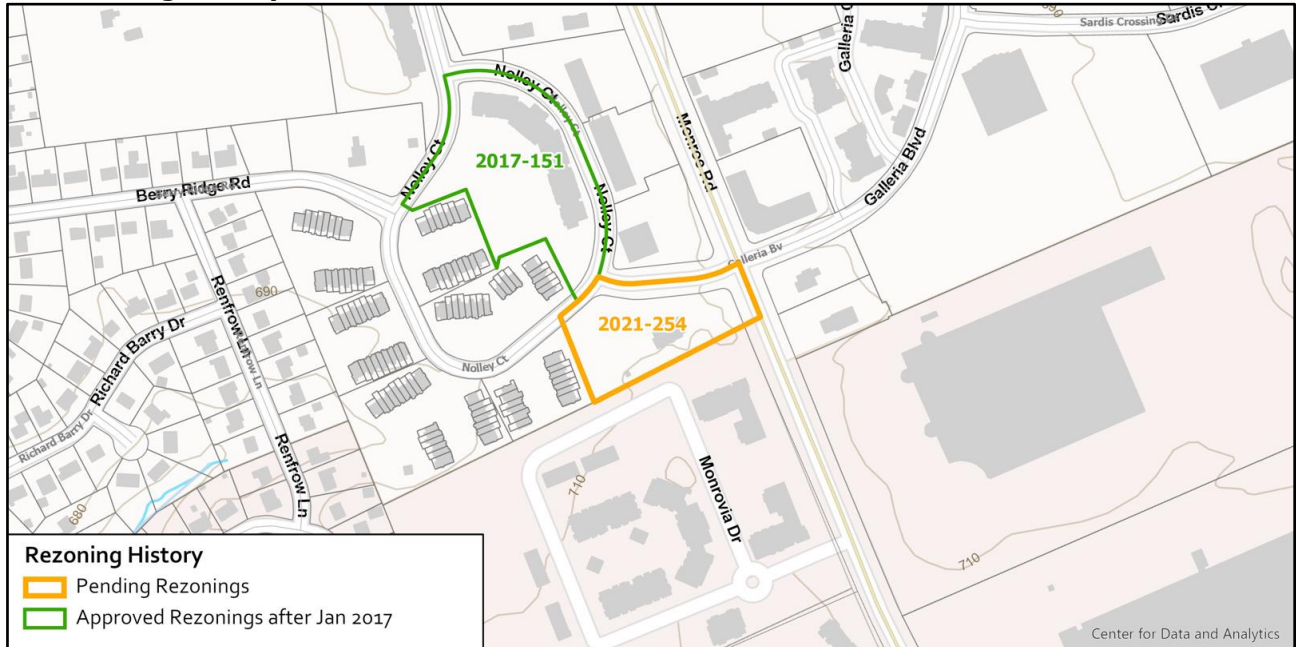


South of the site along Monroe Rd is a multi-family residential development in the Town of Matthews jurisdiction.



West of the site, along Nolley Ct is multi-family residential.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-151	3.69 acres northwest of the site on Nolley Ct. to MUDD-O to allow 103 multi-family dwelling units.	Approved

- Public Plans and Policies**



- The 2040 Policy Map recommends Community Activity Center.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Galleria Boulevard, a City-maintained Local Street, between Nolley Court, a City-maintained Local Road, and Monroe Road, a State-maintained Major 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. The site plan commits to dedicate right-of-way on Nolley Court and to construct a 12-ft multiuse path along the site's Monroe Road frontage in accordance with the Charlotte BIKES and Charlotte WALKS Council-adopted policy. CDOT has no outstanding comments
- **Active Projects:**
 - LYNX Silver Line/Rail Trail. Petitioner to coordinate with CATS
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**

Current Zoning:
Existing Use: 1385 trips per day (based on EDEE without drive through).
Entitlement: 1385 trips per day (based on EDEE without drive through).
Proposed Zoning: 1,905 trips per day (based on EDEE with drive through).

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:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Not applicable
- **Charlotte Water:** Has direct access to sewer. Has direct access to water. No outstanding issues.
- **Erosion Control:** No outstanding issues.
- **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 / City Arborist:** No outstanding issues.

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 # 2021-254

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>X</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>✓</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>

PARKING REQUIREMENTS:	
RESTAURANT (4,042 SF) REQUIRED: 54 SPACES* PROPOSED: 54 SPACES	
*CALCULATION: 1 SPACE / 75 SF = 1" (4,042 / 75) = 53.9	
PATIO (1,201 SF) REQUIRED: 16 SPACES* PROPOSED: 16 SPACES	
*CALCULATION: 1 SPACE / 75 SF = 1" (1,201 / 75) = 16	
TOTAL REQUIRED: 70 SPACES TOTAL PROPOSED: 70 SPACES	
SEATING: INDOORS: 64 SEATS PATIO: 74 SEATS TOTAL: 138 SEATS	

1. DEVELOPMENT DATA TABLE
- A. SITE AVERAGE: 218 AC @5.74 SF

B. TAX PARCELS INCLUDED IN REZONING: 213-222-03

C. EXISTING ZONING: NS - NEIGHBORHOOD SERVICES DISTRICT

D. PROPOSED ZONING: NS - NEIGHBORHOOD SERVICES DISTRICT

E. EXISTING AND PROPOSED USES: RESTAURANT

F. NUMBER OF RESIDENTIAL UNITS BY HOUSING TYPE: N/A

G. RESIDENTIAL DENSITY: N/A

H. SQUARE FOOTAGE OF BUSINESS: 4,042 SF

I. MAXIMUM BUILDING HEIGHT: 40'

J. MAXIMUM NUMBER OF BUILDINGS

K. MAXIMUM BUILDING HEIGHT: 40'

L. NUMBER OF PARKING SPACES: 70 SPACES

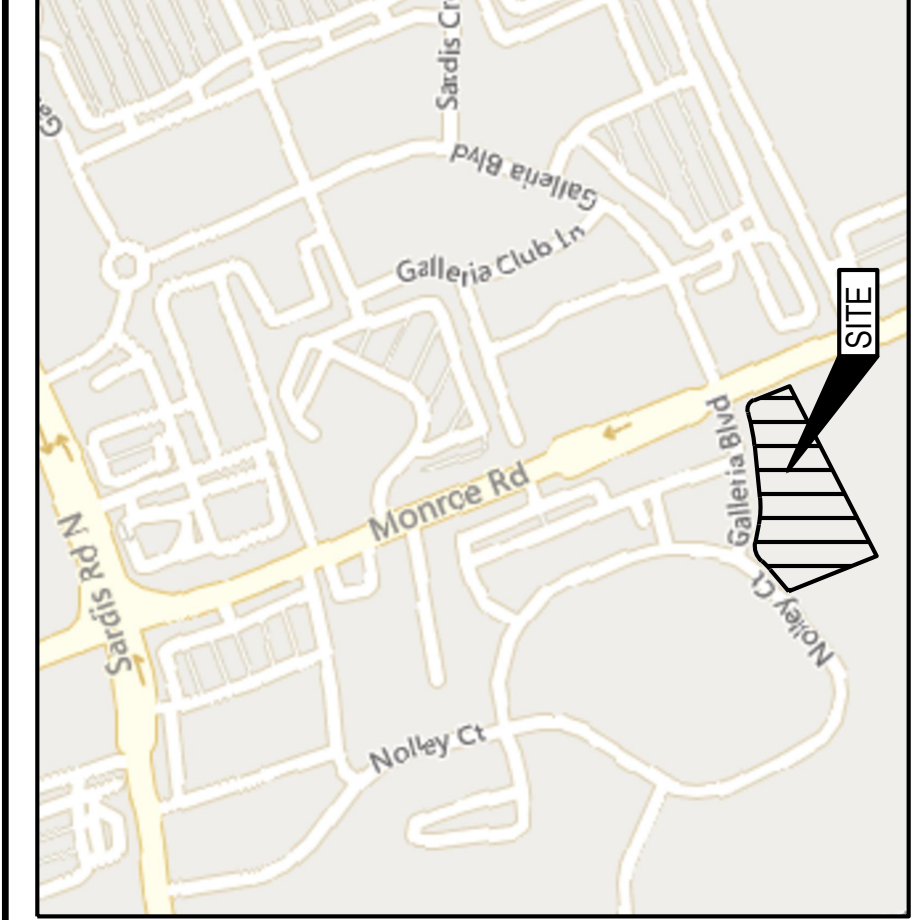
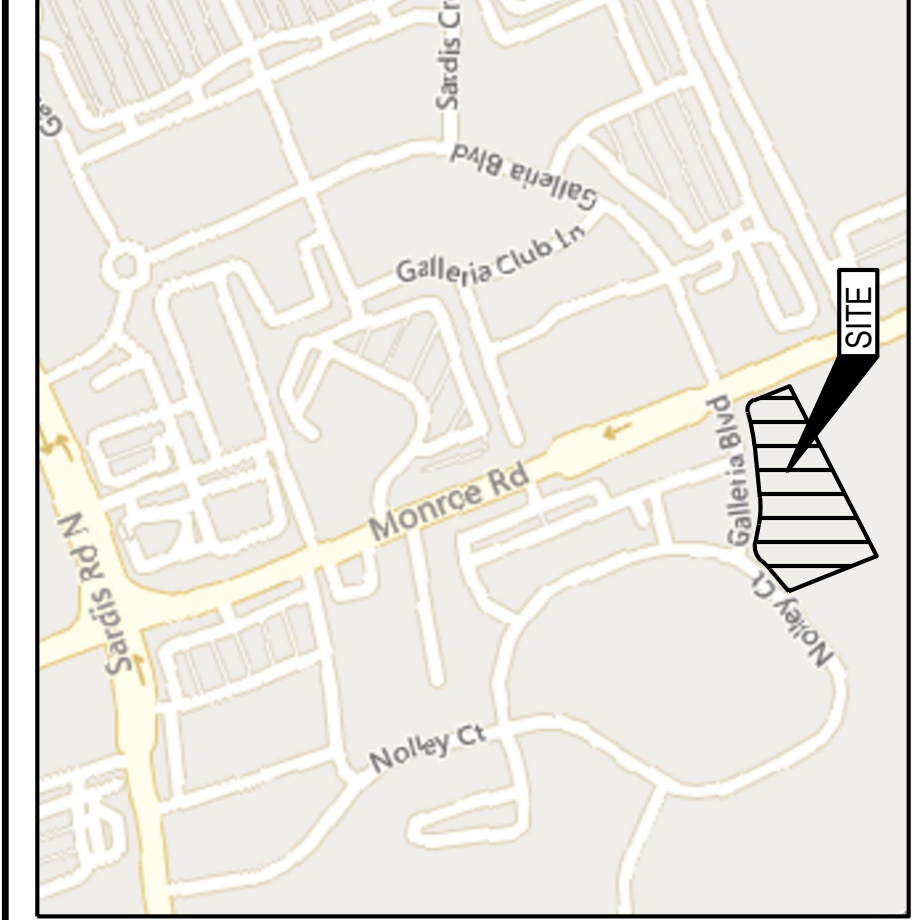
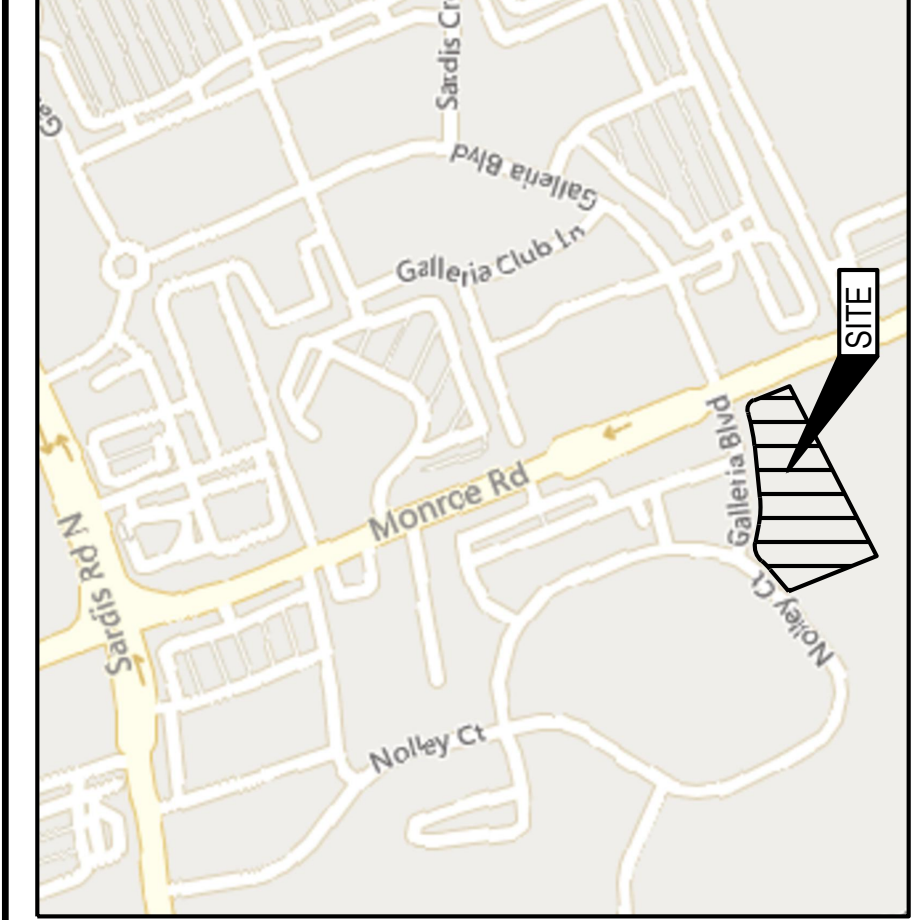
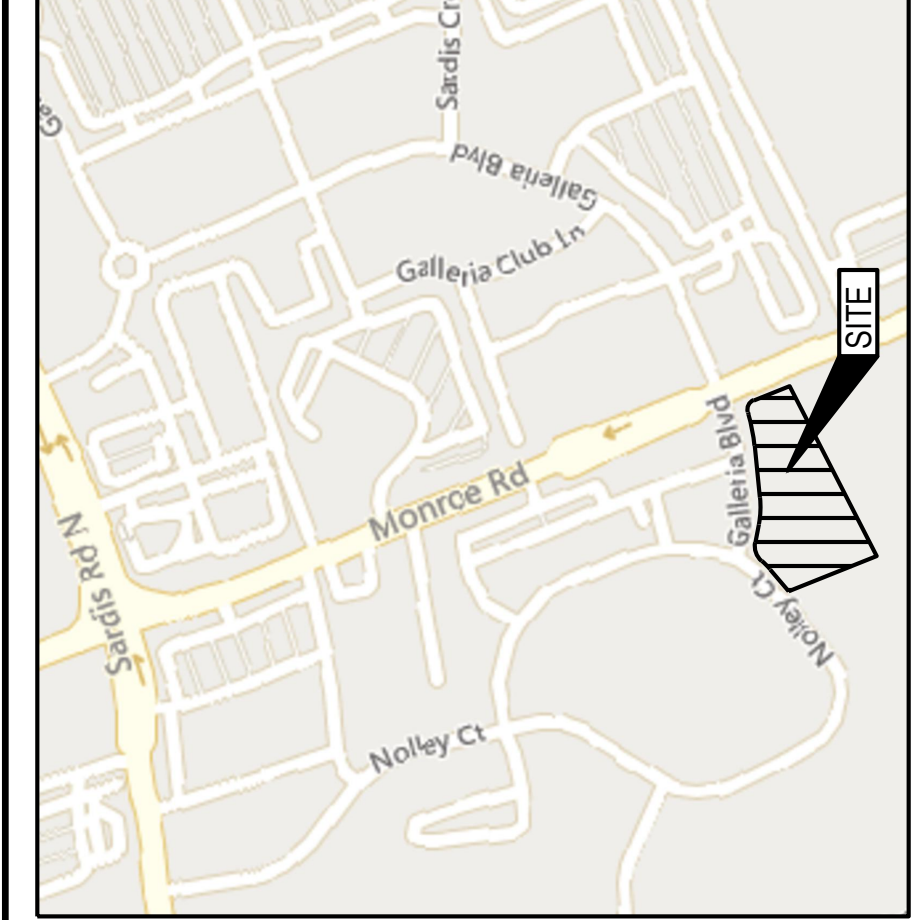
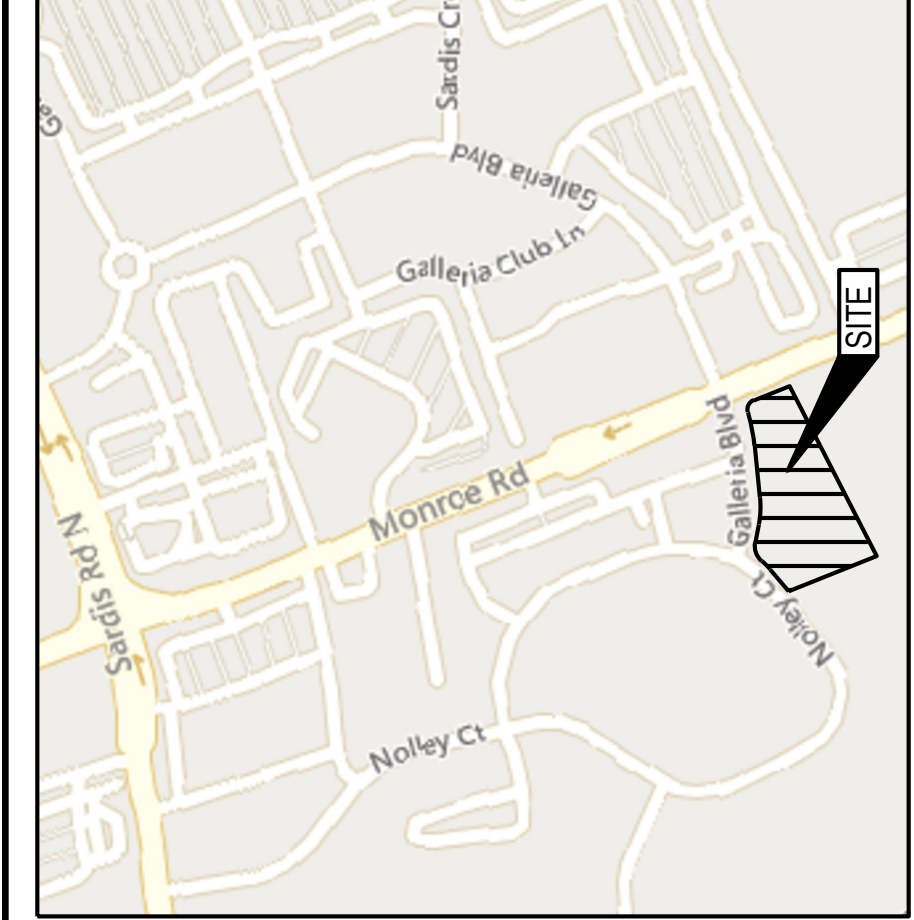
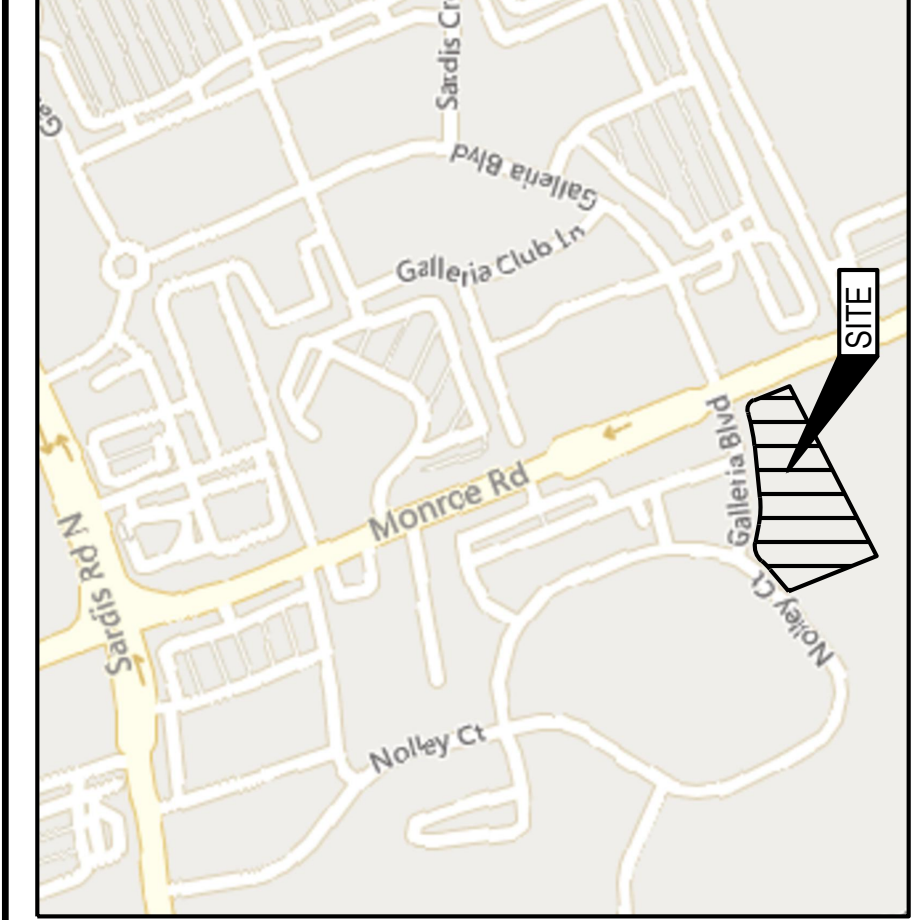
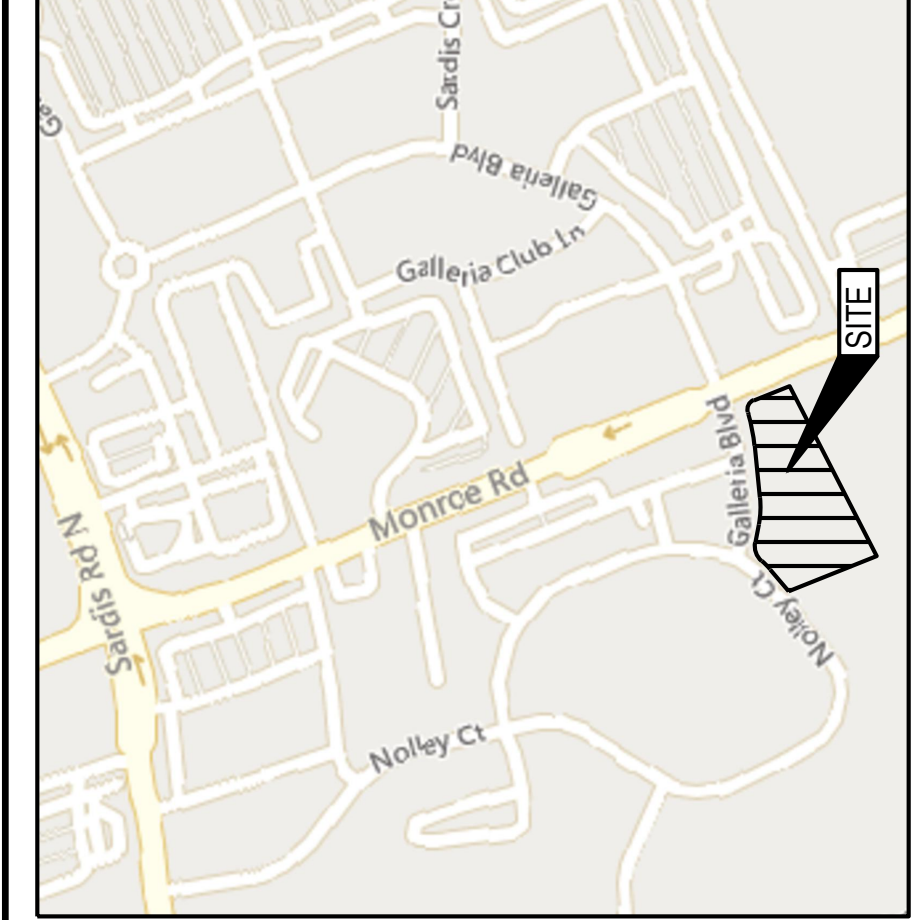
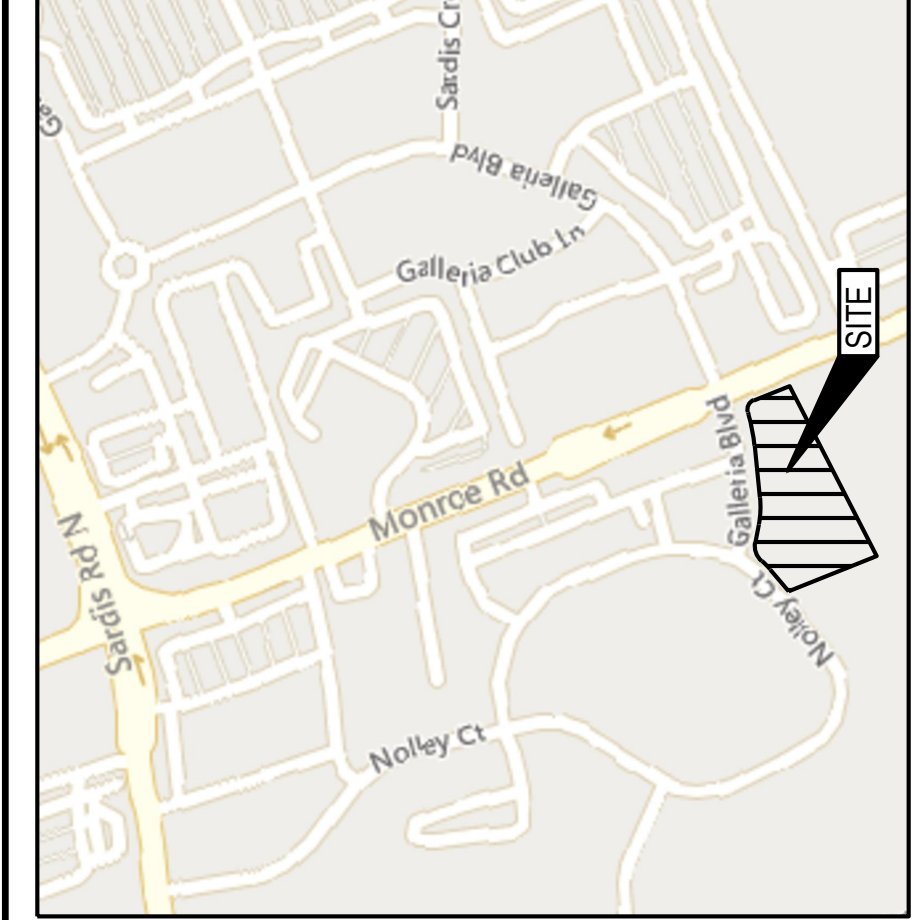
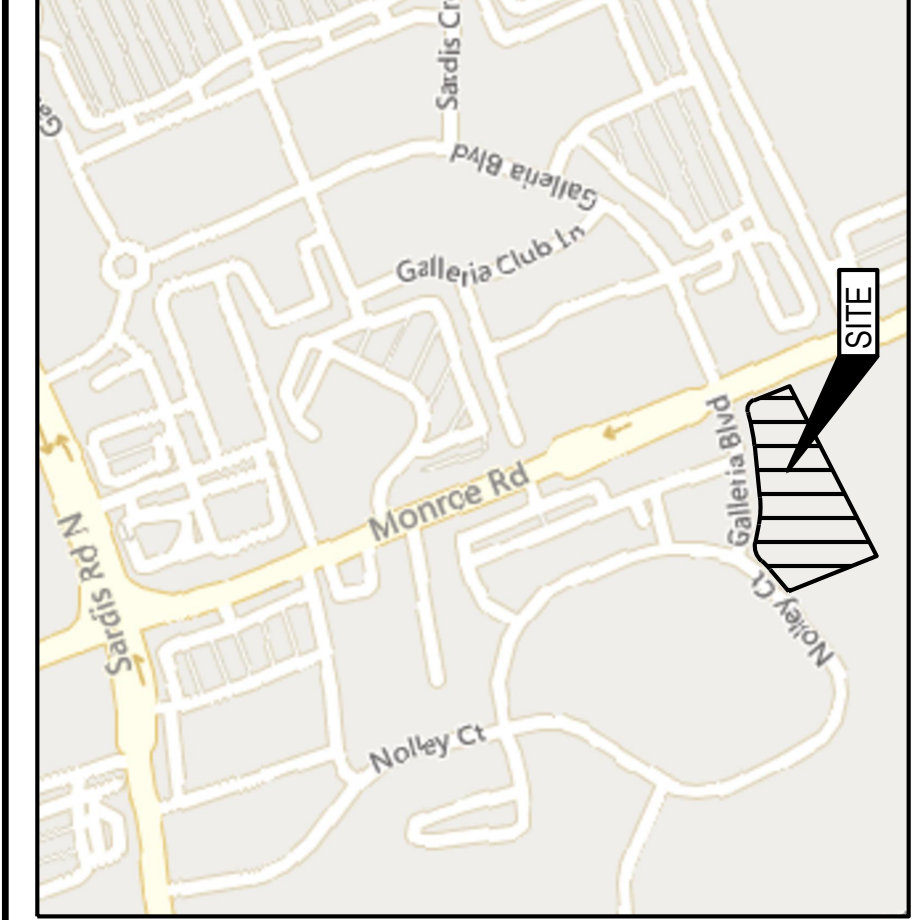
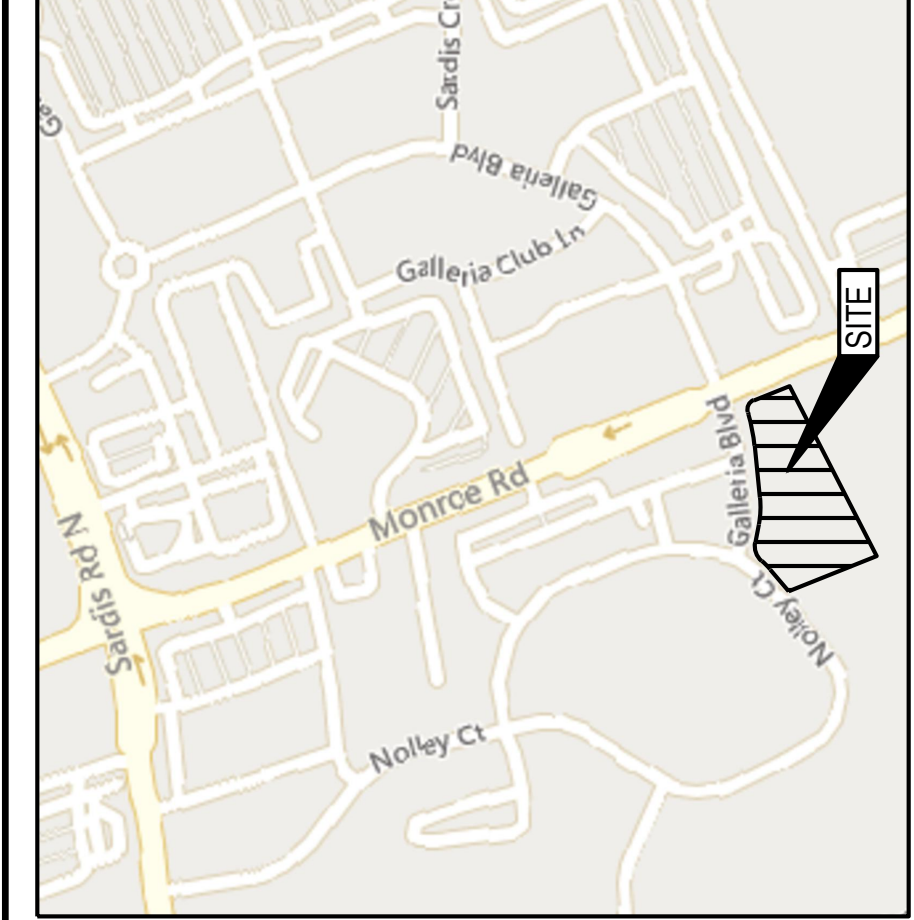
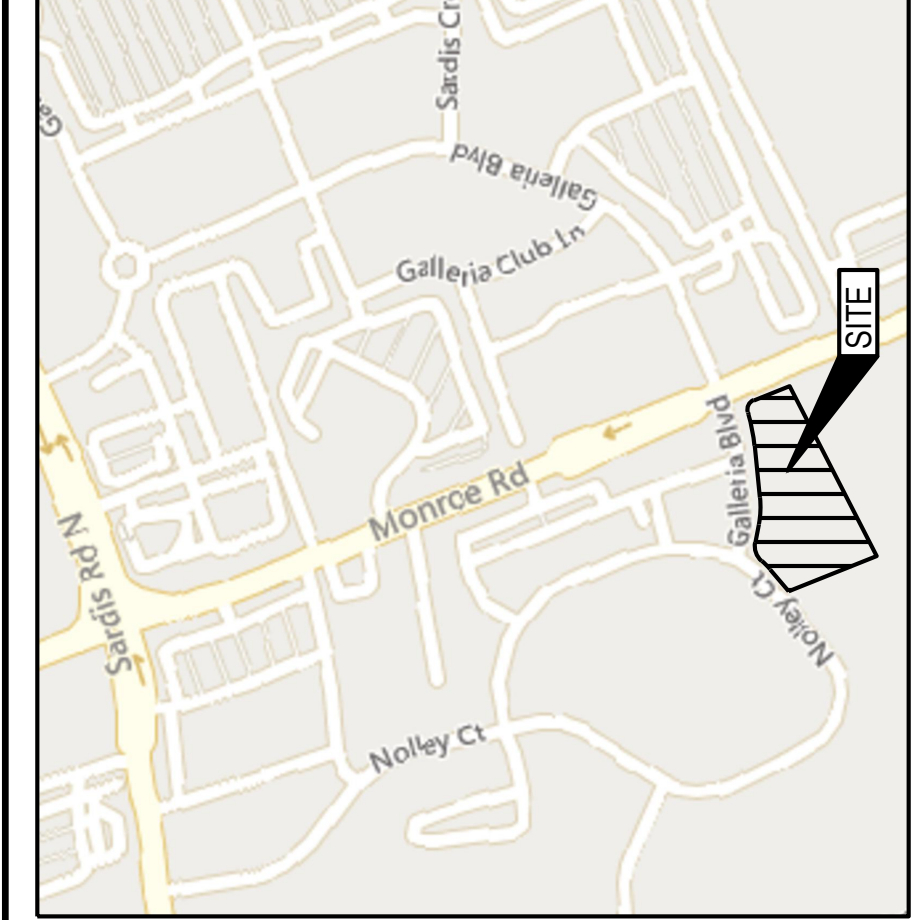
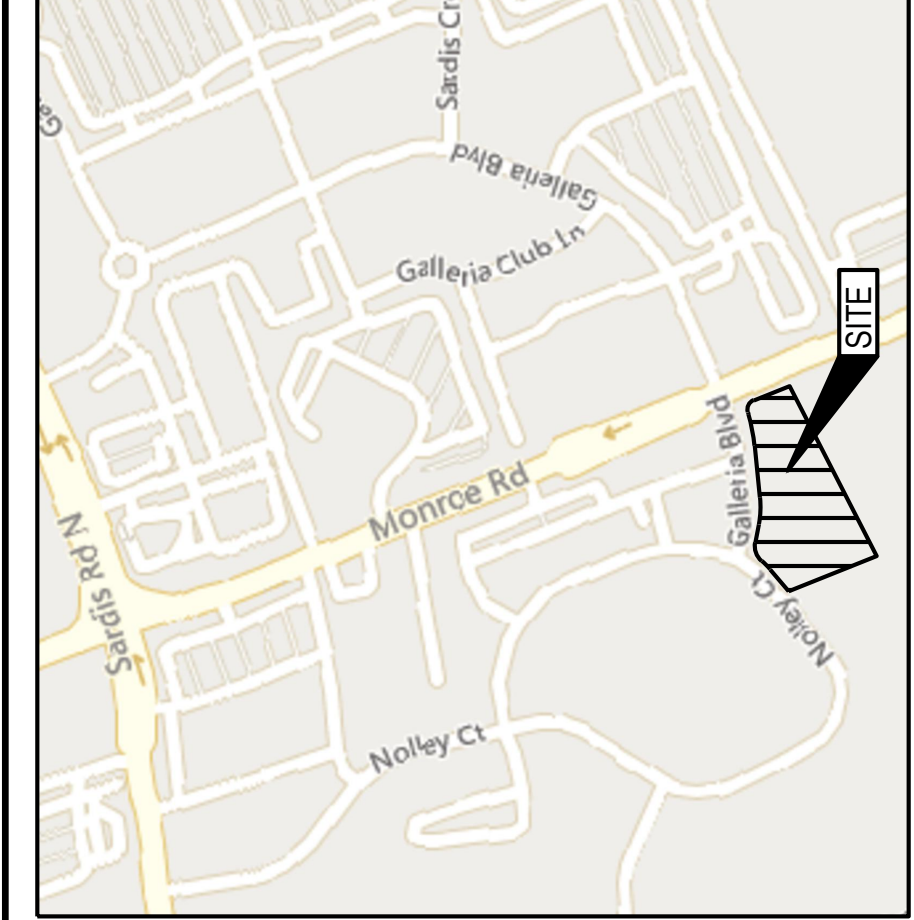
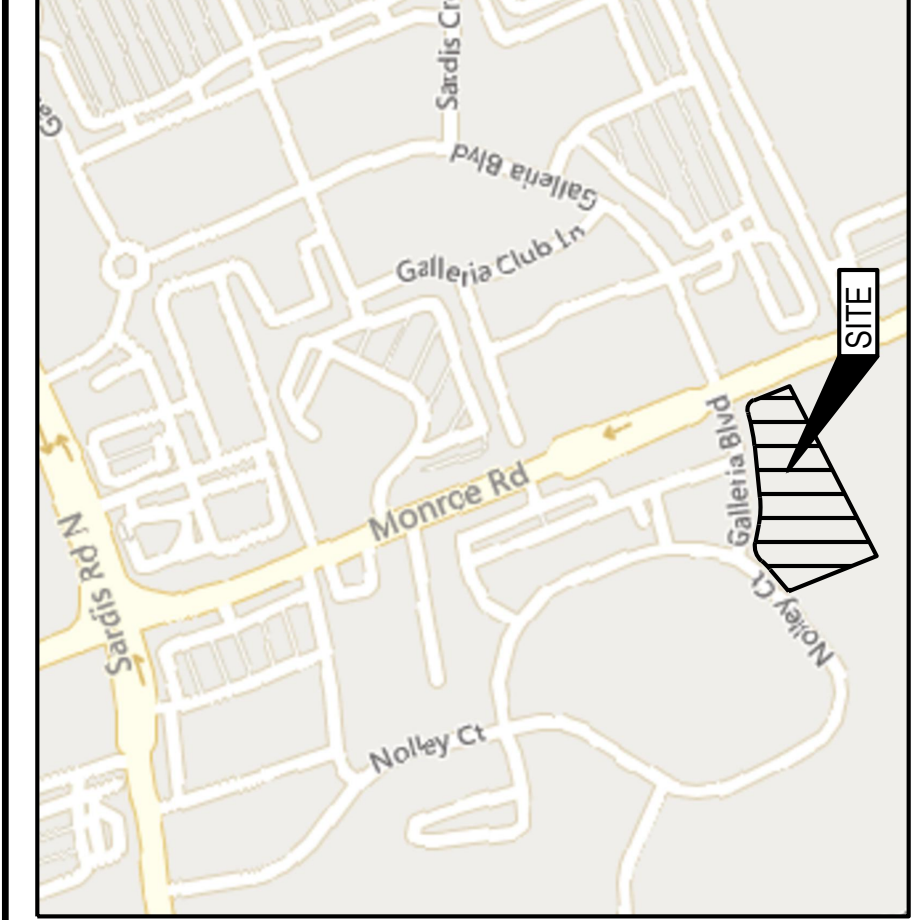
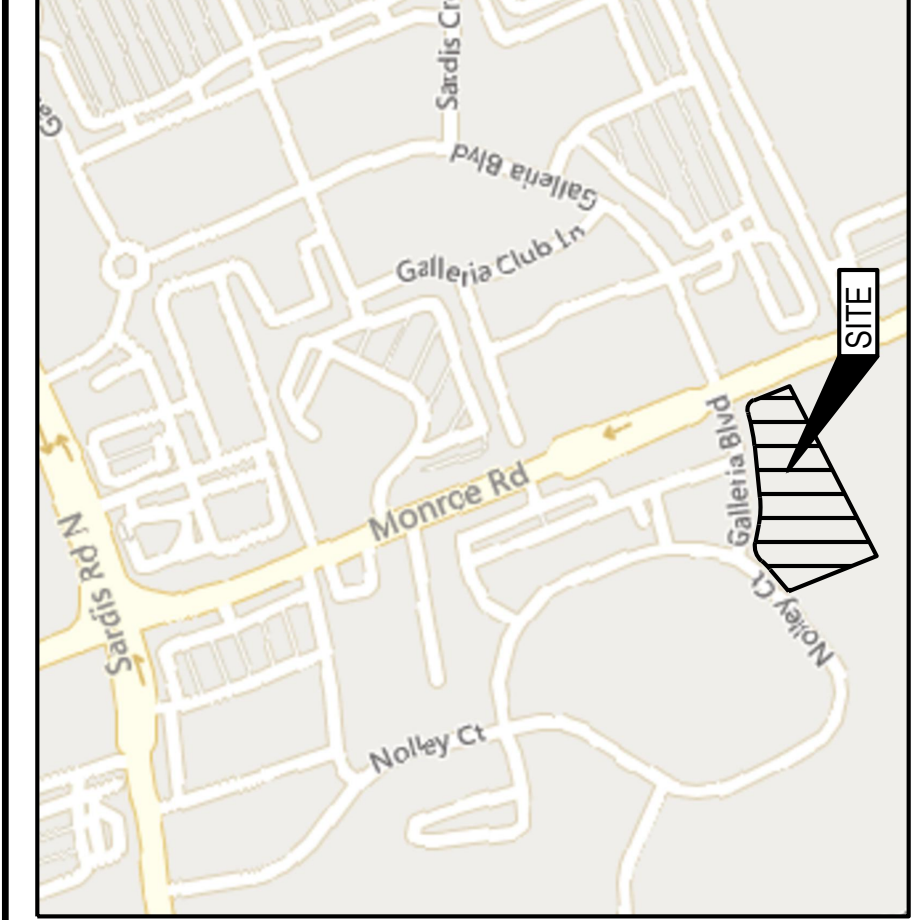
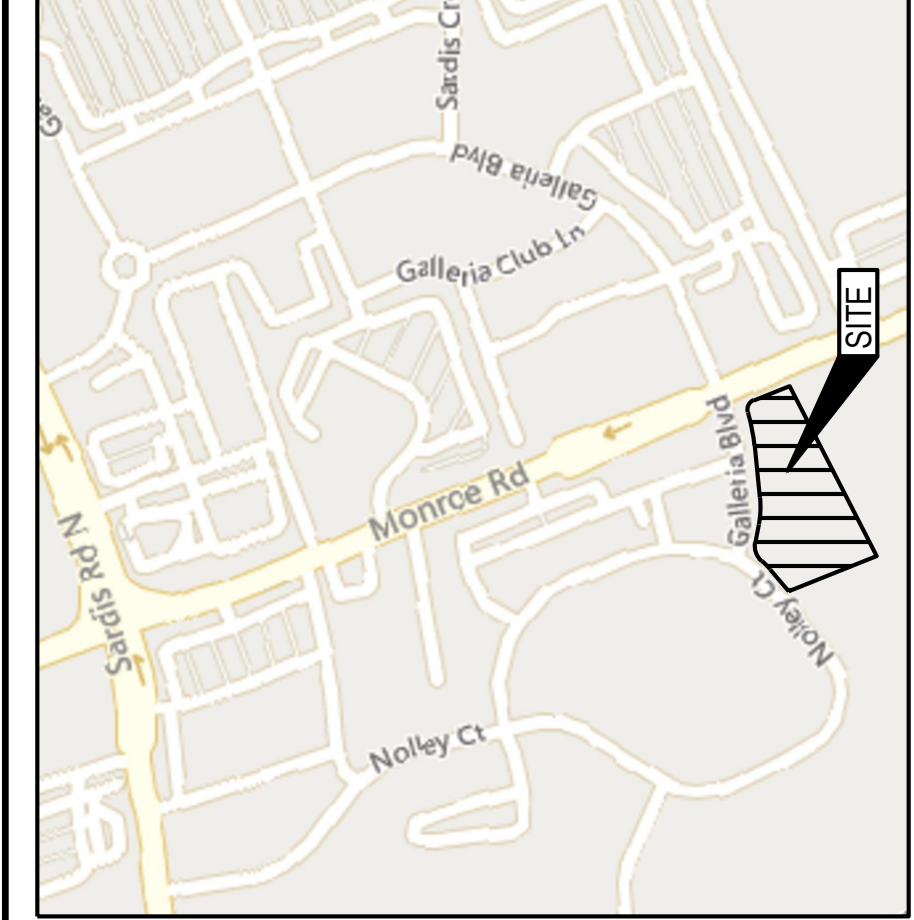
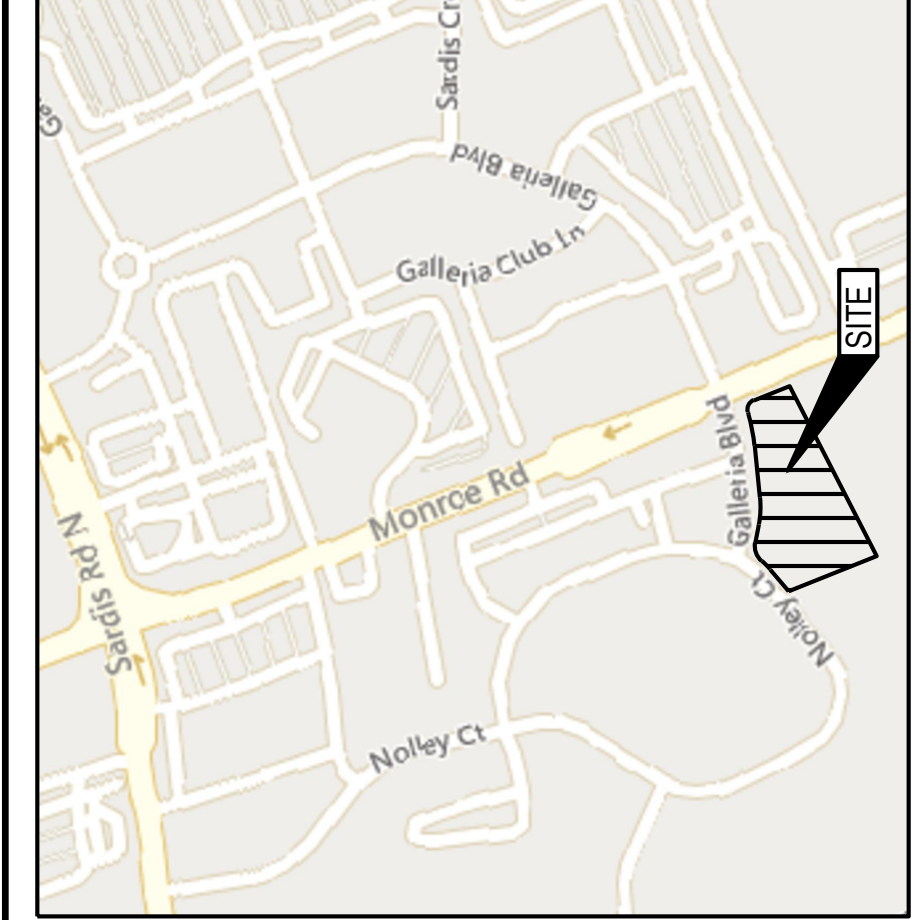
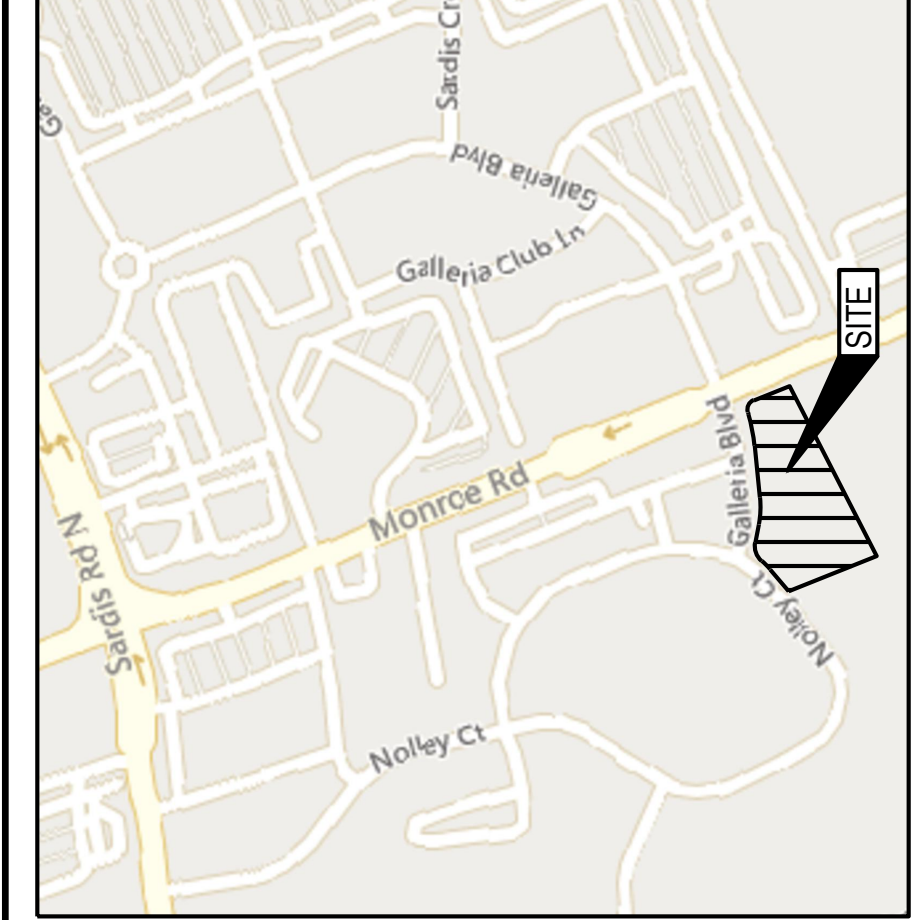
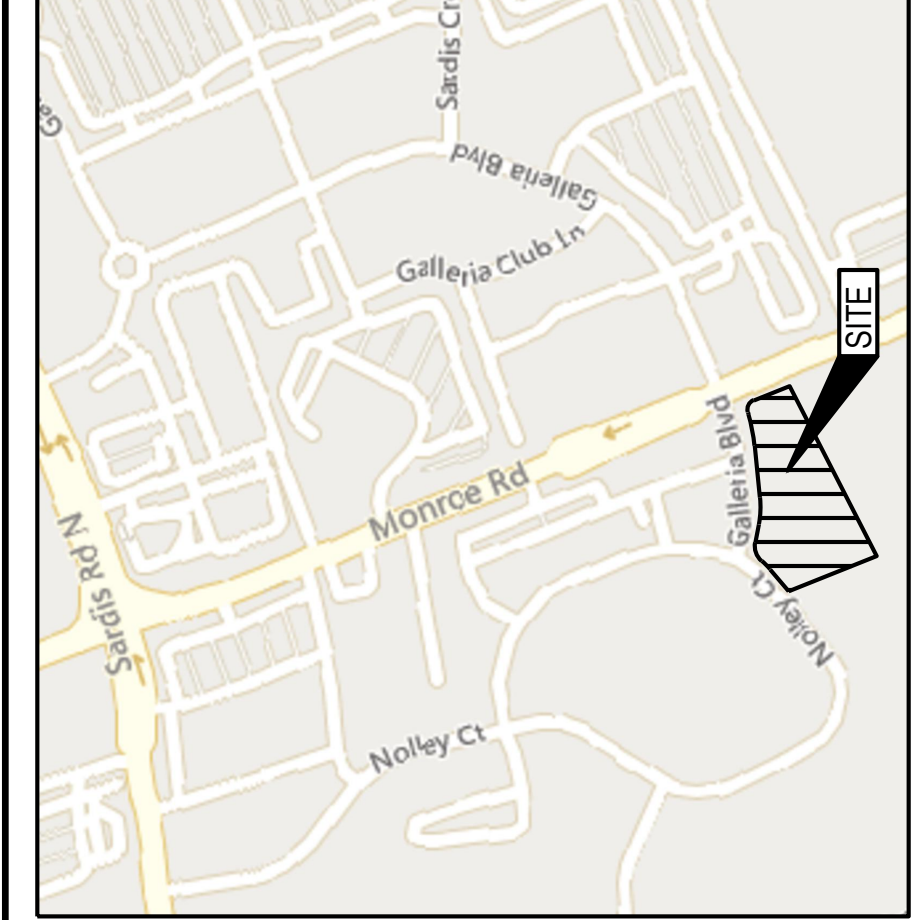
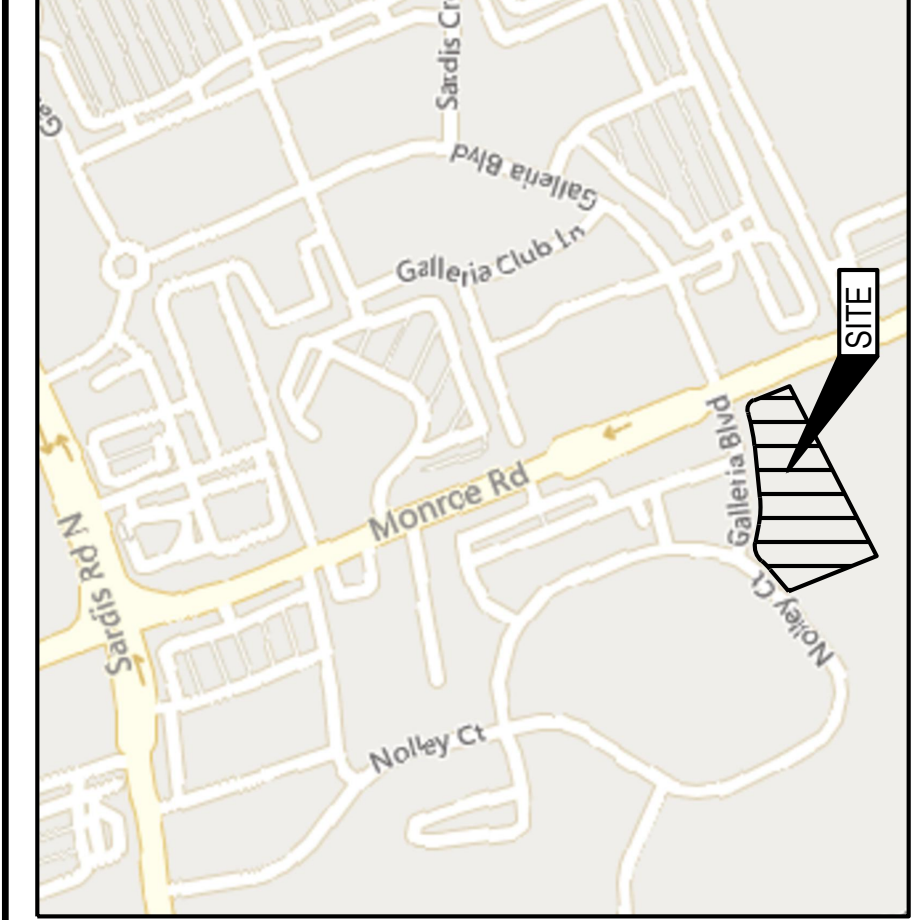
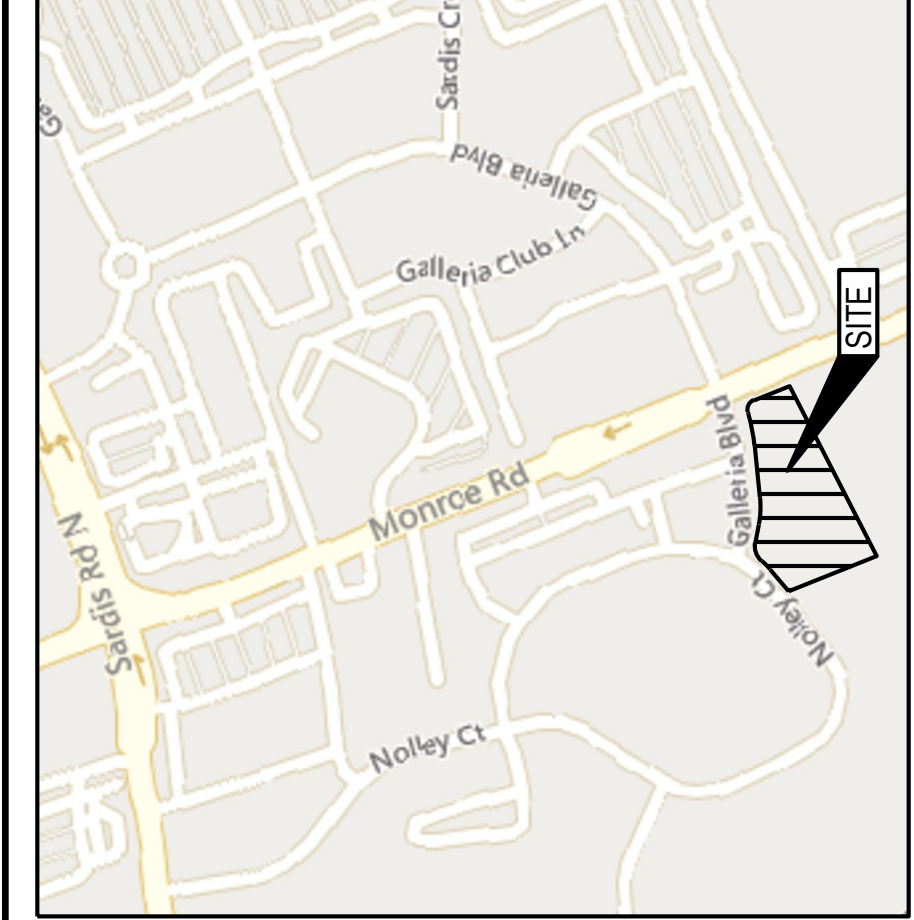
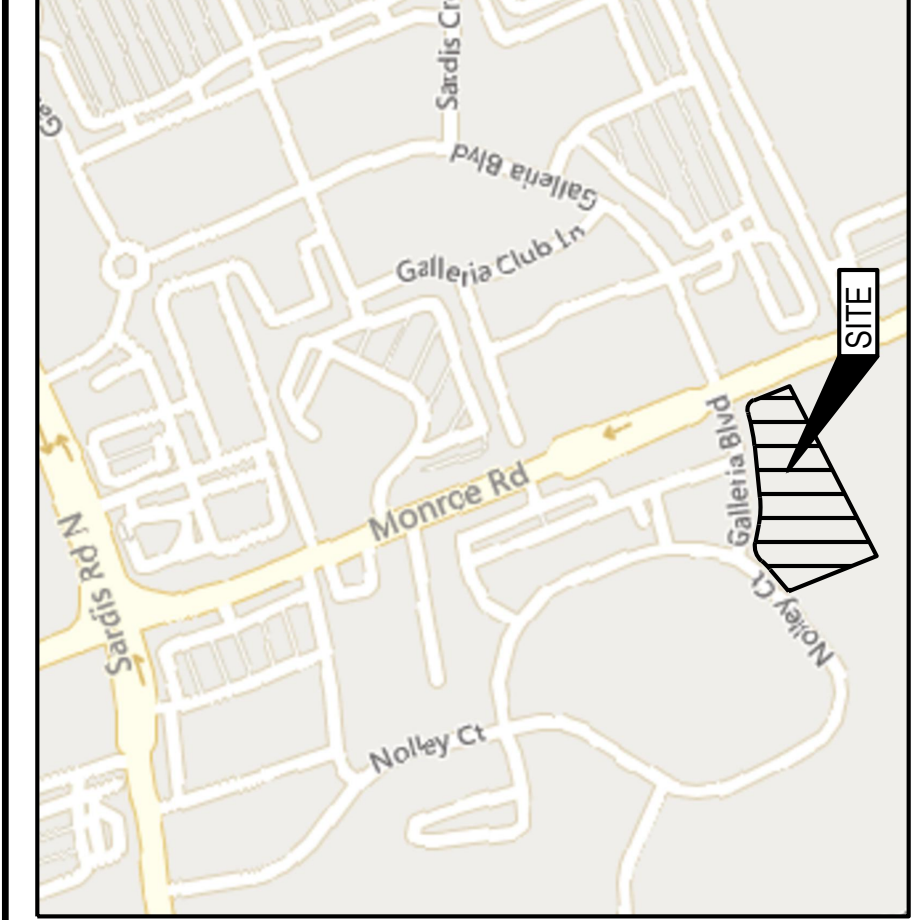
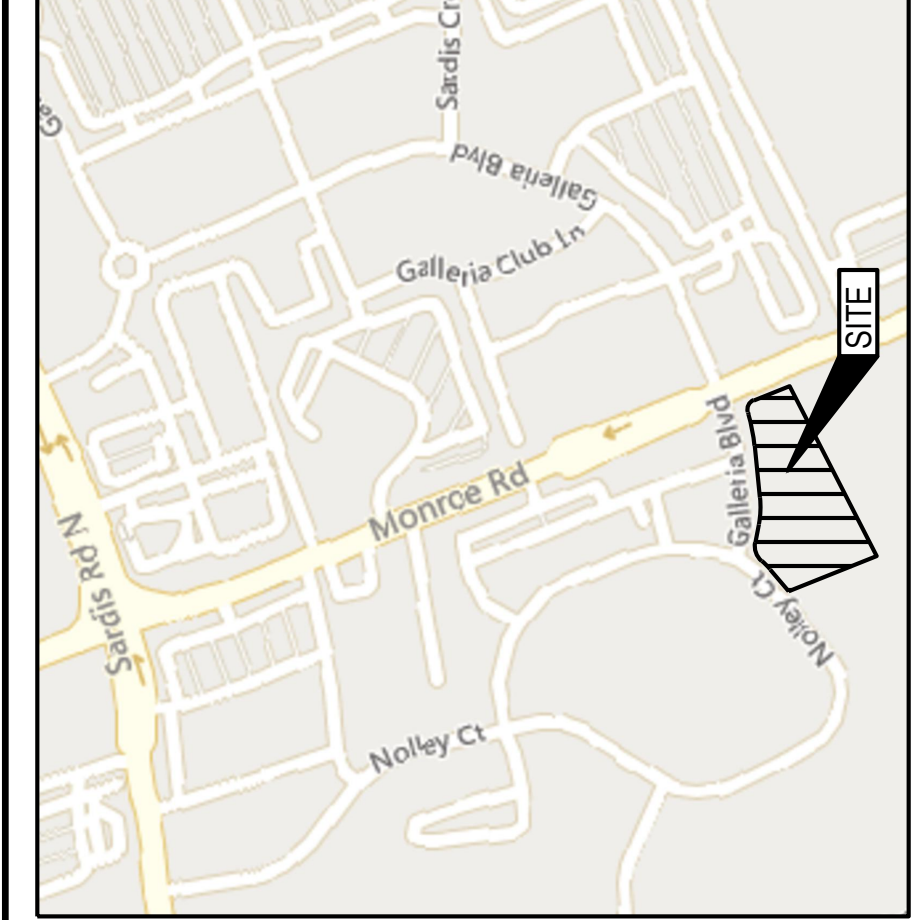
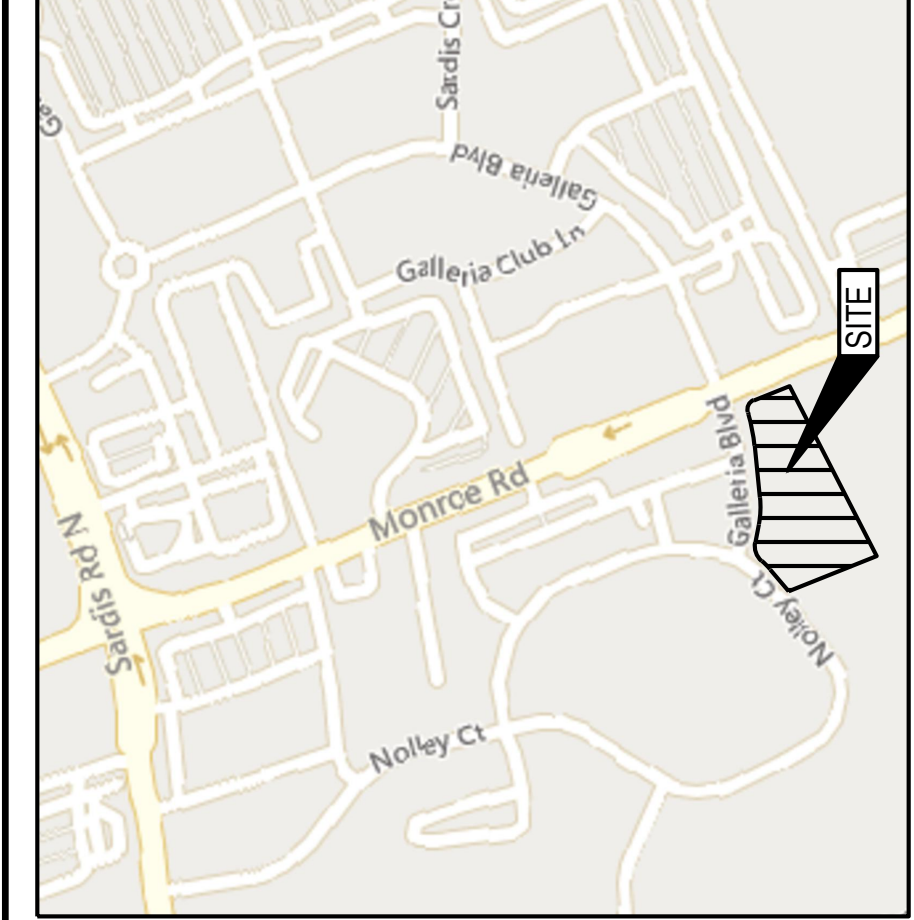
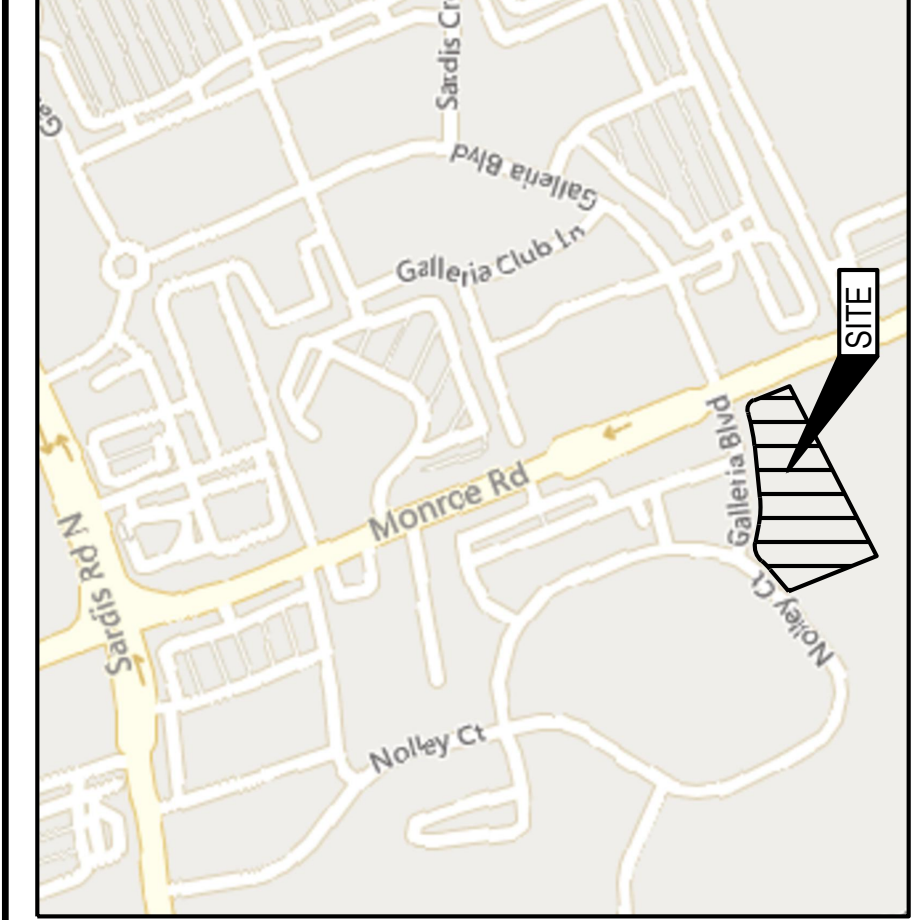
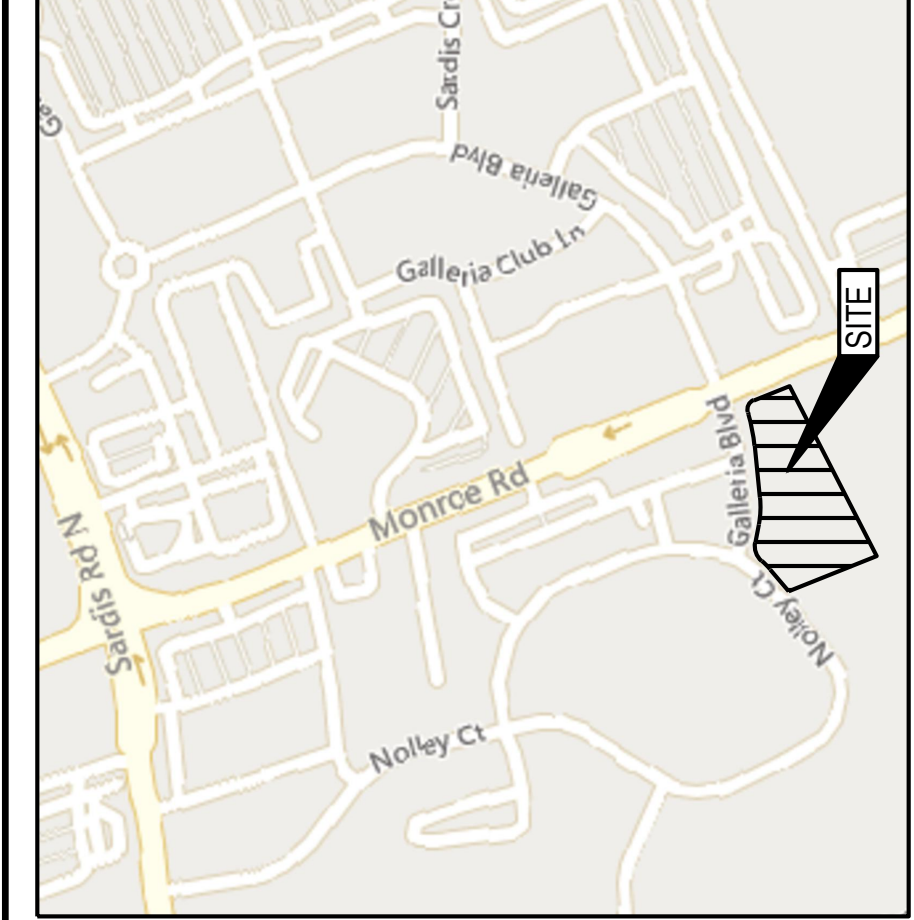
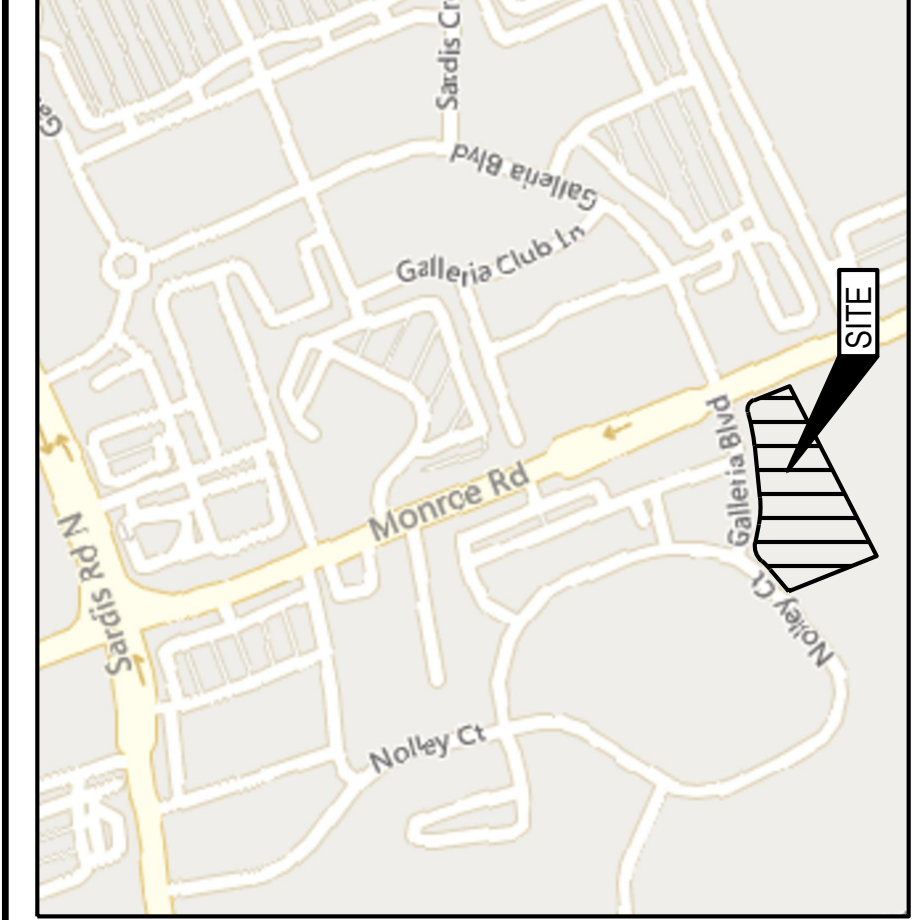
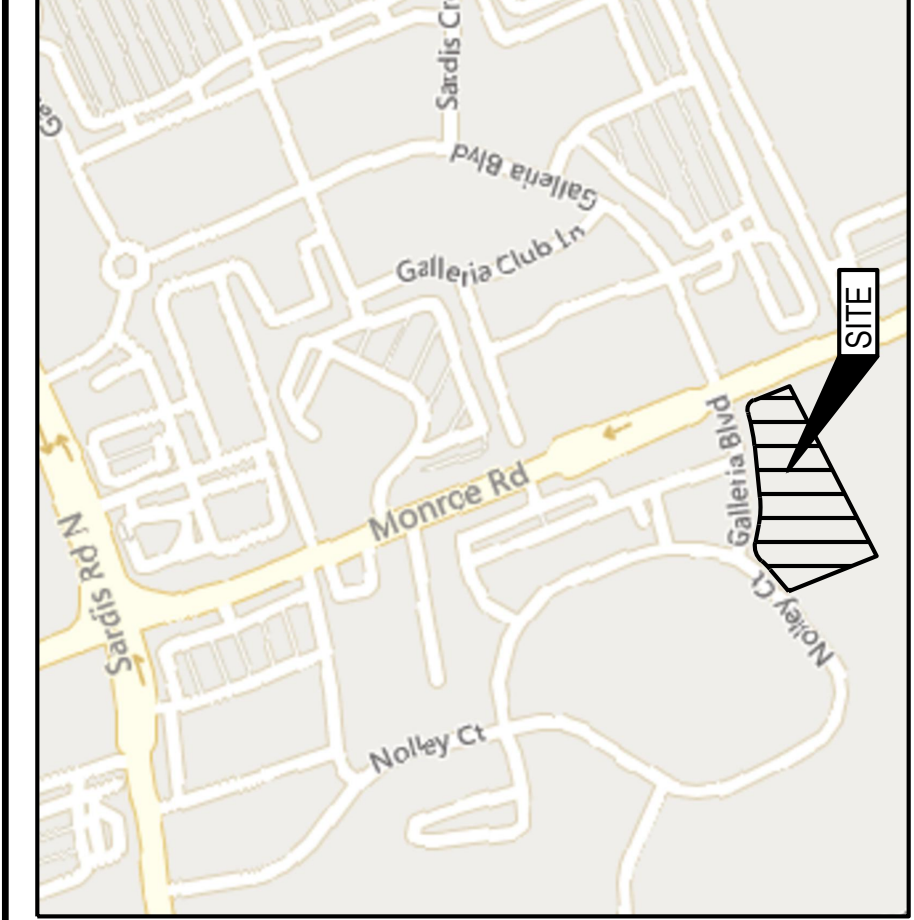
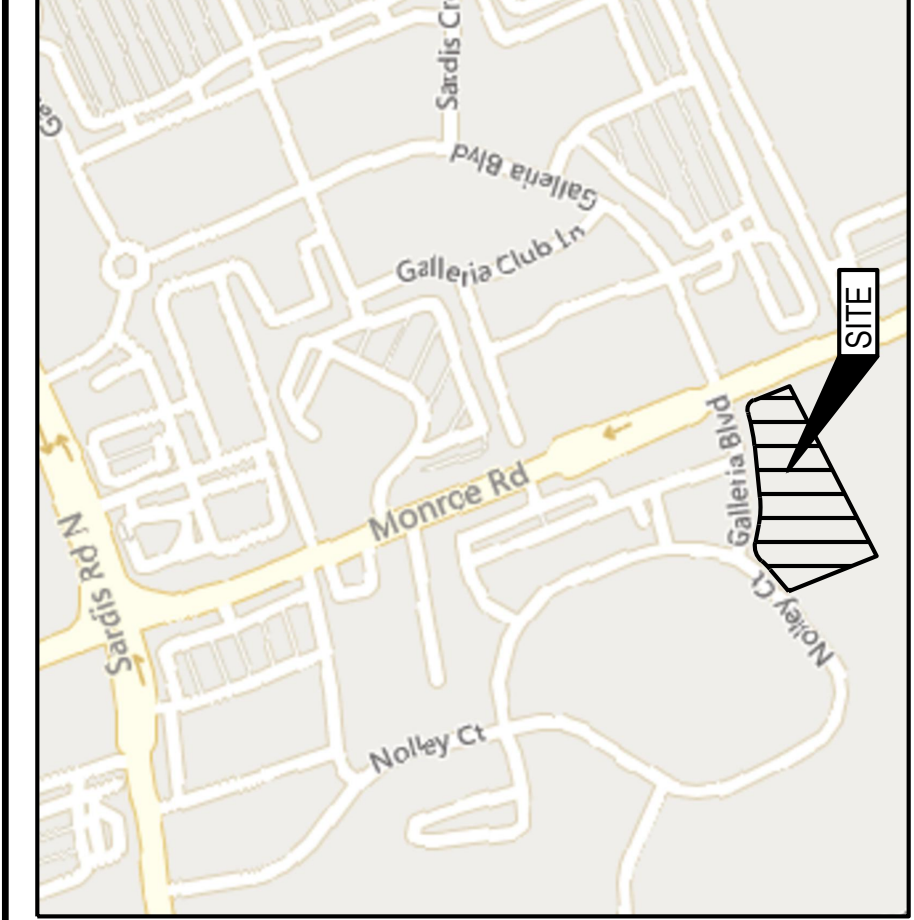
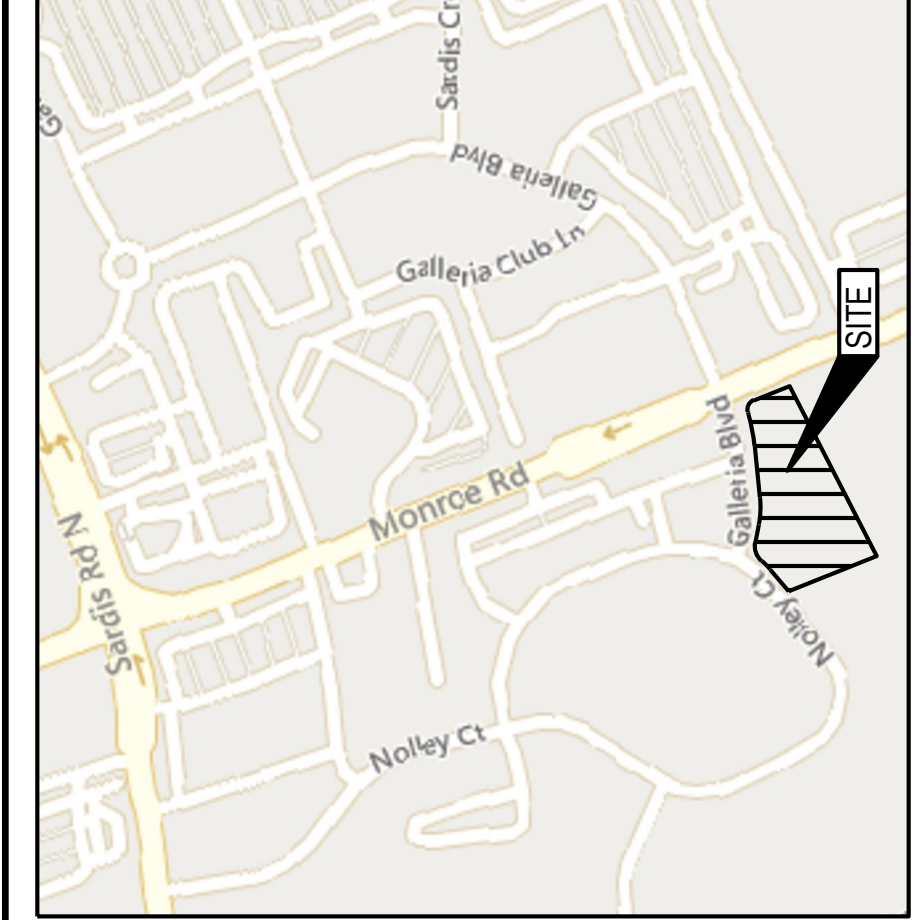
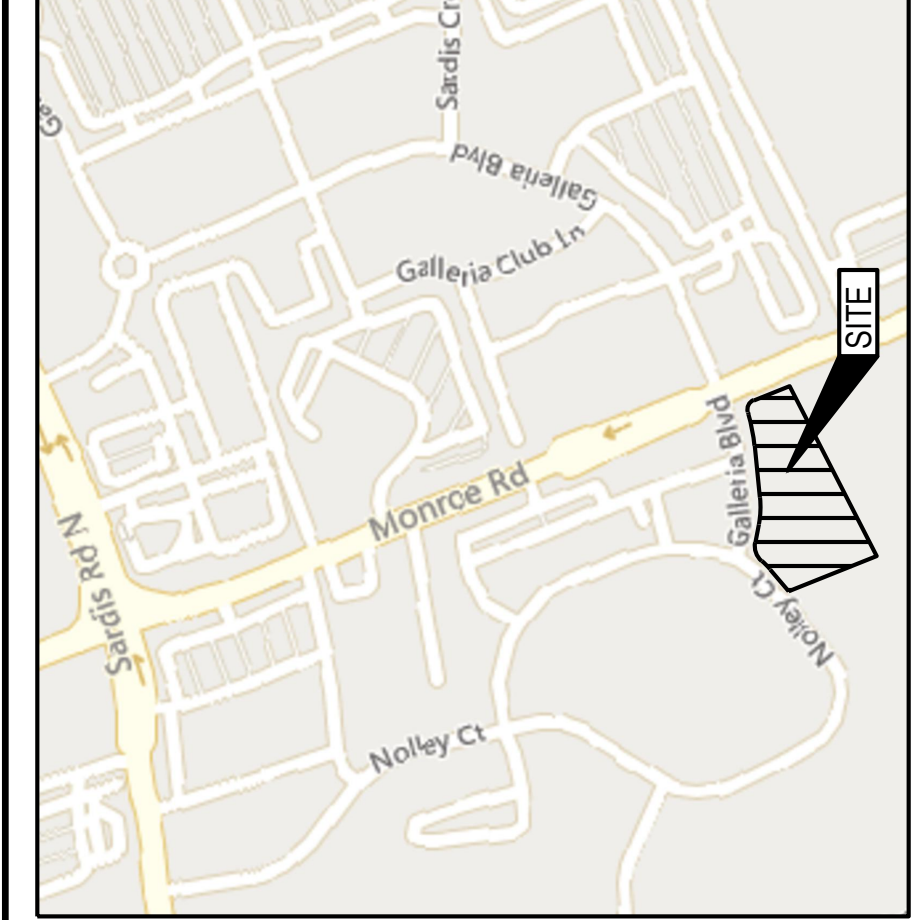
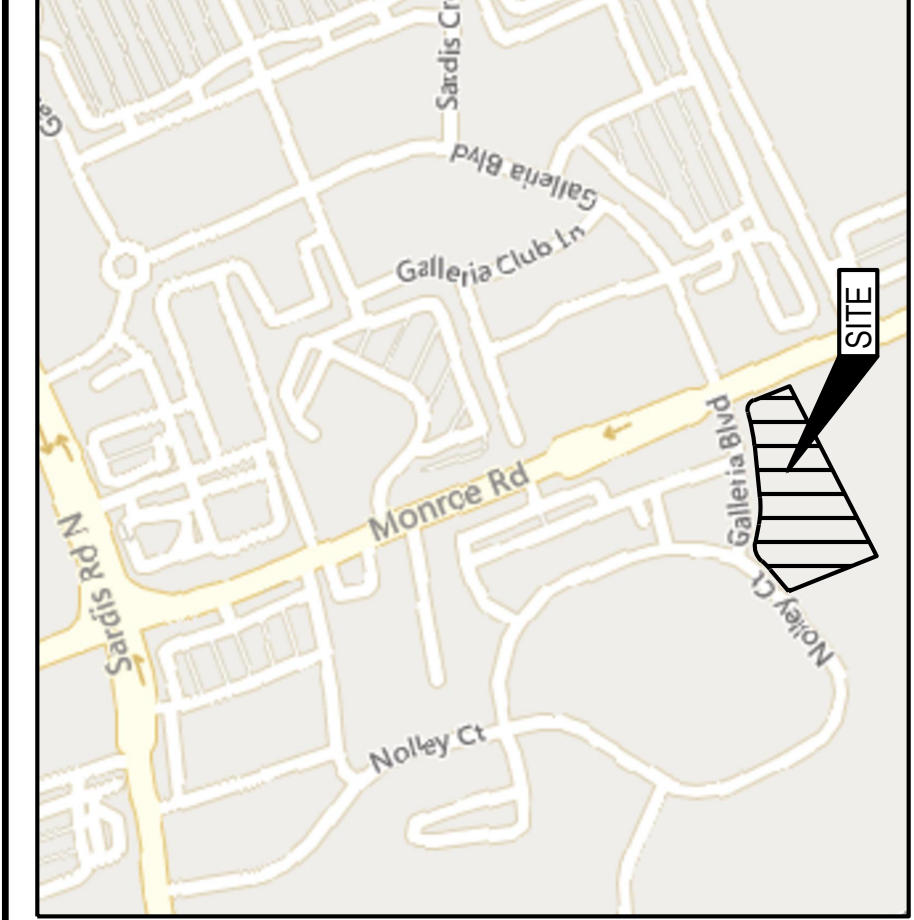
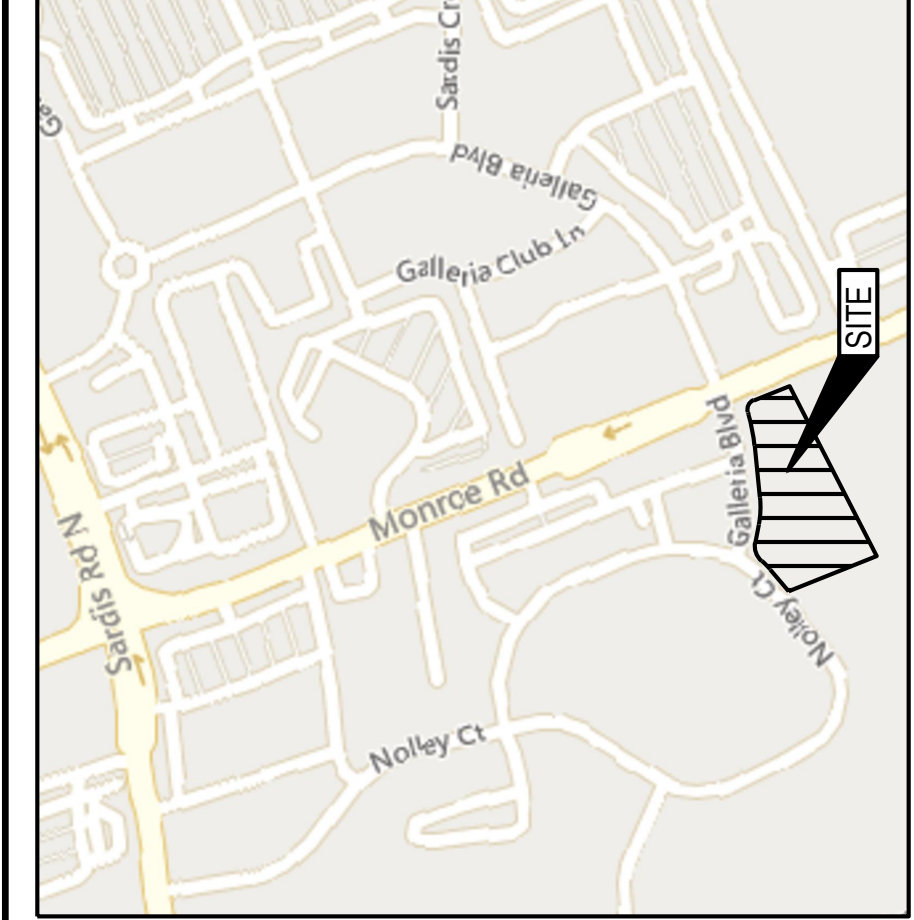
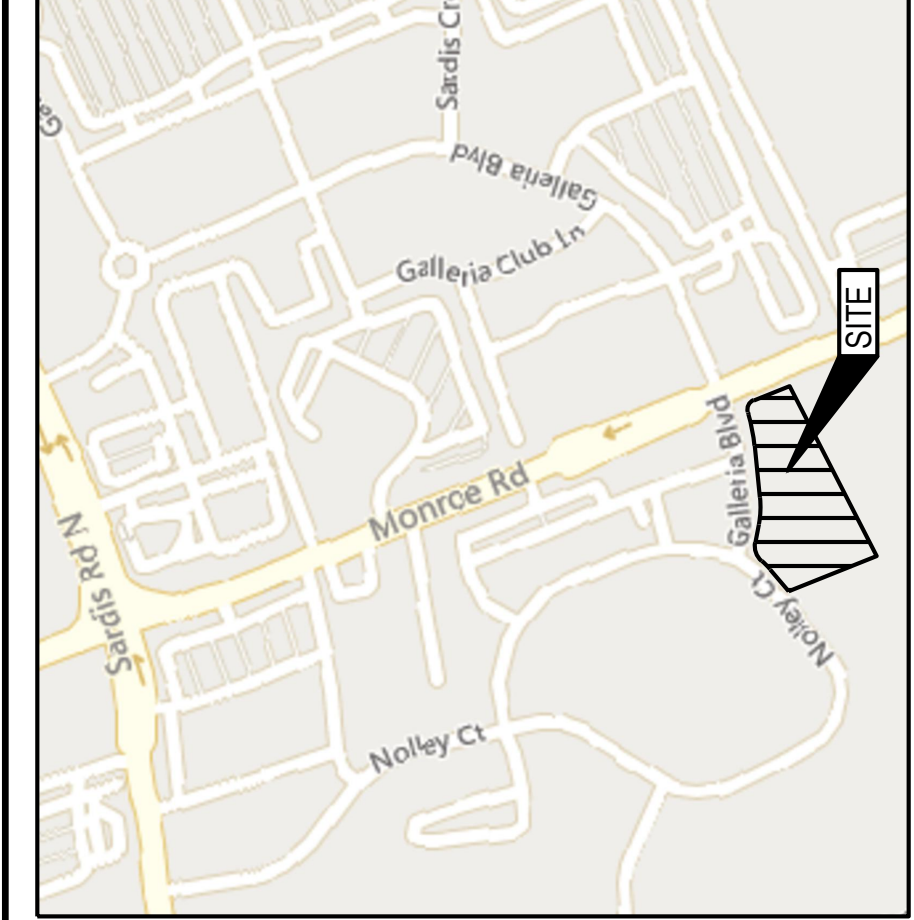
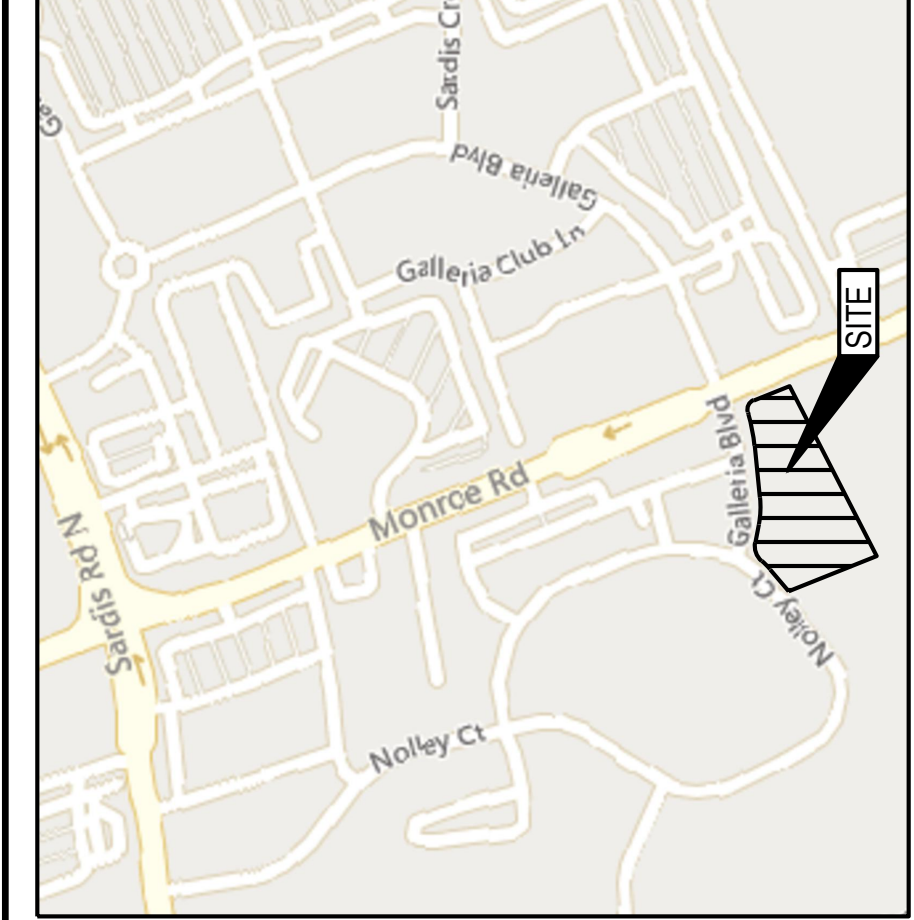
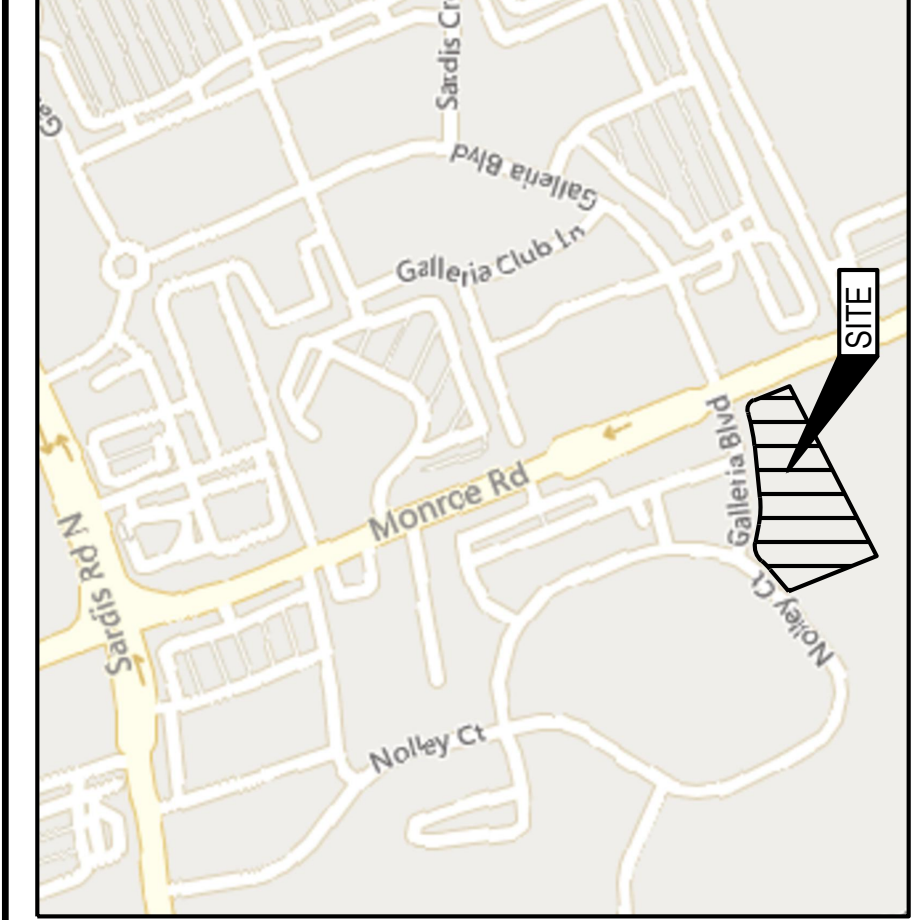
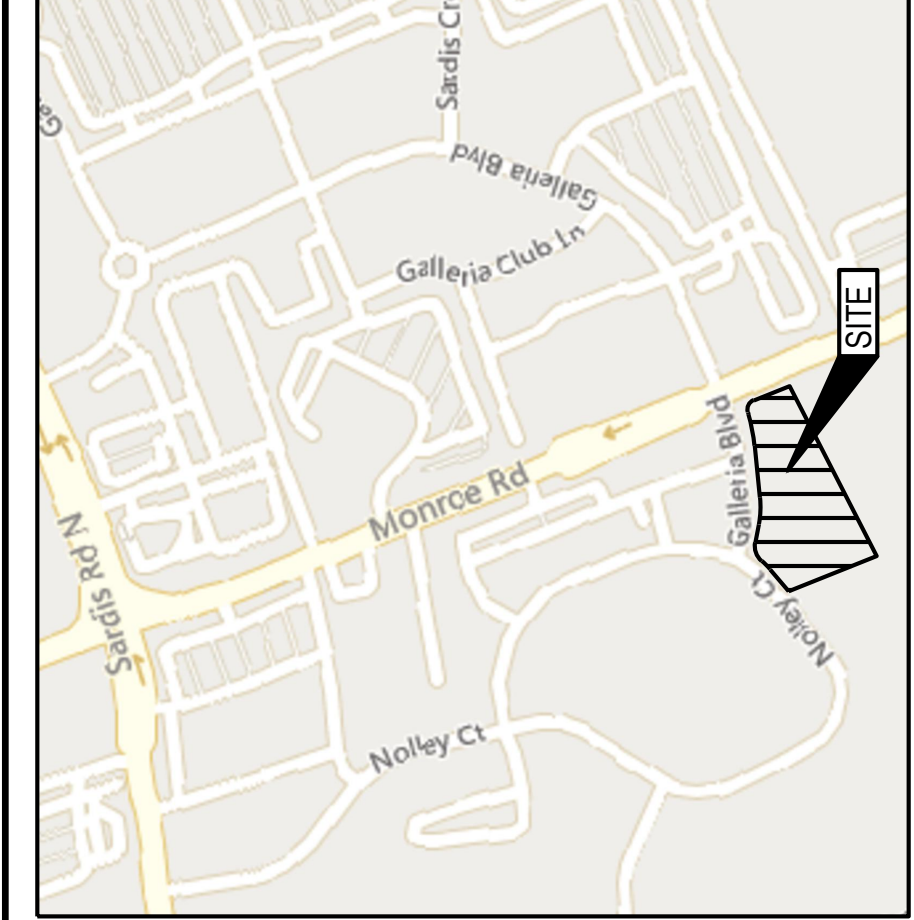
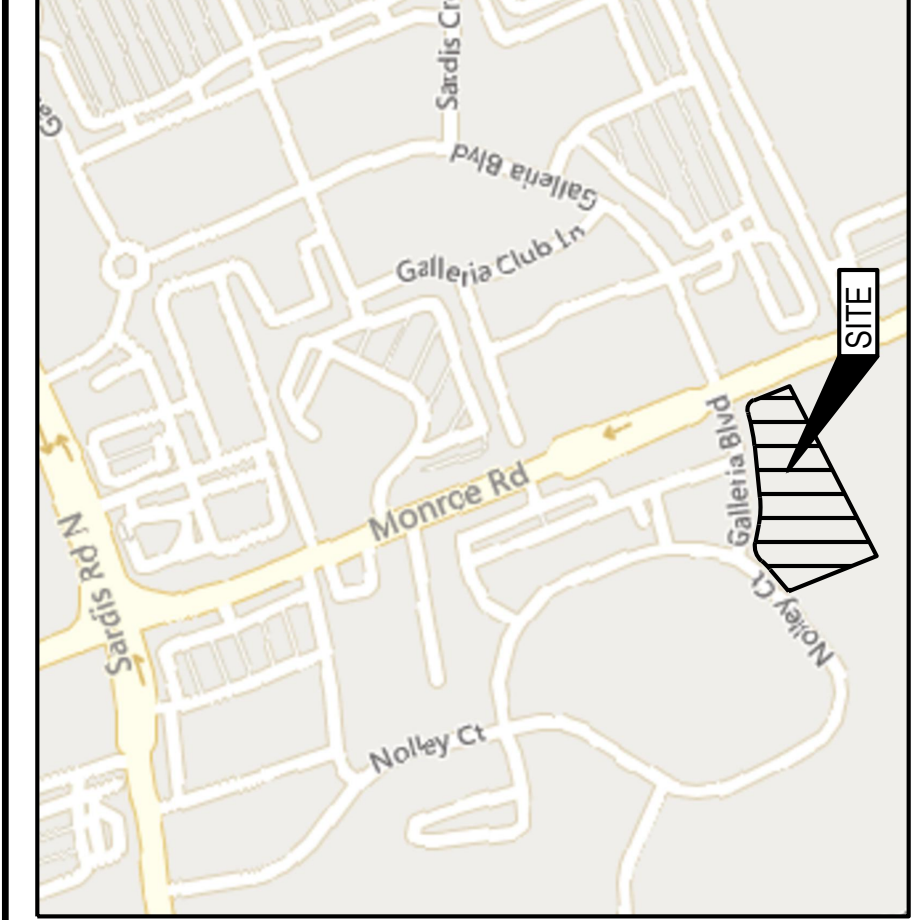
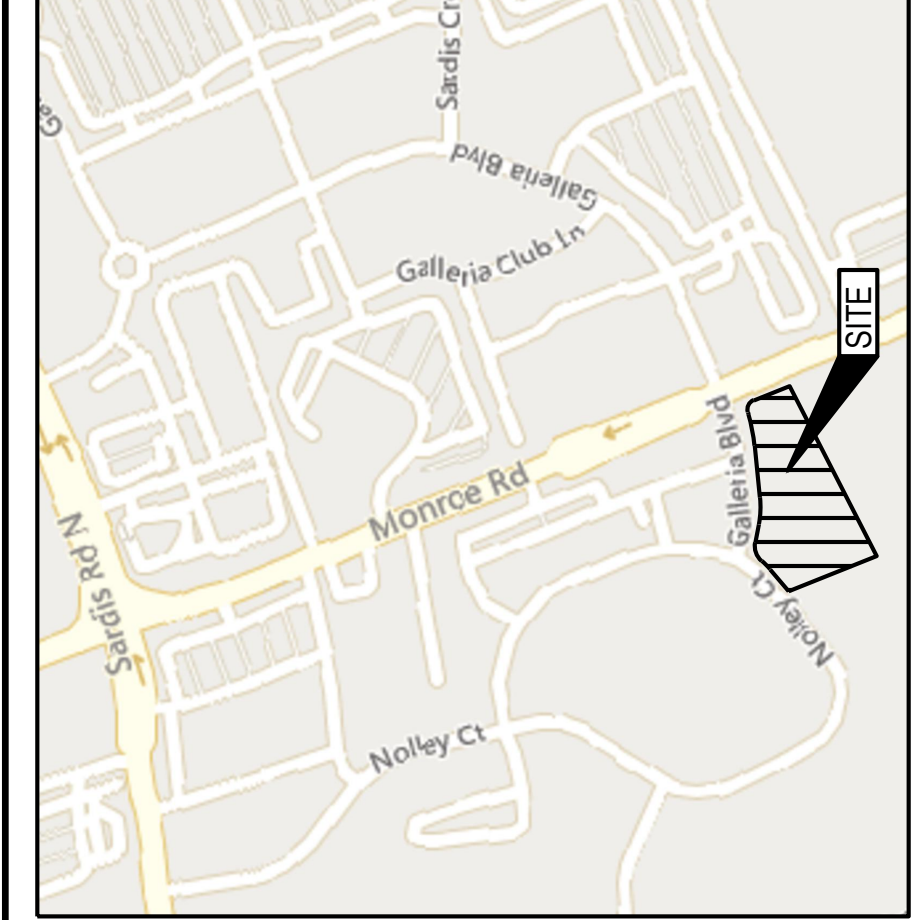
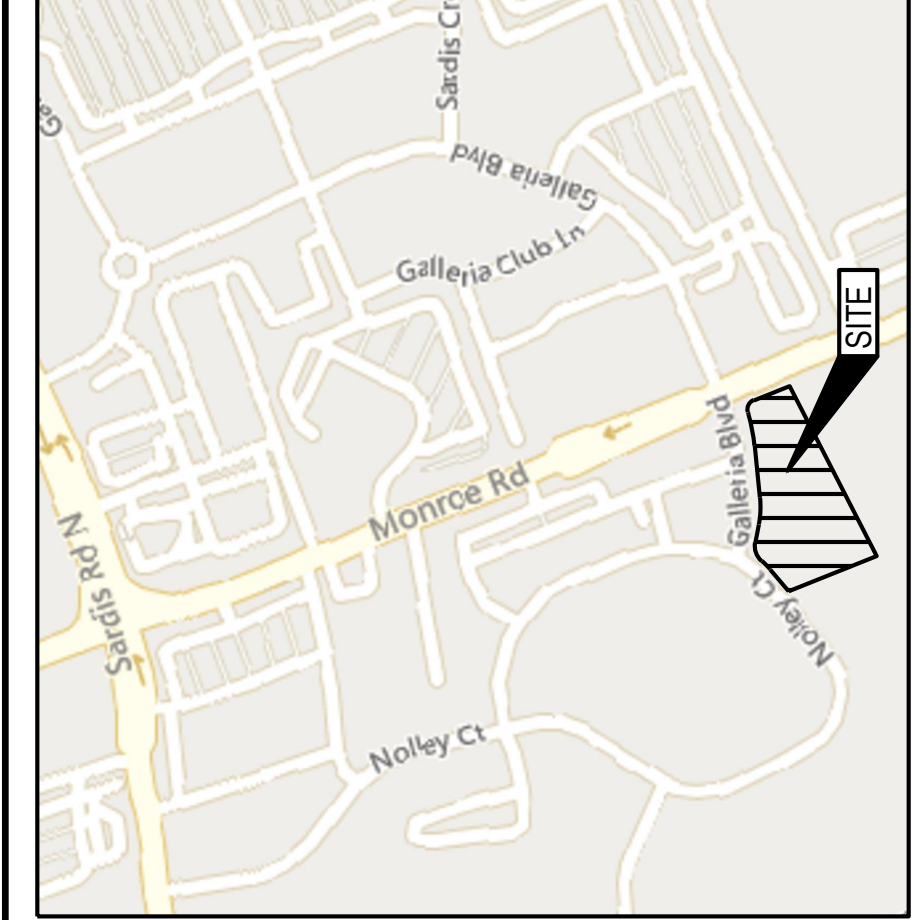
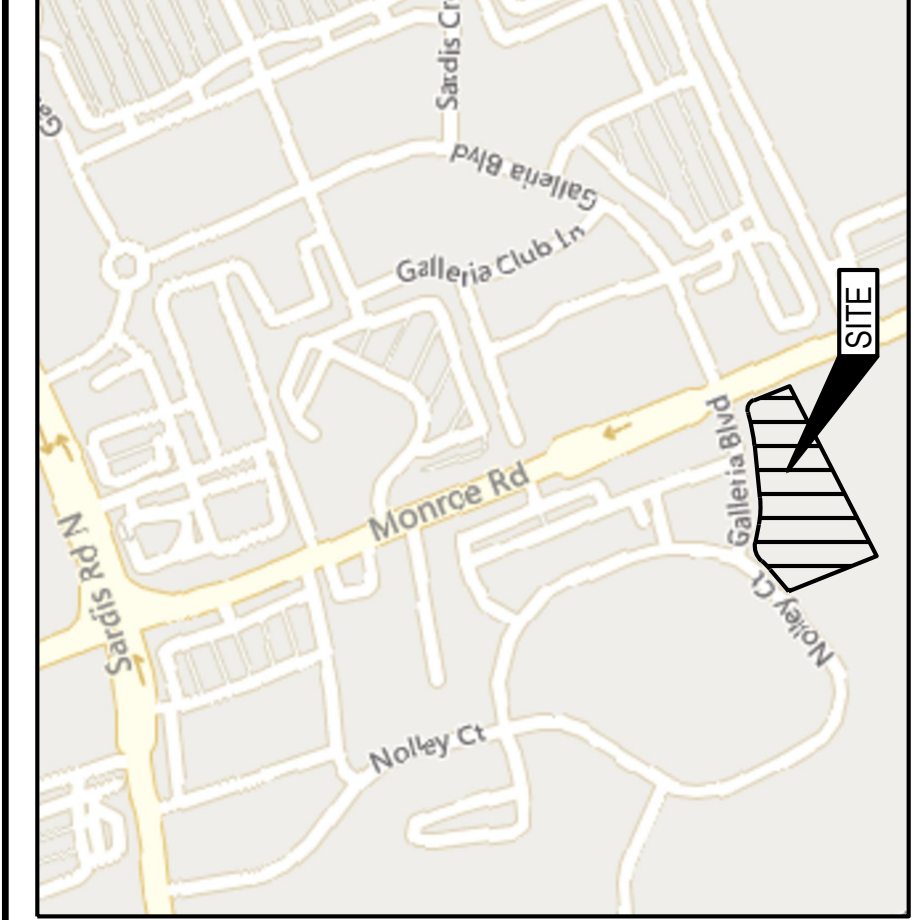
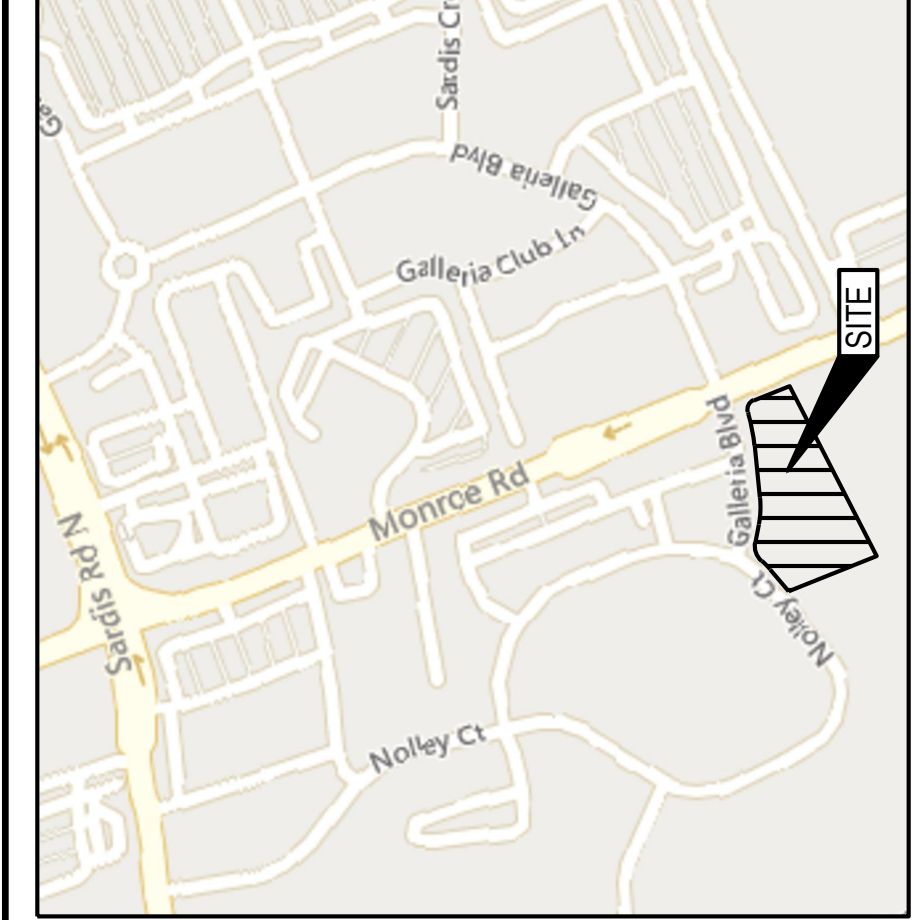
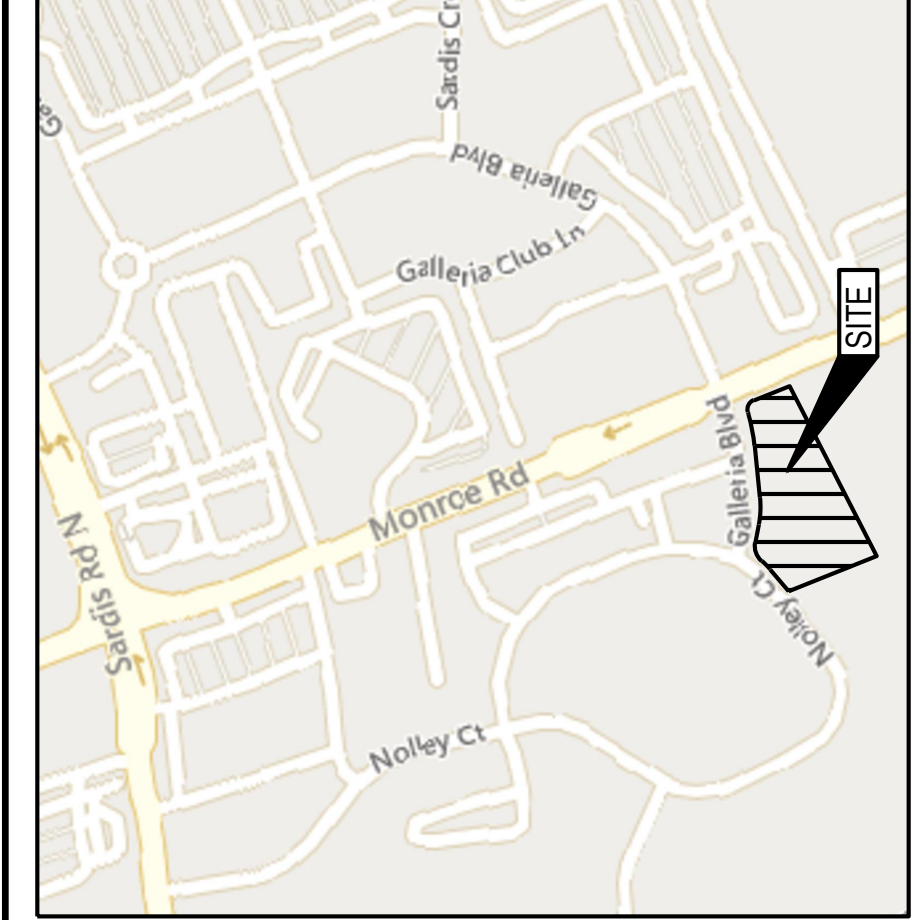
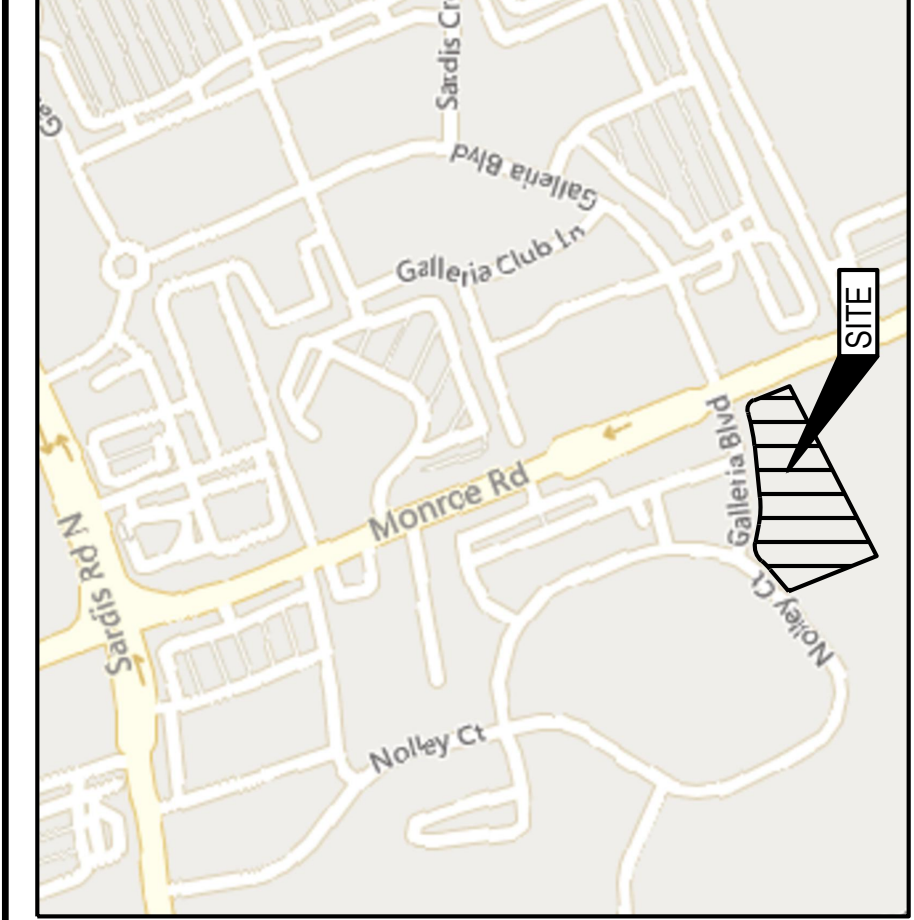
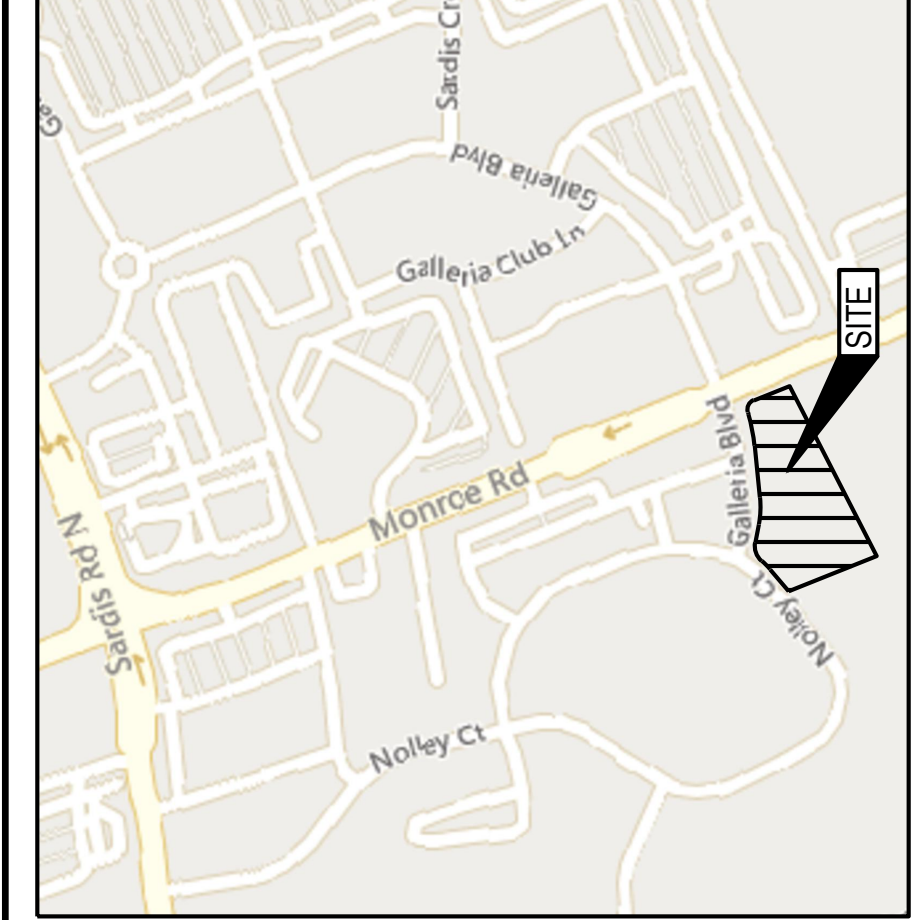
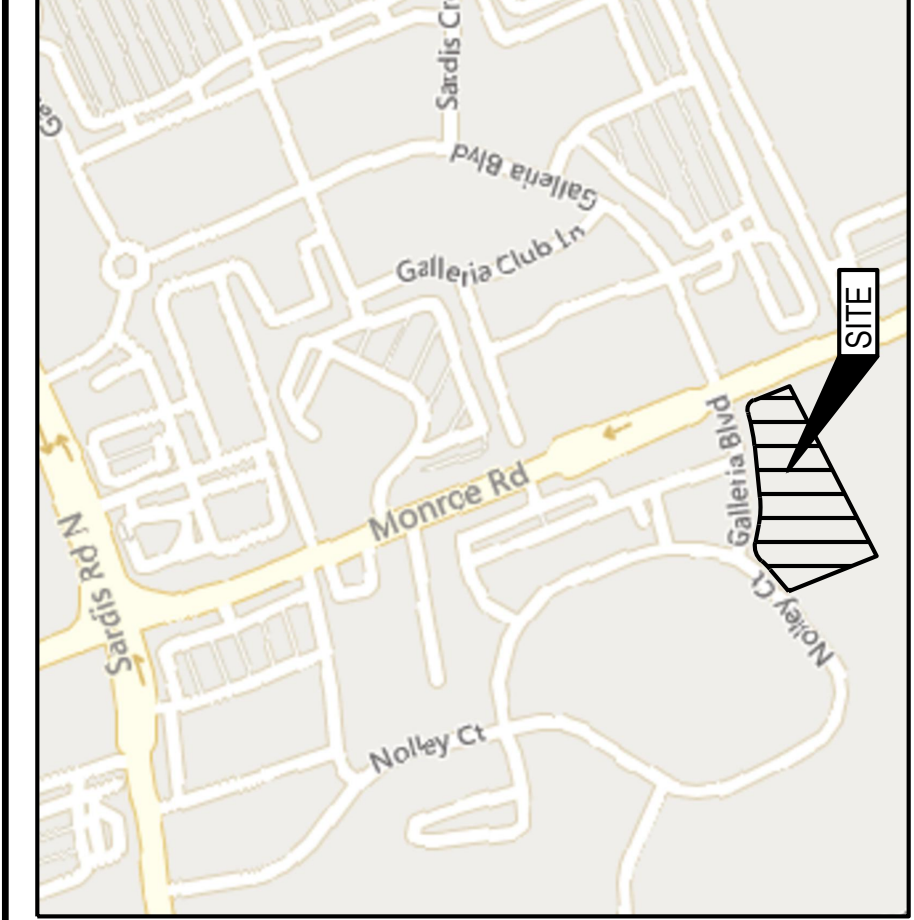
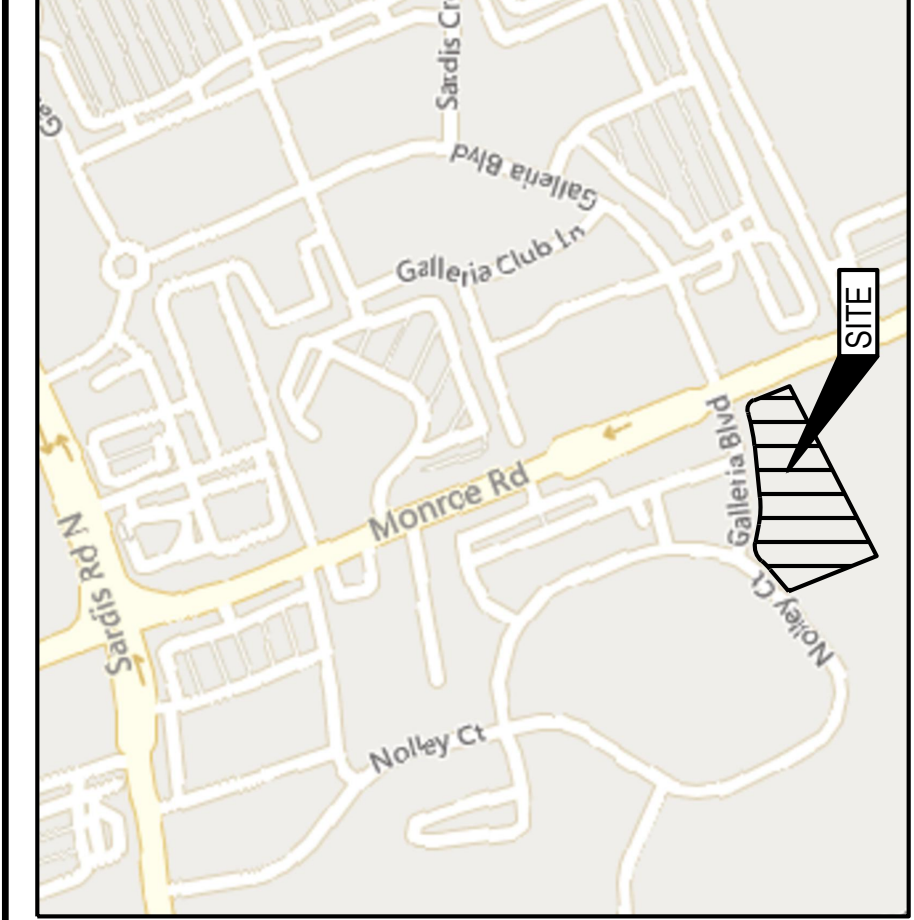
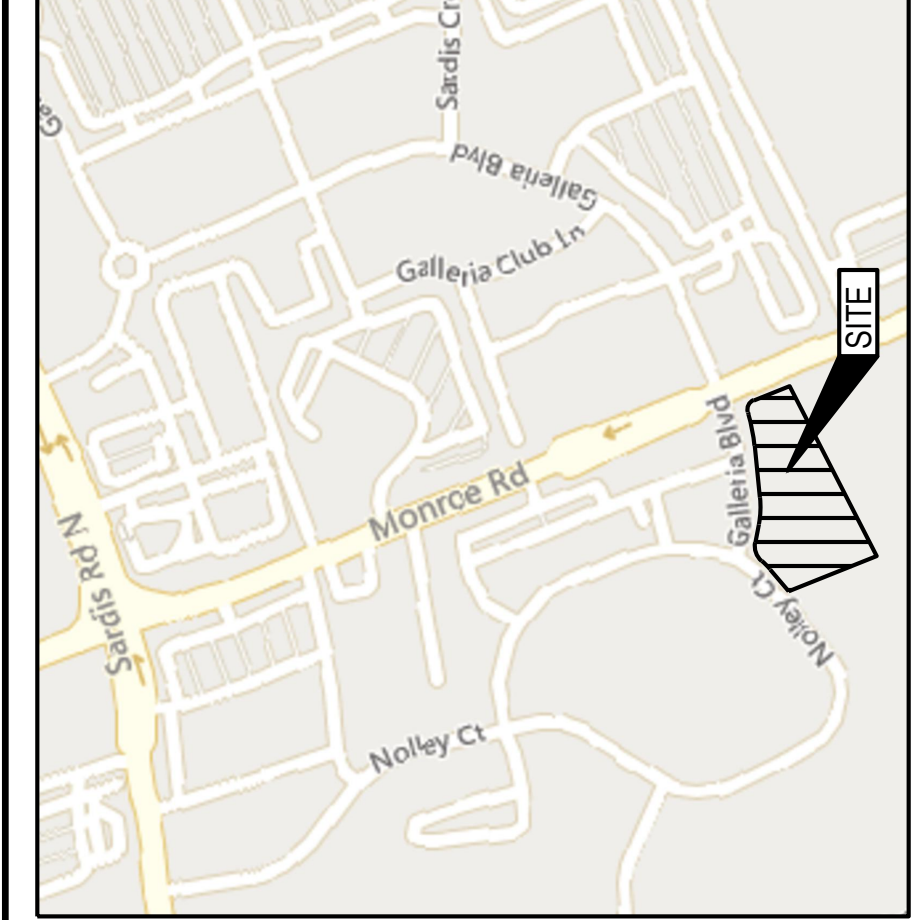
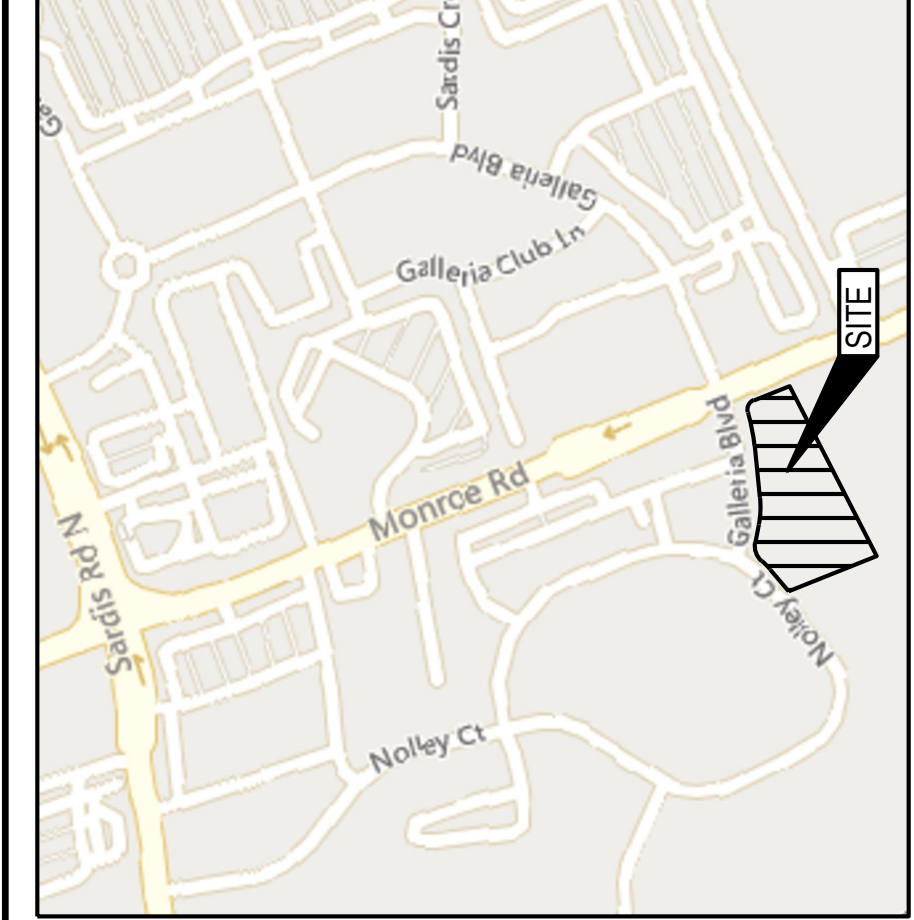
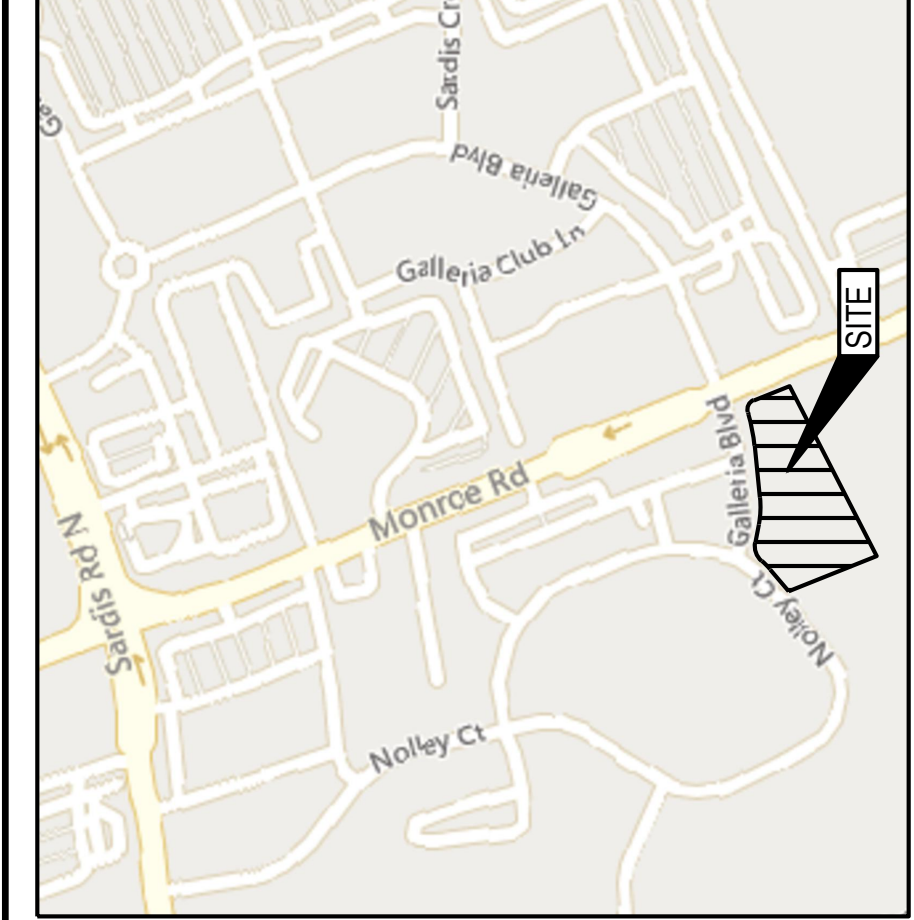
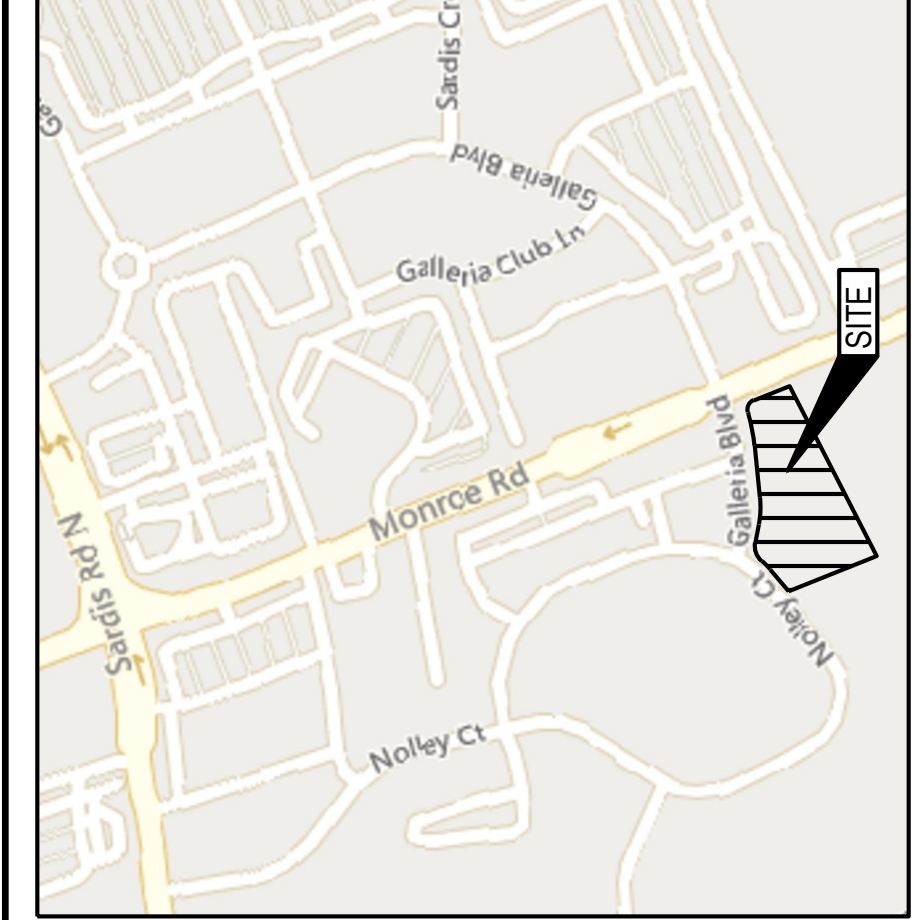
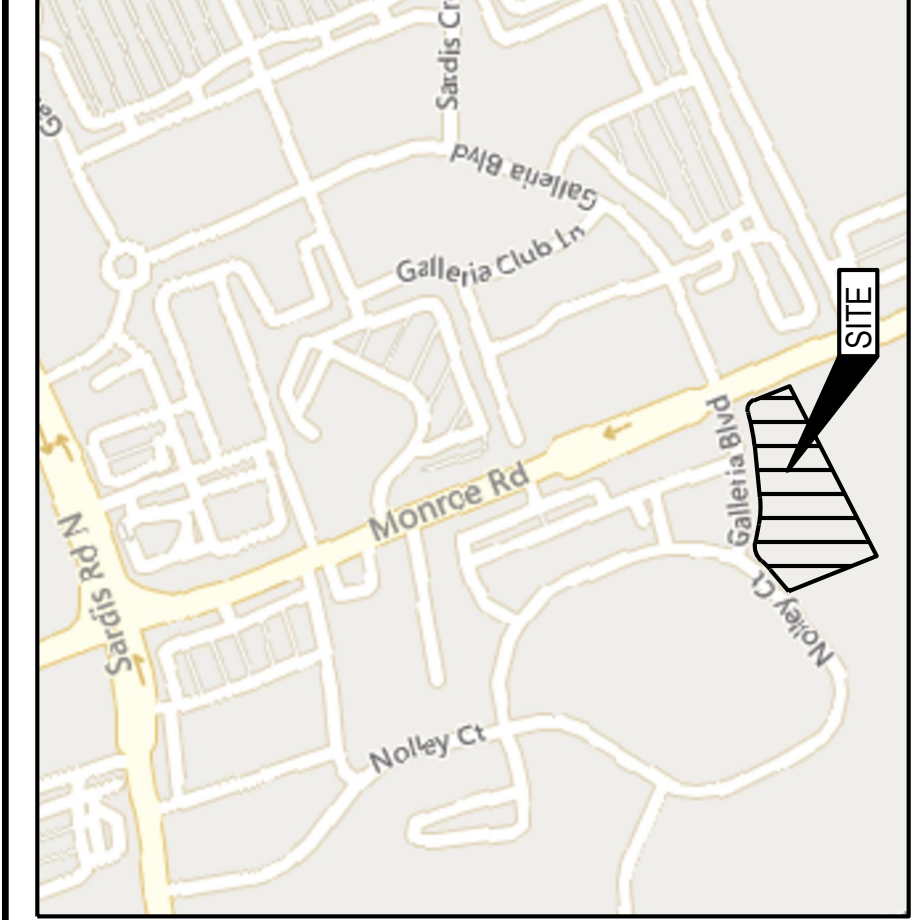
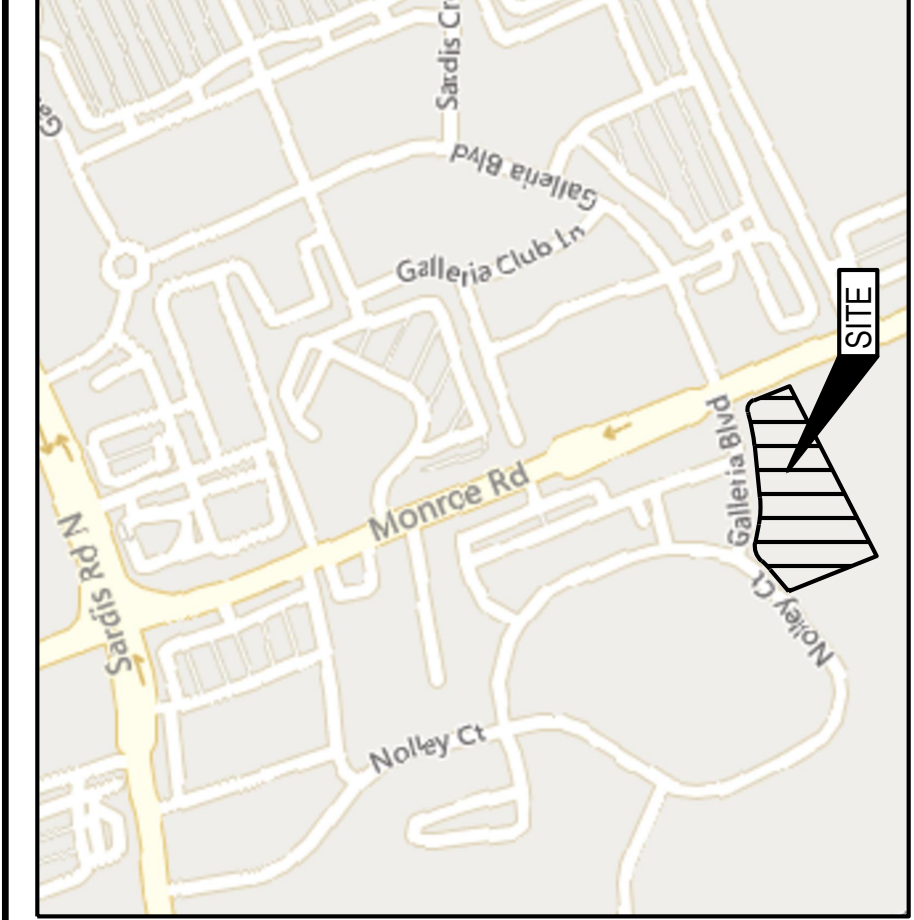
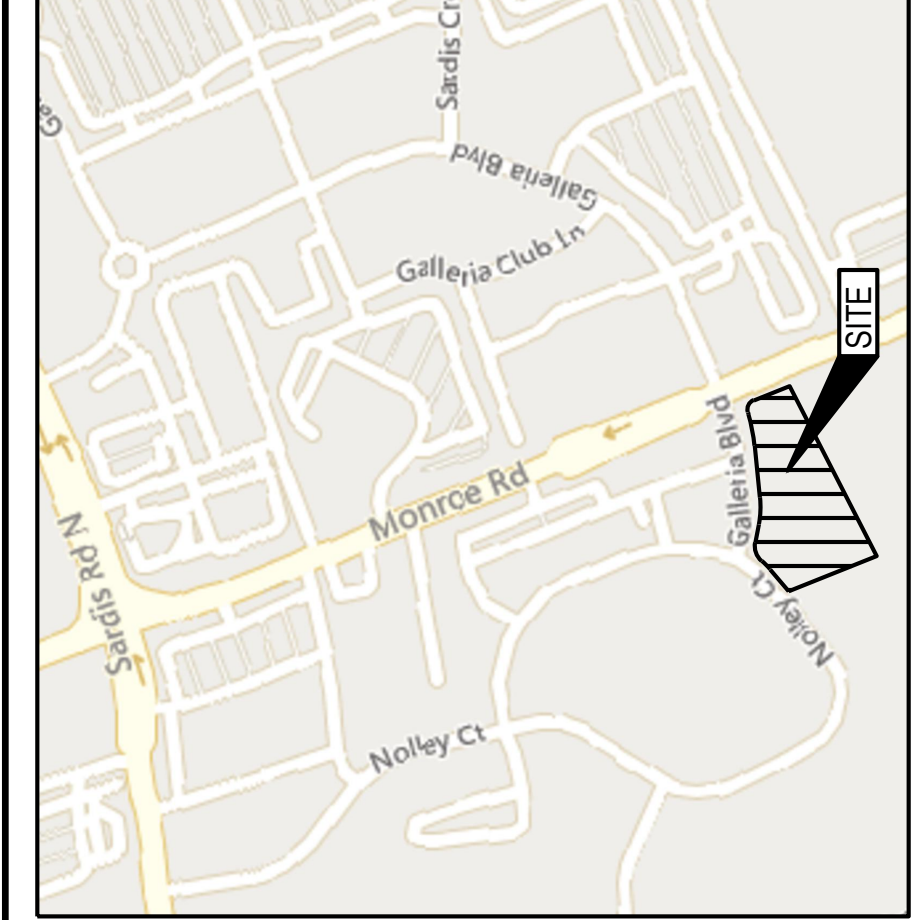
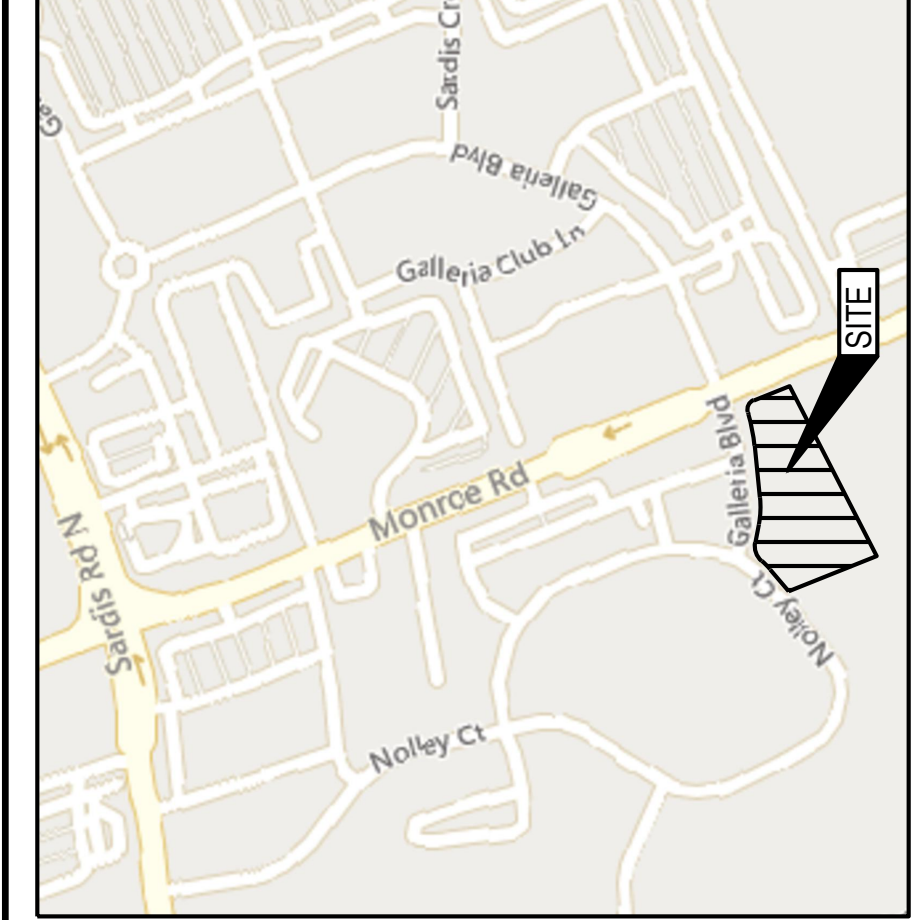
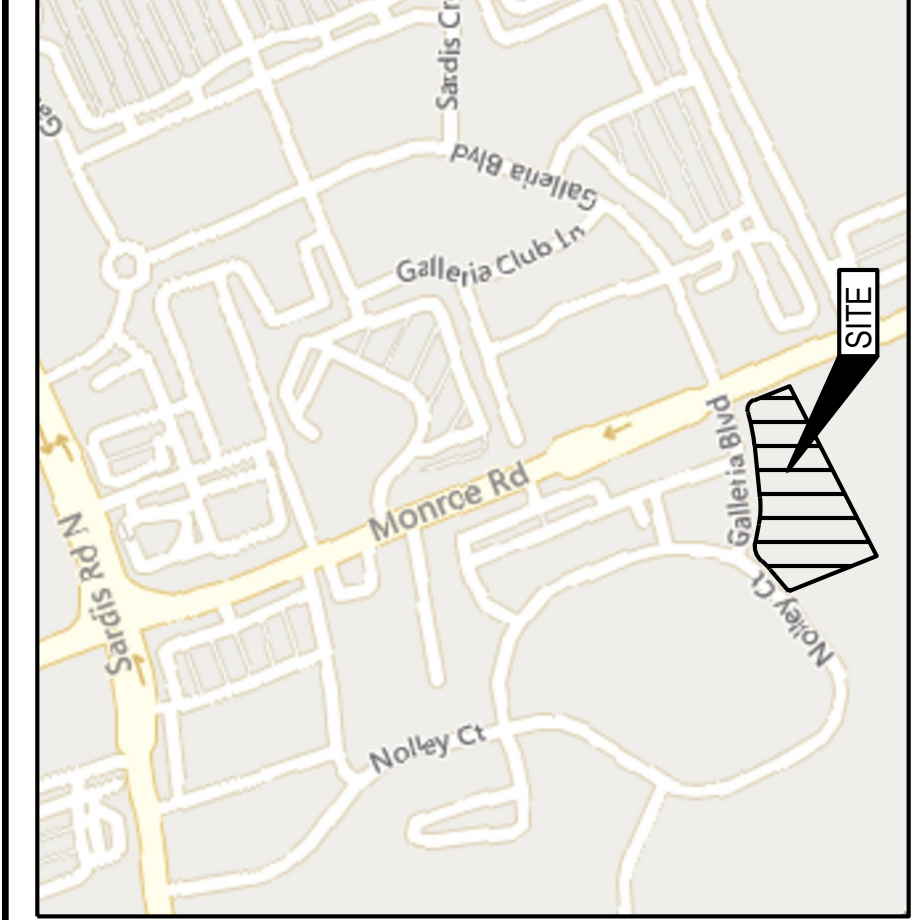
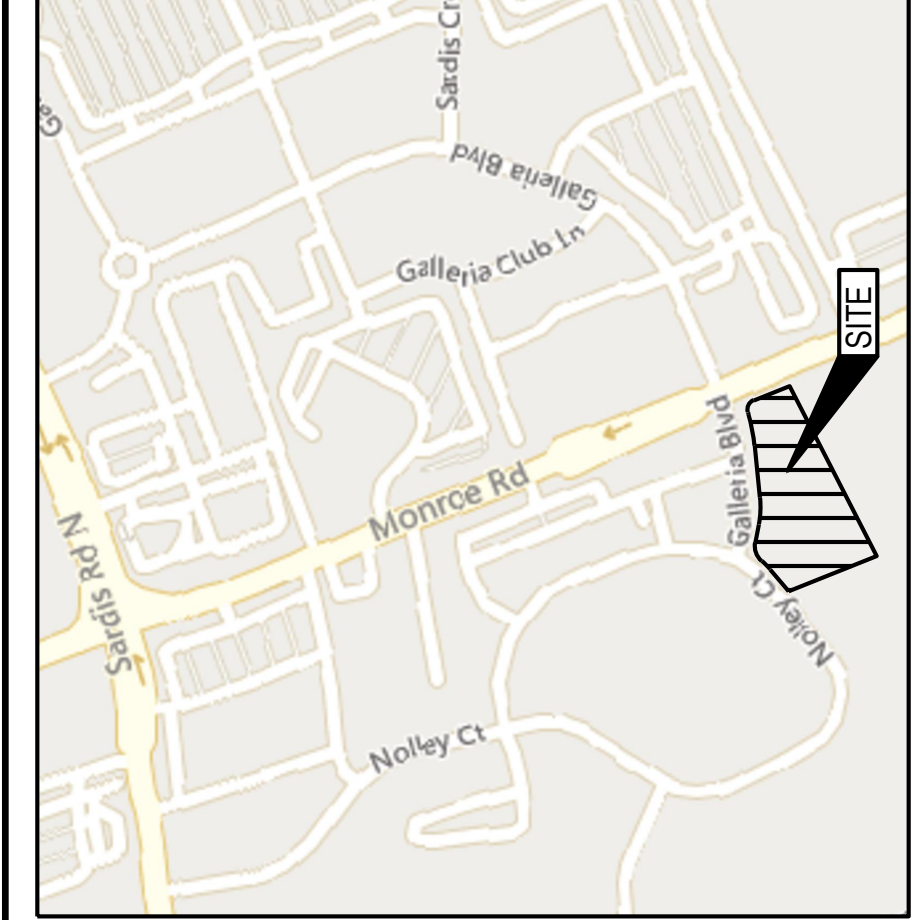
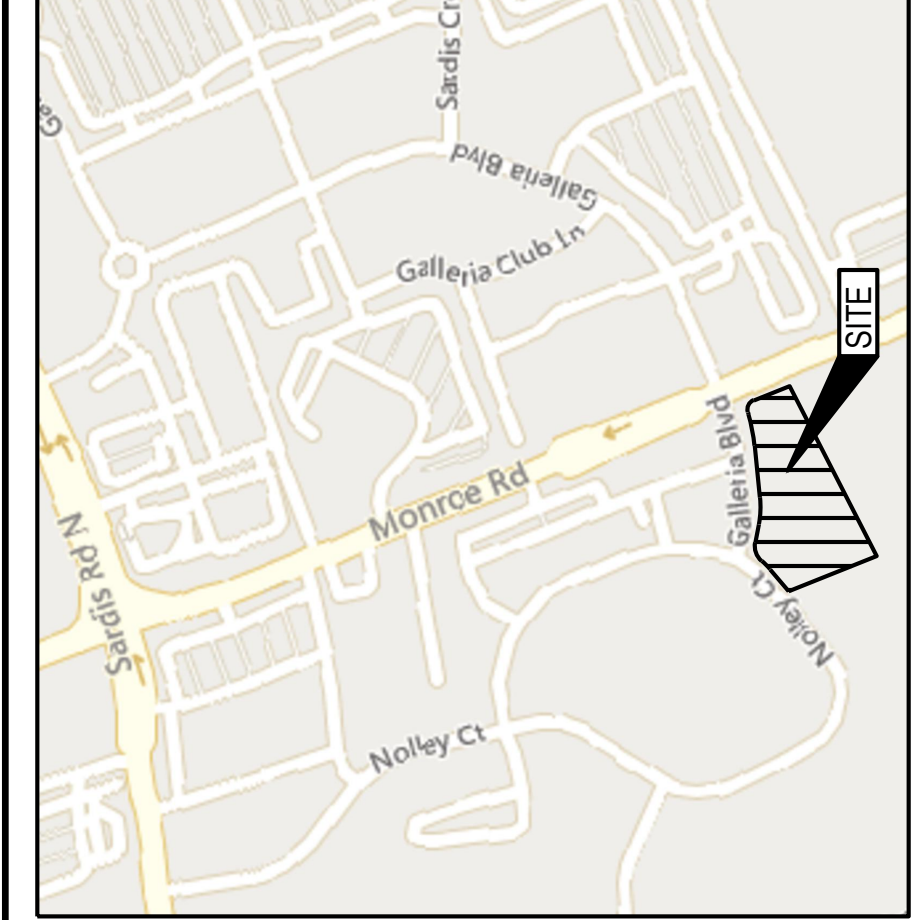
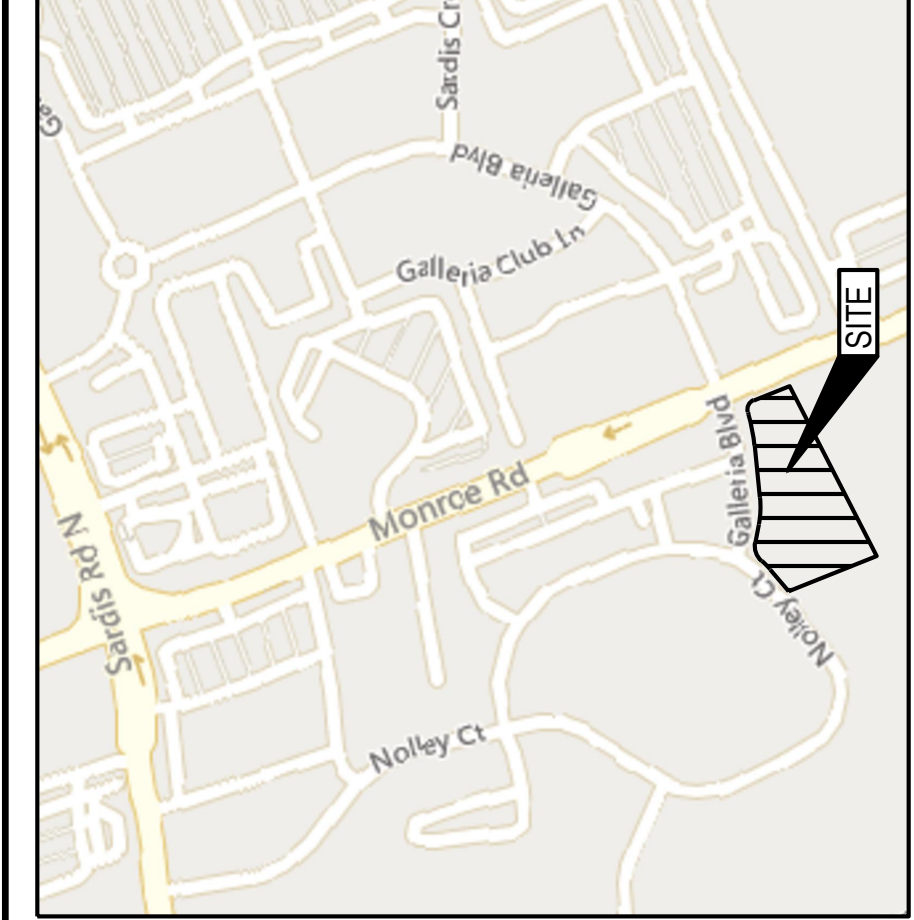
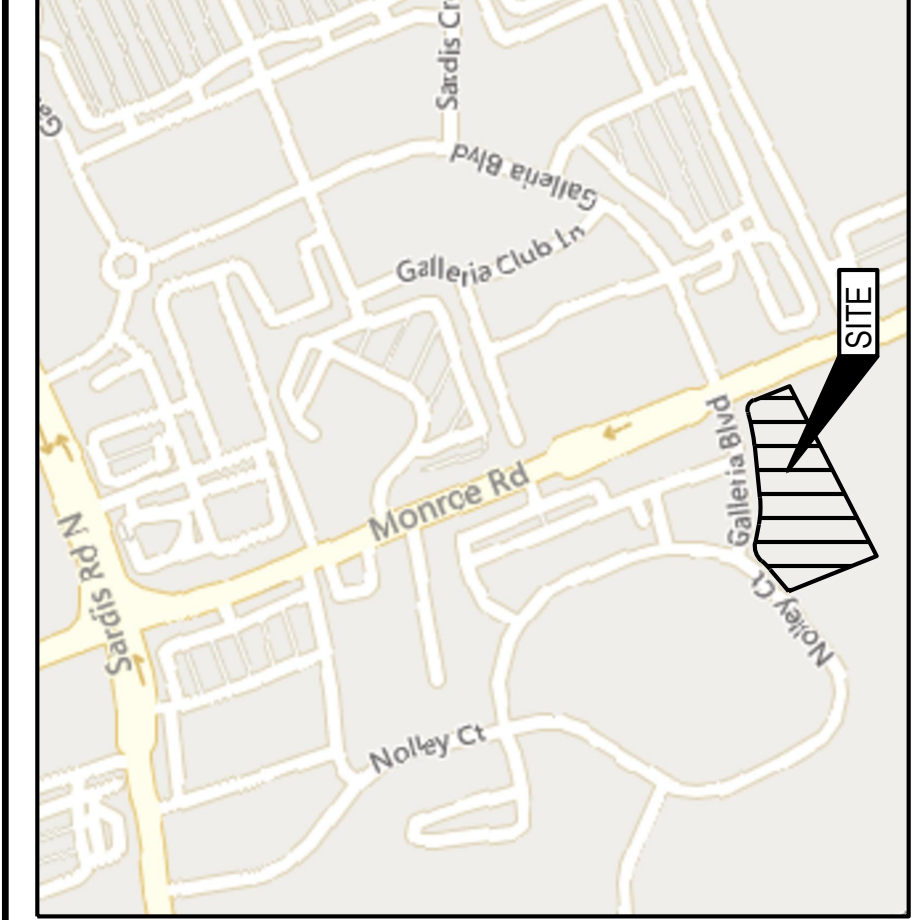
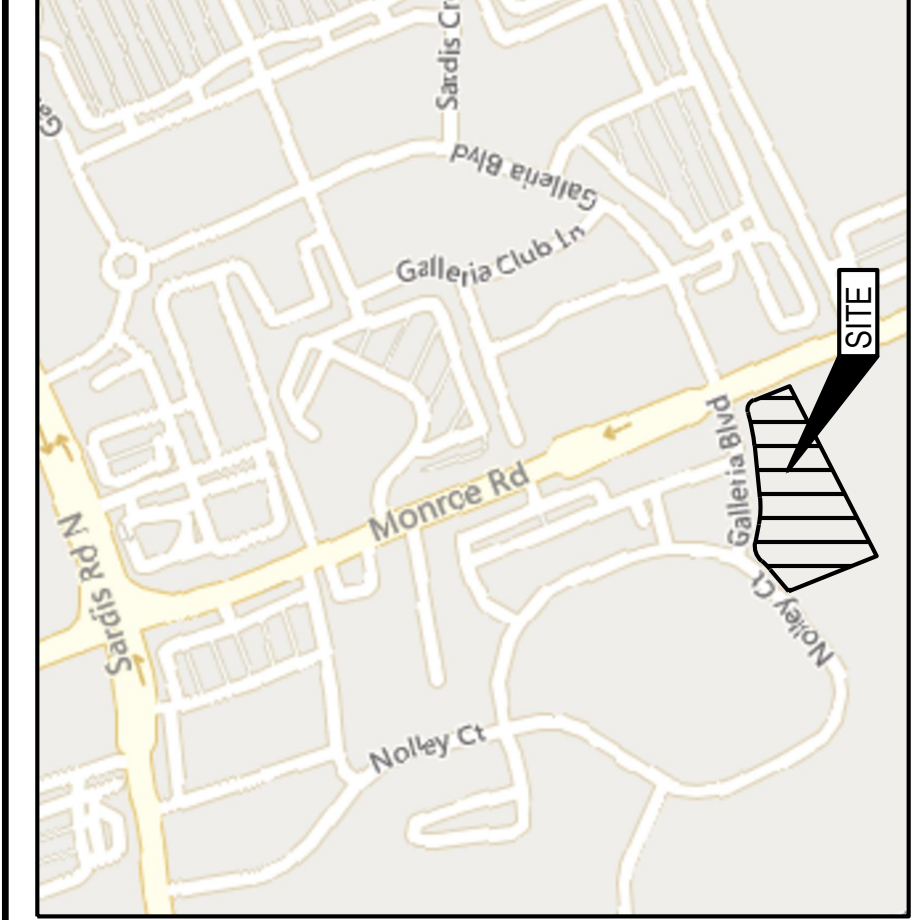
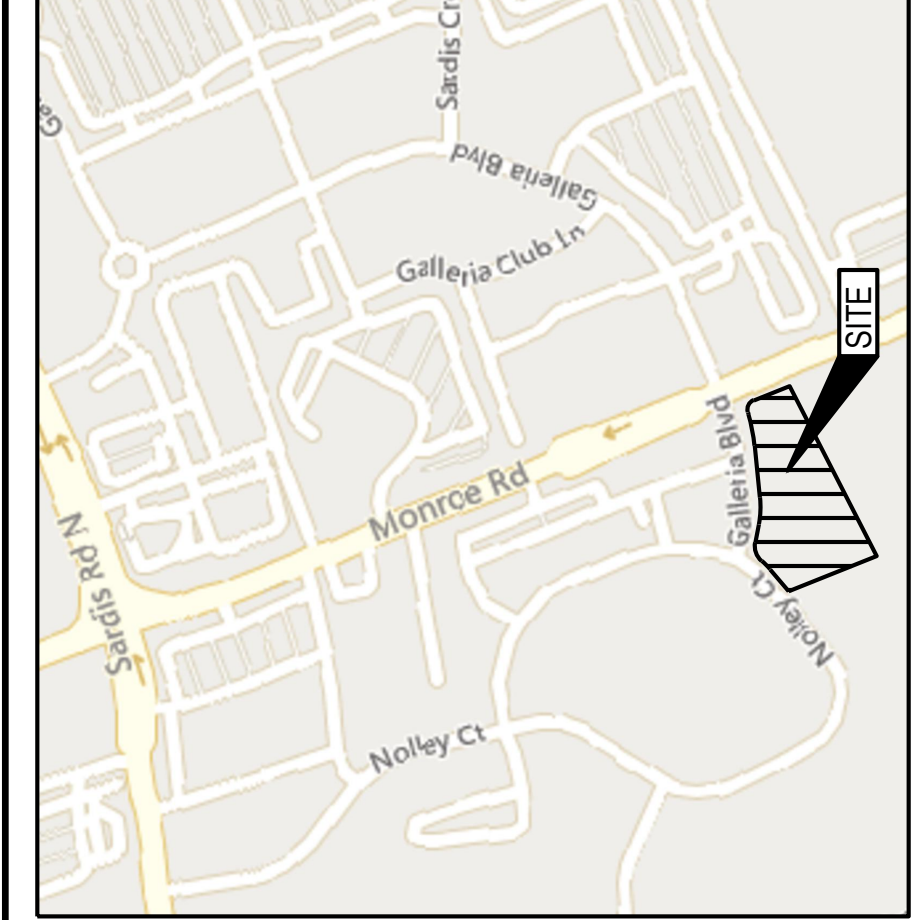
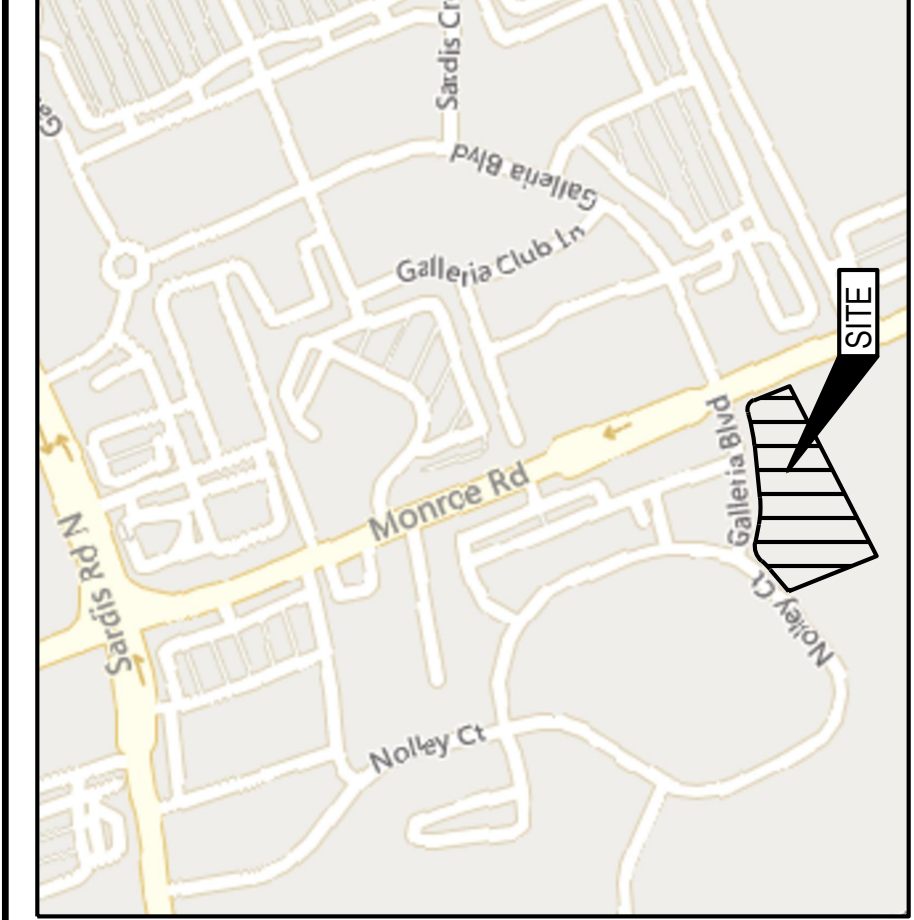
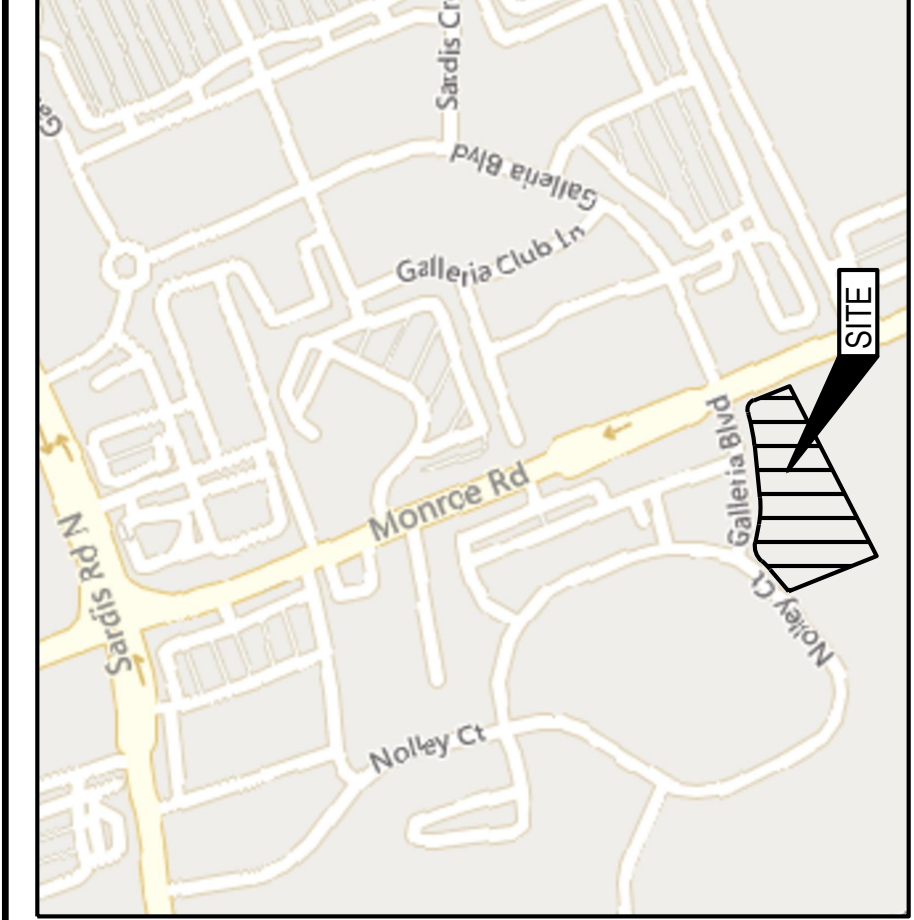
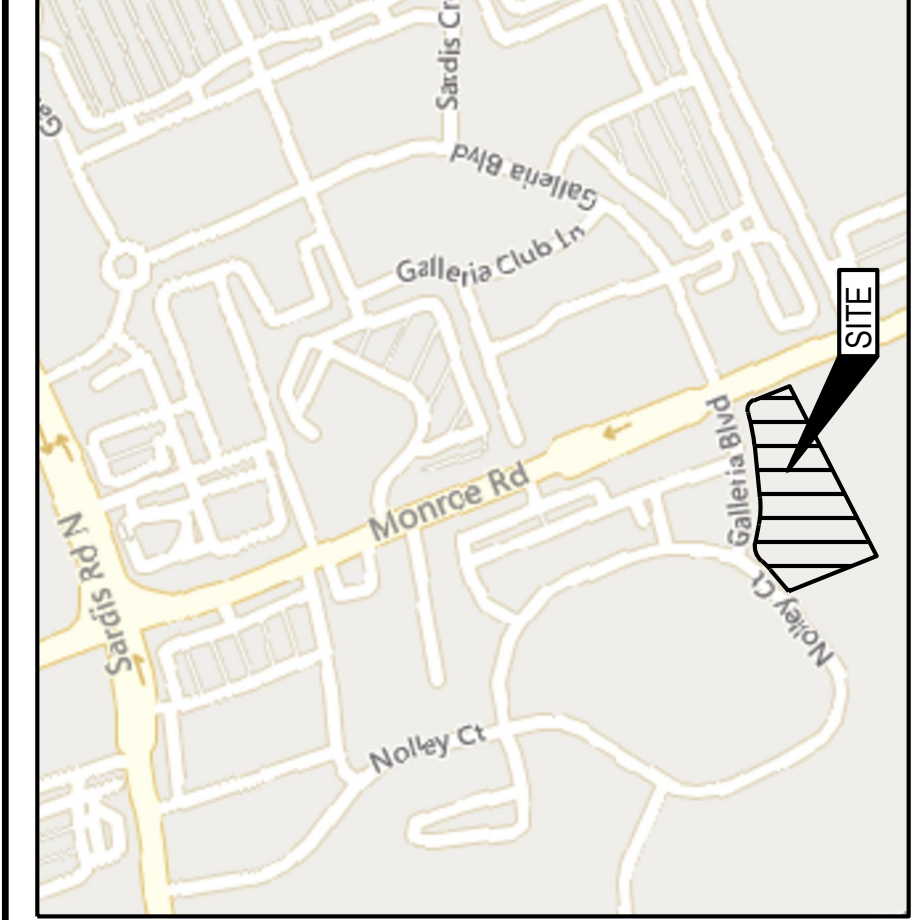
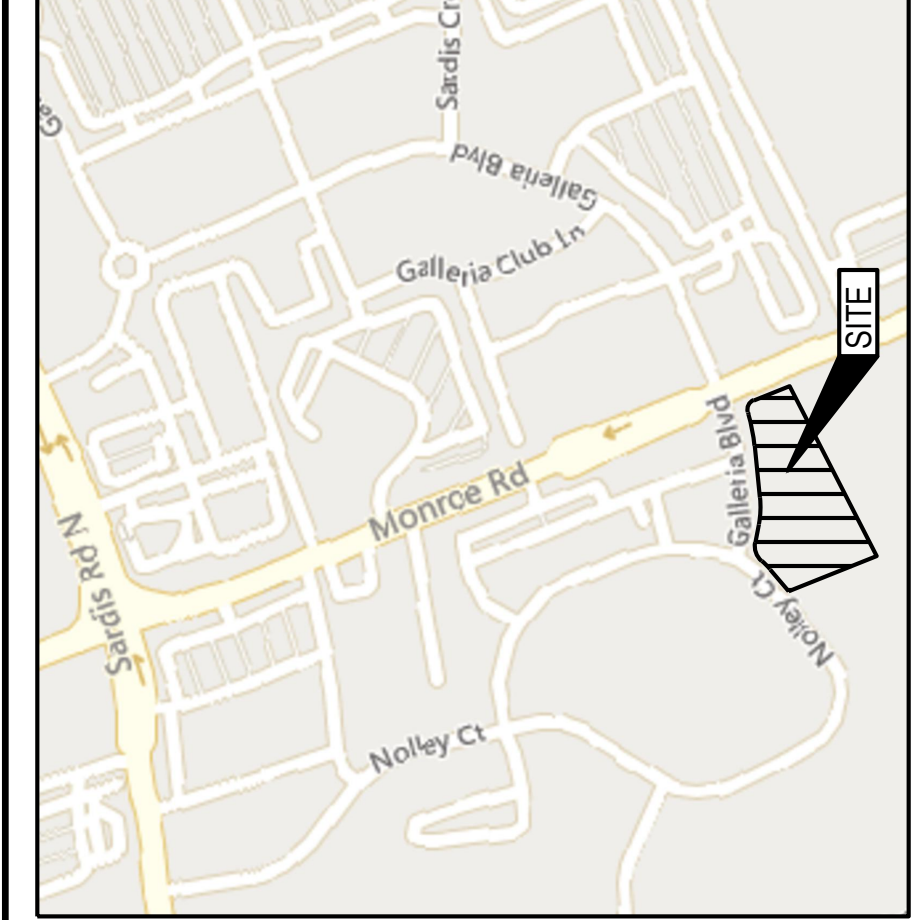
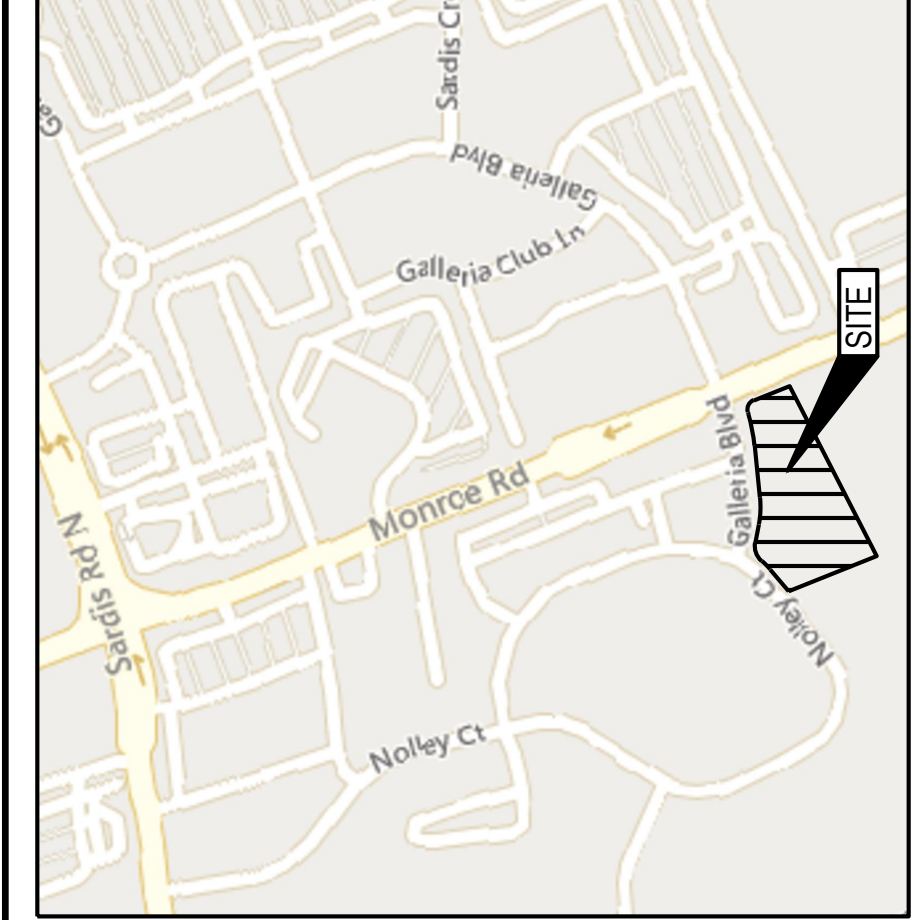
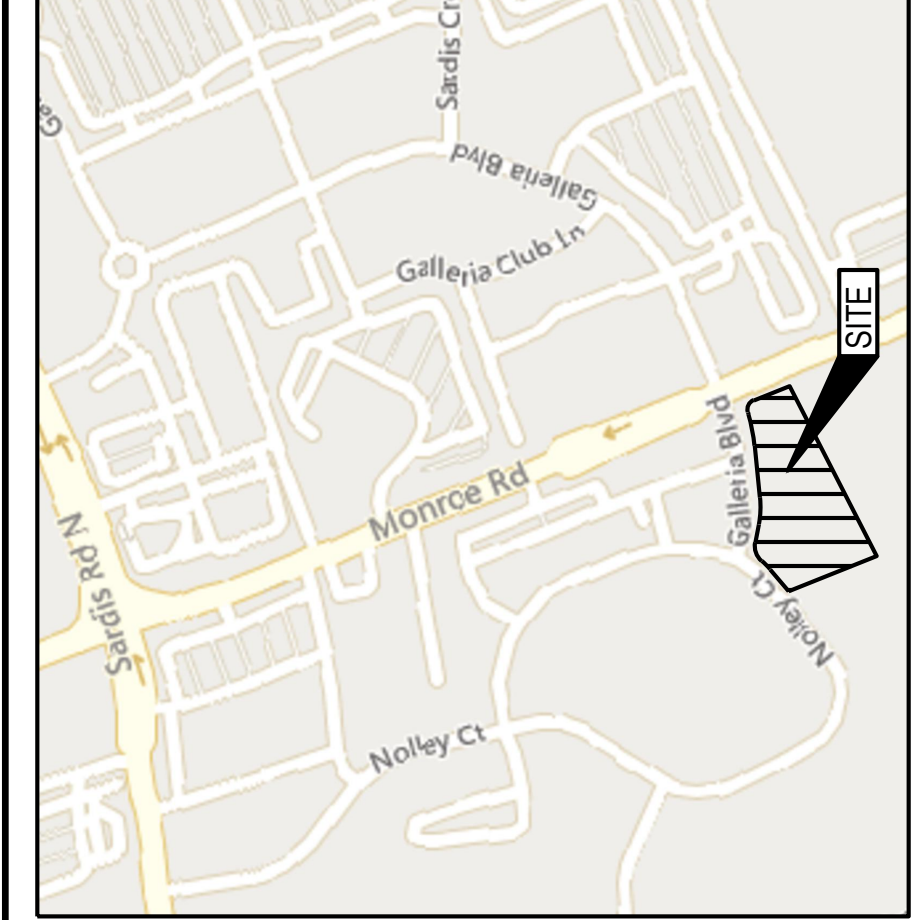
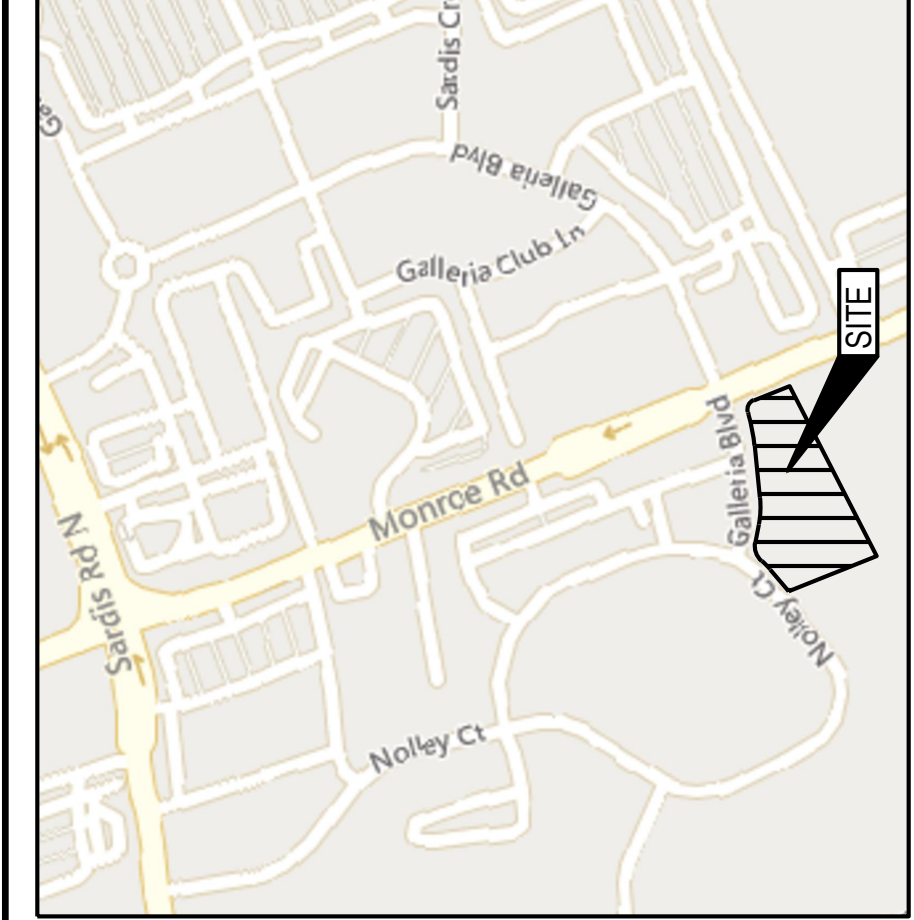
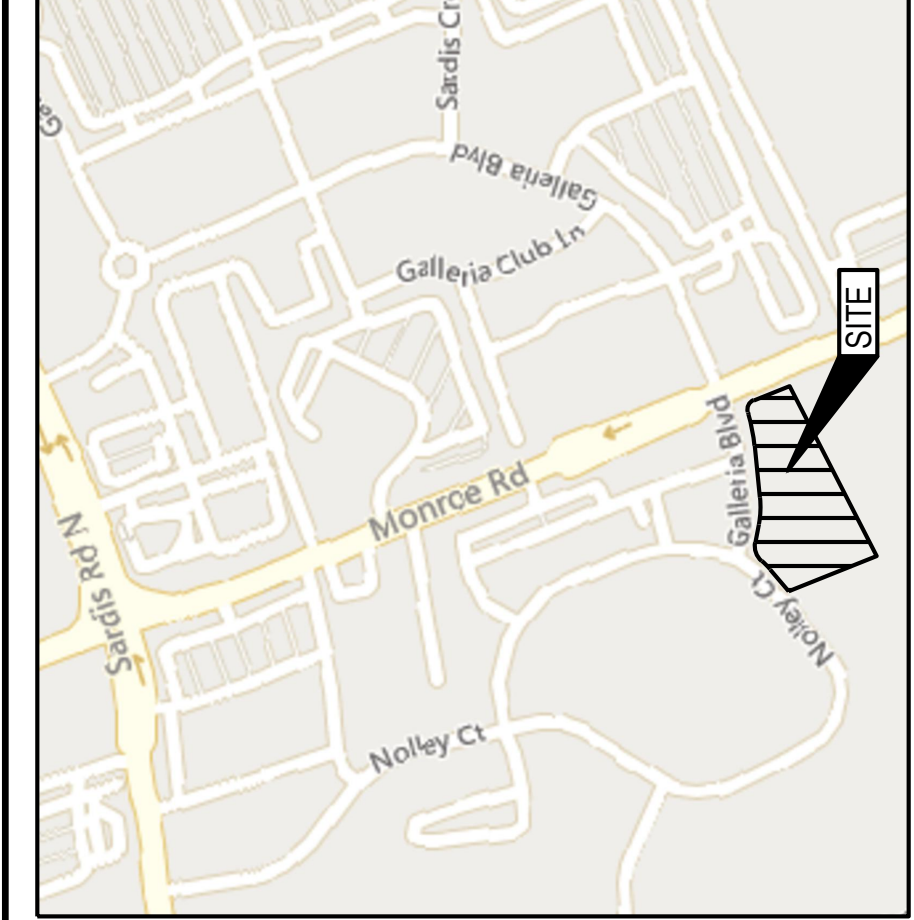
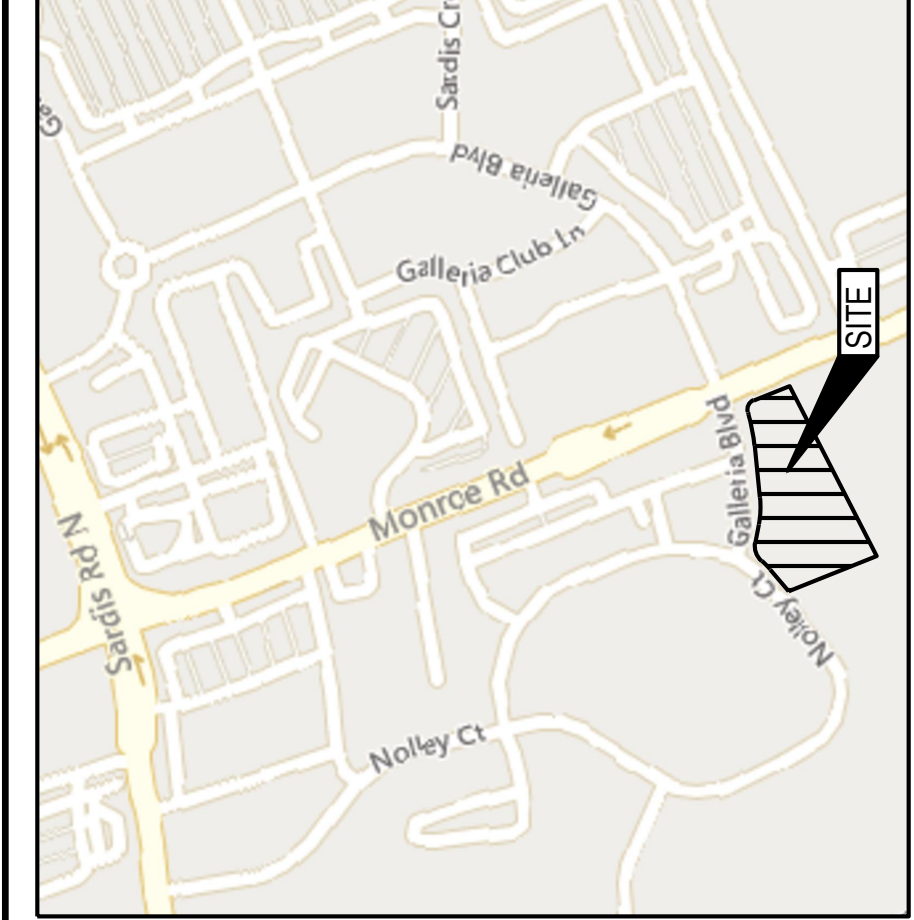
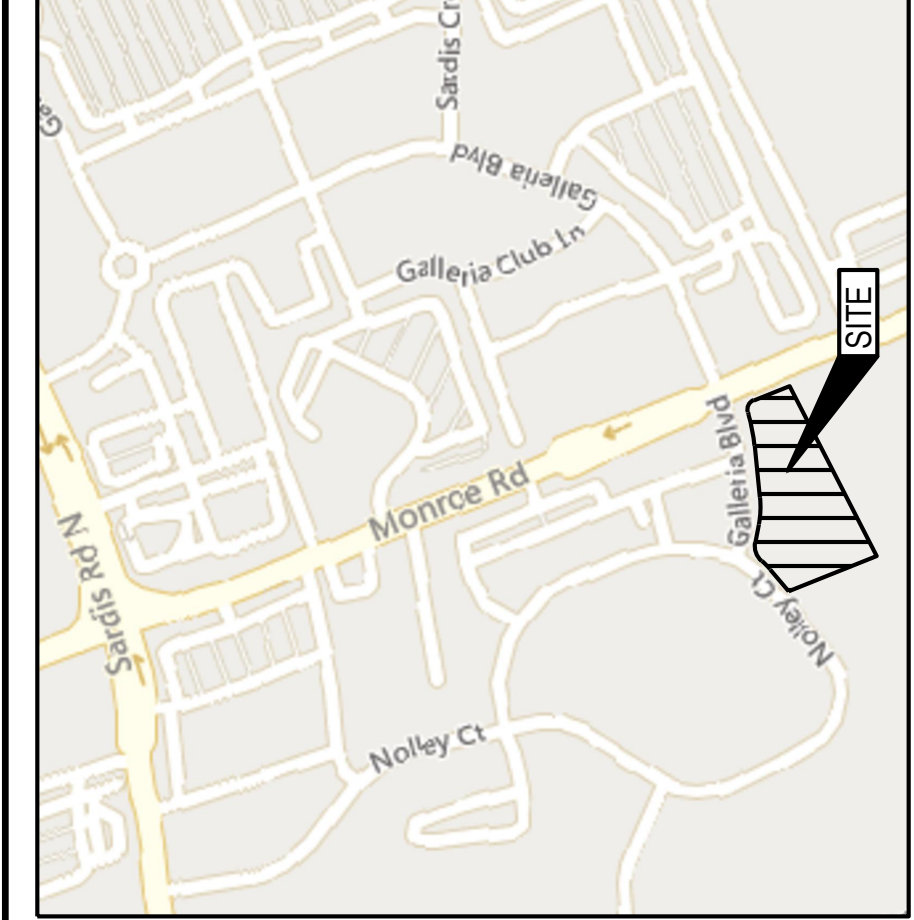
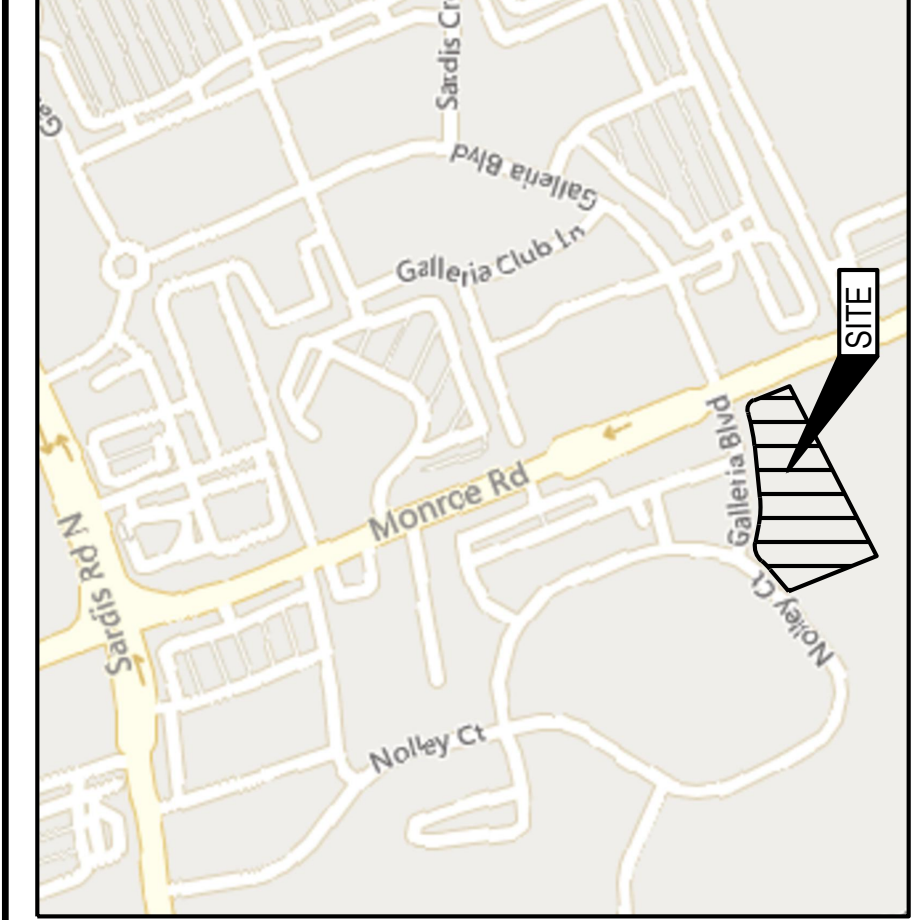
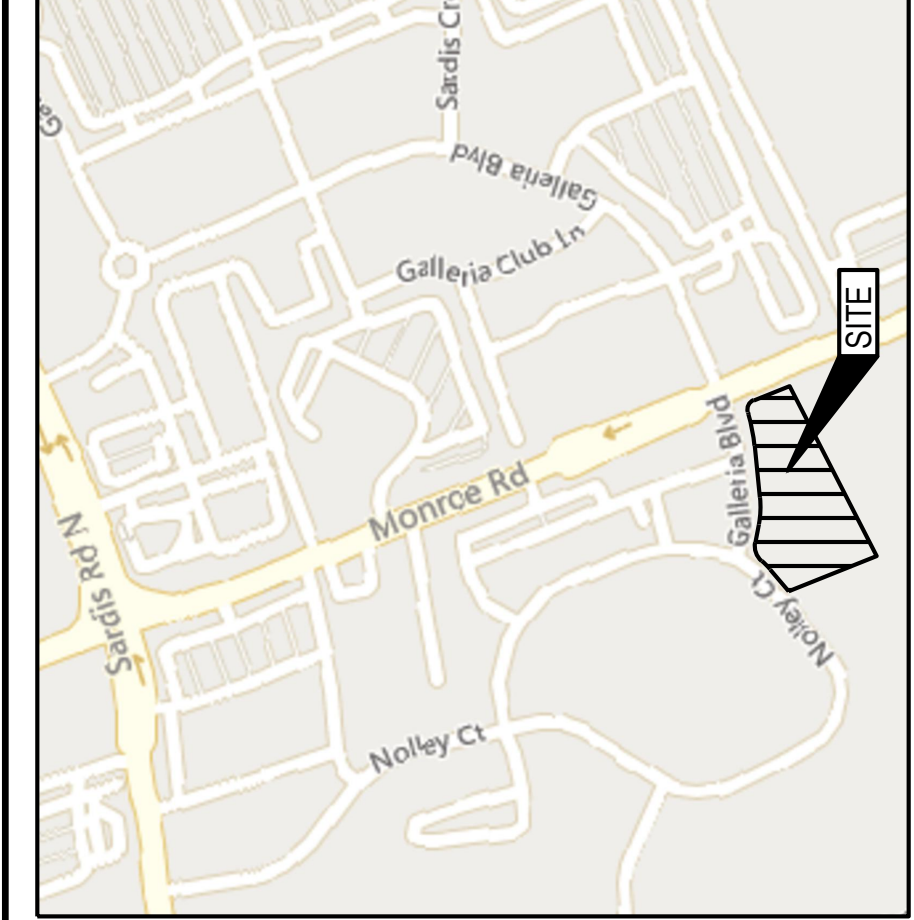
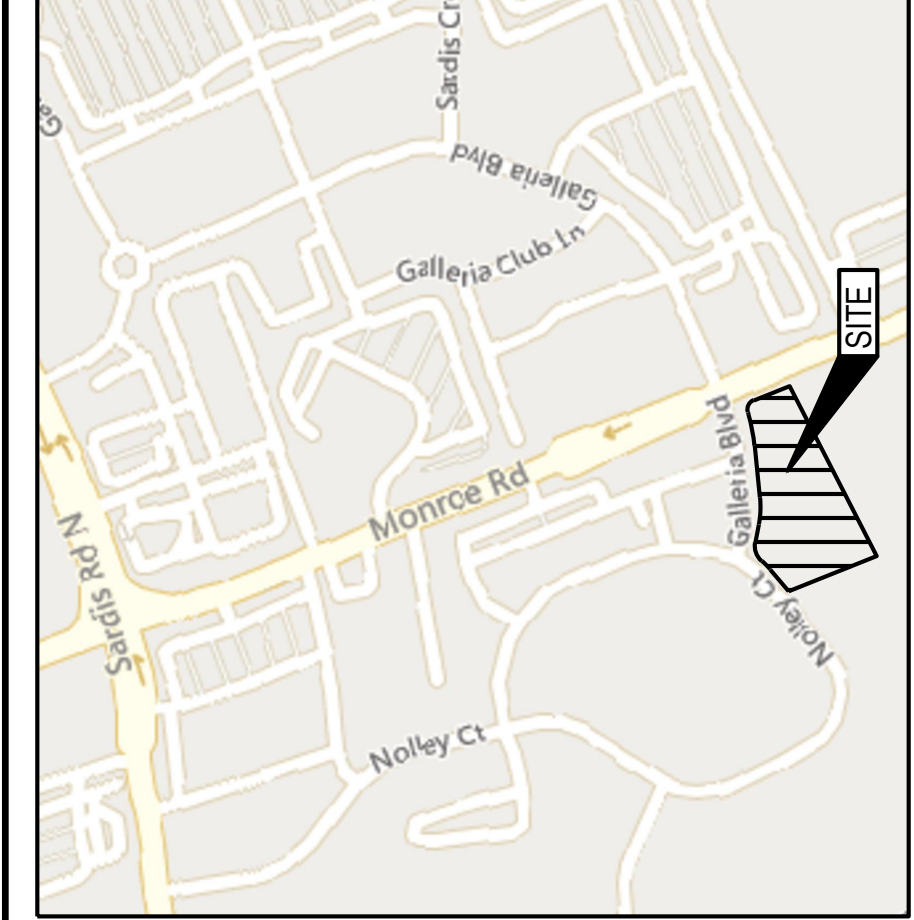
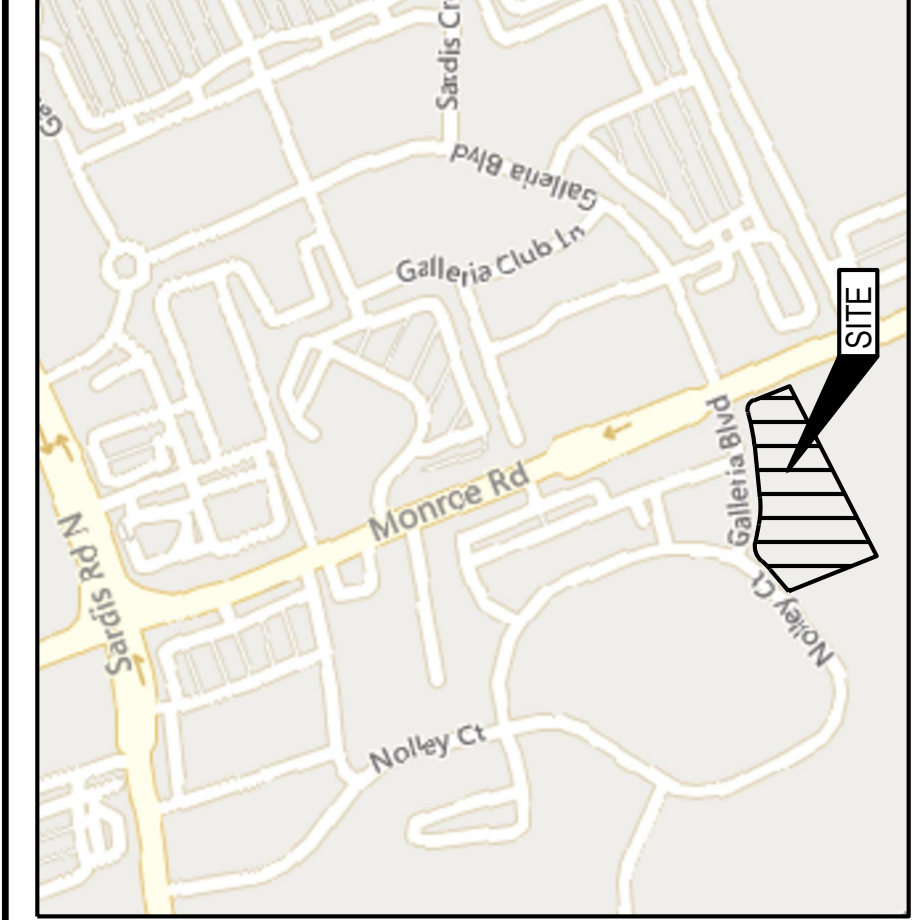
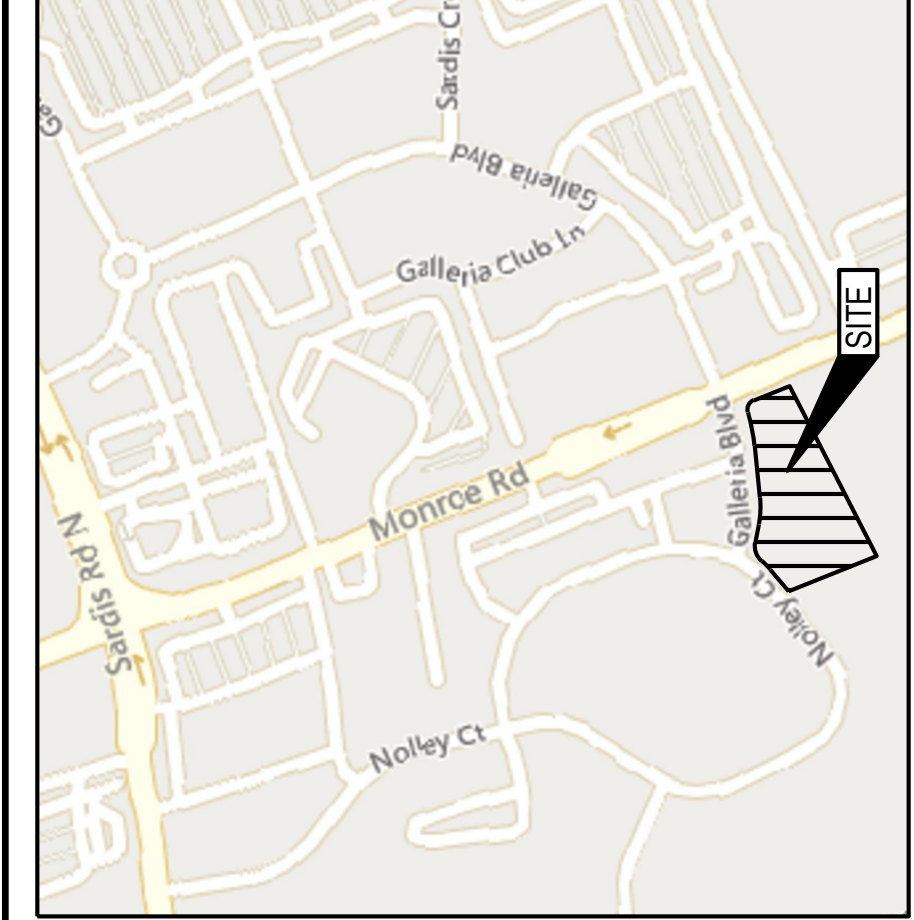
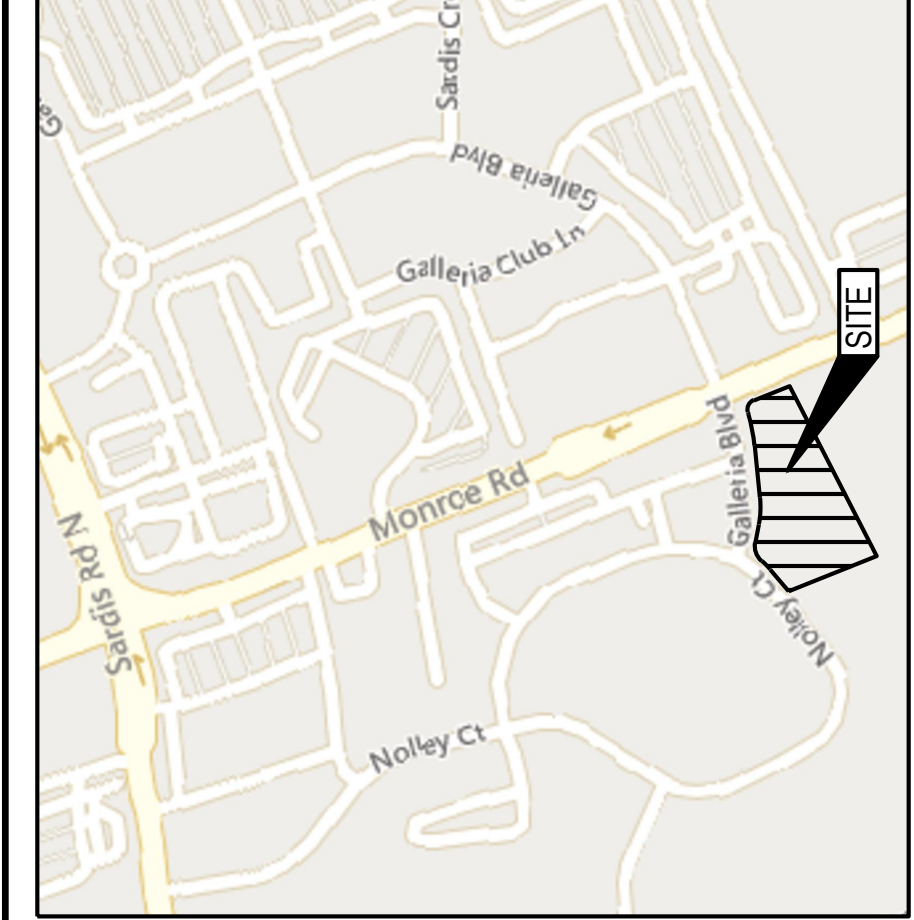
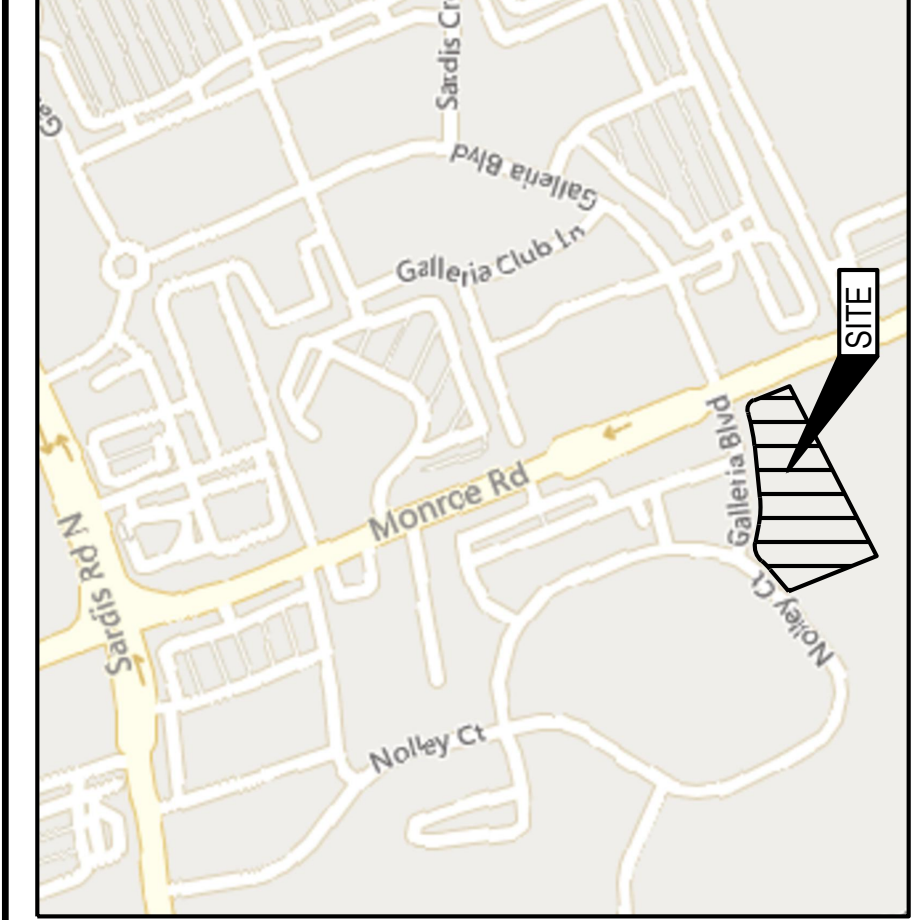
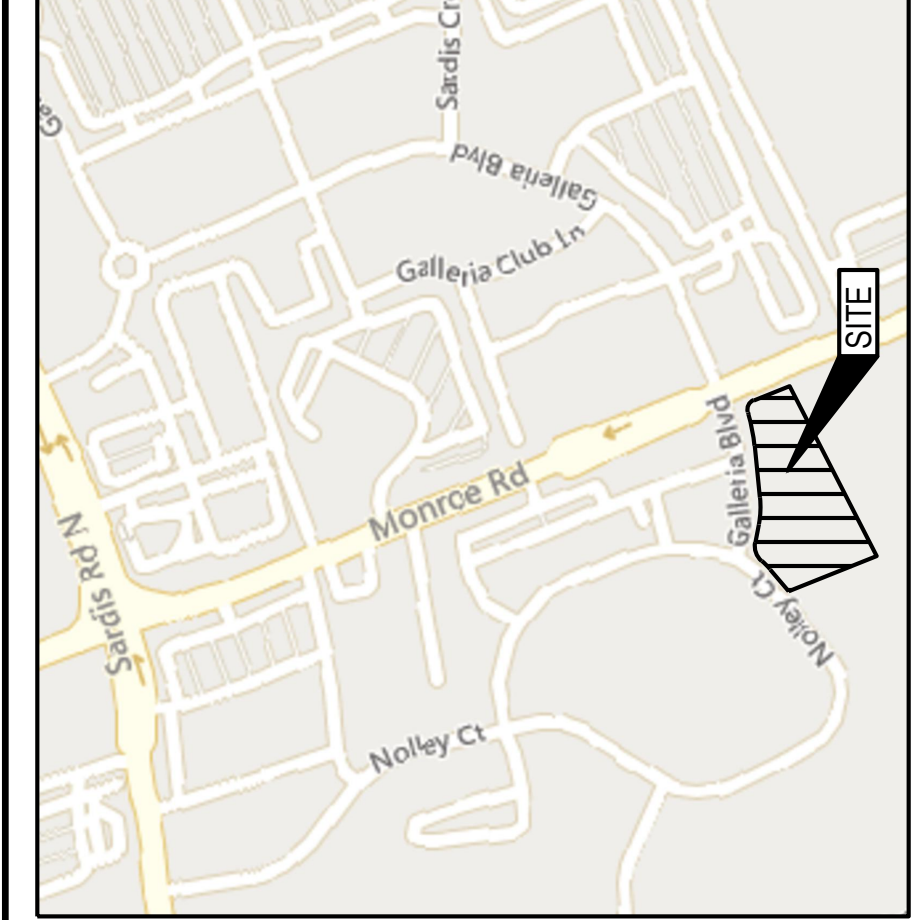
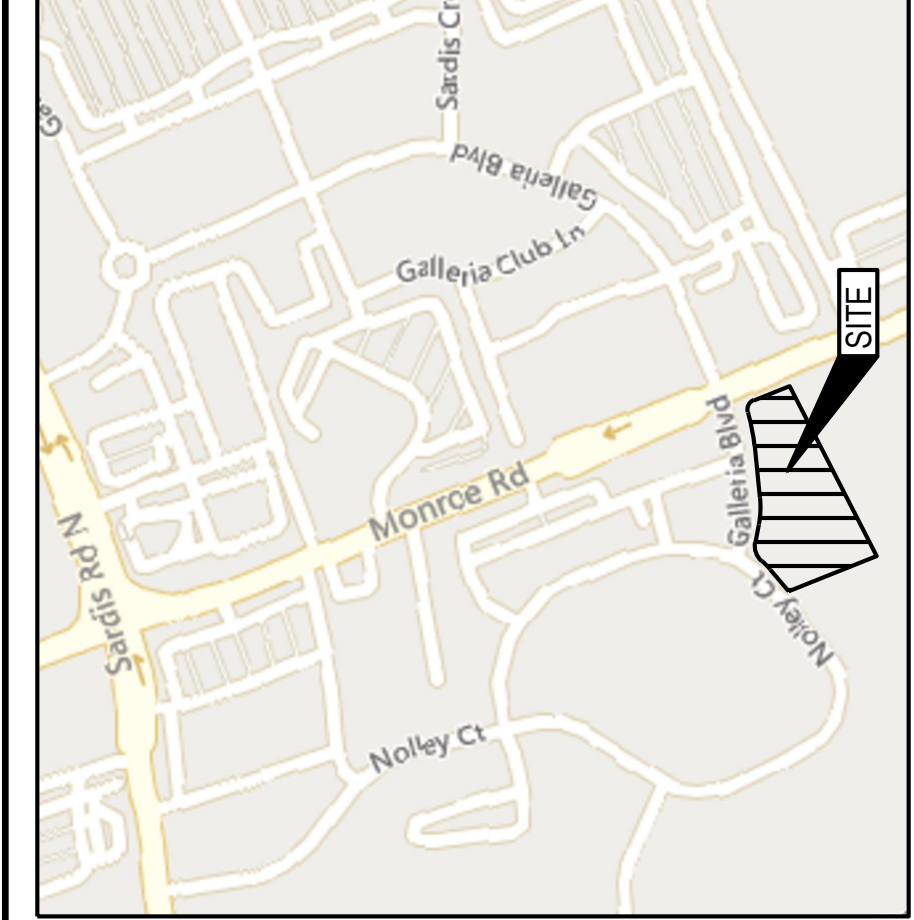
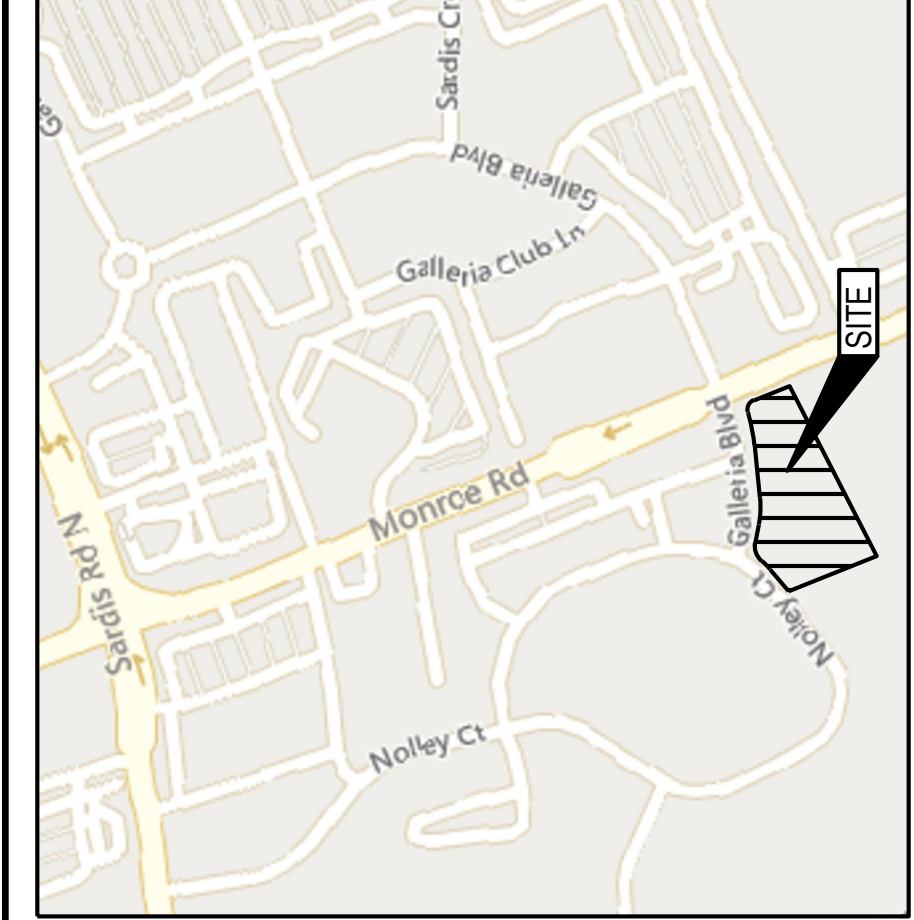
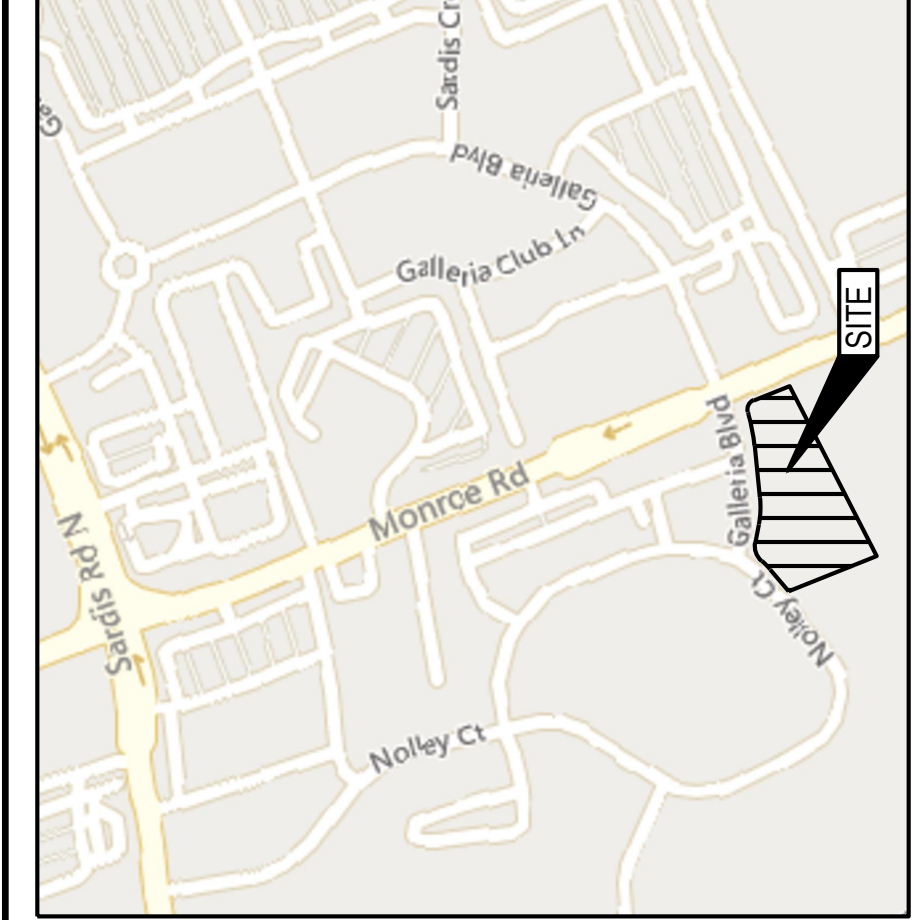
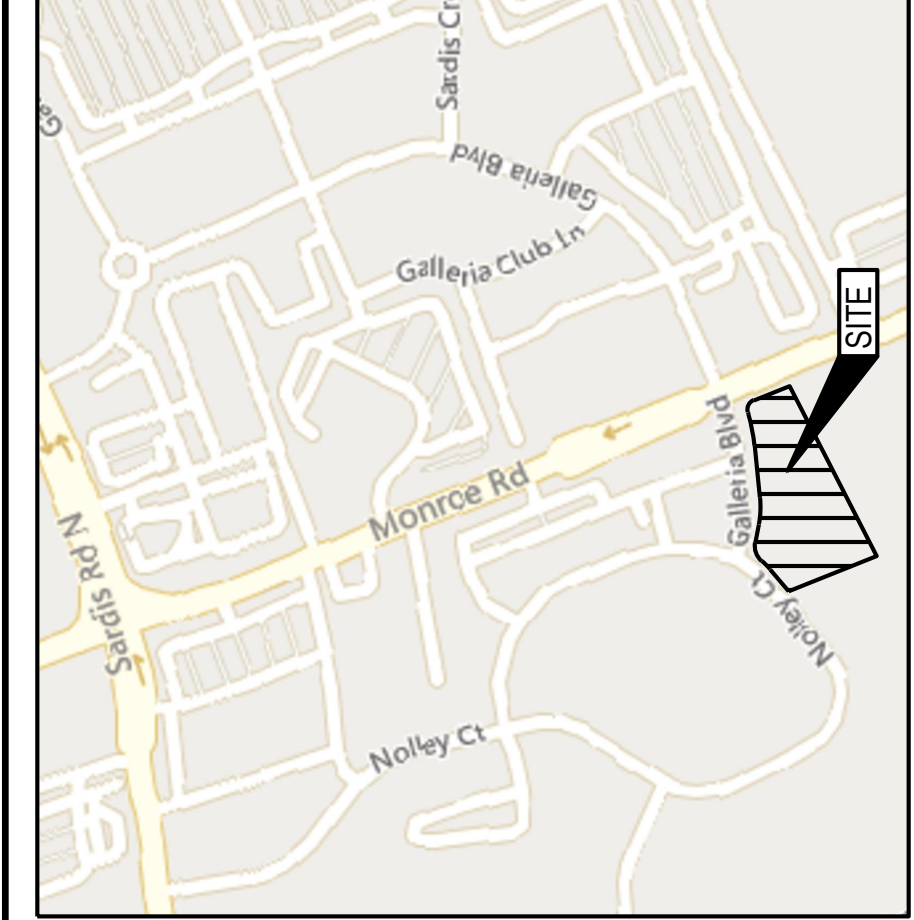
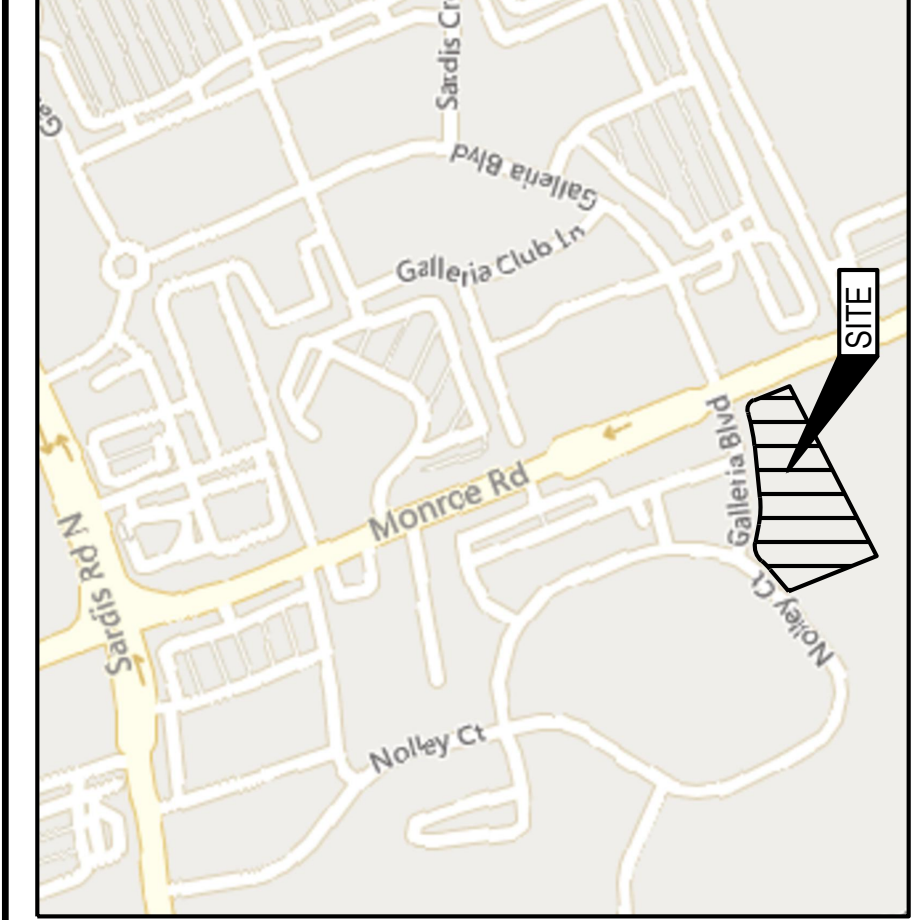
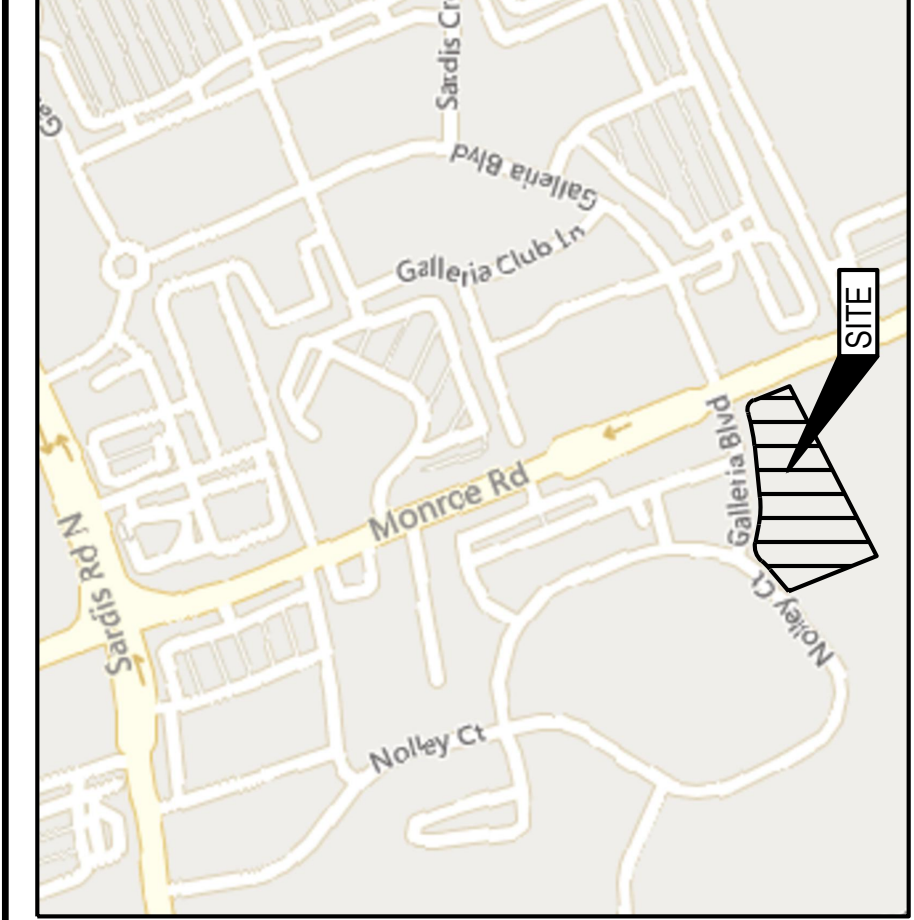
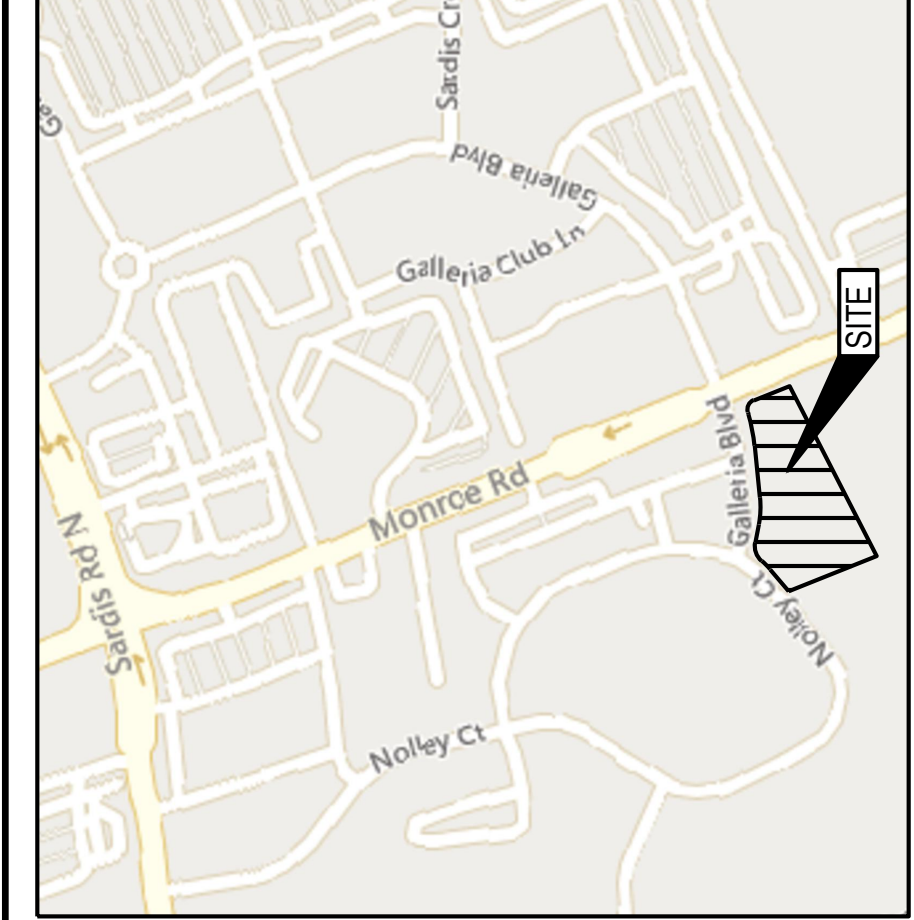
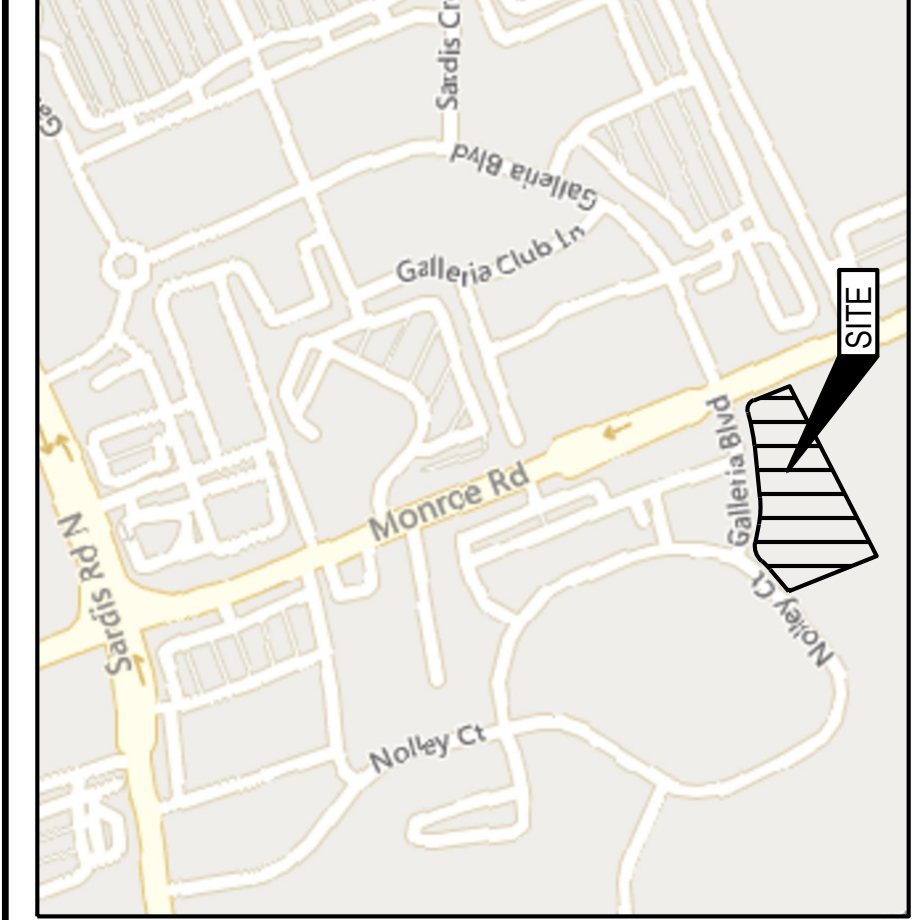
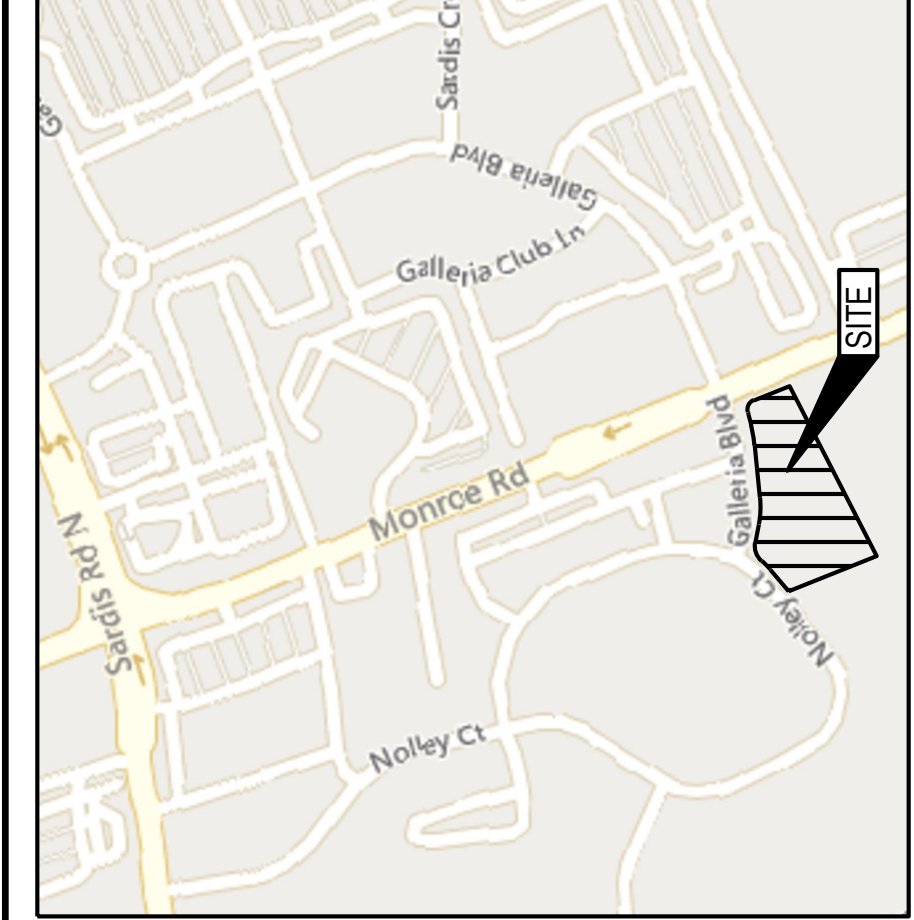
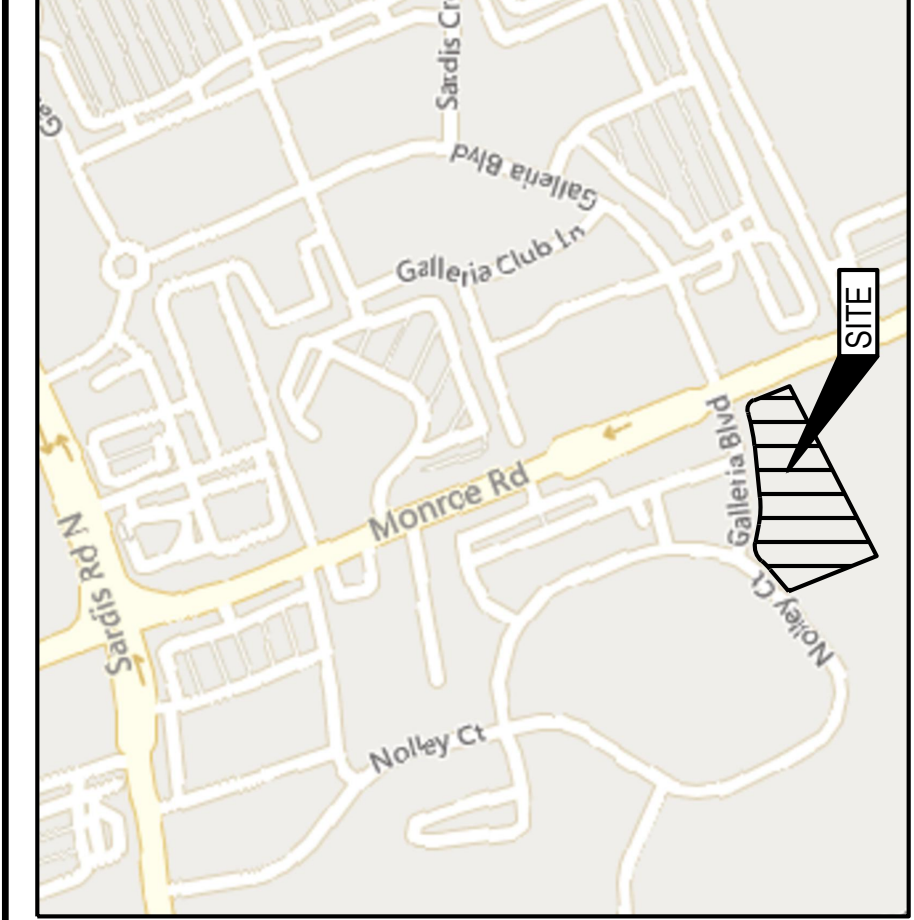
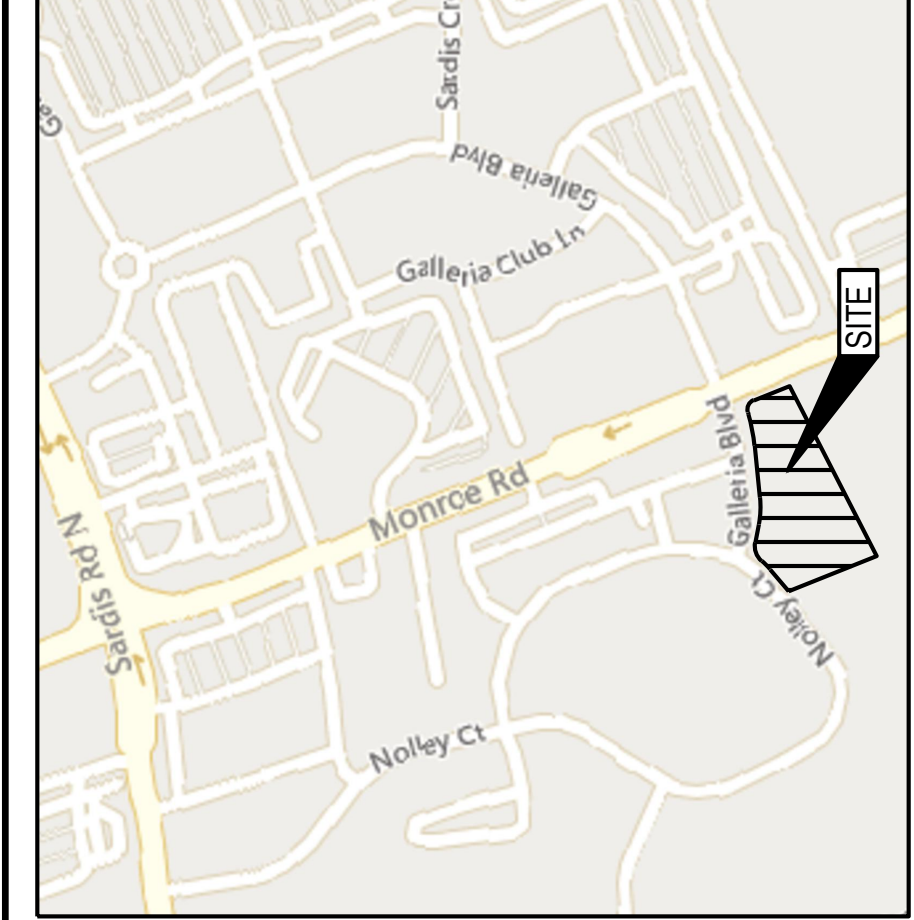
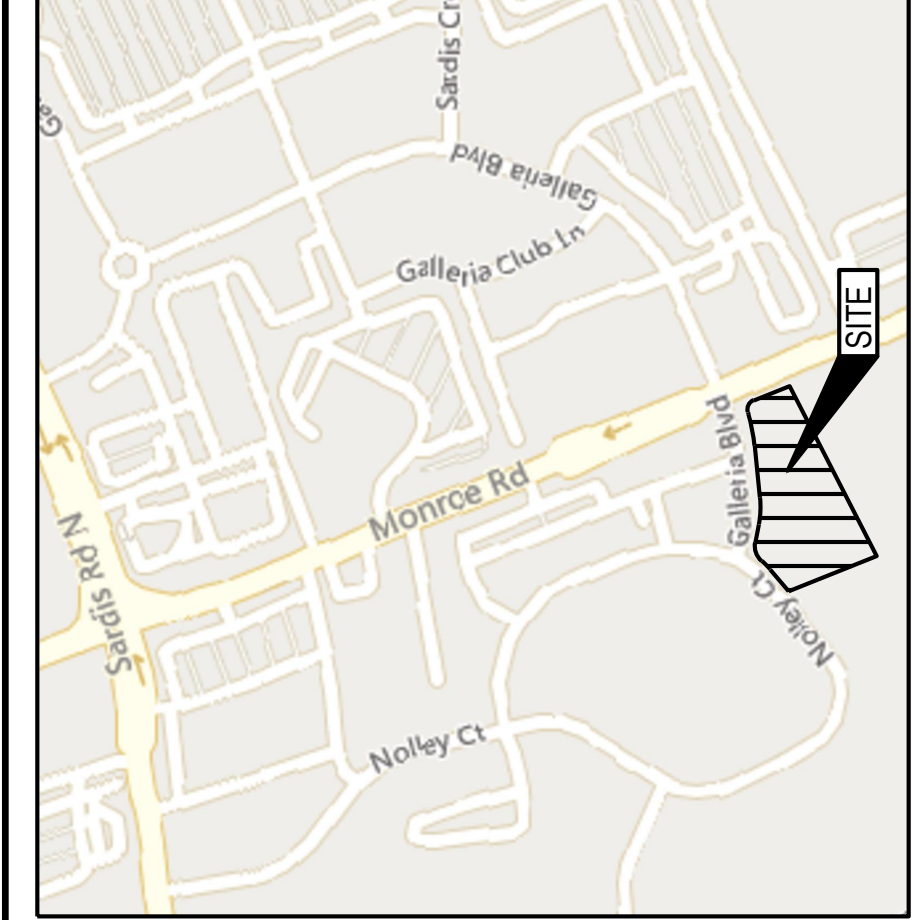
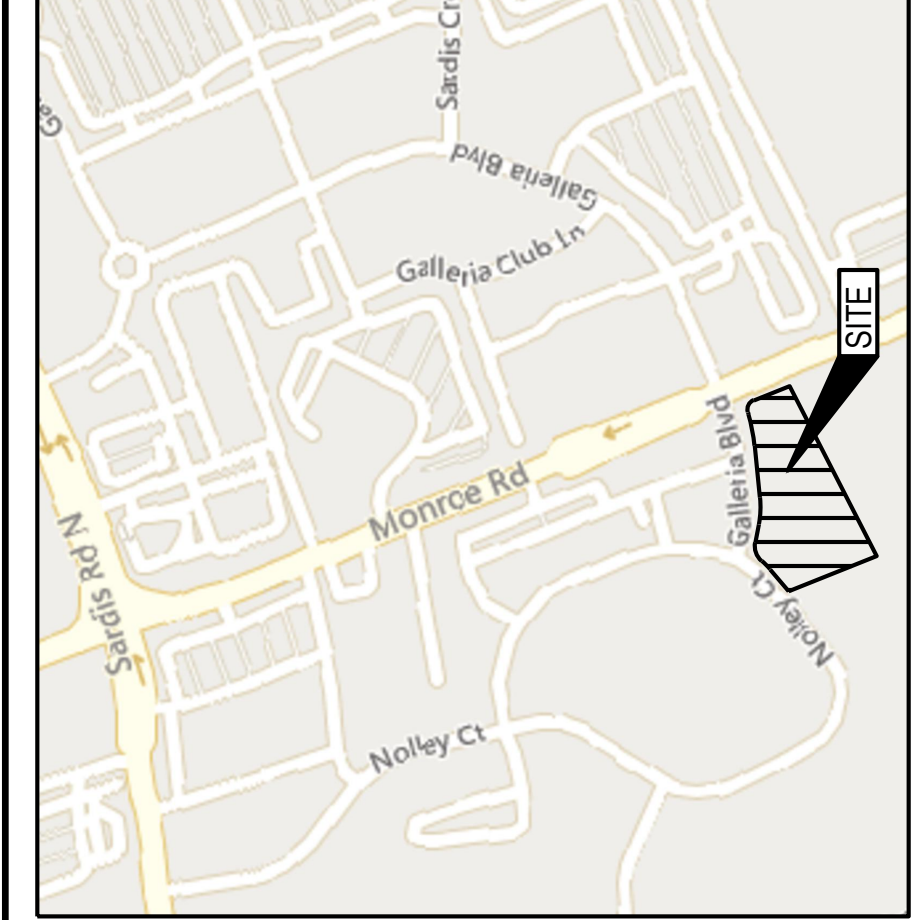
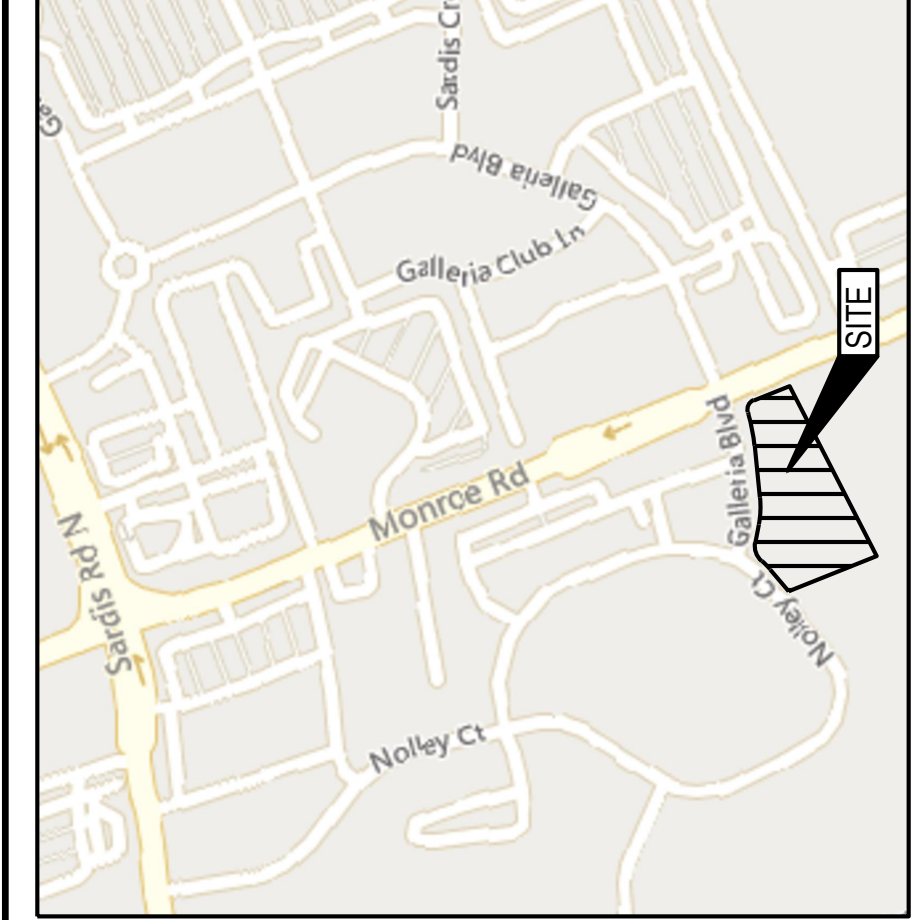
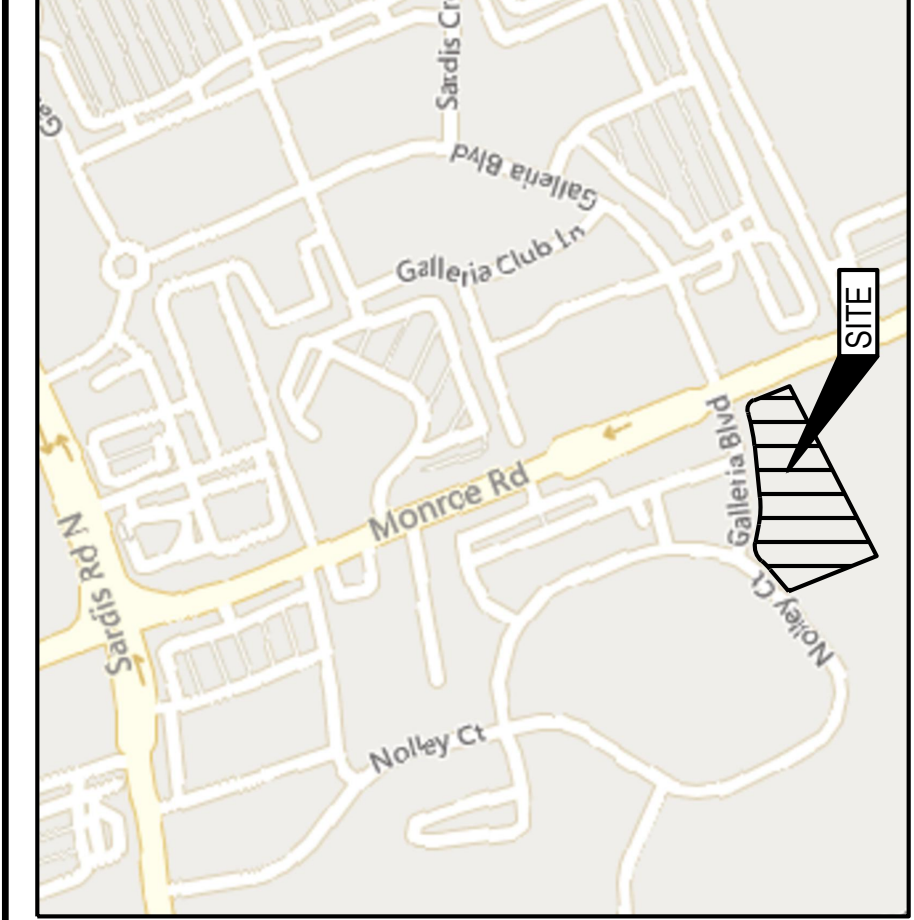
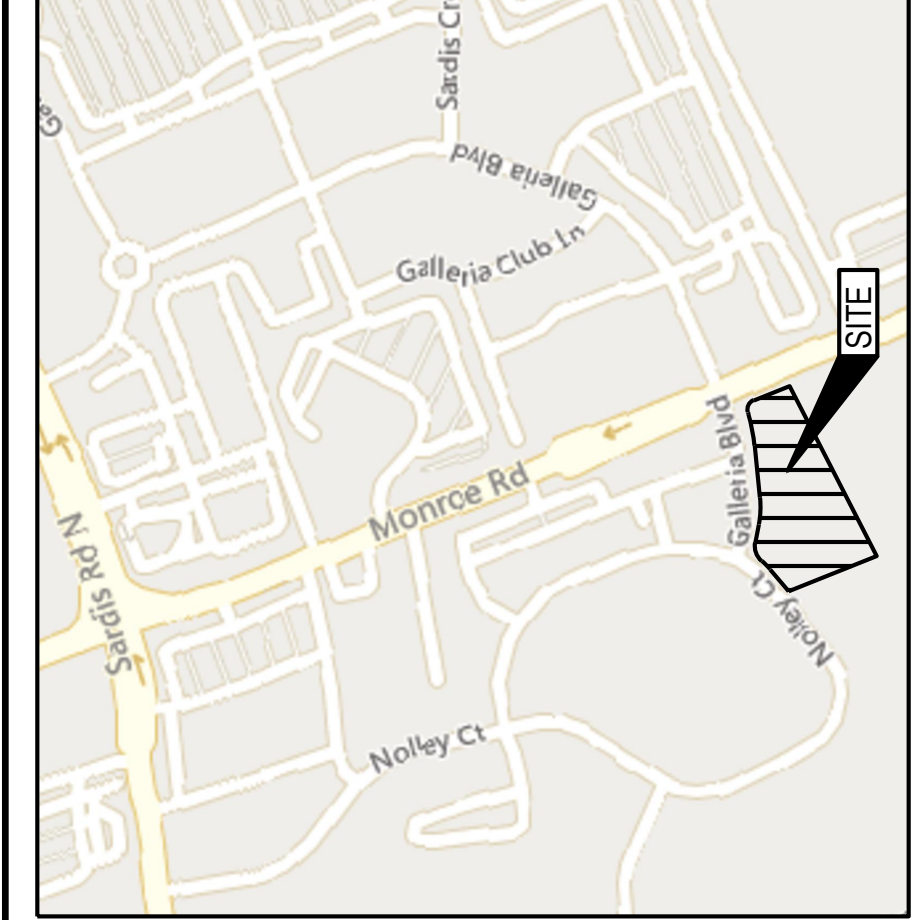
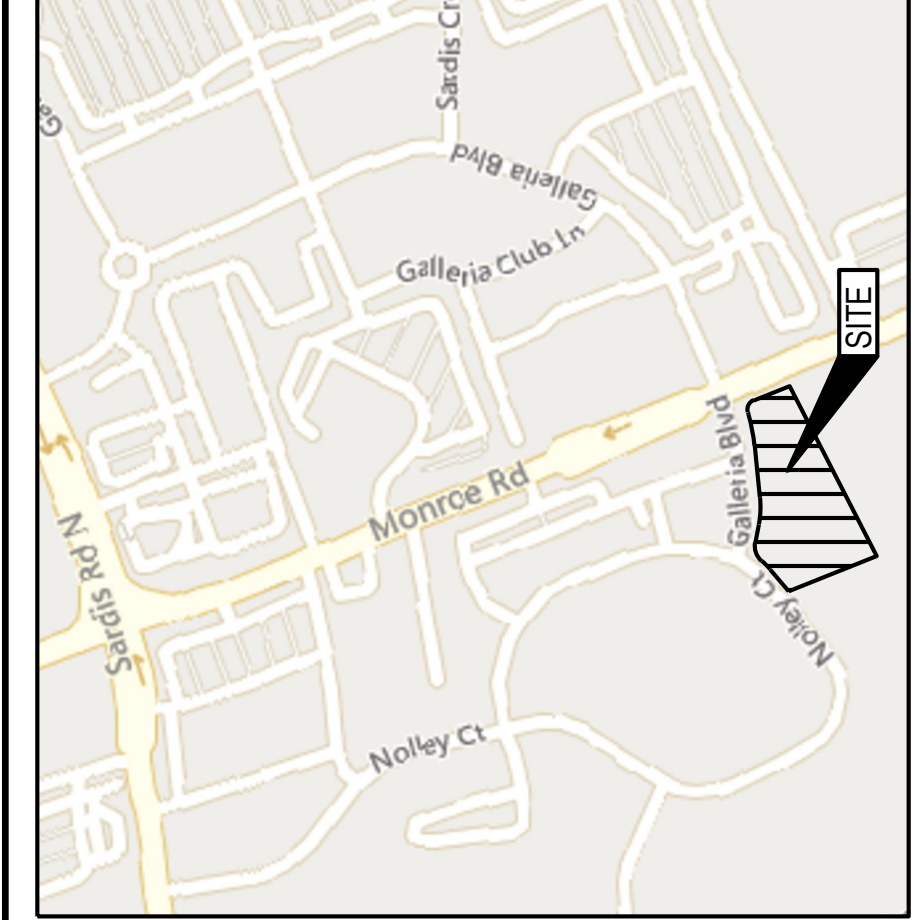
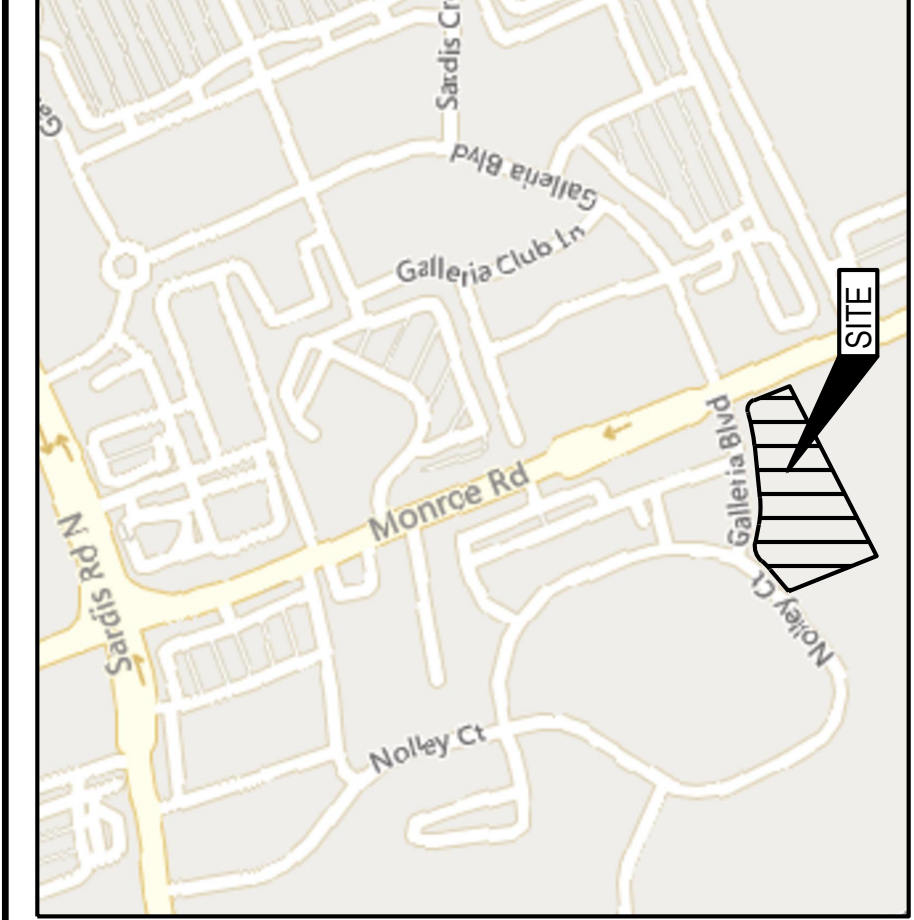
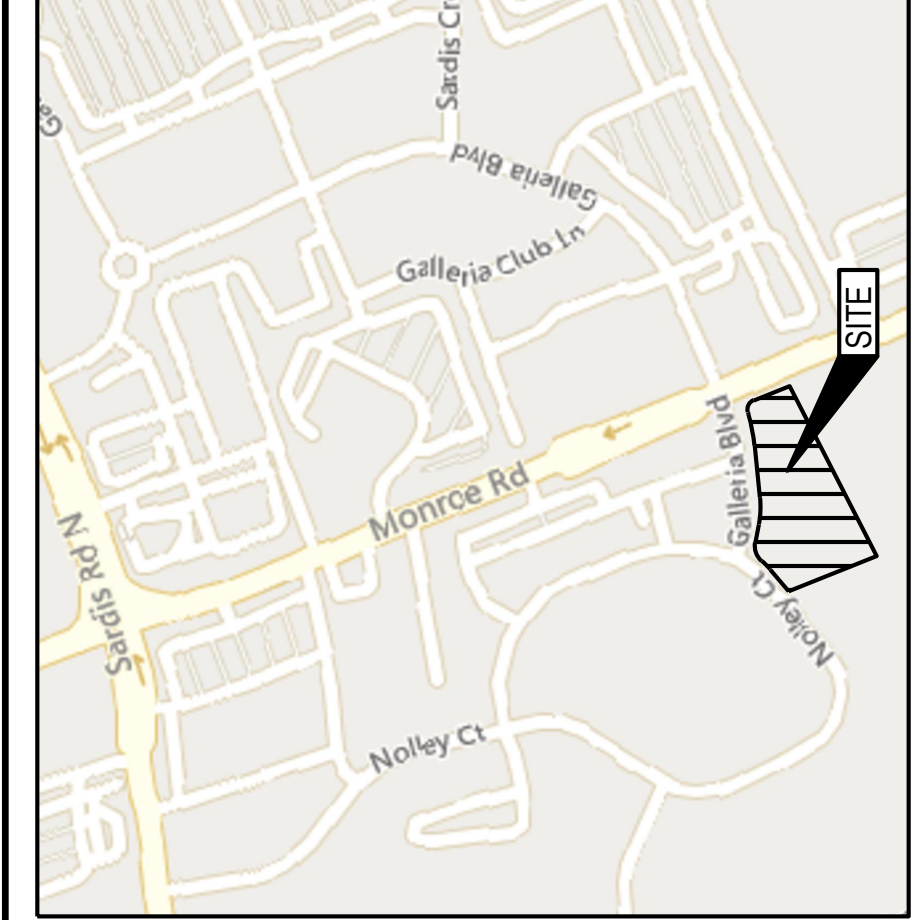
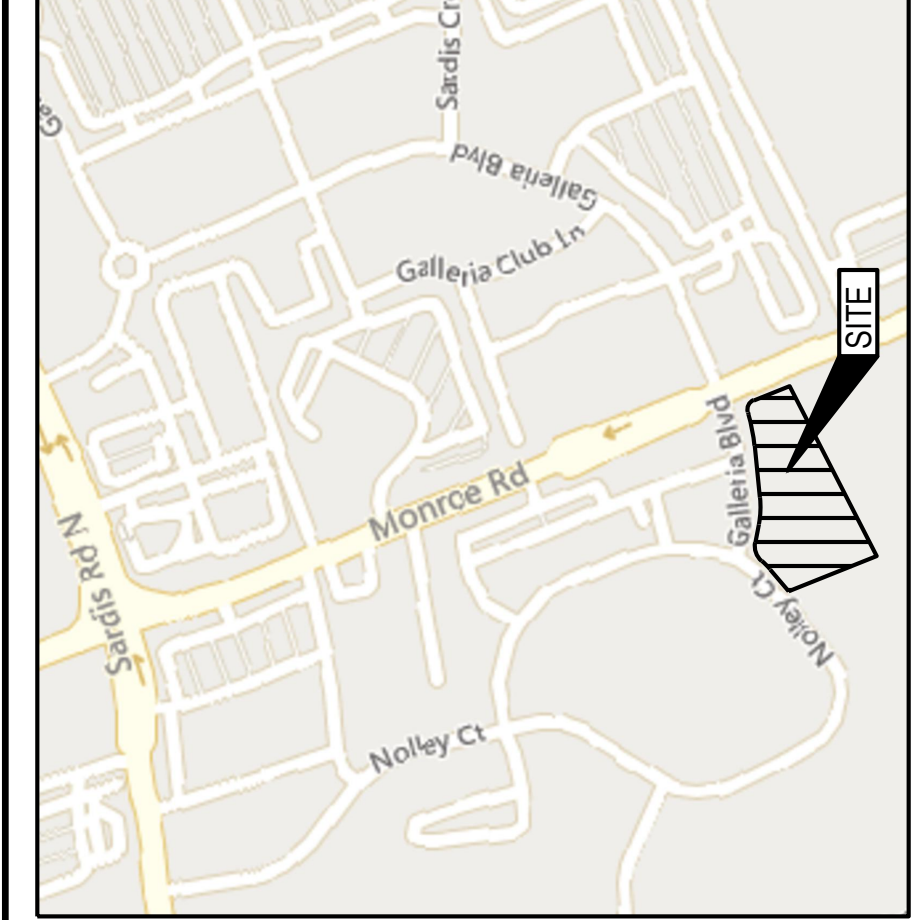
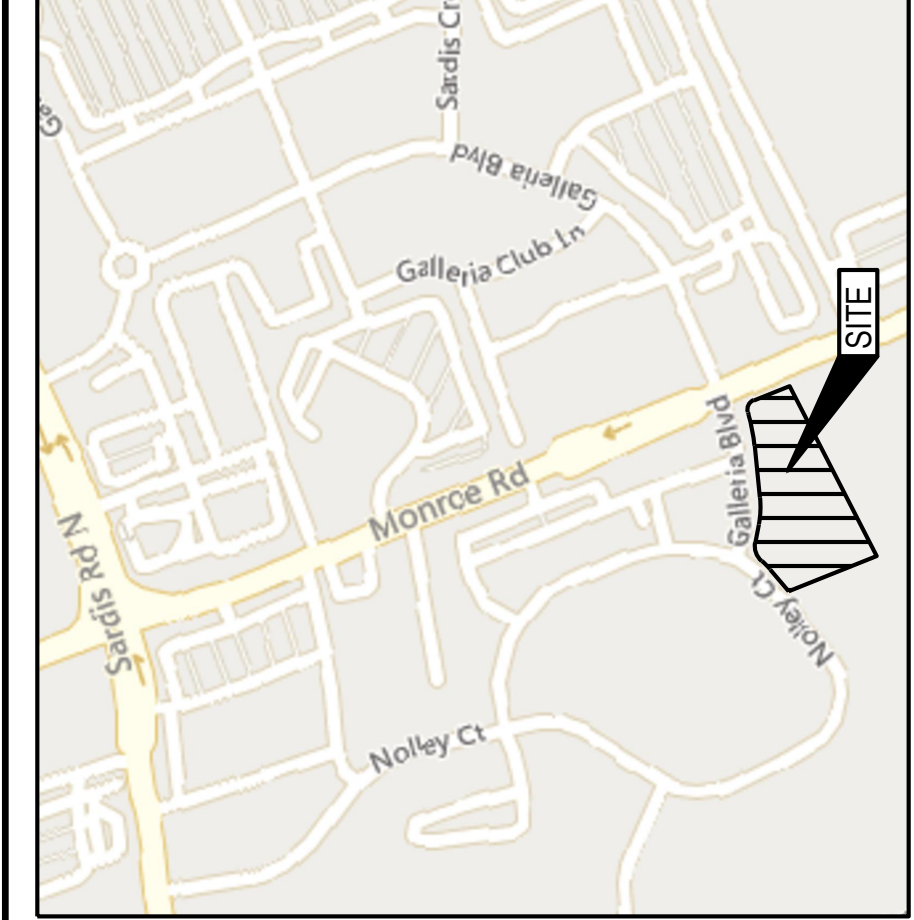
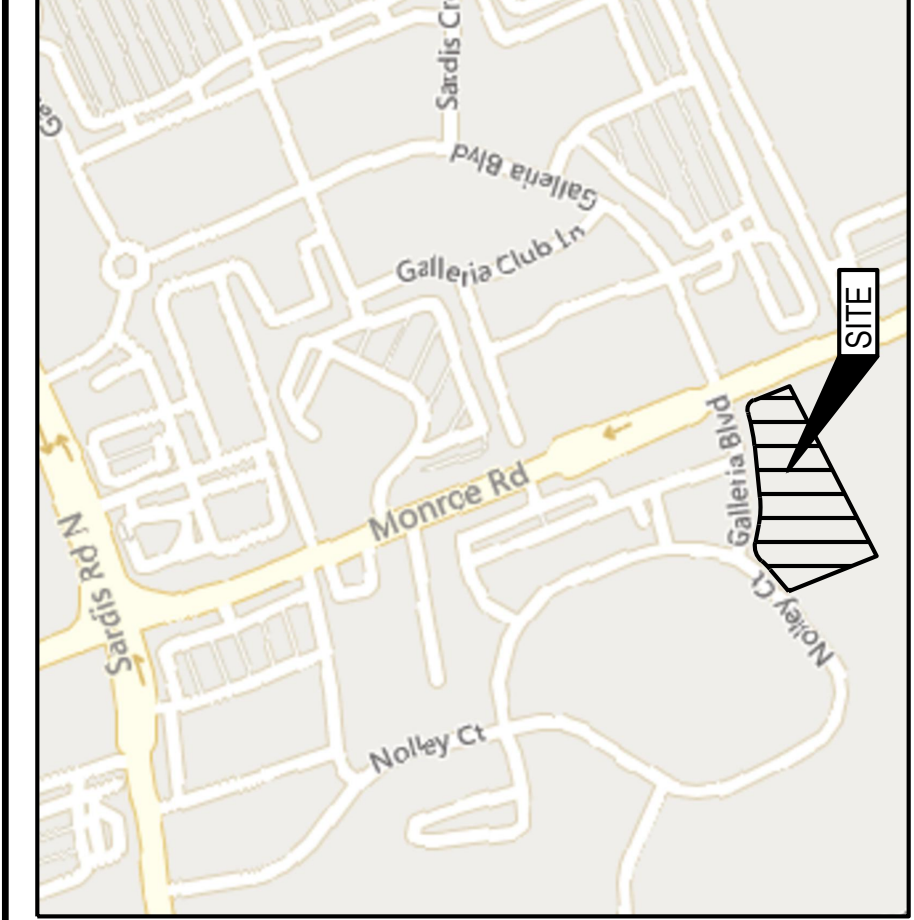
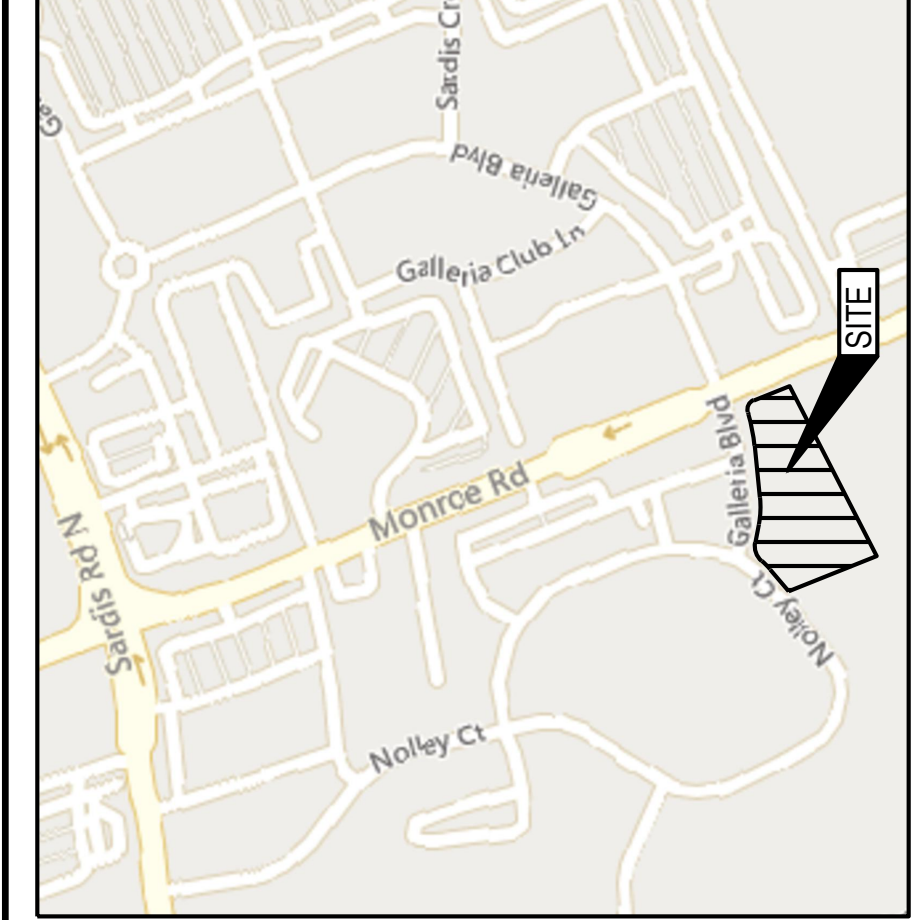
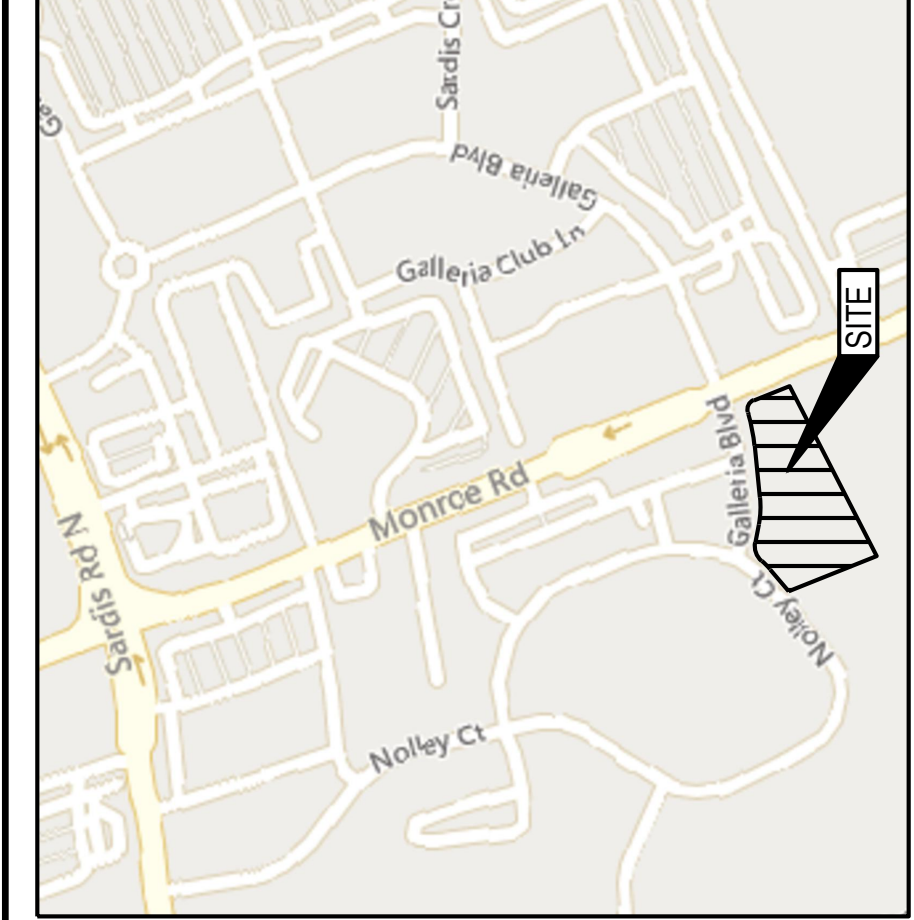
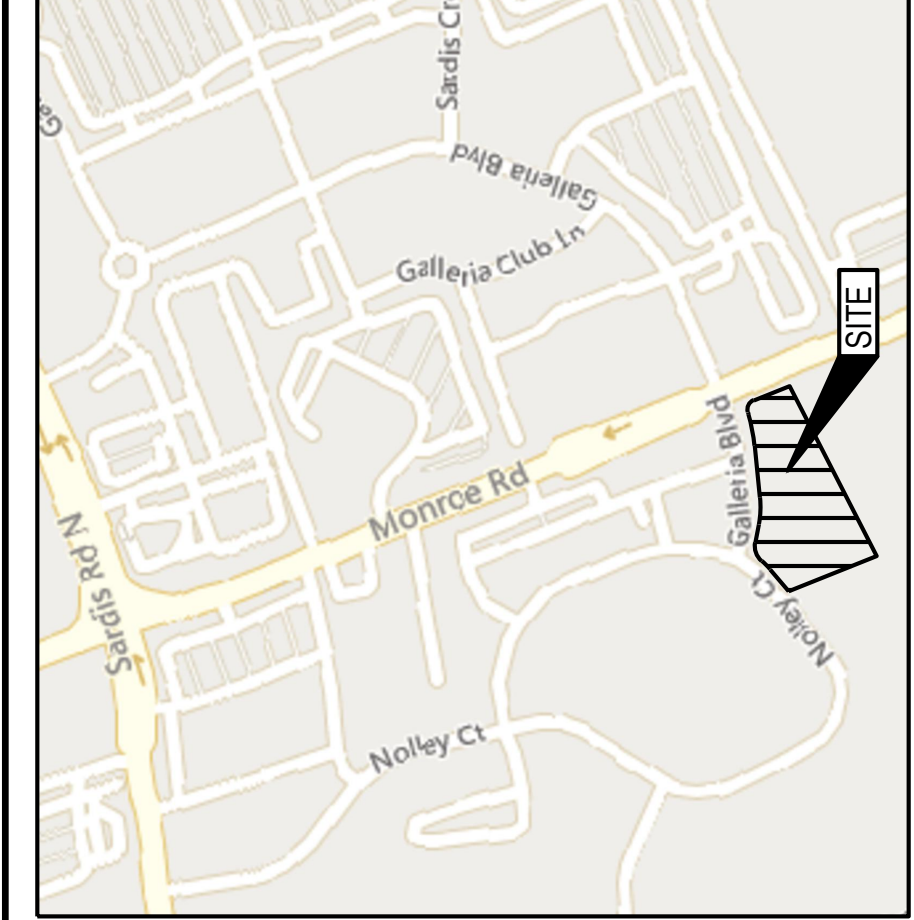
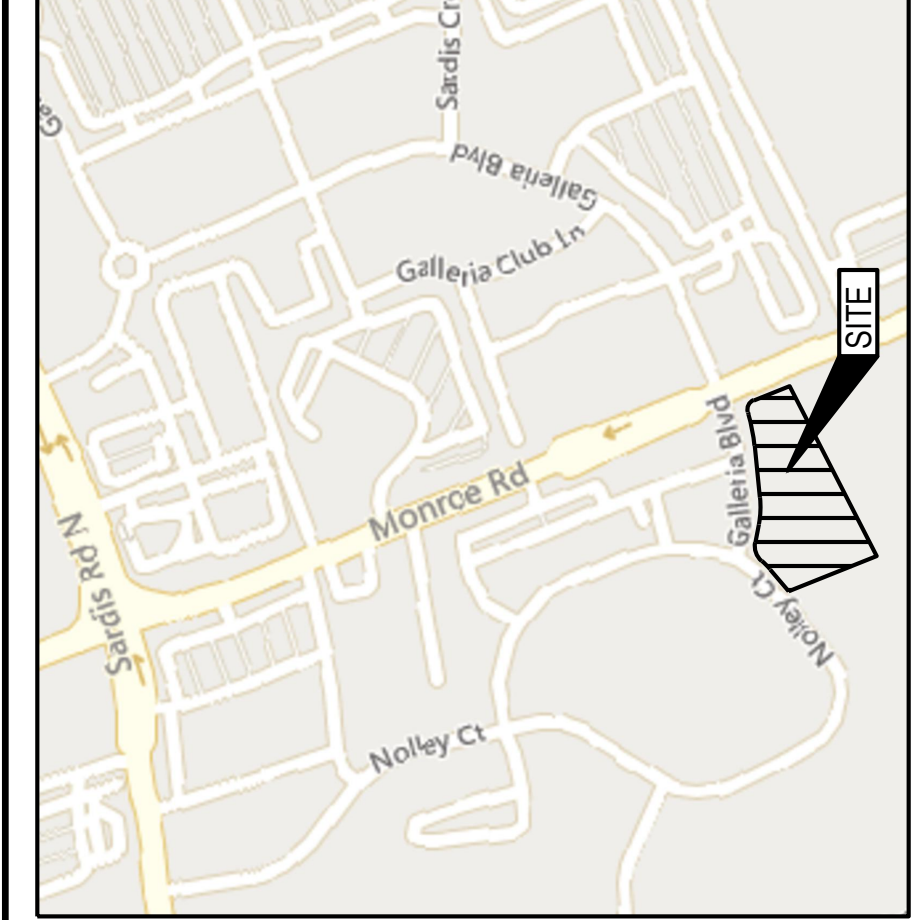
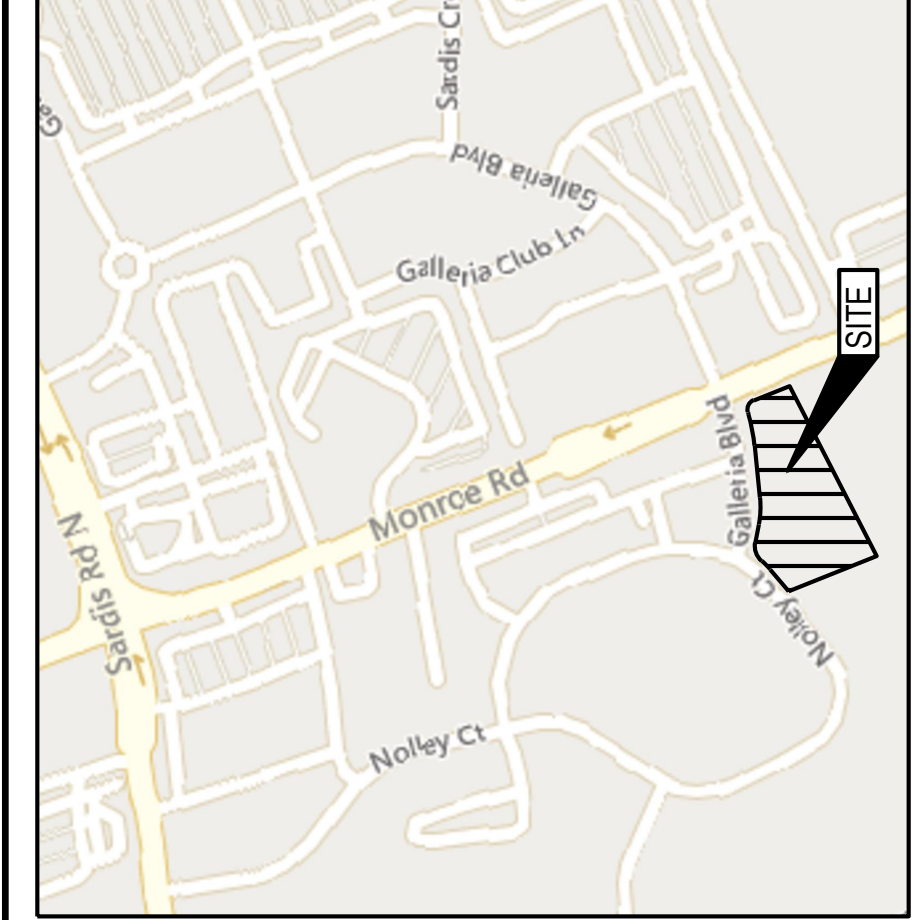
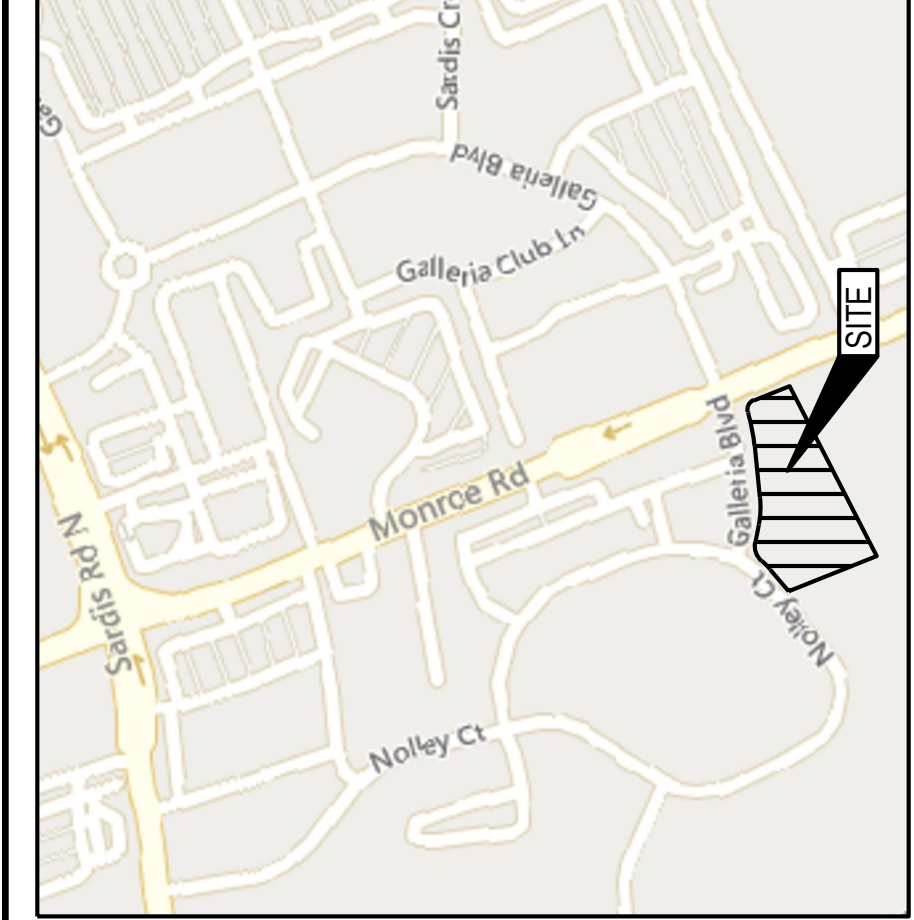
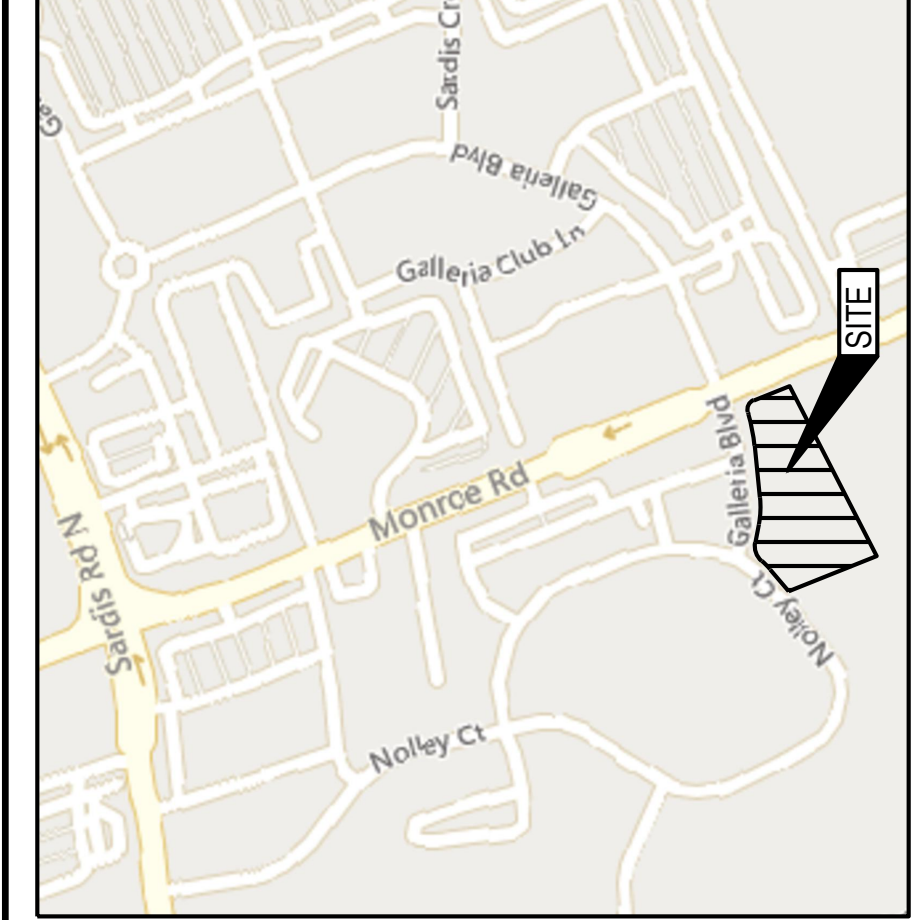
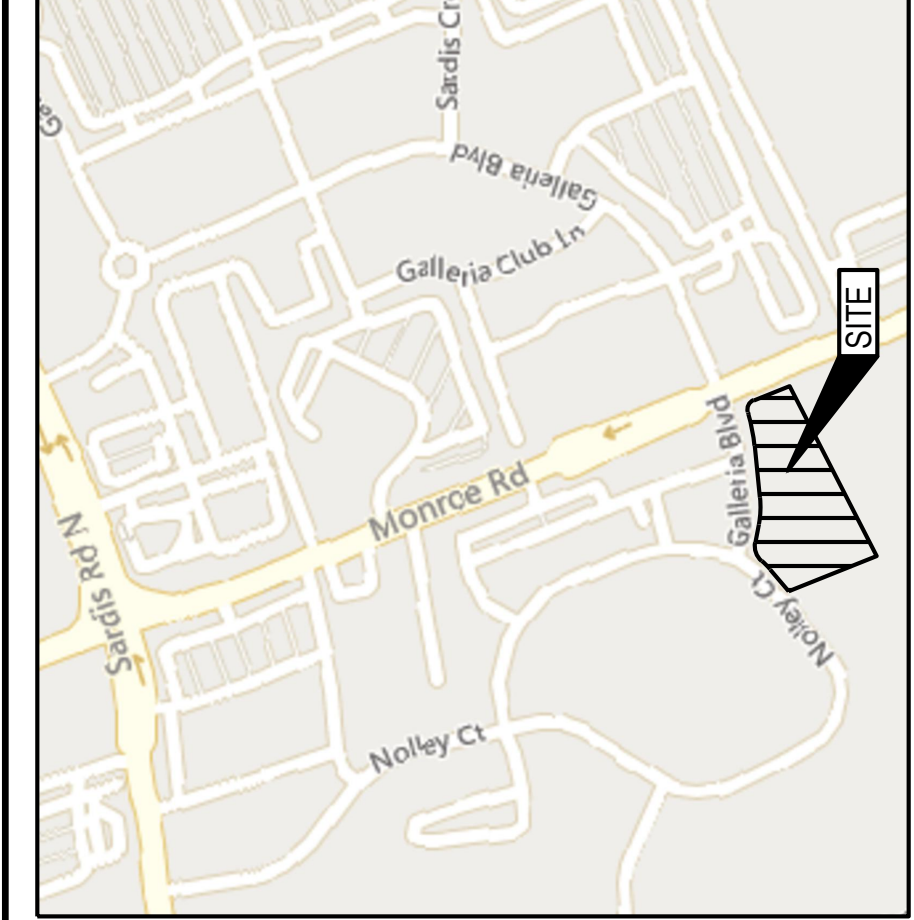
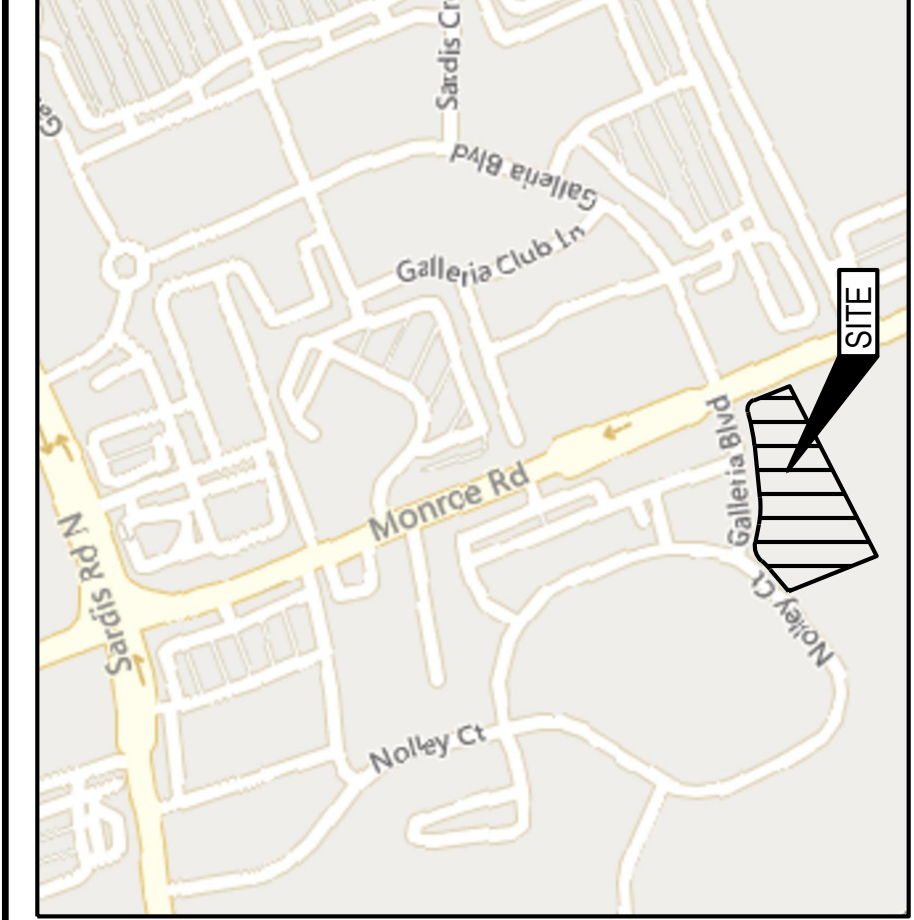
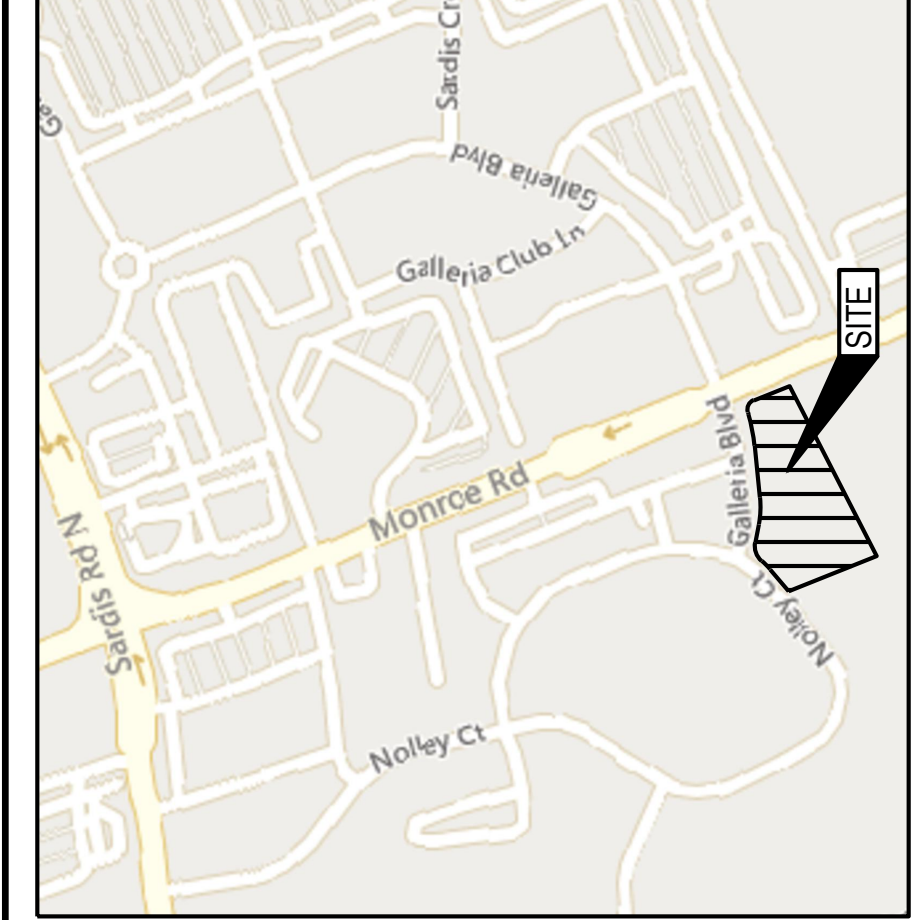
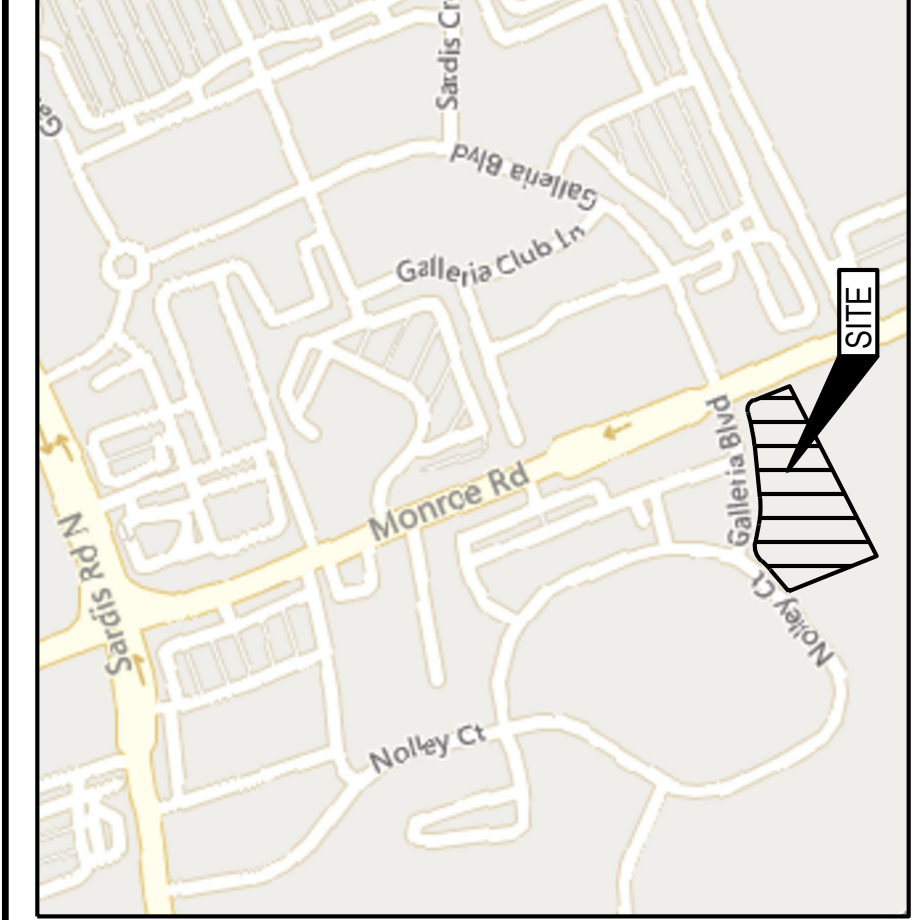
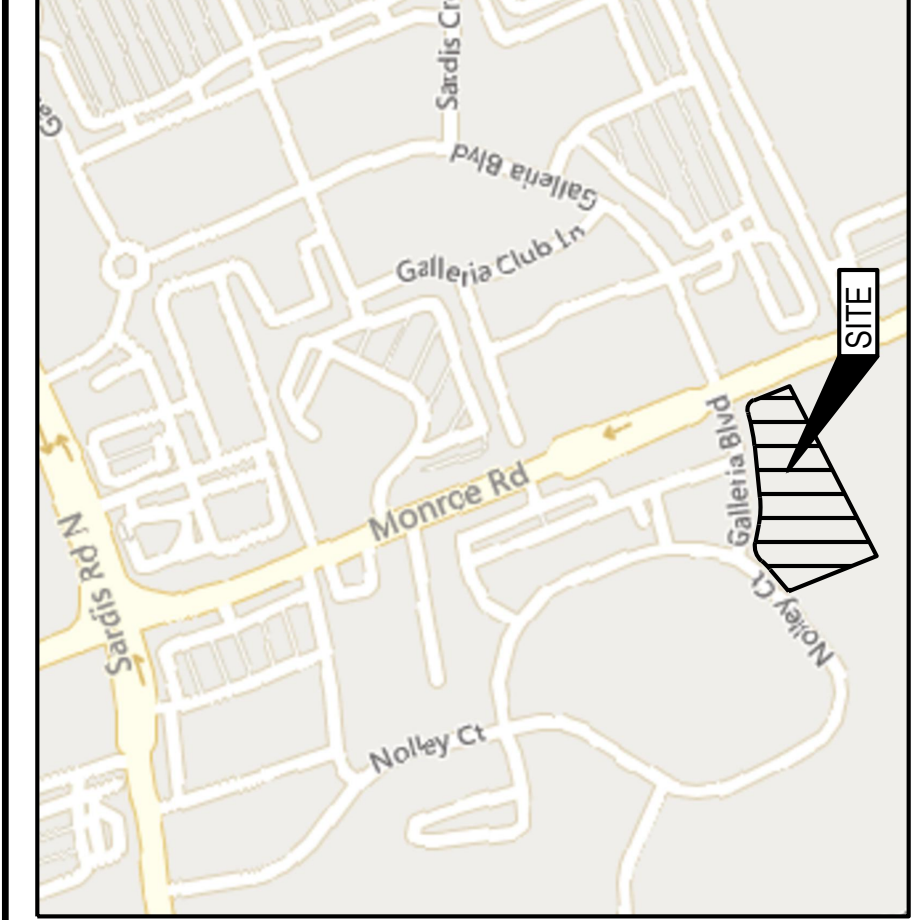
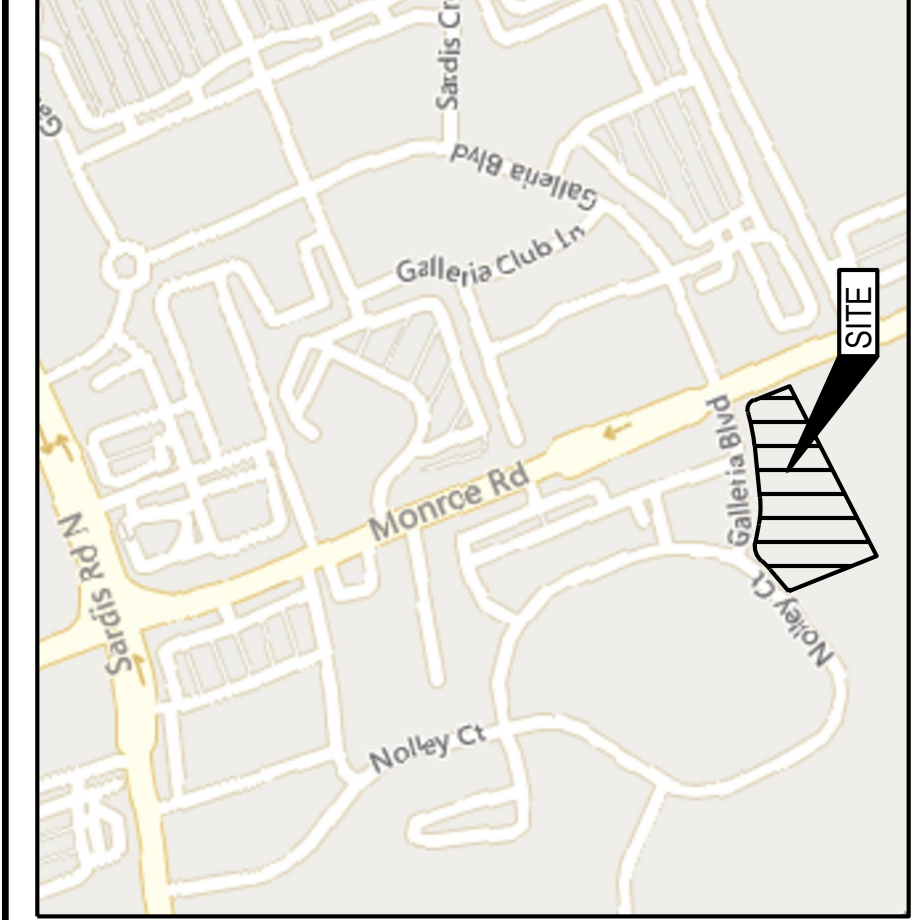
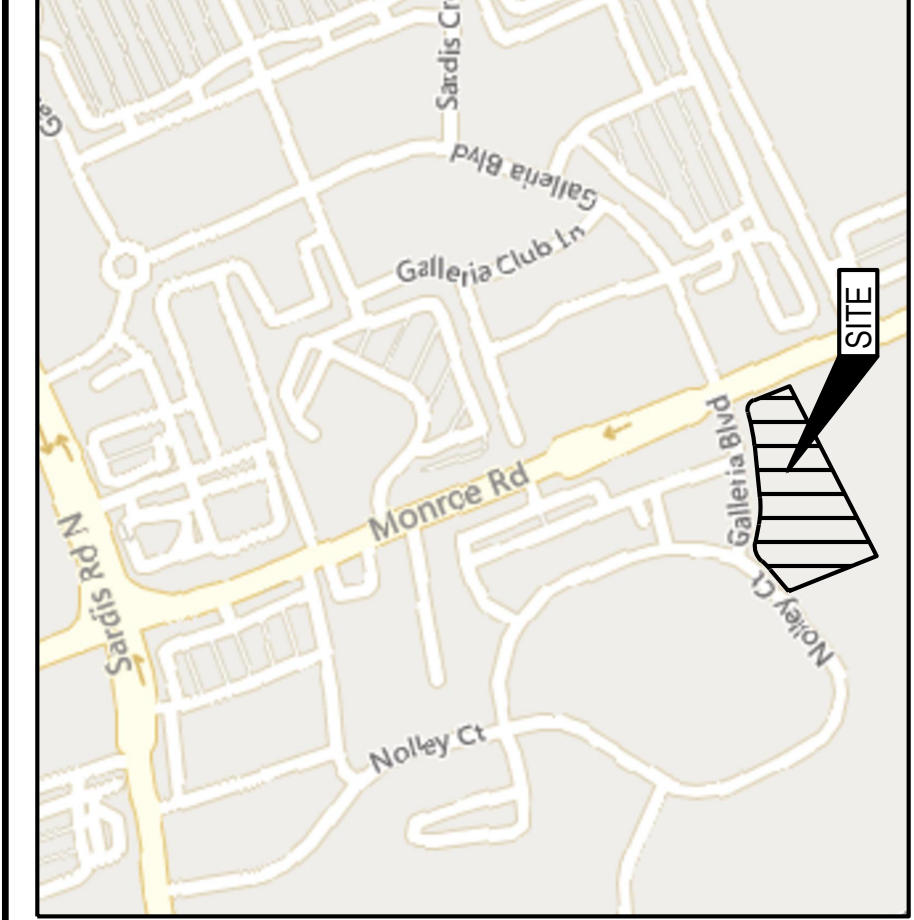
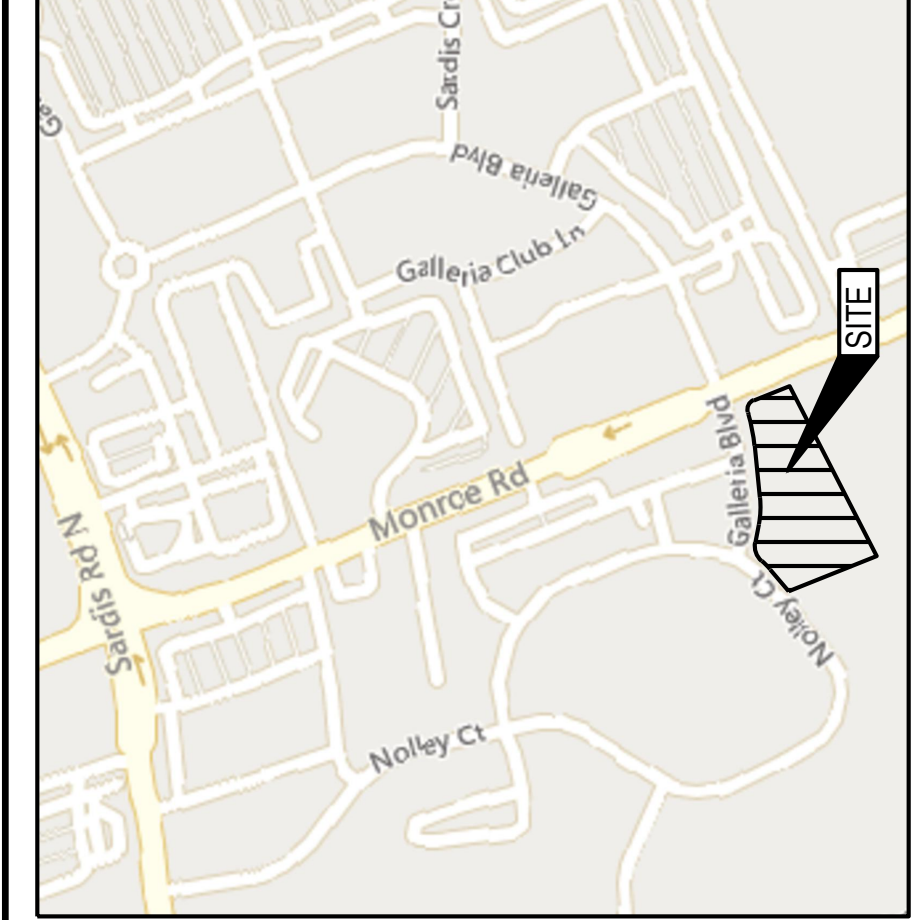
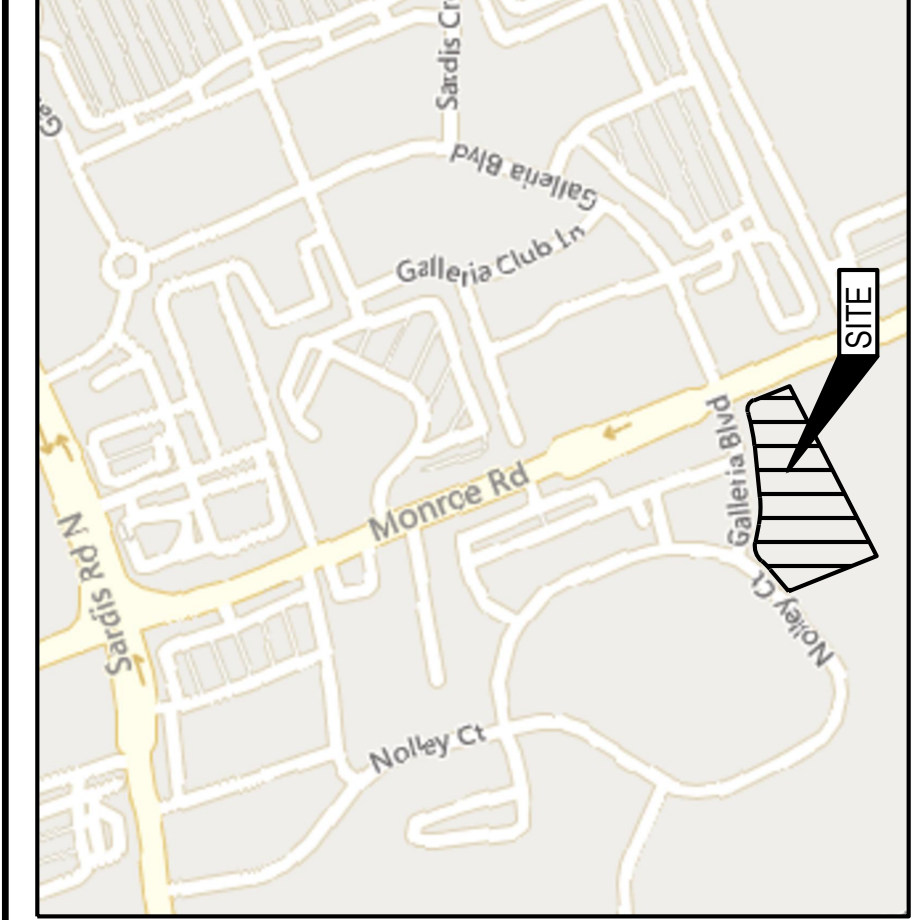
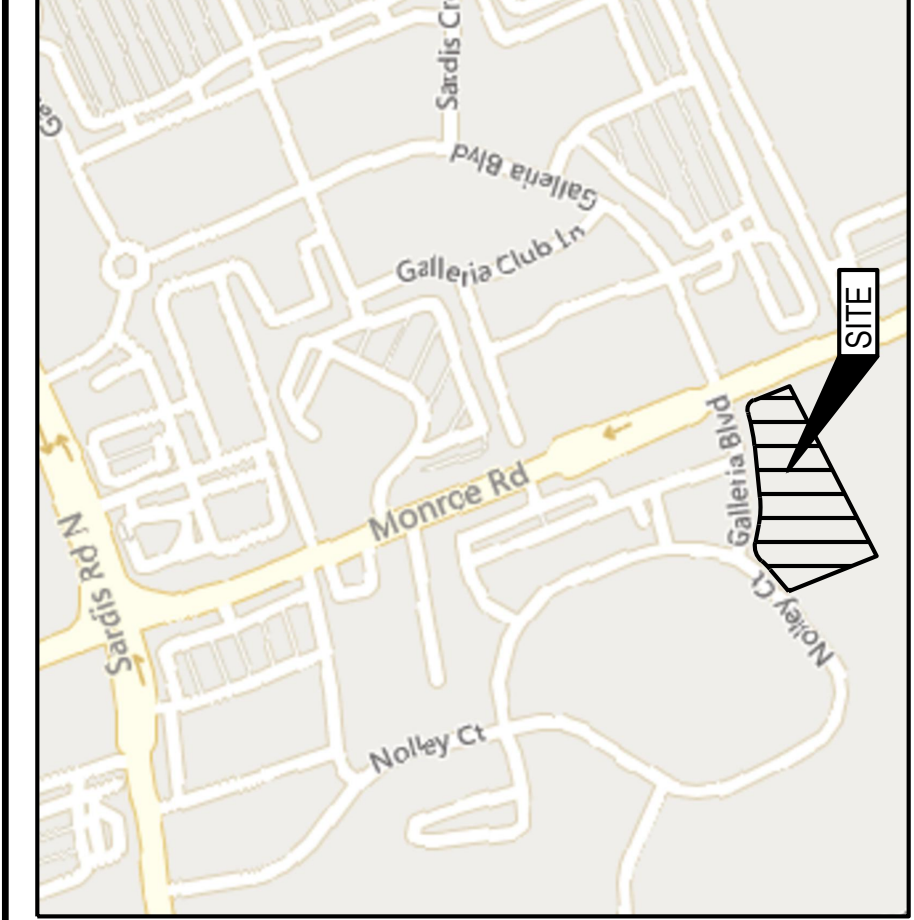
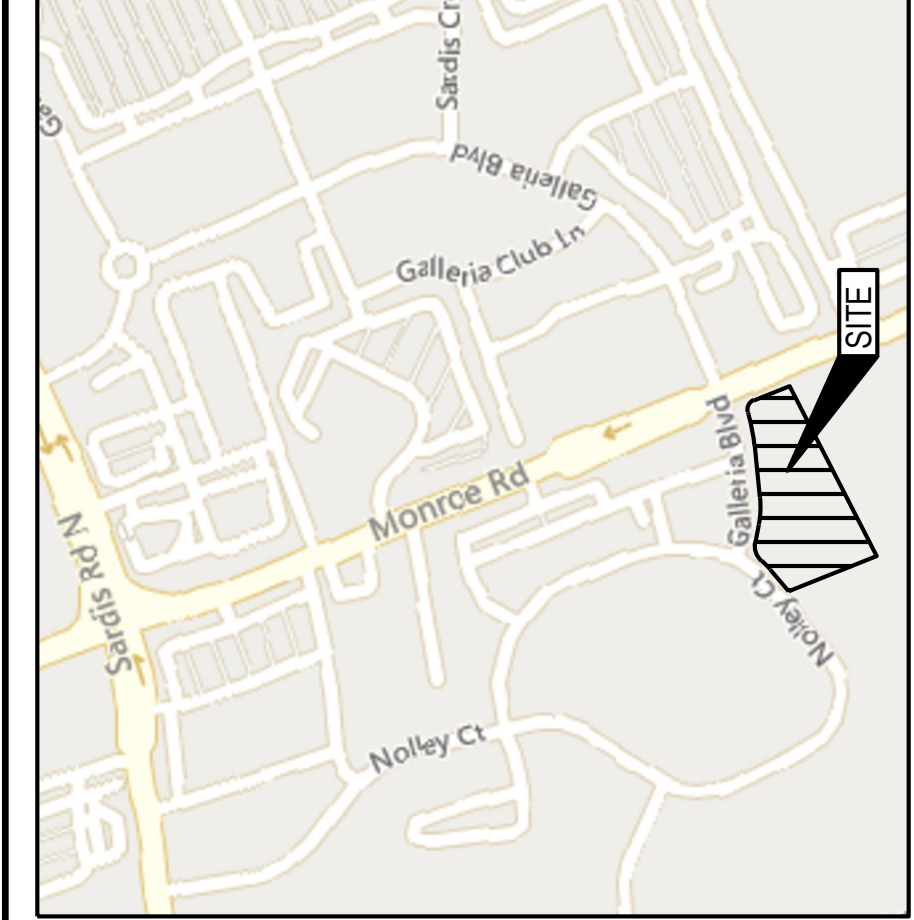
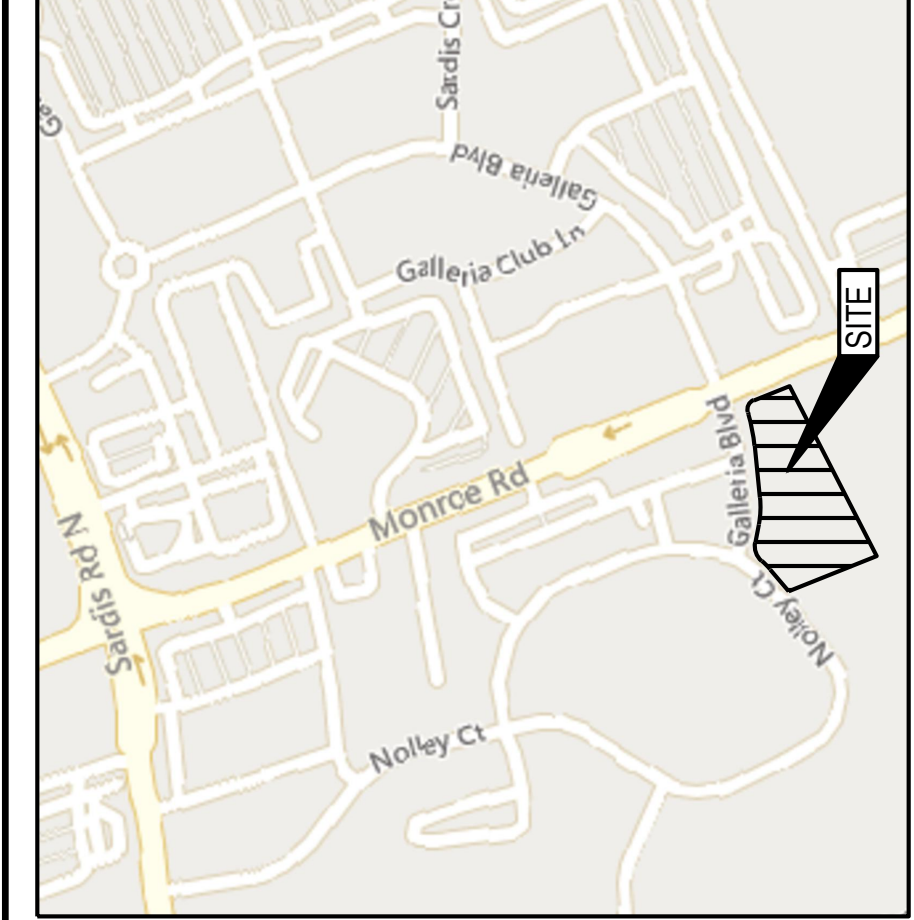
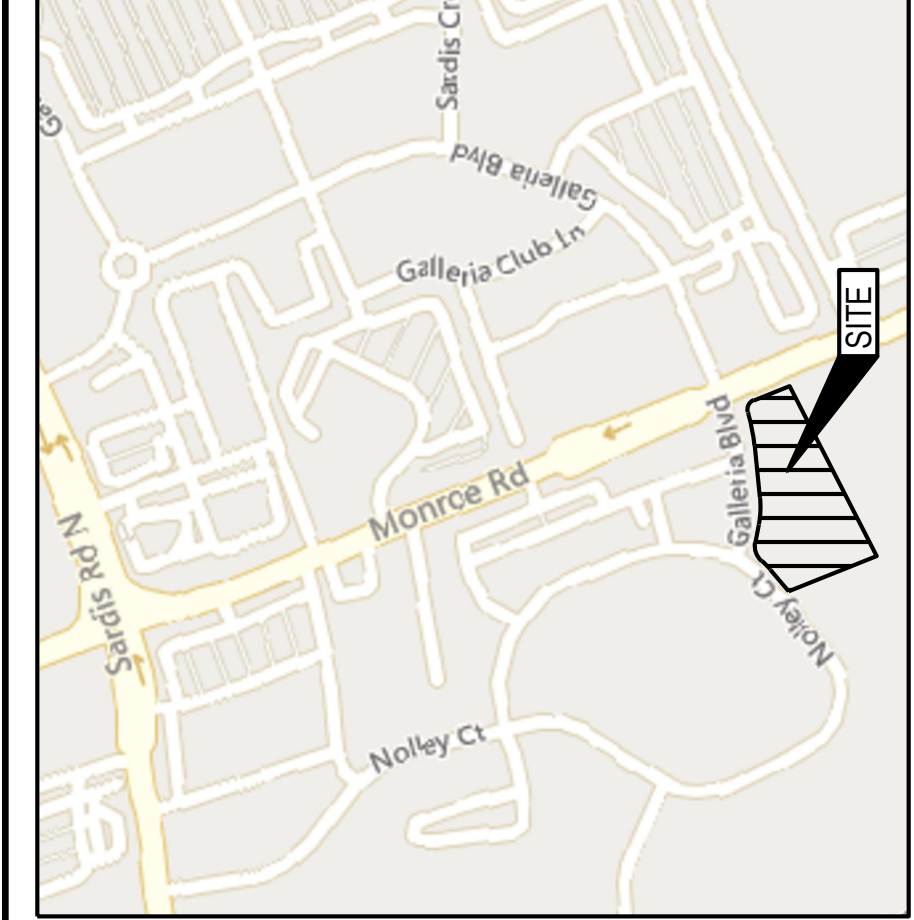
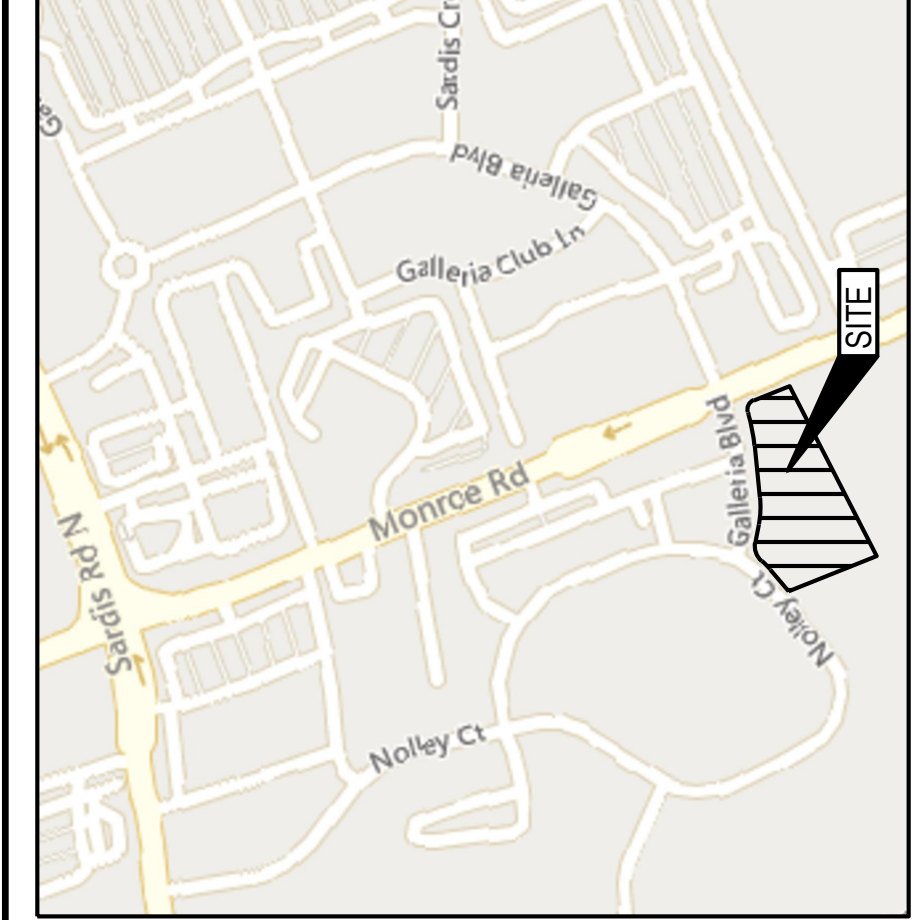
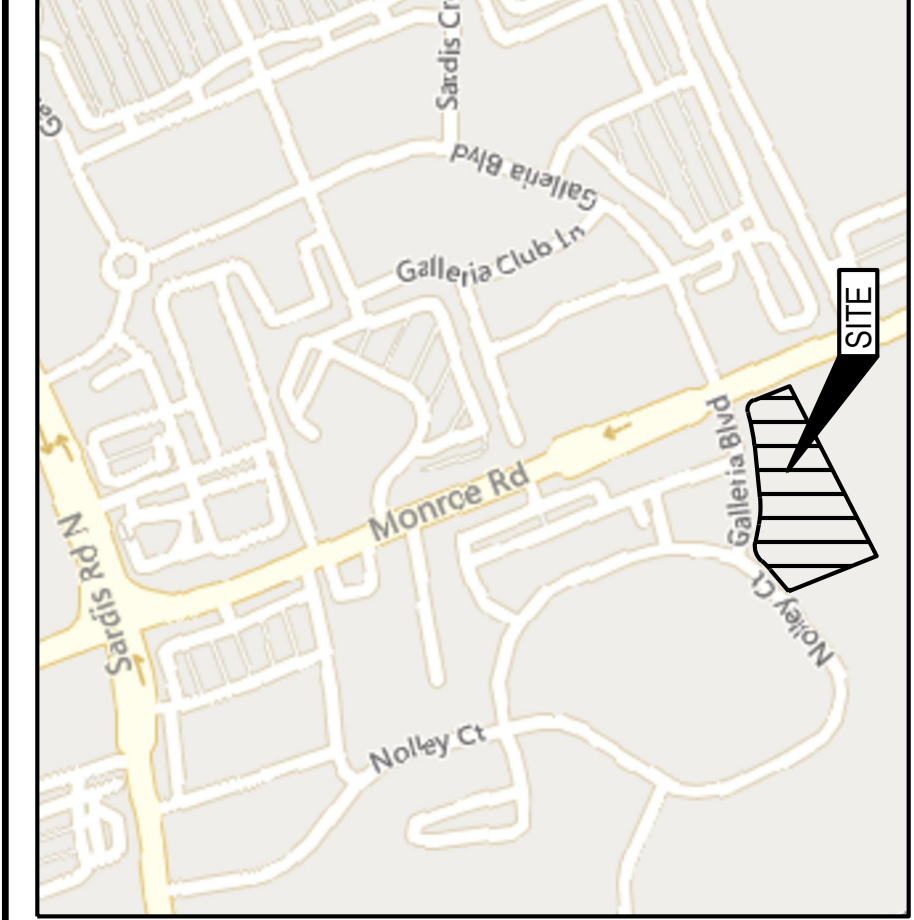
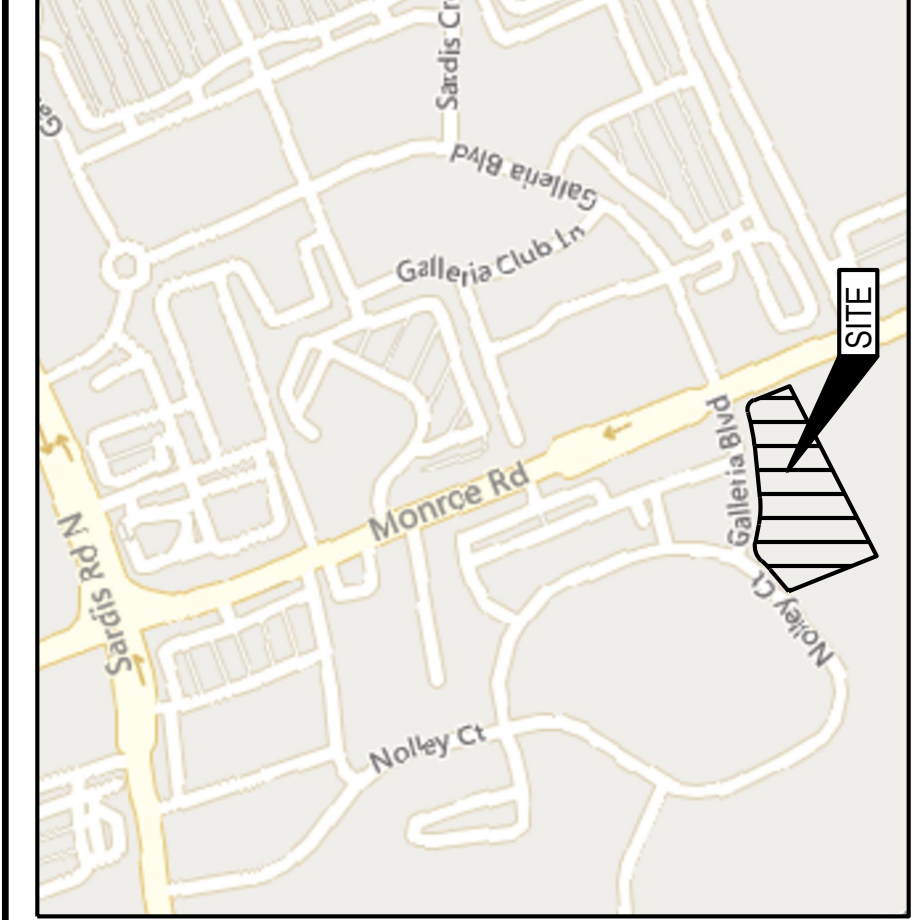
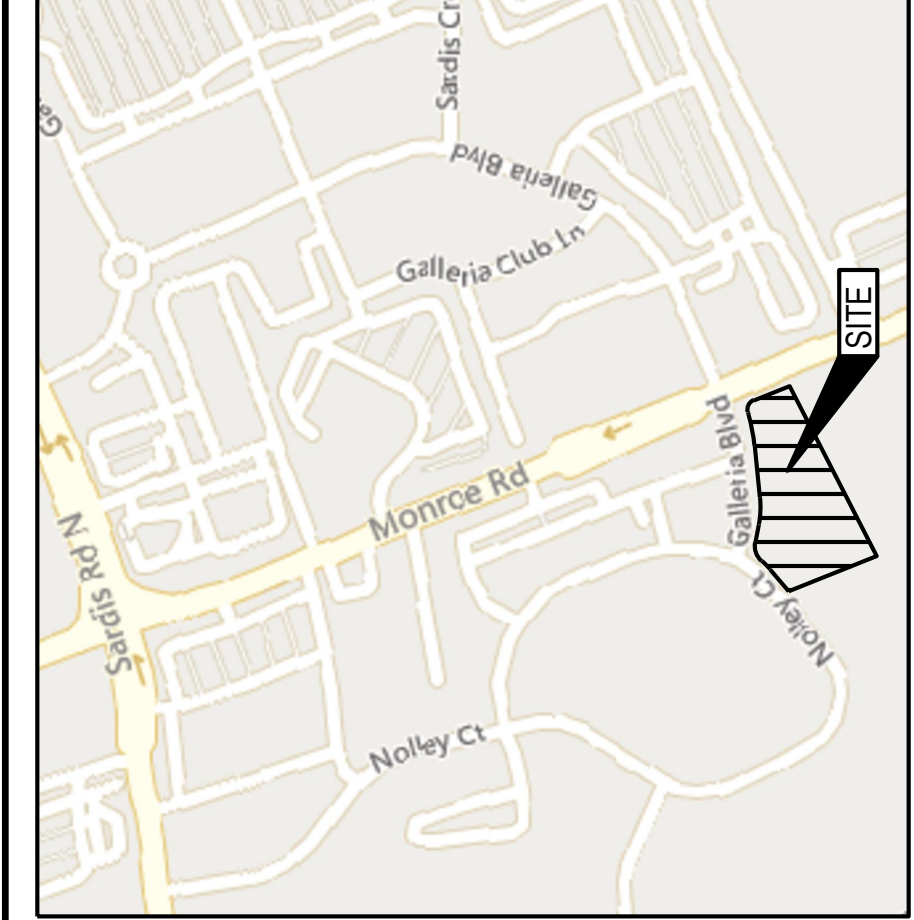
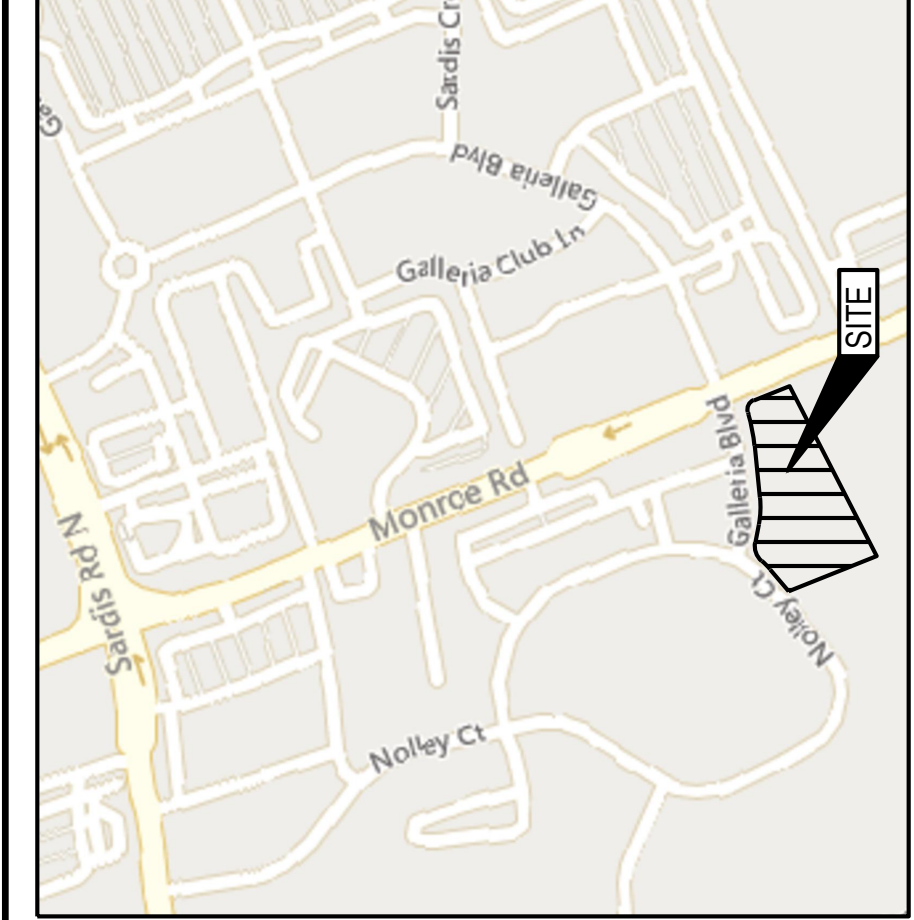
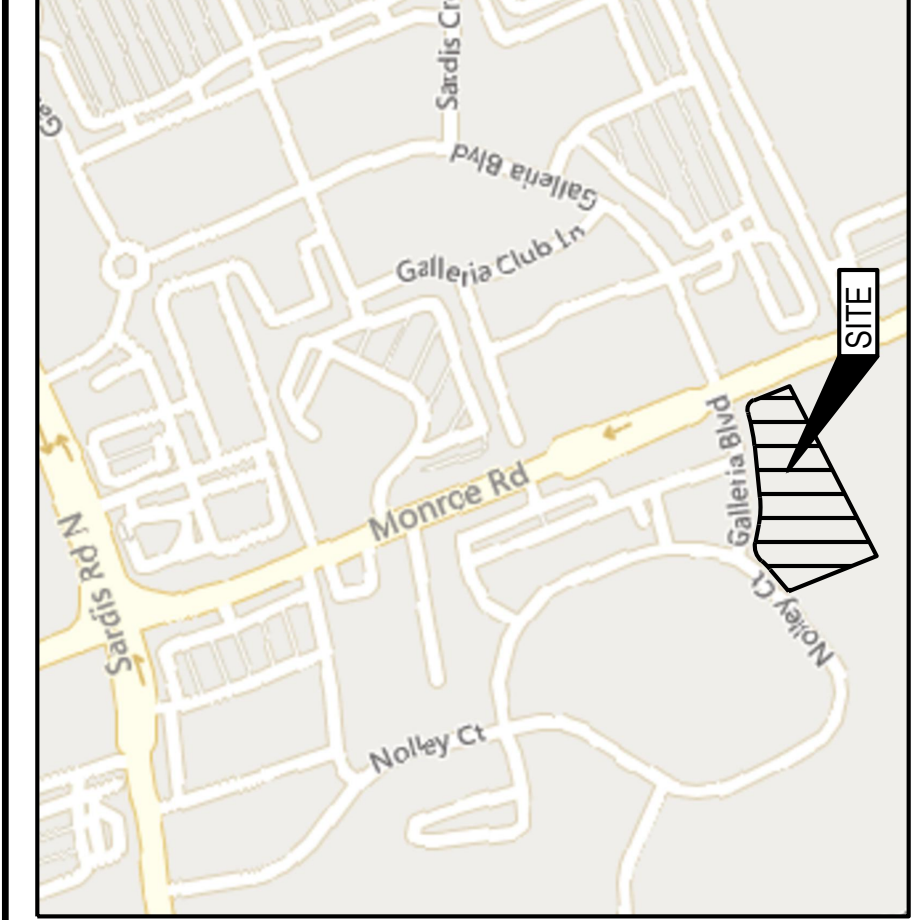
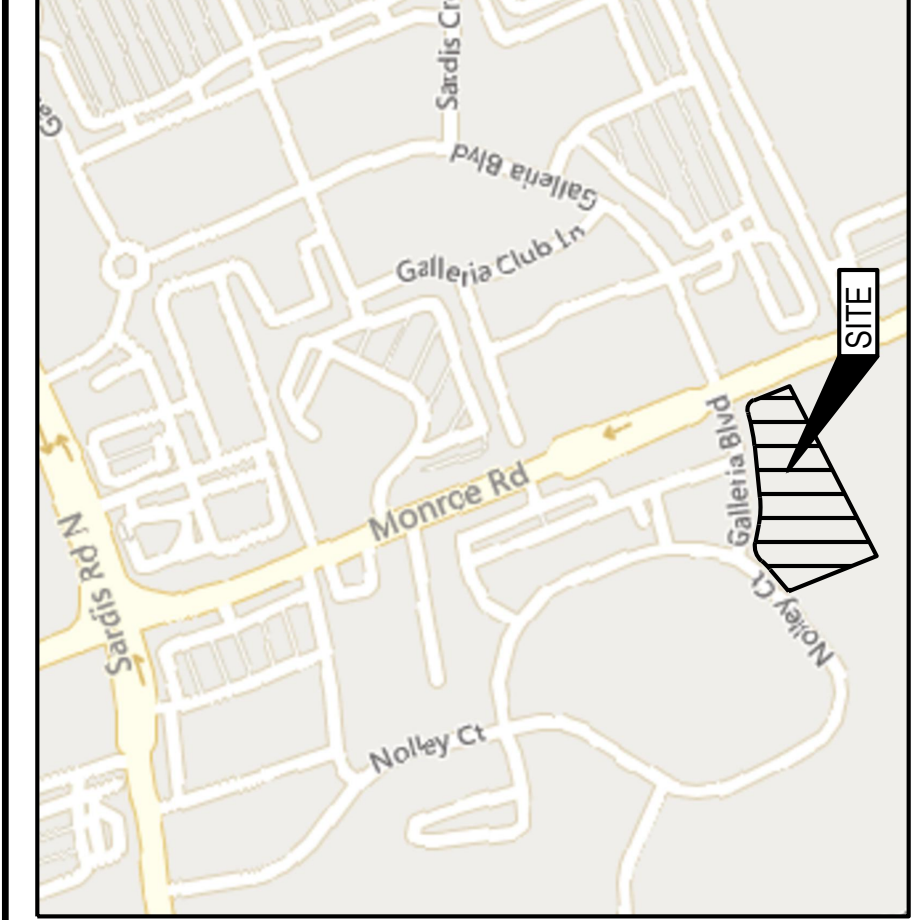
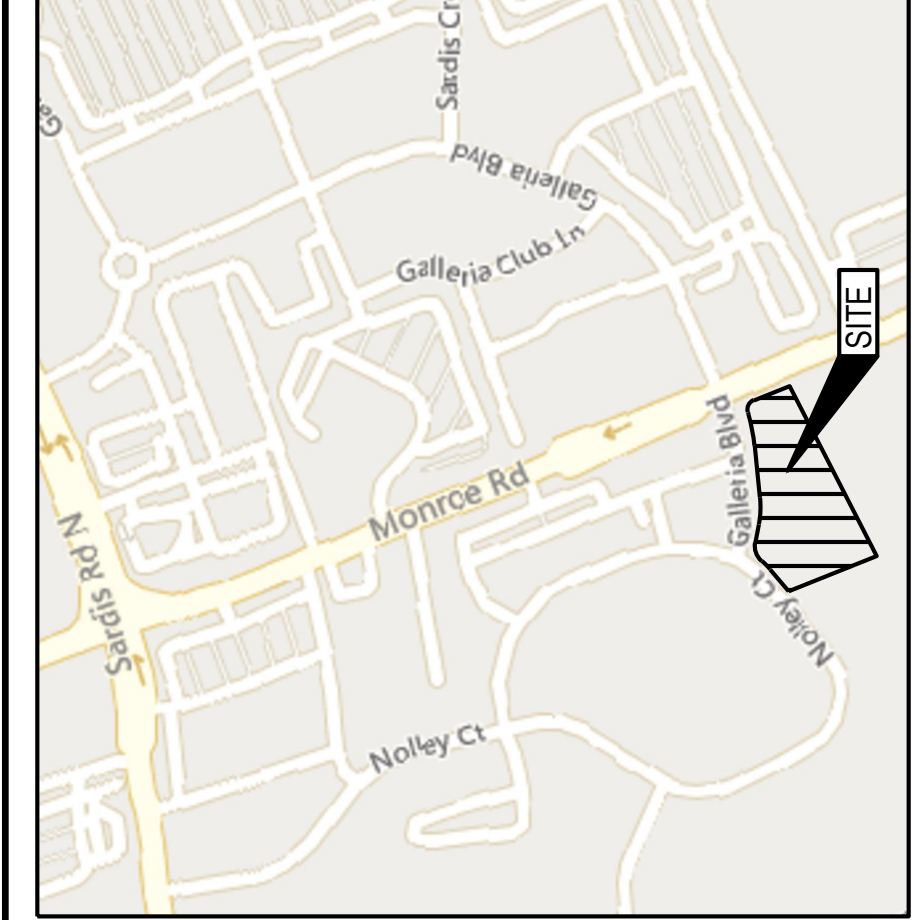
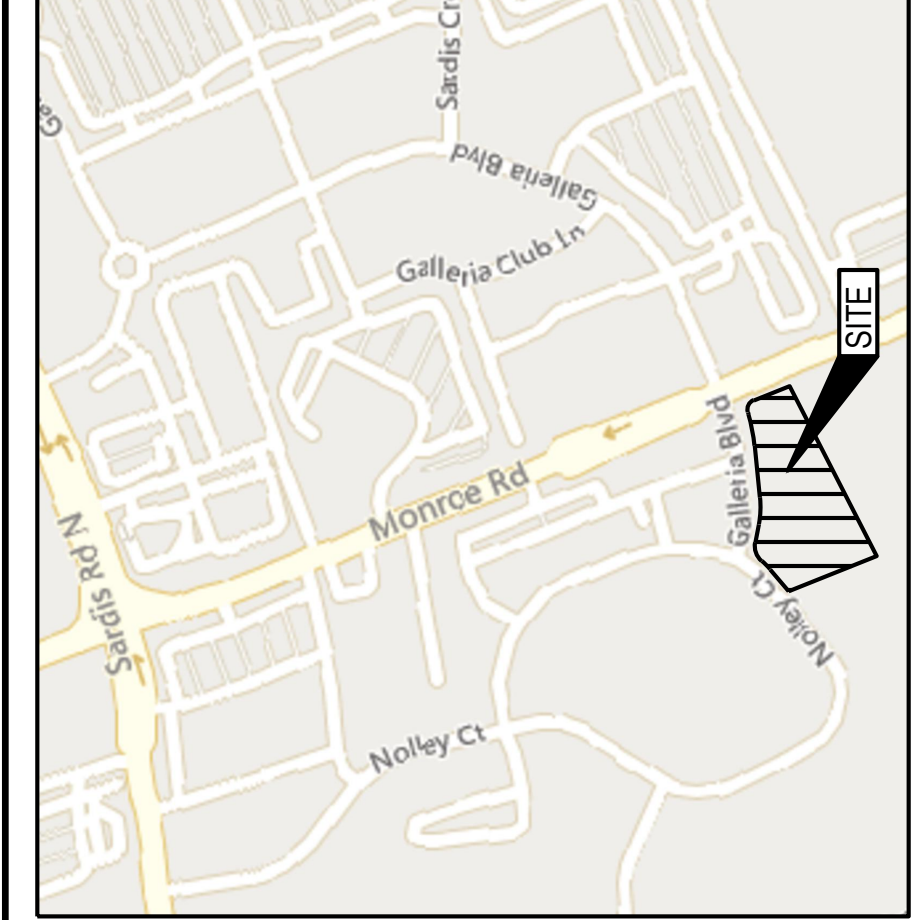
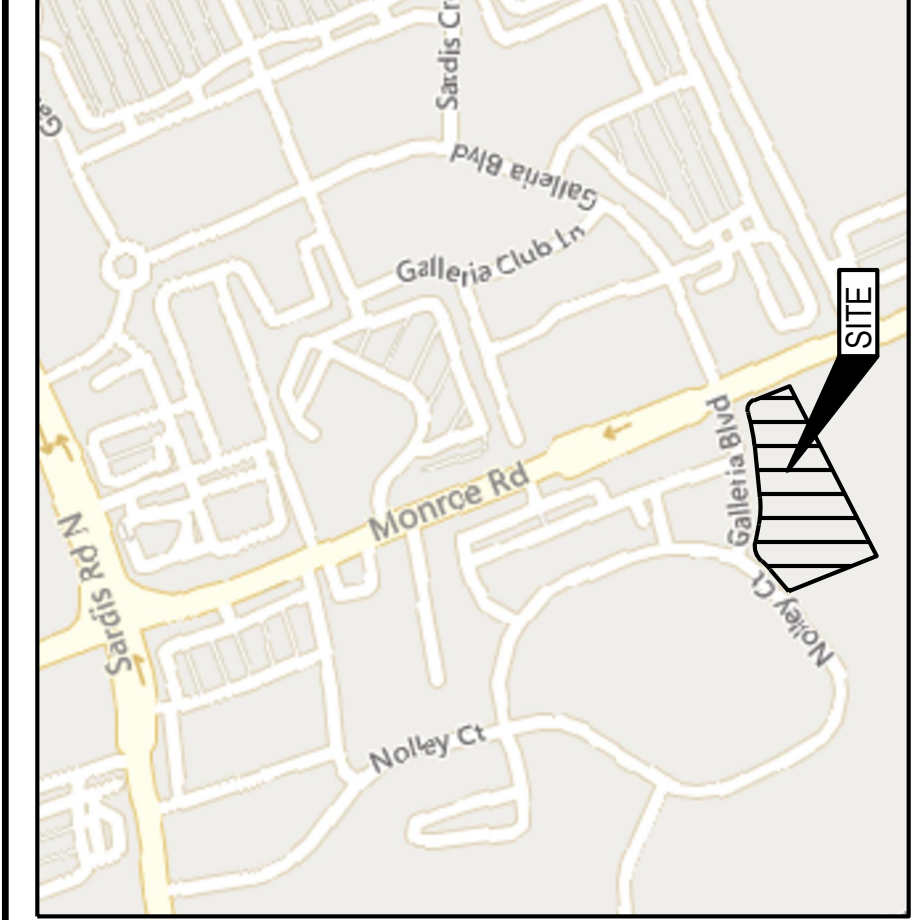
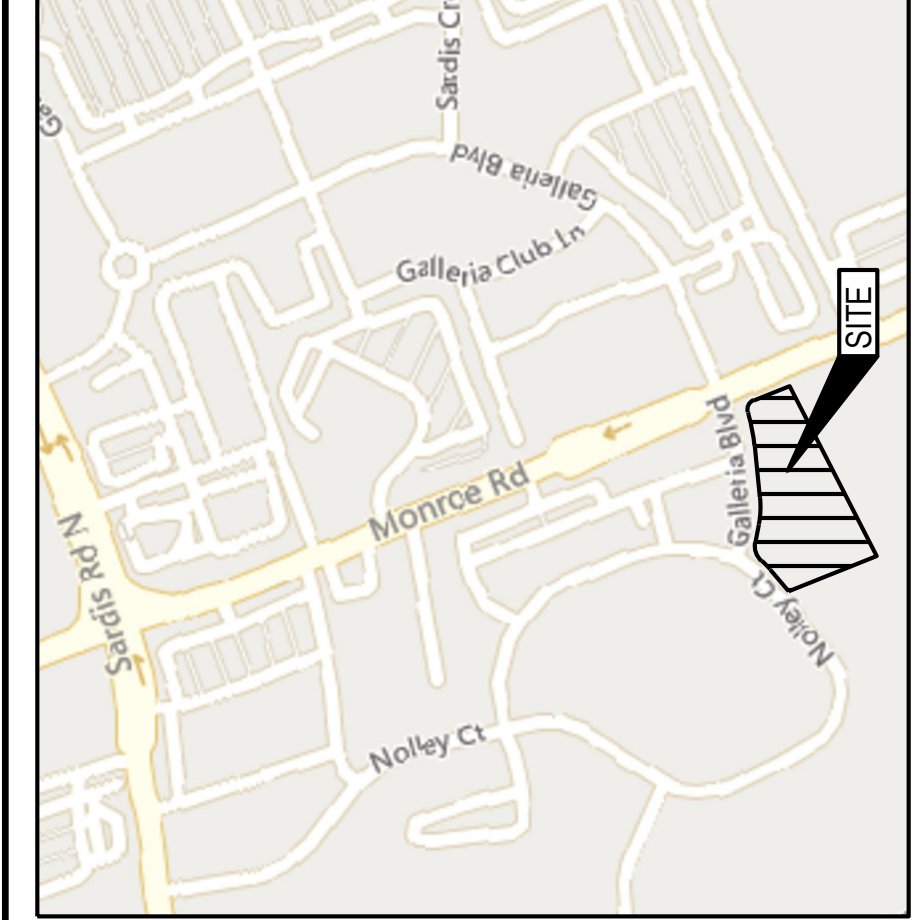
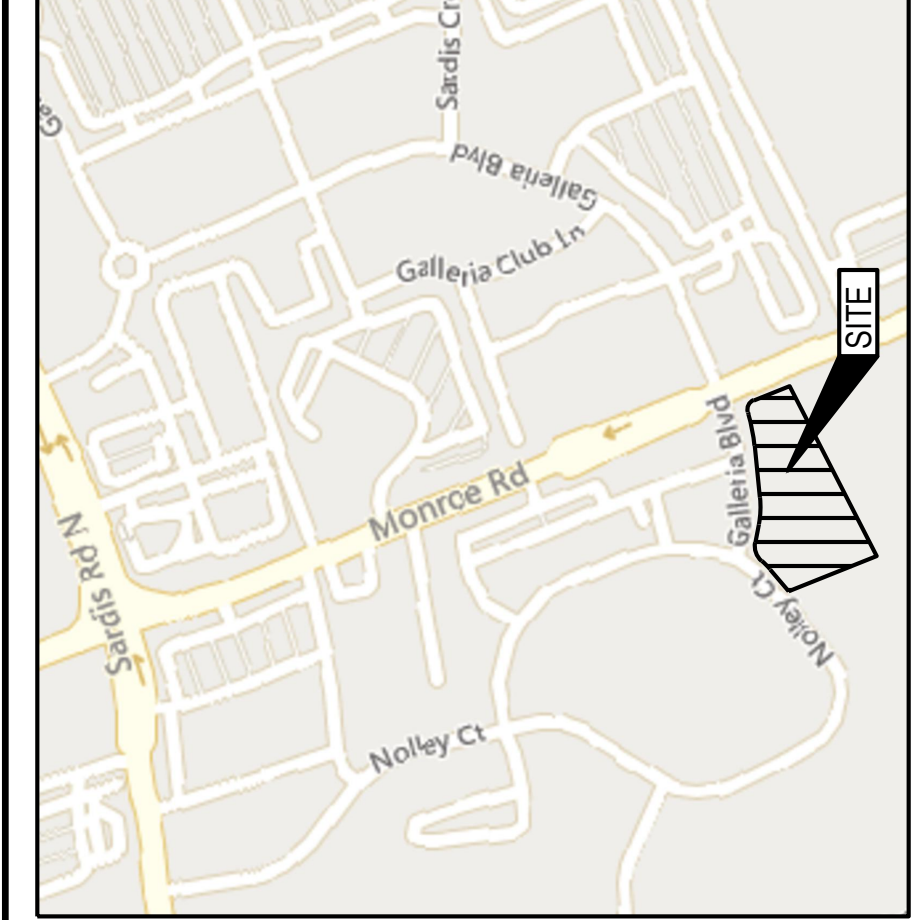
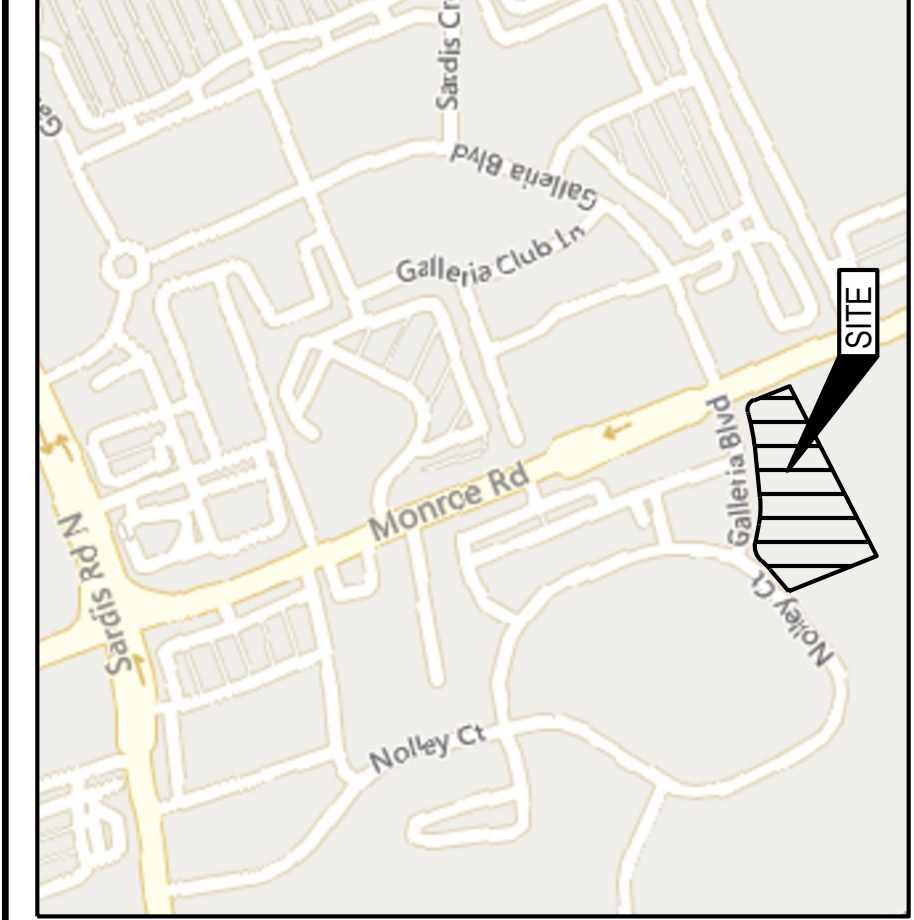
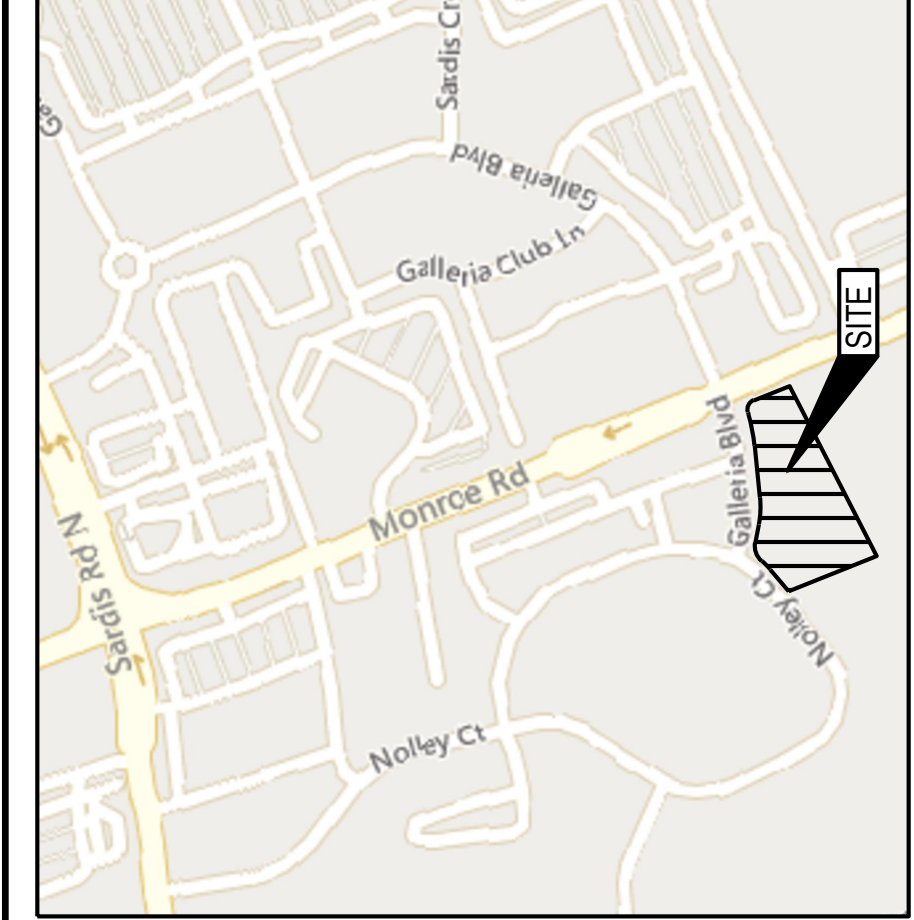
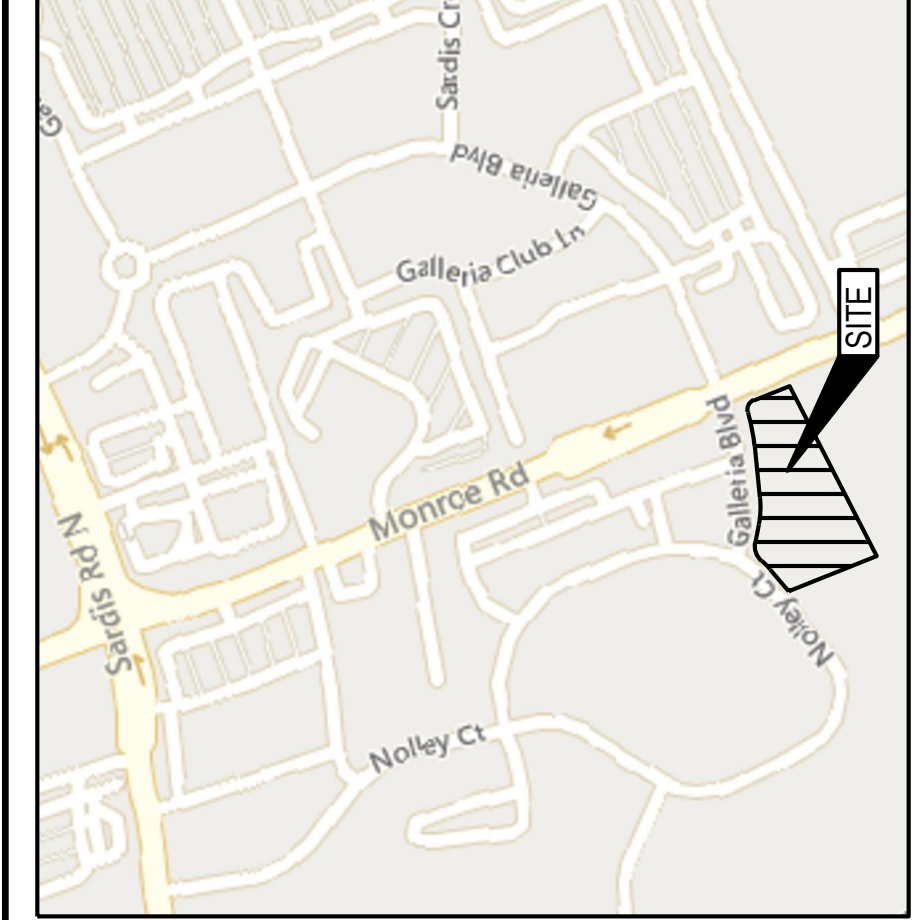
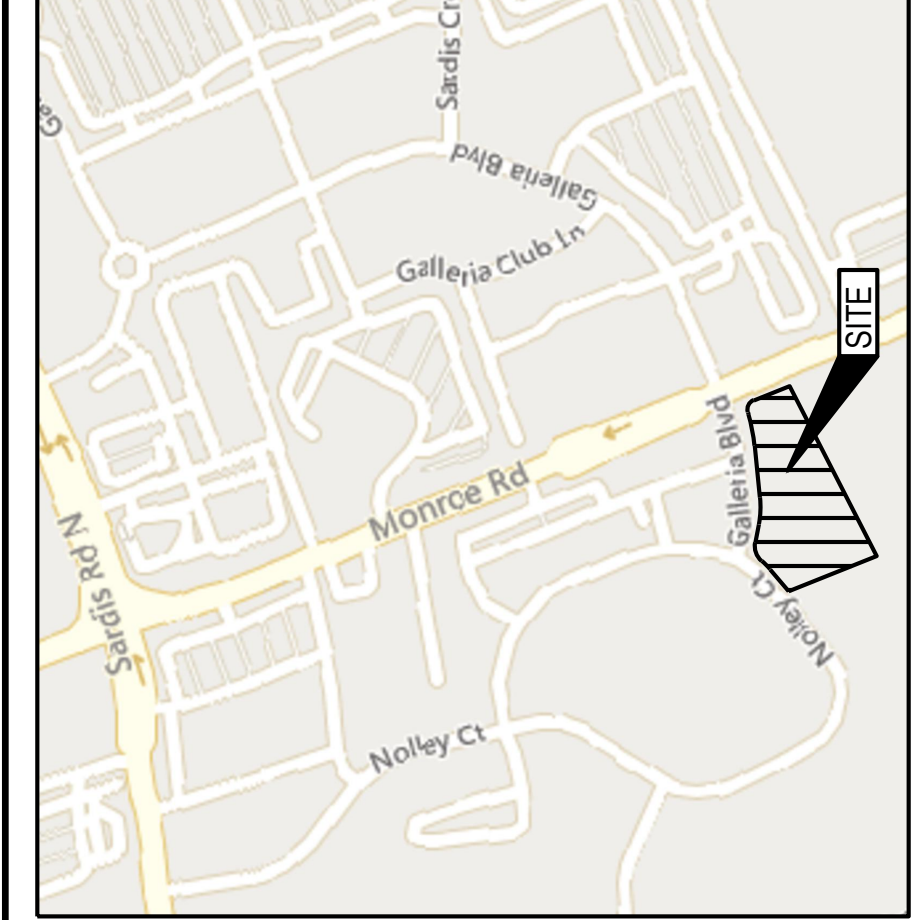
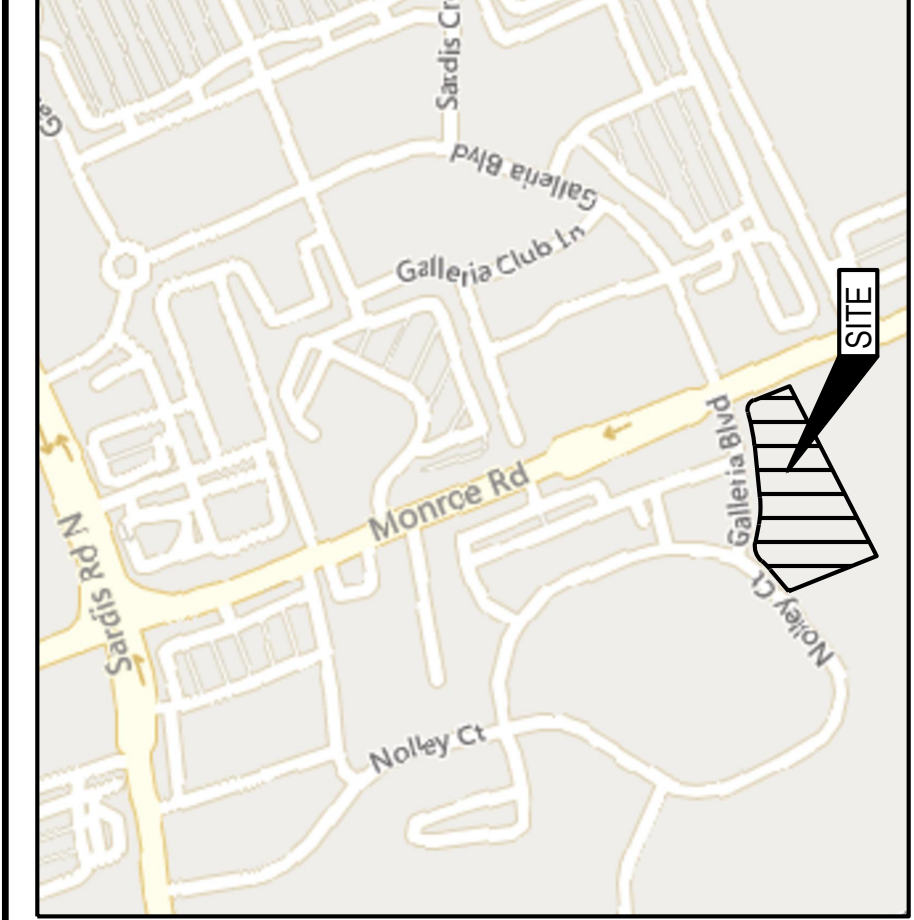
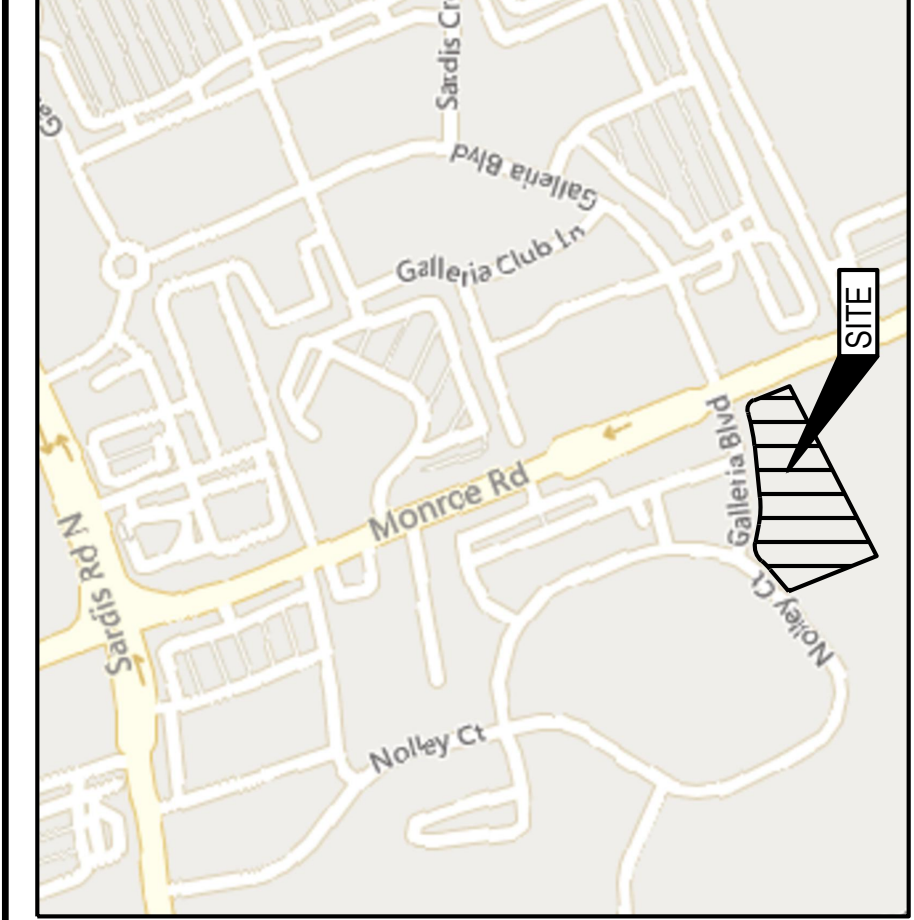
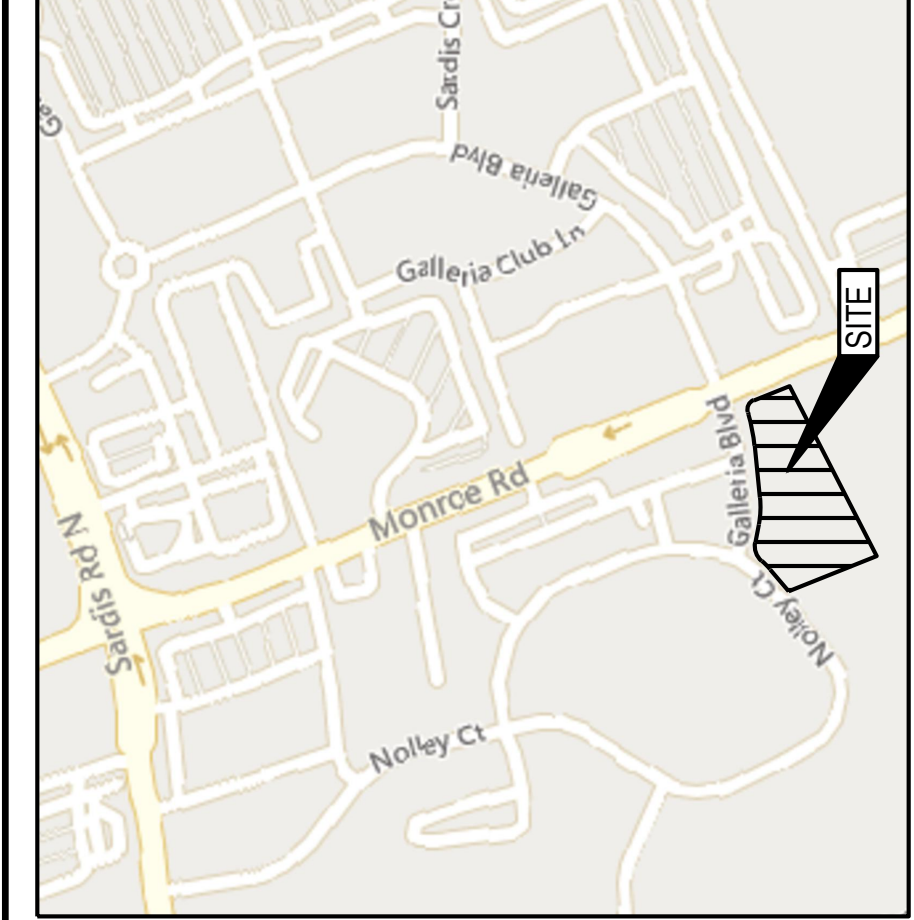
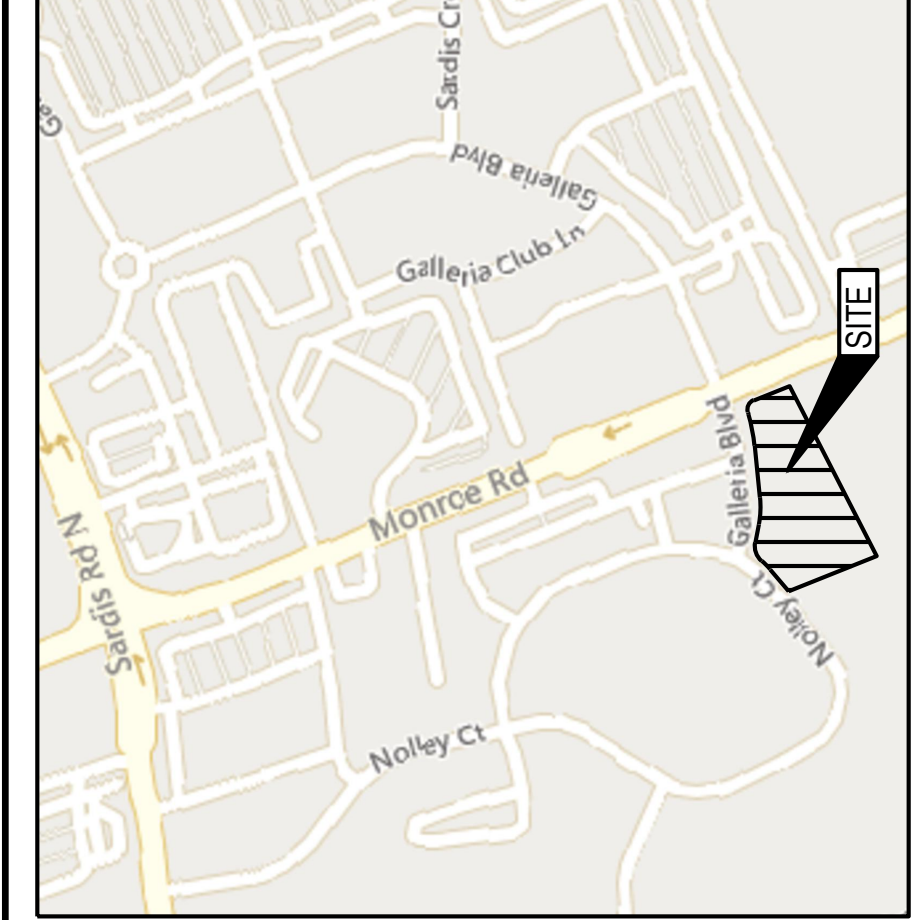
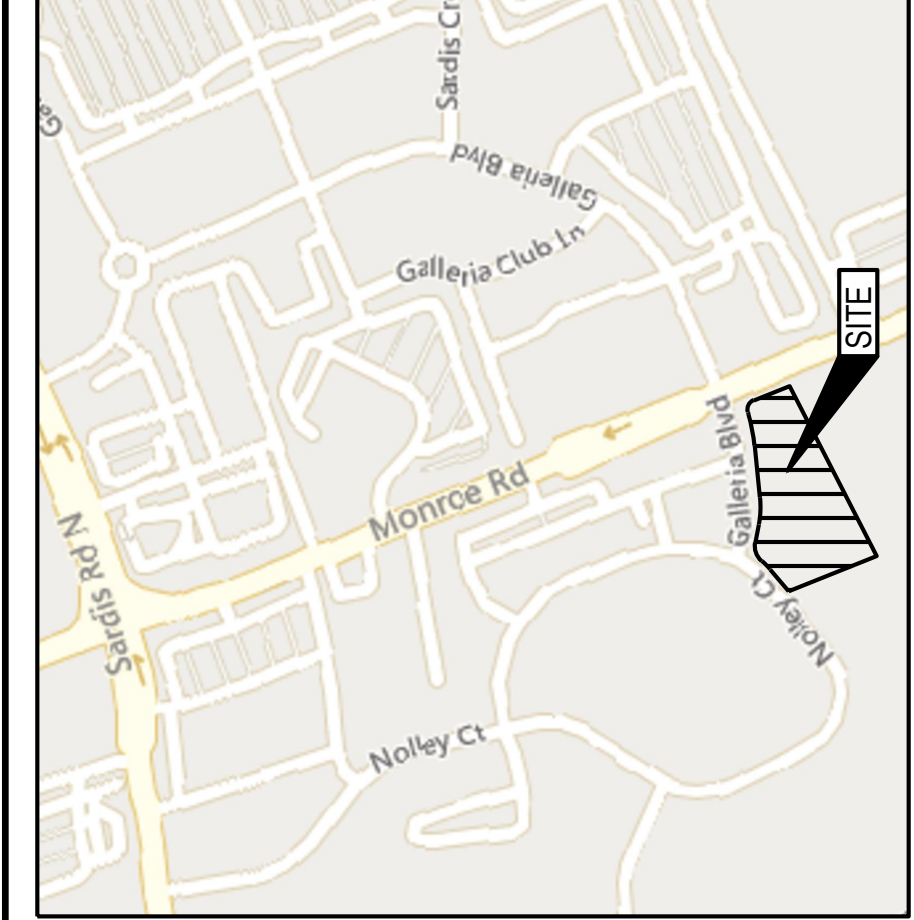
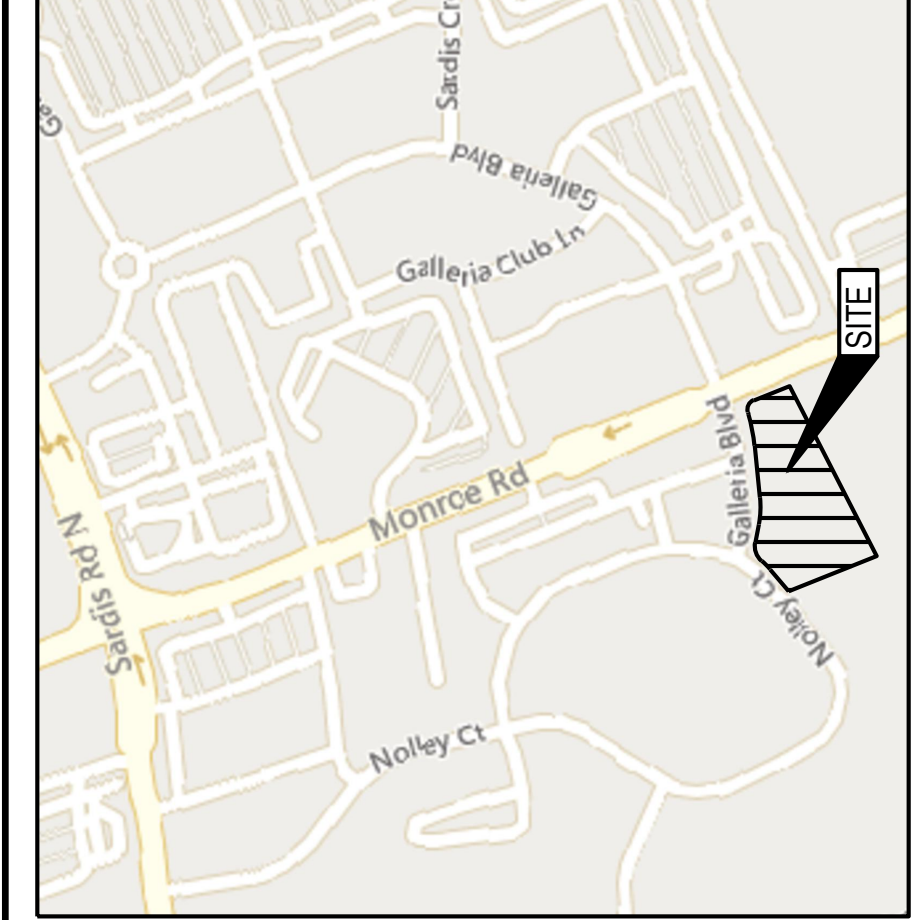
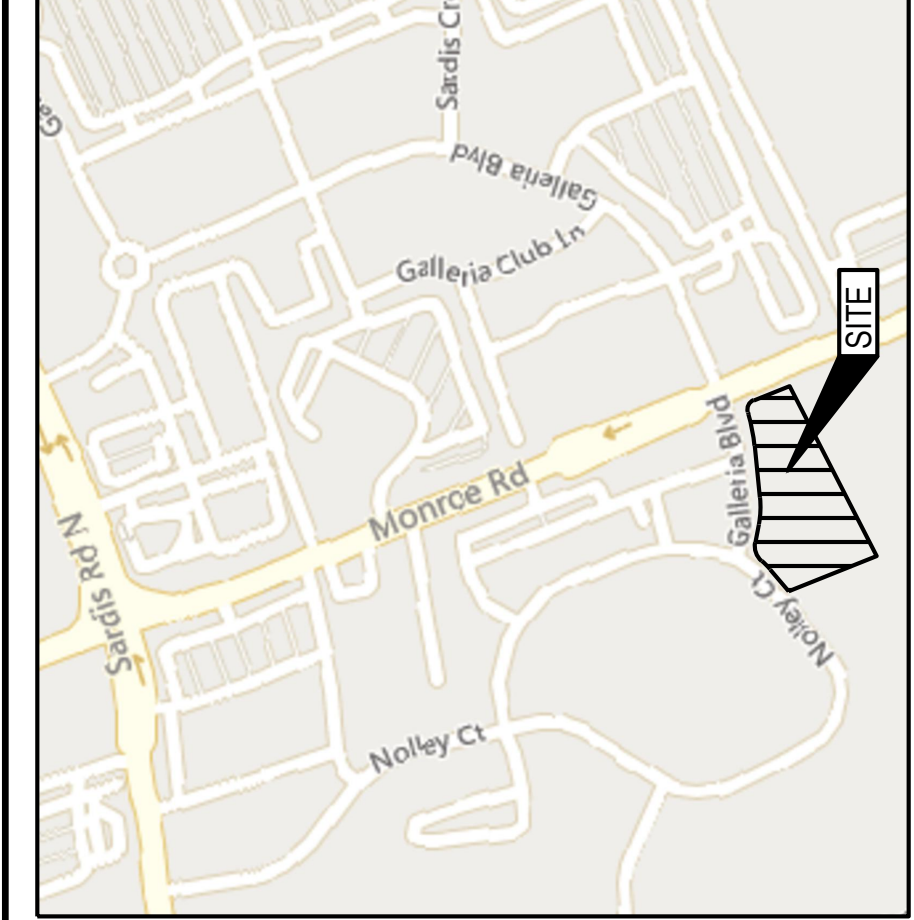
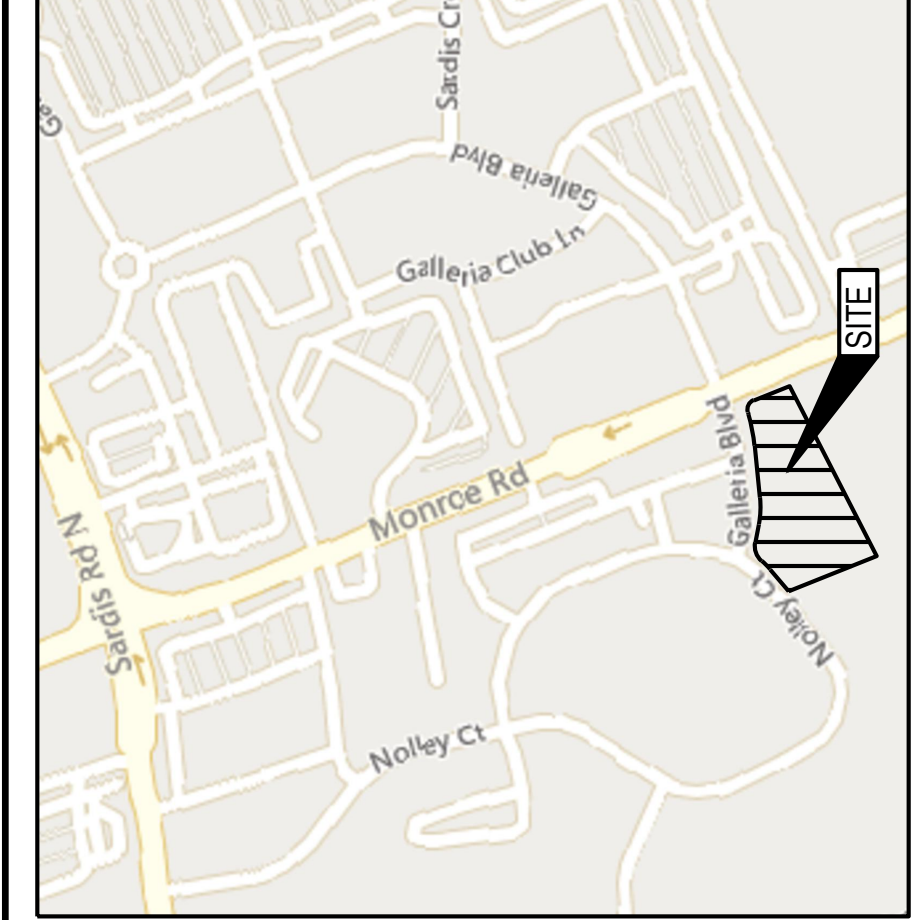
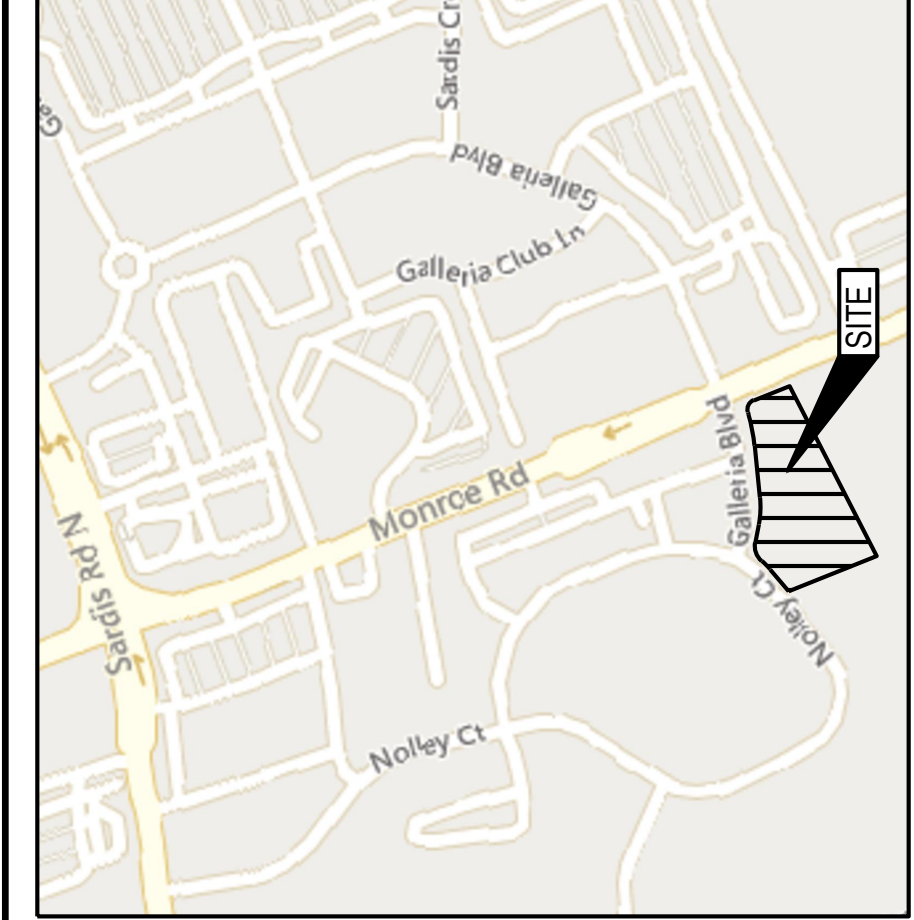
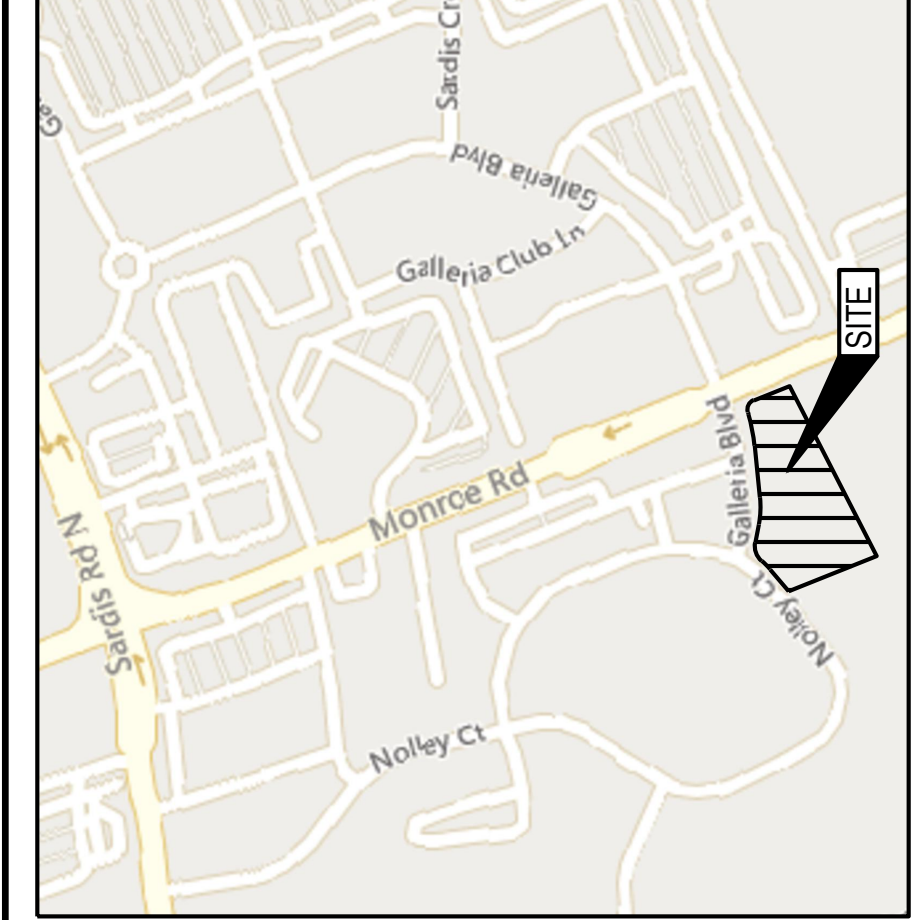
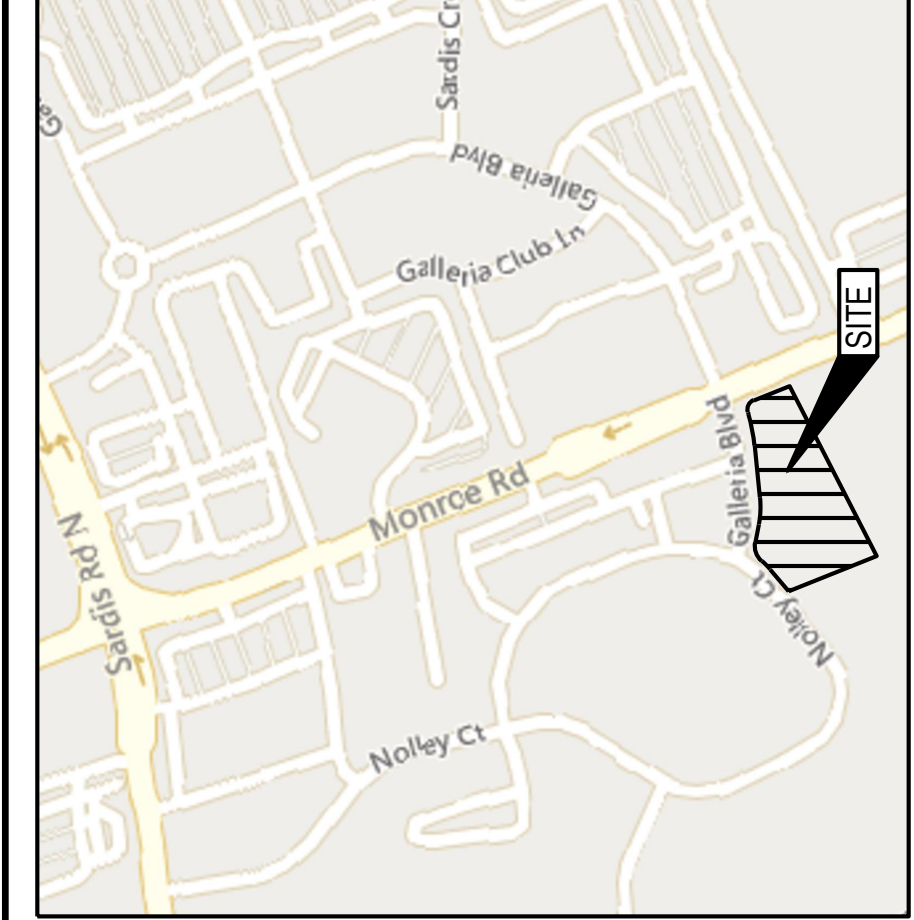
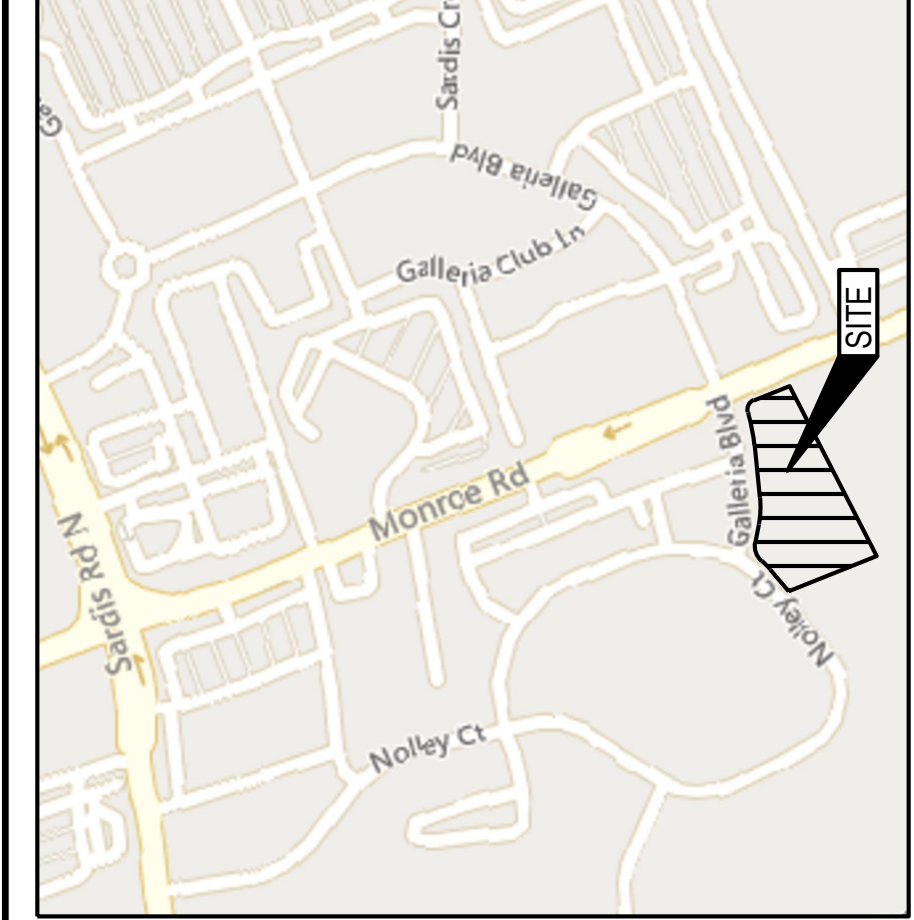
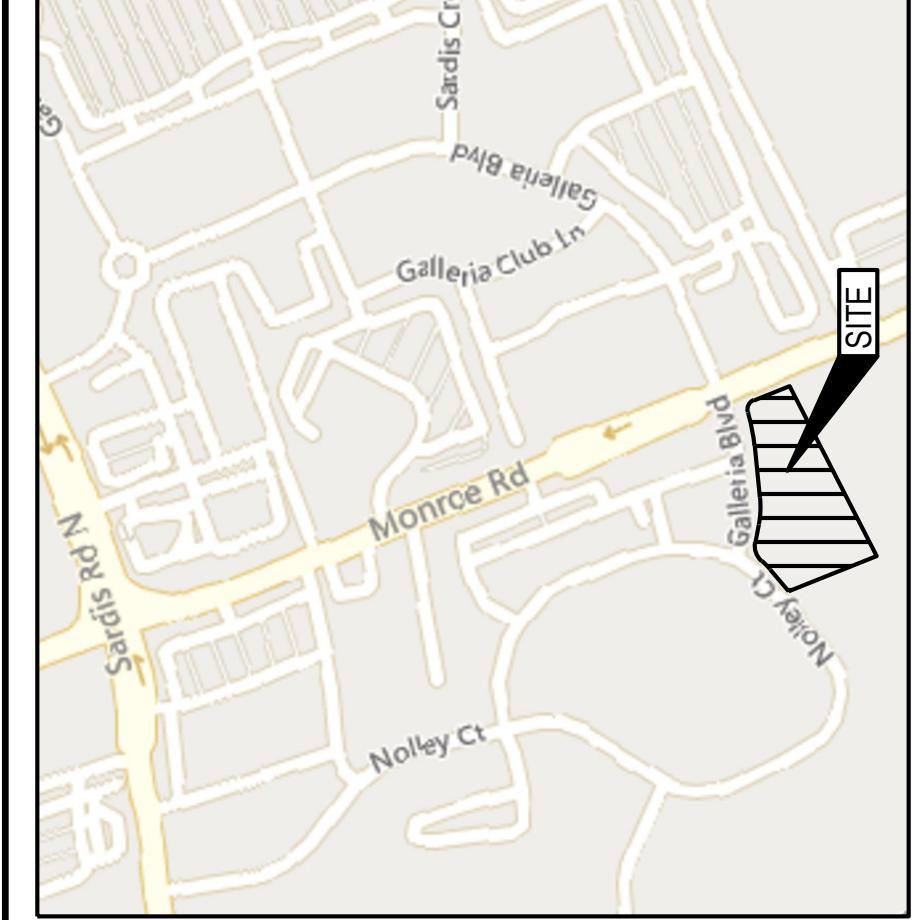
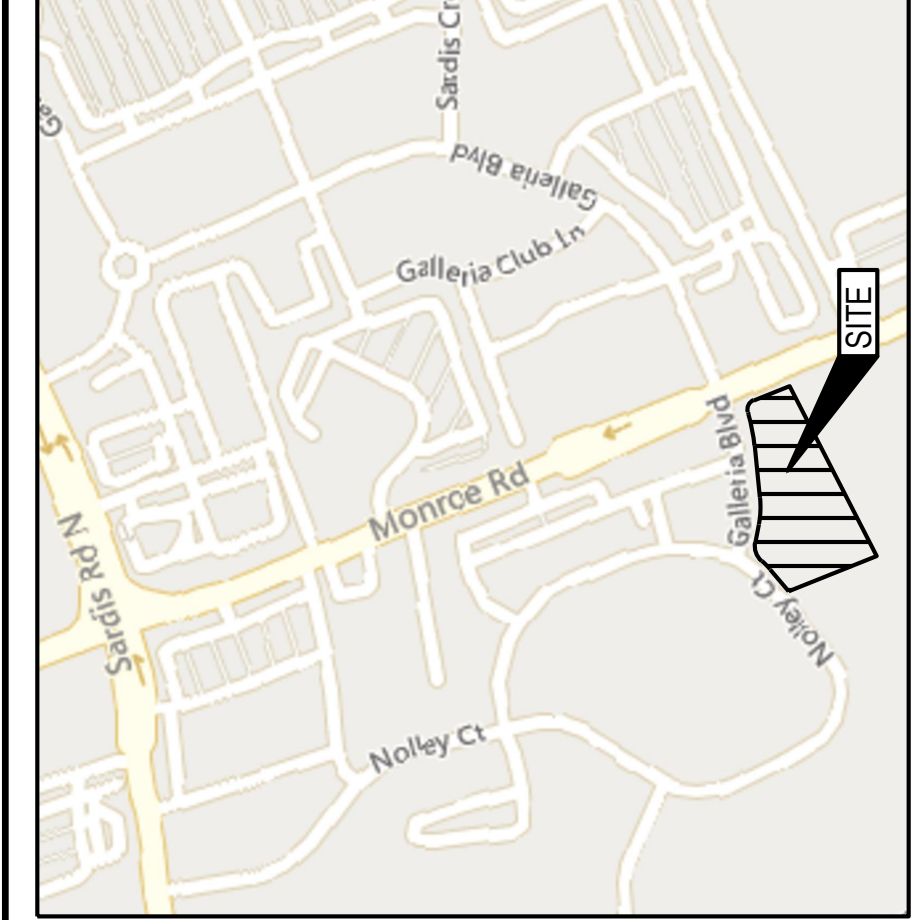
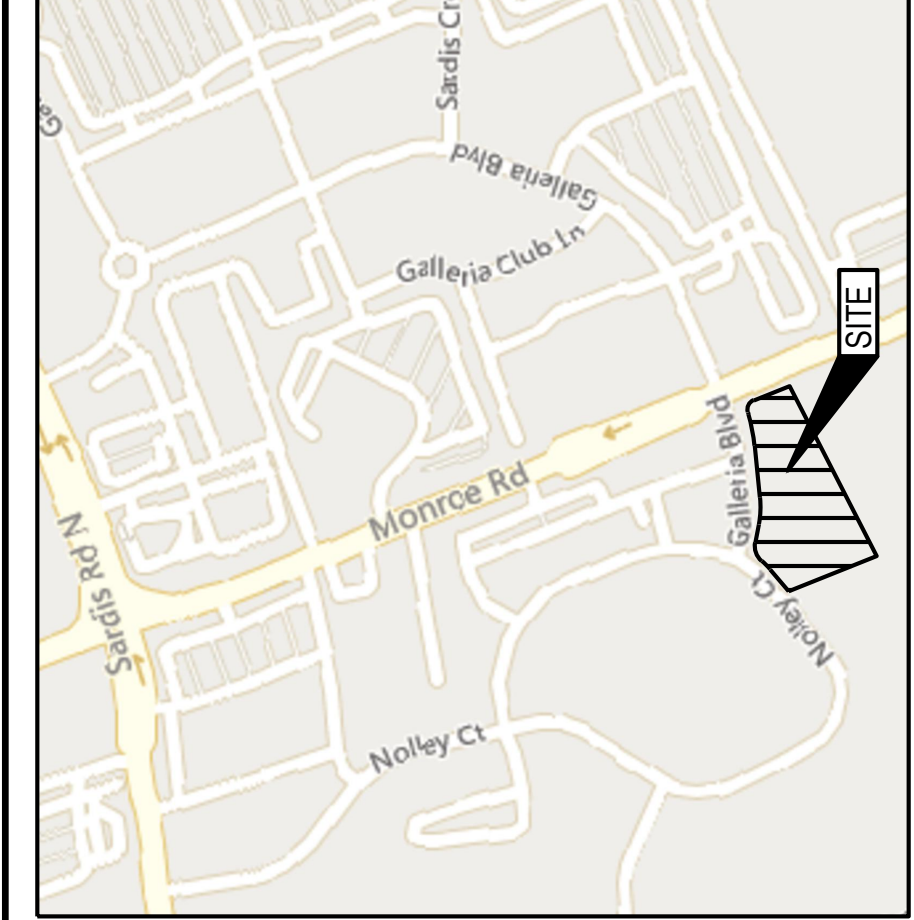
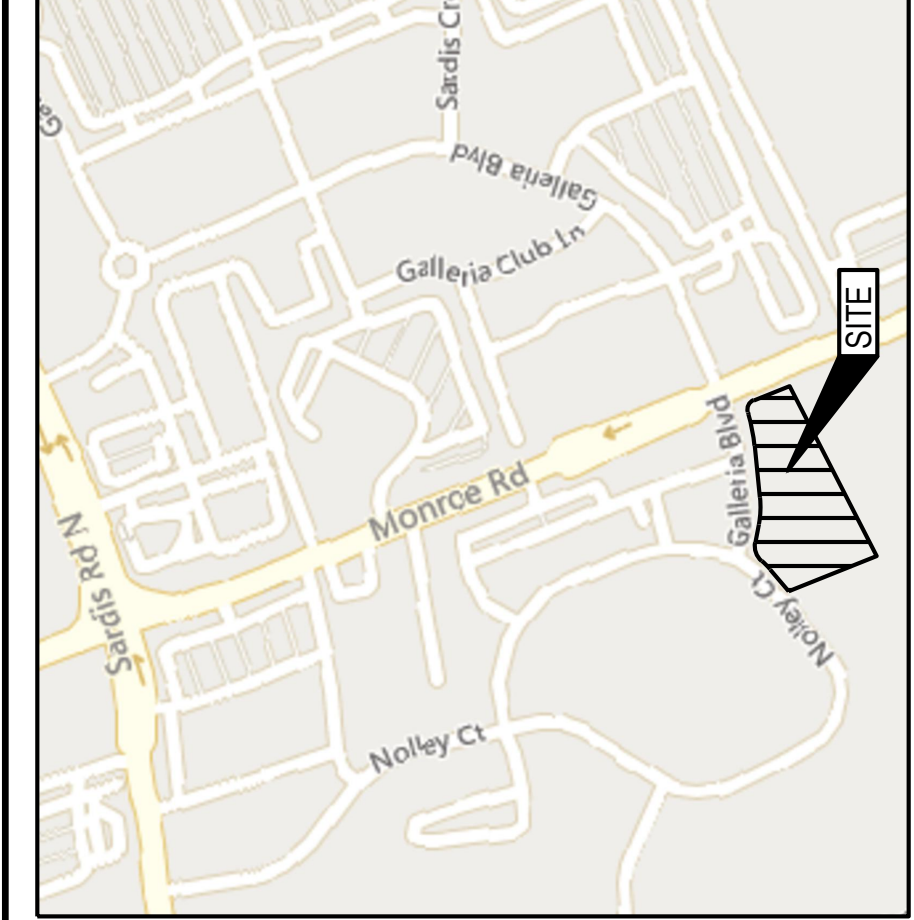
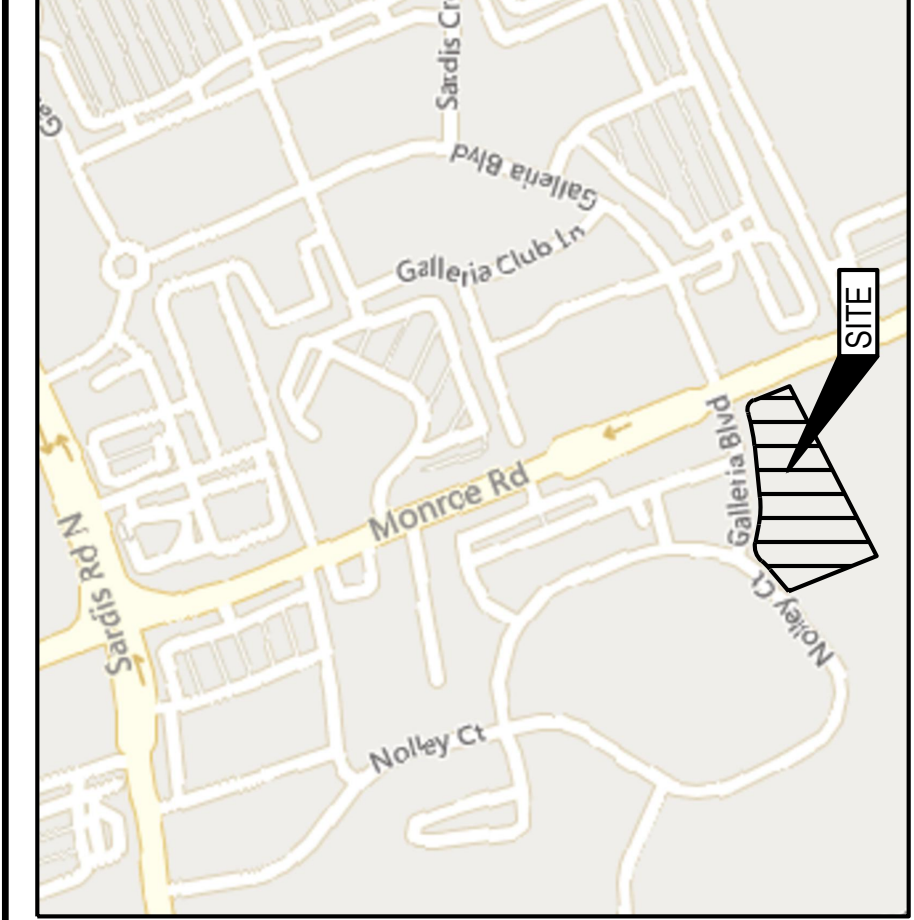
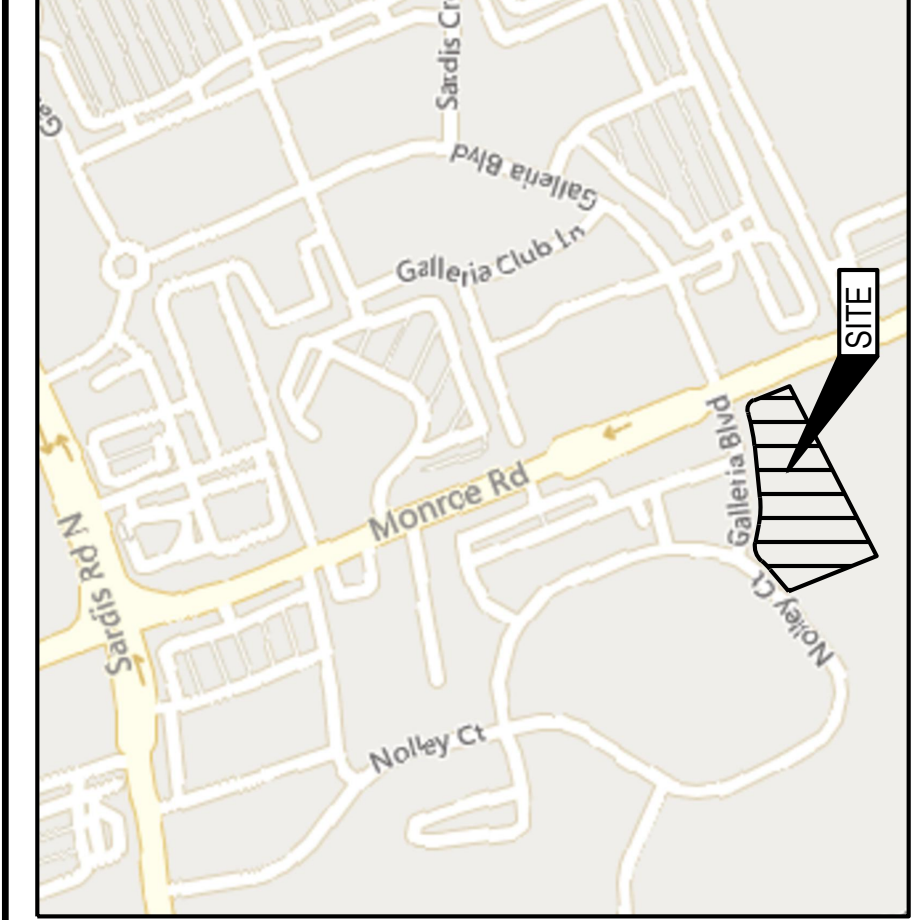
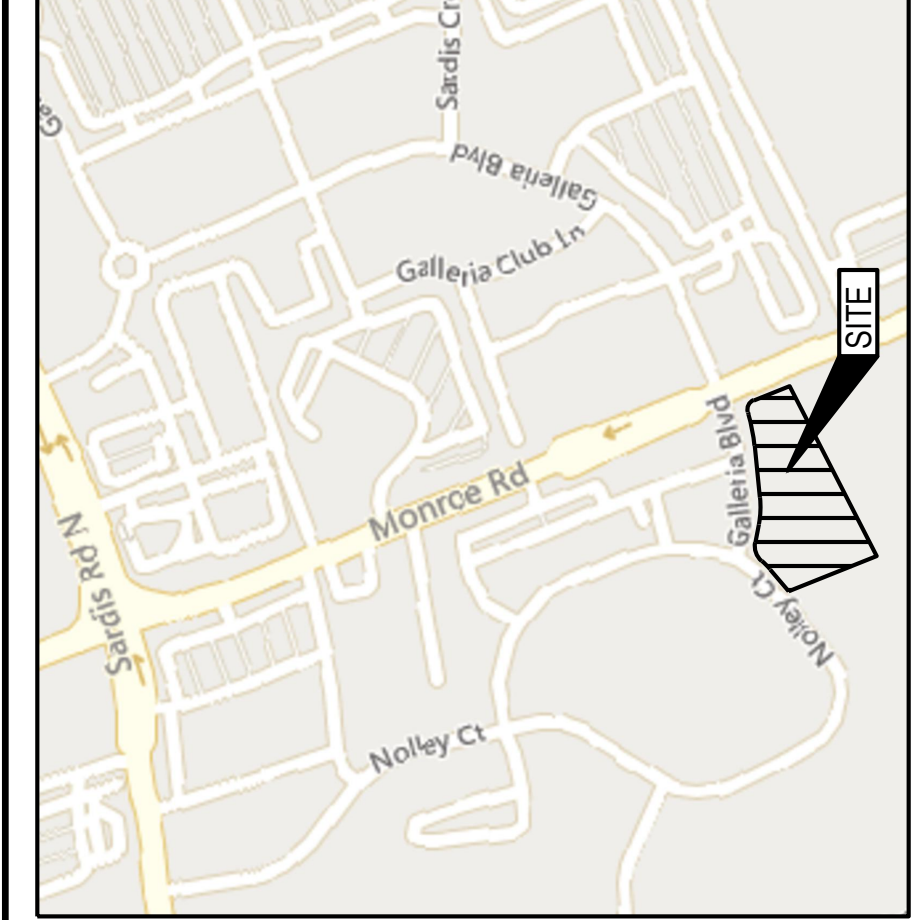
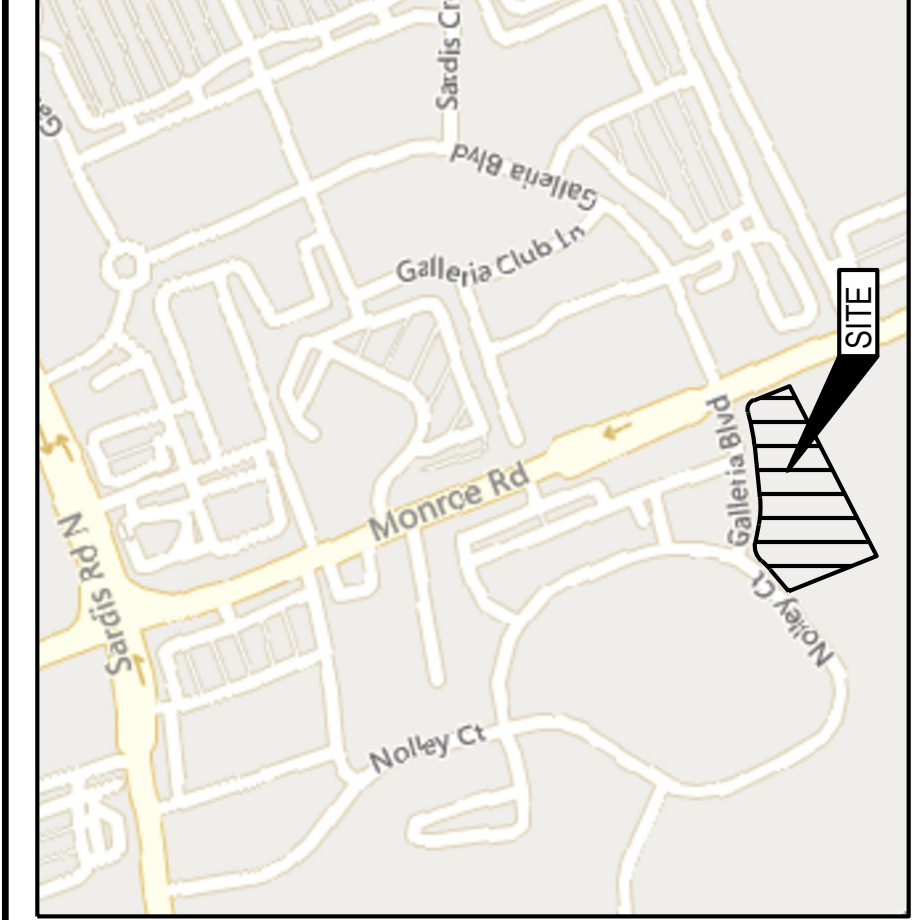
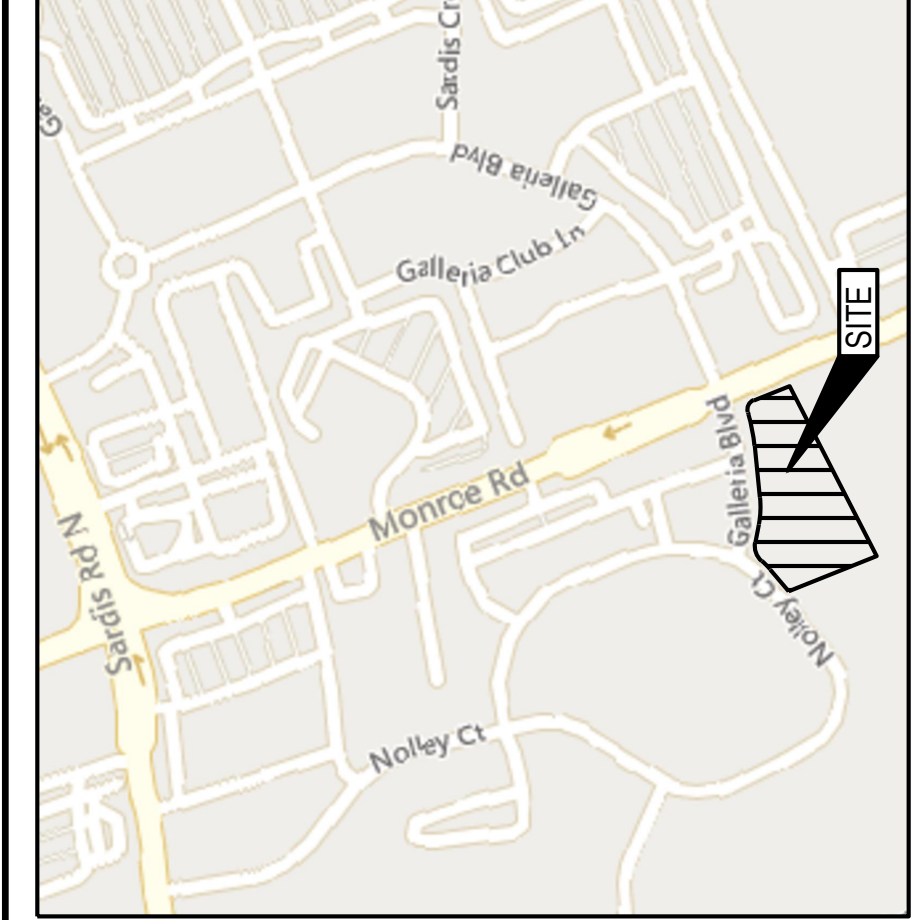
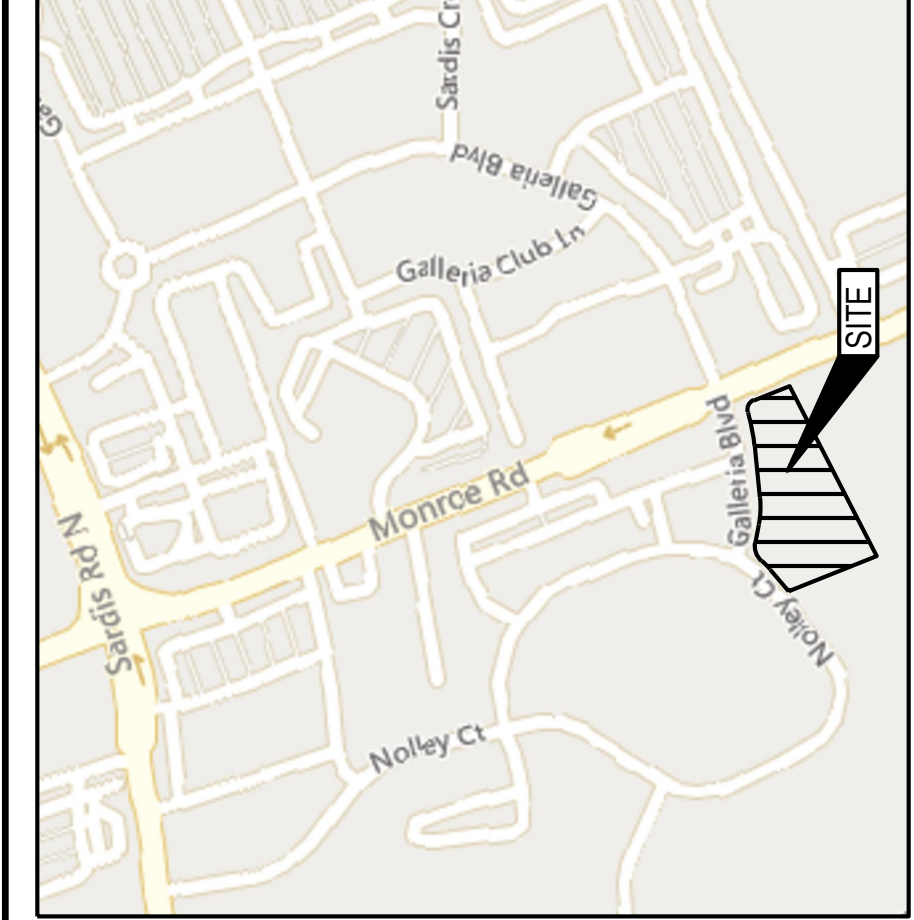
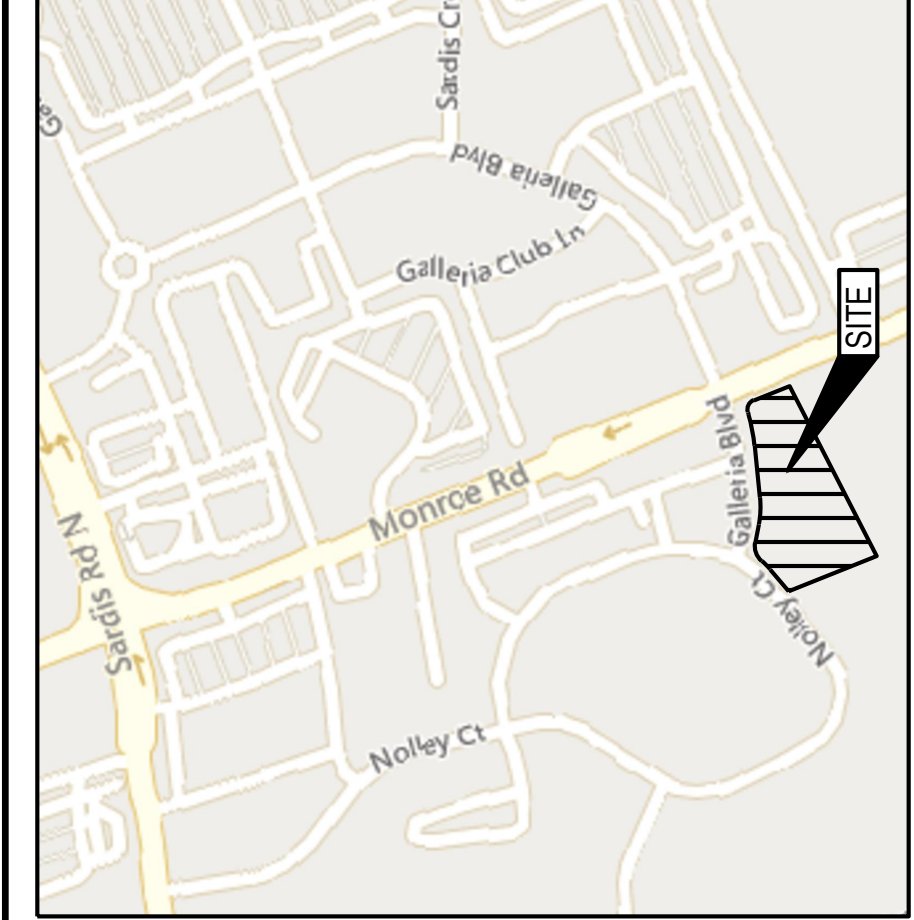
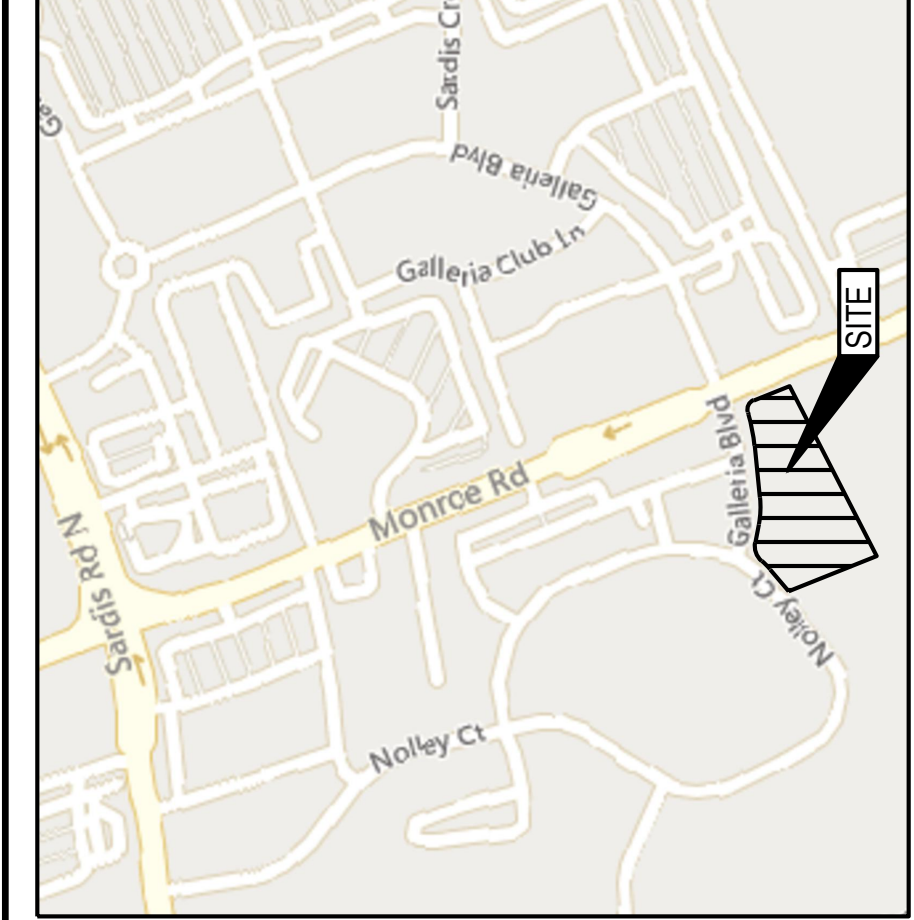
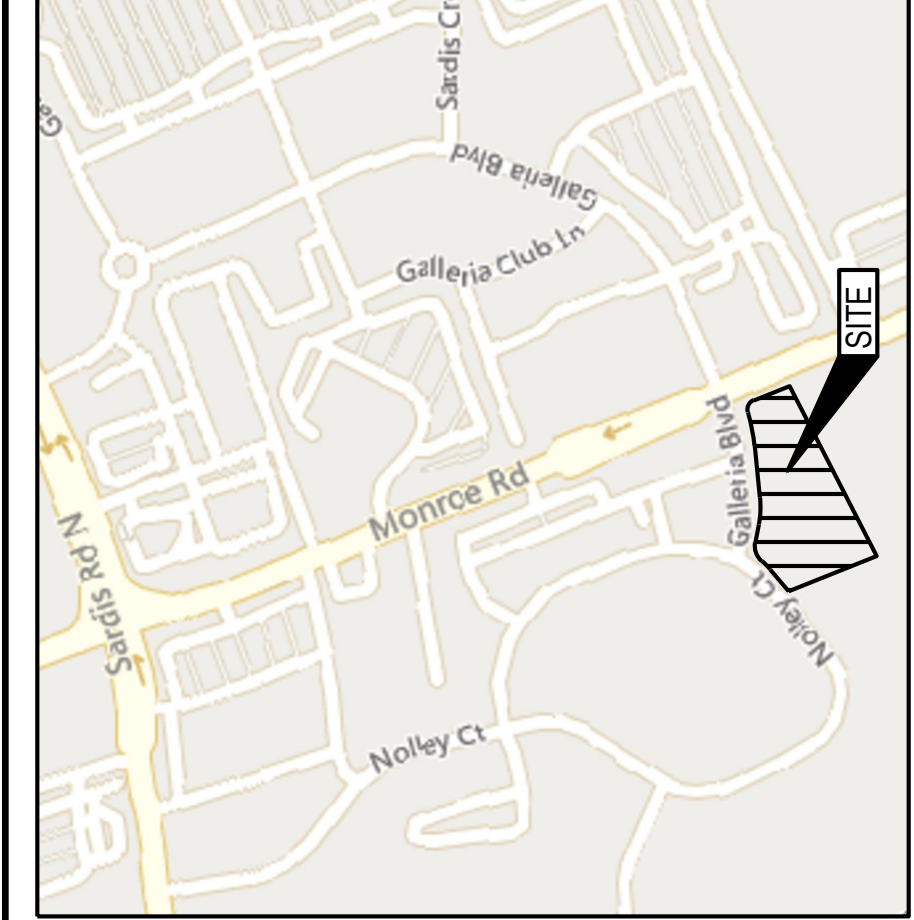
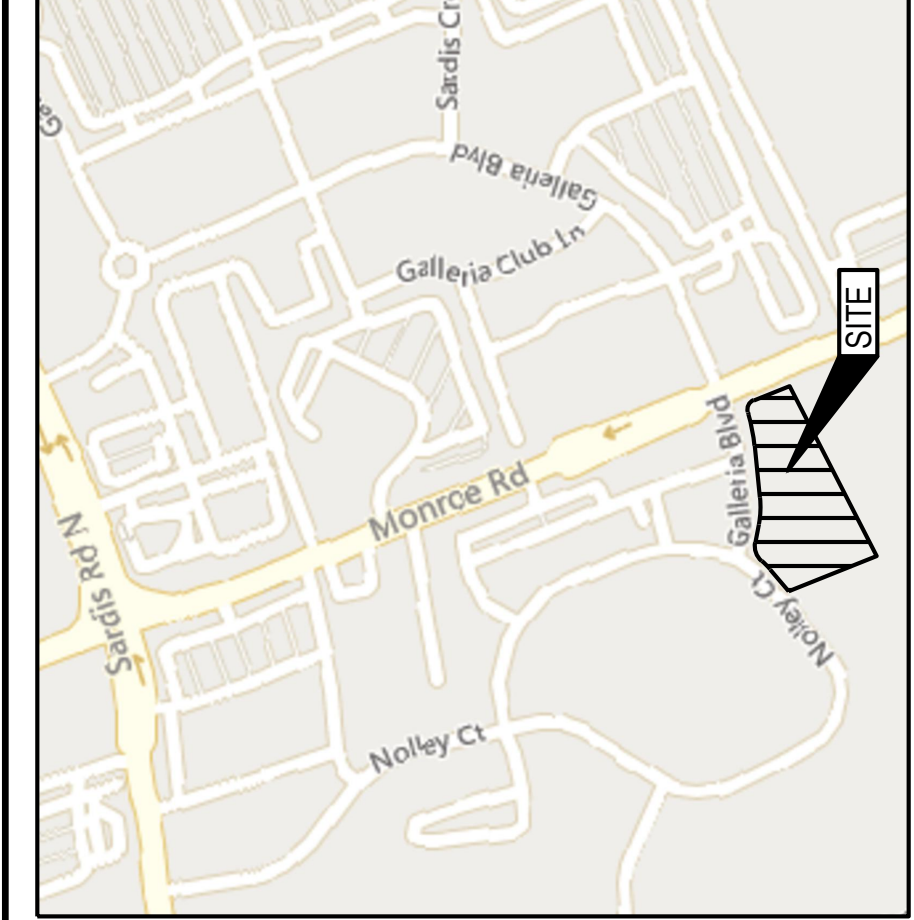
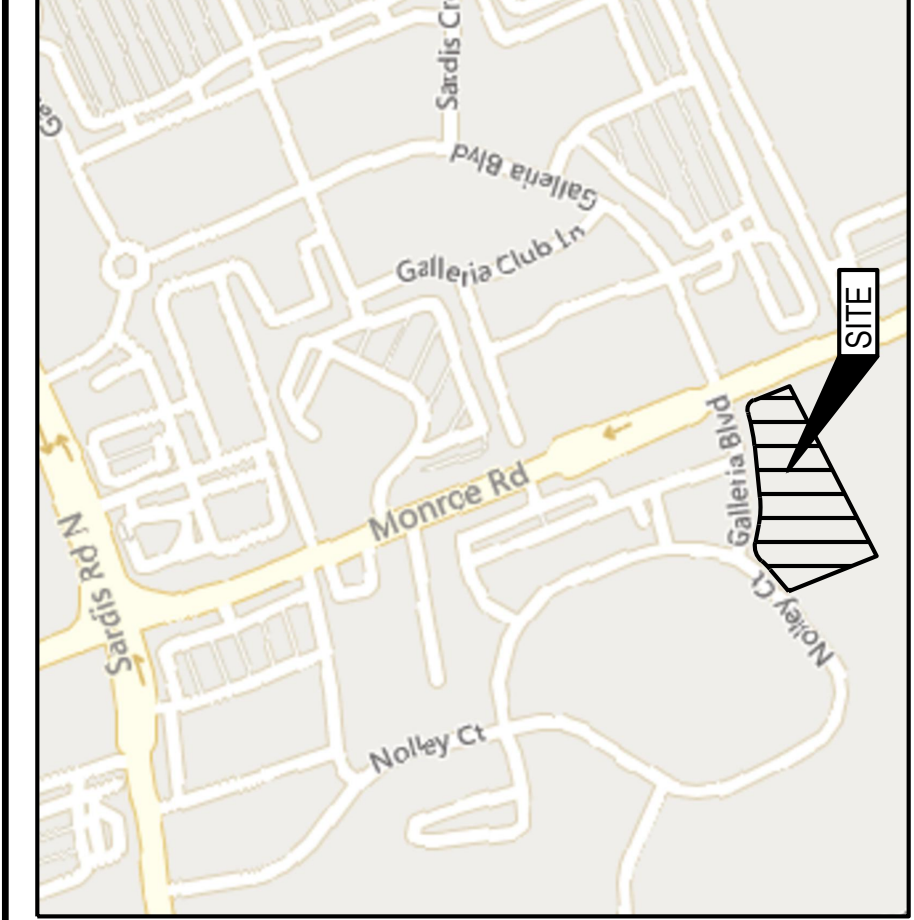
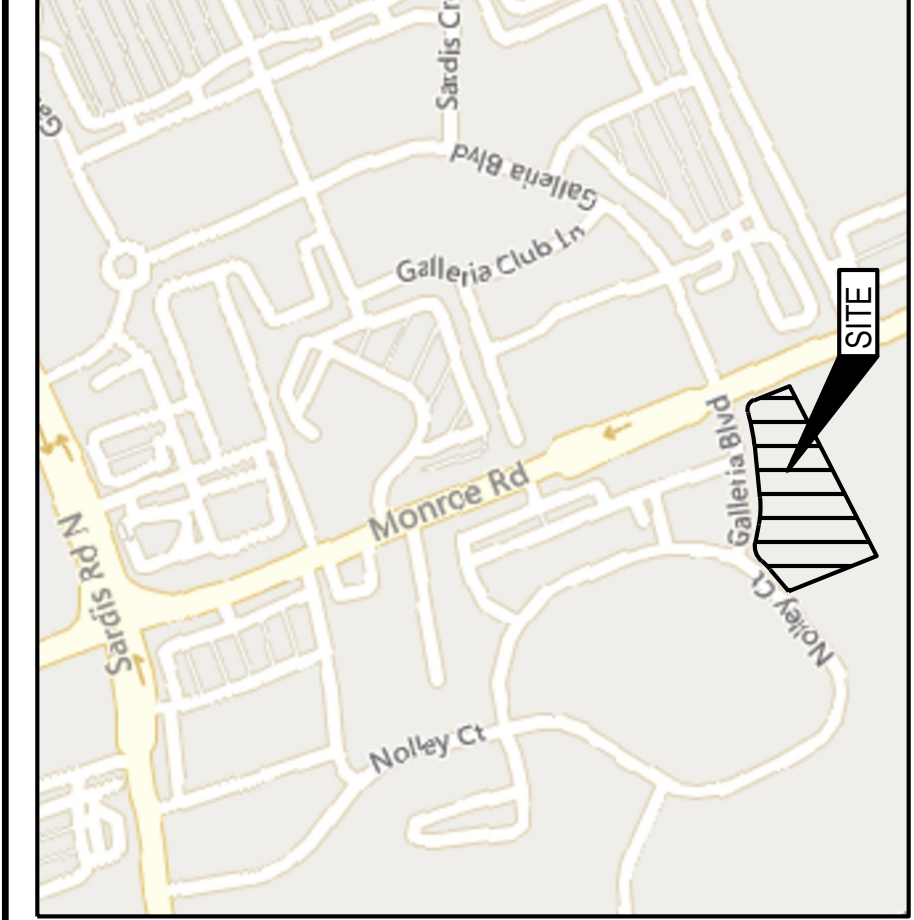
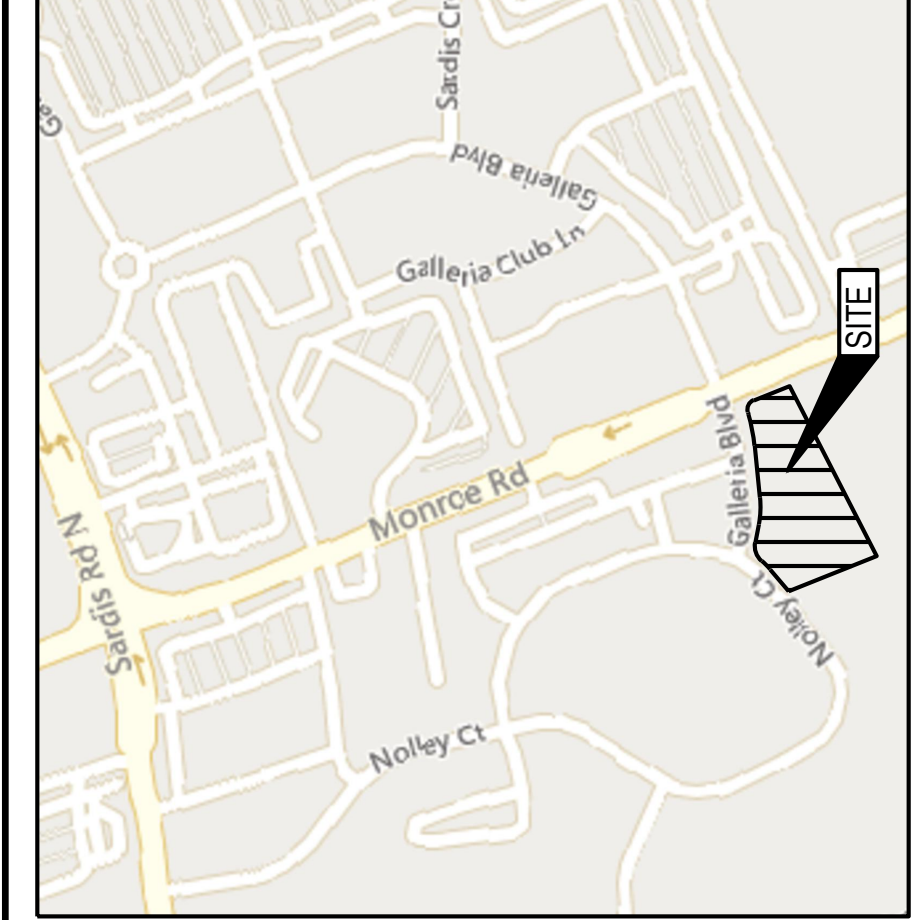
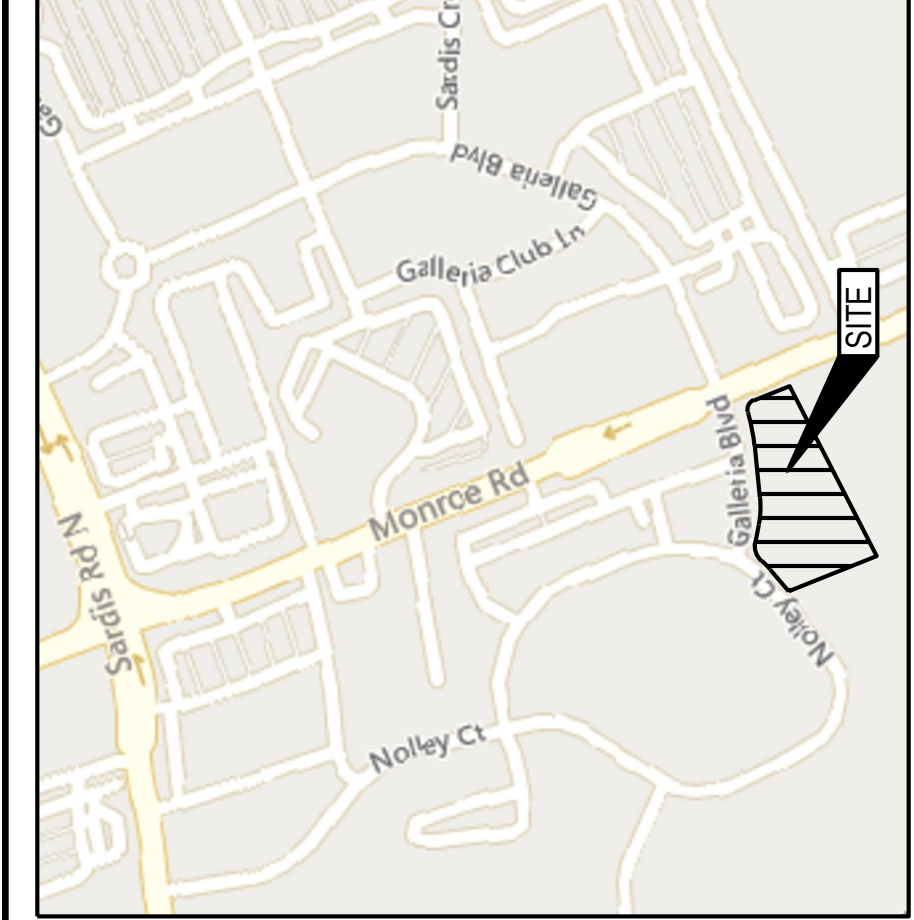
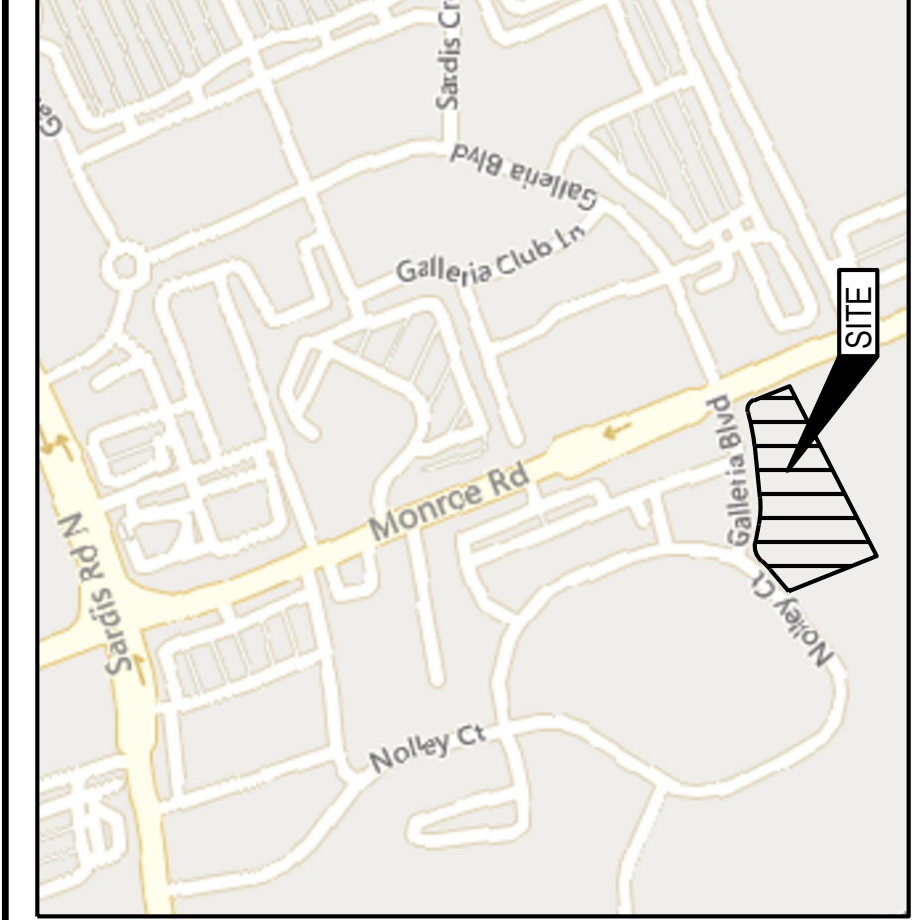
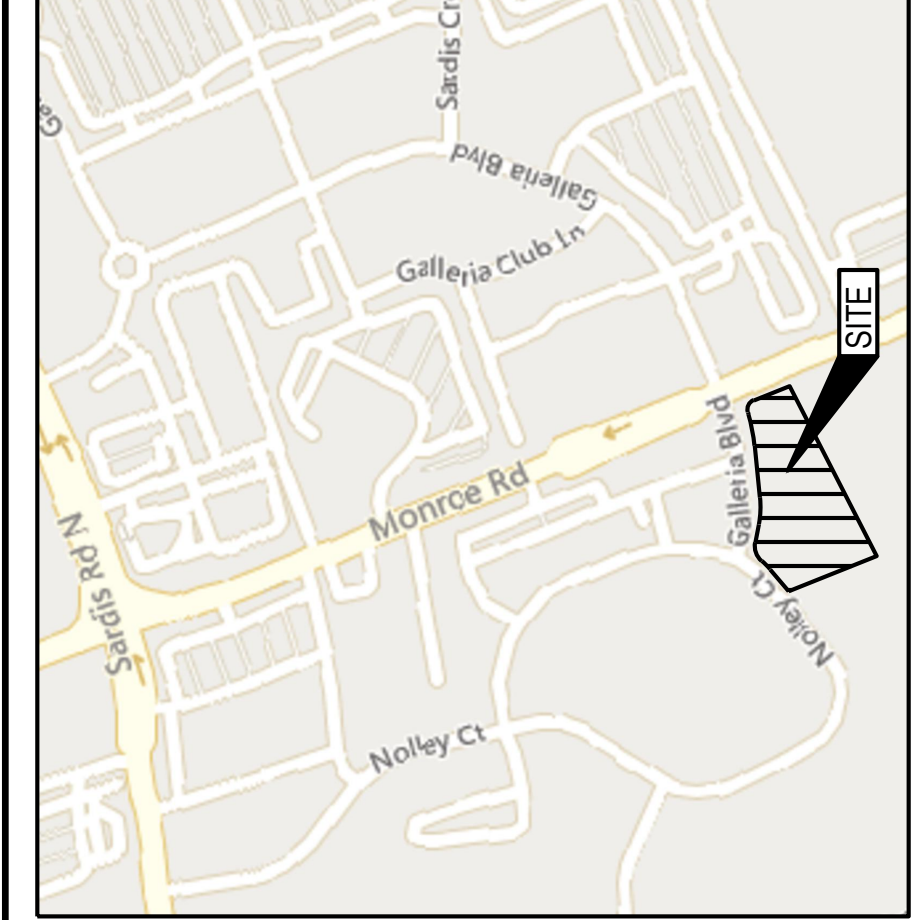
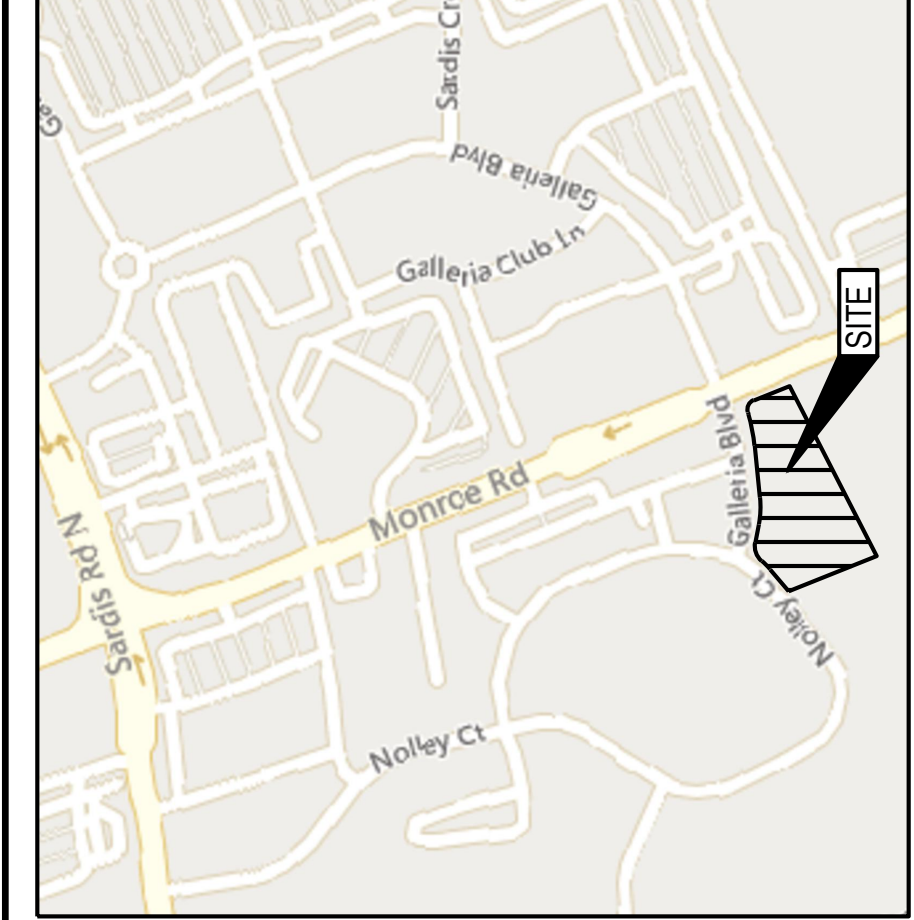
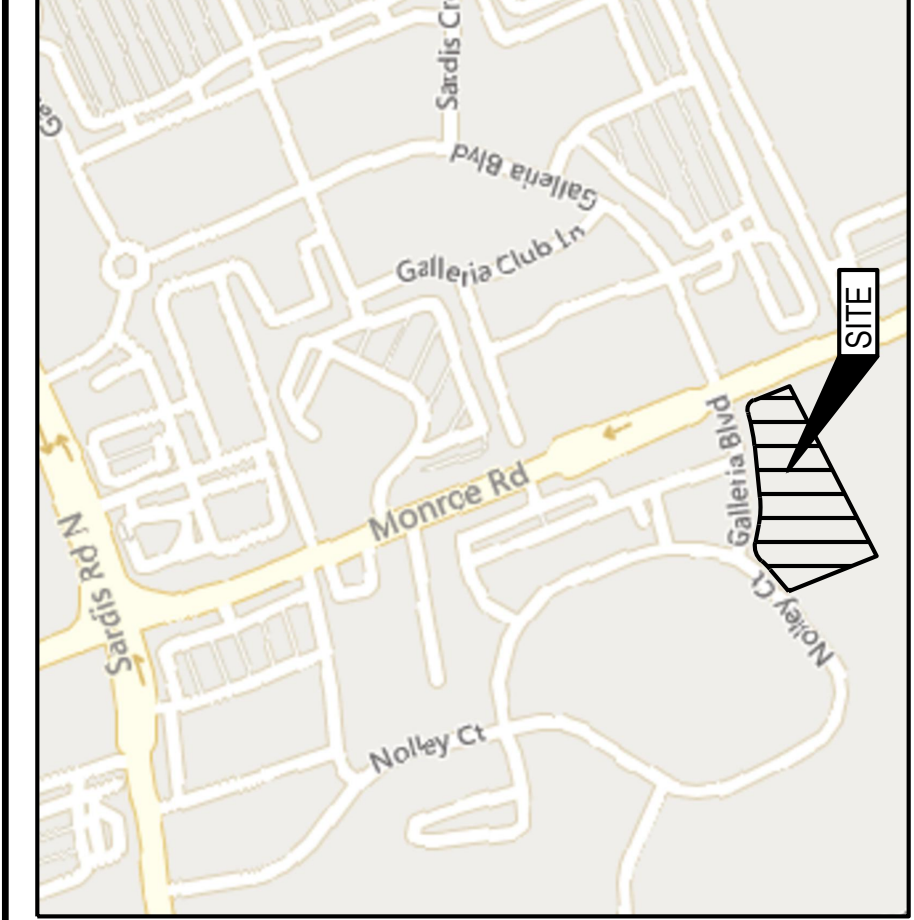
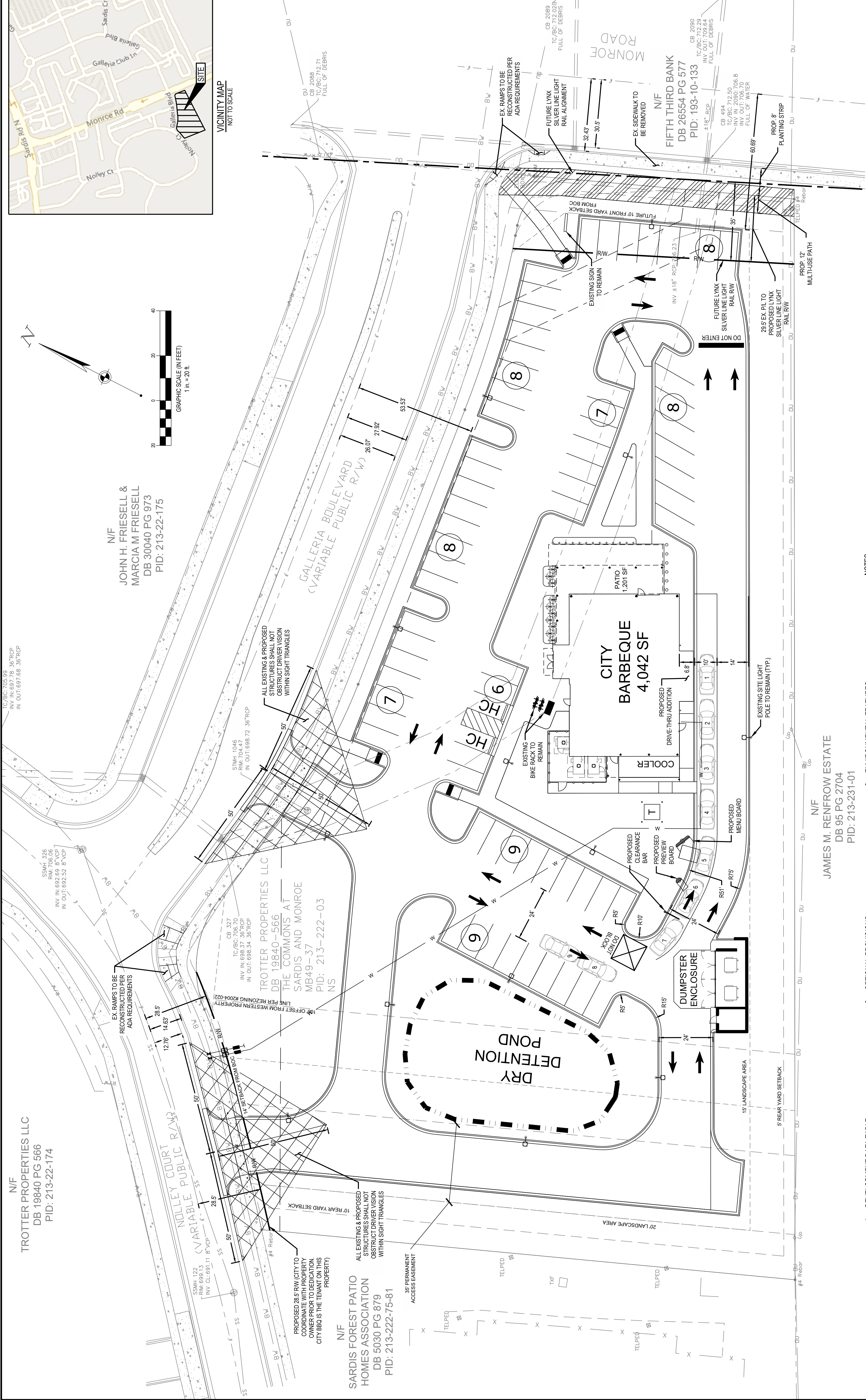
M. AMOUNT OF OPEN SPACE: 40,205 SF
2. GENERAL PROVISIONS
- A. ALL APPLICABLE SECTIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE SHALL BE UPHELD.

B. ALTERATIONS TO THE CONDITIONAL PLAN ARE SUBJECT TO SECTION 6.207 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.

3. OPTIONAL PROVISIONS
- A. N/A
4. PERMITTED USES
- A. PERMITTED USE IS AN EDEE AND ACCESSORY DRIVE THROUGH FACILITY.
5. TRANSPORTATION
- A. PROPOSED RIGHT-OF-WAY DEDICATION 28.5' FROM NOLLEY COURT ROAD CENTERLINE.
6. ARCHITECTURAL STANDARDS
- A. PROPOSED DRIVE THRU ADDITION TO MATCH EXISTING BUILDING STRUCTURE MATERIALS AND REMAIN IN COMPLIANCE WITH CITY OF CHARLOTTE REQUIREMENTS.
7. STREETSCAPE LANDSCAPING
- A. EXISTING STREETSCAPE AND LANDSCAPING TO REMAIN. ANY AFFECTED LANDSCAPING WILL BE RELOCATED OR REPLACED.

8. ENVIRONMENTAL FEATURES
- A. EXISTING ENVIRONMENTAL FEATURES TO REMAIN.
9. PARKS, GREENWAYS, AND OPEN SPACE
- A. EXISTING OPEN SPACE TO REMAIN AND BE PROTECTED IN PLACE.
10. FIRE PROTECTION
- A. EXISTING FIRE LANE TO REMAIN AS IS.
11. SIGNAGE
- A. EXISTING SIGNAGE TO REMAIN.
12. LIGHTING
- A. EXISTING LIGHT FIXTURES ON-SITE TO REMAIN.
13. PHASING
- A. N/A
14. OTHER
- A. SITE FEATURES AND UTILITIES SHOWN ON PLAN.

- NOTES:
1. DEDICATION AND FEES PERTINENT TO ALL RIGHT-OF-WAY DEDICATION TO THE CITY MUST BE RECEIVED PRIOR TO FIRST ISSUANCE OF BUILDING CERTIFICATE OF OCCUPANCY.
- 1.1. CDOT REQUESTS ALL RW SET AT Z BEHIND BACK OF SIDEWALK WHERE FEASIBLE.
2. ALL TRANSPORTATION IMPROVEMENTS TO BE APPROVED AND CONSTRUCTED PRIOR TO FIRST ISSUANCE OF BUILDING CERTIFICATE OF OCCUPANCY.
- 2.1. TRANSPORTATION IMPROVEMENTS MAY BE PHASED IF AND ONLY IF EXPLICITLY DESCRIBED IN SITE PLAN NOTES.
3. 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 SOUTH-EASTERN MECKLENBURG AREA, BY WAY OF A PRIVATE PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.



Petition 2021-254 by Joseph Horton

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The map recommends Community Activity Center for the site.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- Community Activity Centers are typically along transit corridors or major roadways, providing access to goods, services, dining, entertainment, and residential for residents.
- The site is located on Monroe Road across from the Galleria shopping center, an area with a mixture uses including other EDEEs with drive through service windows.
- The site is an existing EDEE use and site layout accommodates the addition of a service lane/window without reconfiguration of parking and drive aisles.
- The site is at the south western edge of the activity center.
- The petition removes the existing back of curb sidewalk and constructs a 12-ft multi-use path along Monroe Rd.
- The drive through window and lane is located to the side and rear of the building and will be screened by existing landscaped areas.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The map recommends Community Activity Center for the site.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 12. **File #:** 15-18433 **Type:** Zoning Item

Rezoning Petition: 2021-266 by Sere Ventures

Location: Approximately 8.13 acres located on the south side of Rozzelles Ferry Road at Yellowstone Drive. (Council District 2-Graham)

Current Zoning: I-1 and B-2 (light industrial and general business)

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

Public Hearing Held: July 18, 2022 - Item #39

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

Staff recommend APPROVAL of this petition upon resolution of outstanding issues related to the environment.

Attachments:

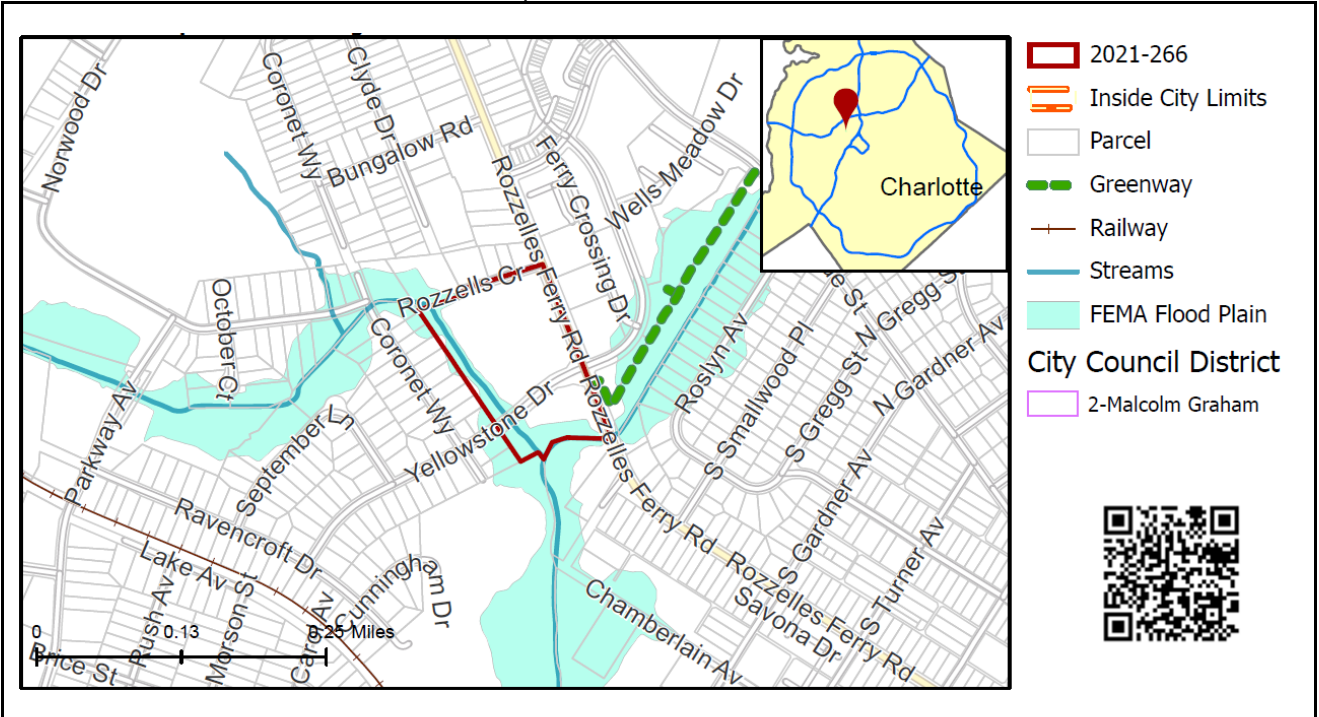
Post-Hearing Staff Analysis
Site Plan
Statement of Consistency

REQUEST

Current Zoning: I-1, B-2 (light industrial, general business)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 8.13 acres located on the south side of Rozzelles Ferry Road at Yellowstone Drive.



SUMMARY OF PETITION

The petition proposes up to 95 single family attached residential dwelling units at a density of 11.69 dwelling units per acre (DUA).

PROPERTY OWNER

Kathy C. Shaw

PETITIONER

Sere Ventures

AGENT/REPRESENTATIVE

Keith MacVean

COMMUNITY MEETING

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 outstanding issues related to the environment.

Plan Consistency

The petition is **consistent** with Innovation Mixed-Use Place Type recommended for this site as per the *2040 Policy Map*.

Rationale for Recommendation

- The proposed rezoning for attached residential dwelling units is consistent with the character description for the Innovation Mixed-Use Place Type.
- The Innovation Mixed-Use Place Type is characterized by vibrant areas of mixed-use and employment, typically in older urban areas, that include residential uses.
- There have been several recent rezonings in the vicinity of this site to allow single family attached residential.

- In the vicinity of this site are existing residential neighborhoods as well as new residential developments under construction, helping to transform the area from an older underutilized industrial corridor into a vibrant mixed-use neighborhood.
- The petition commits to improvements to Martin Luther King Jr Park including resurfacing the basketball court and refurbishing benches.

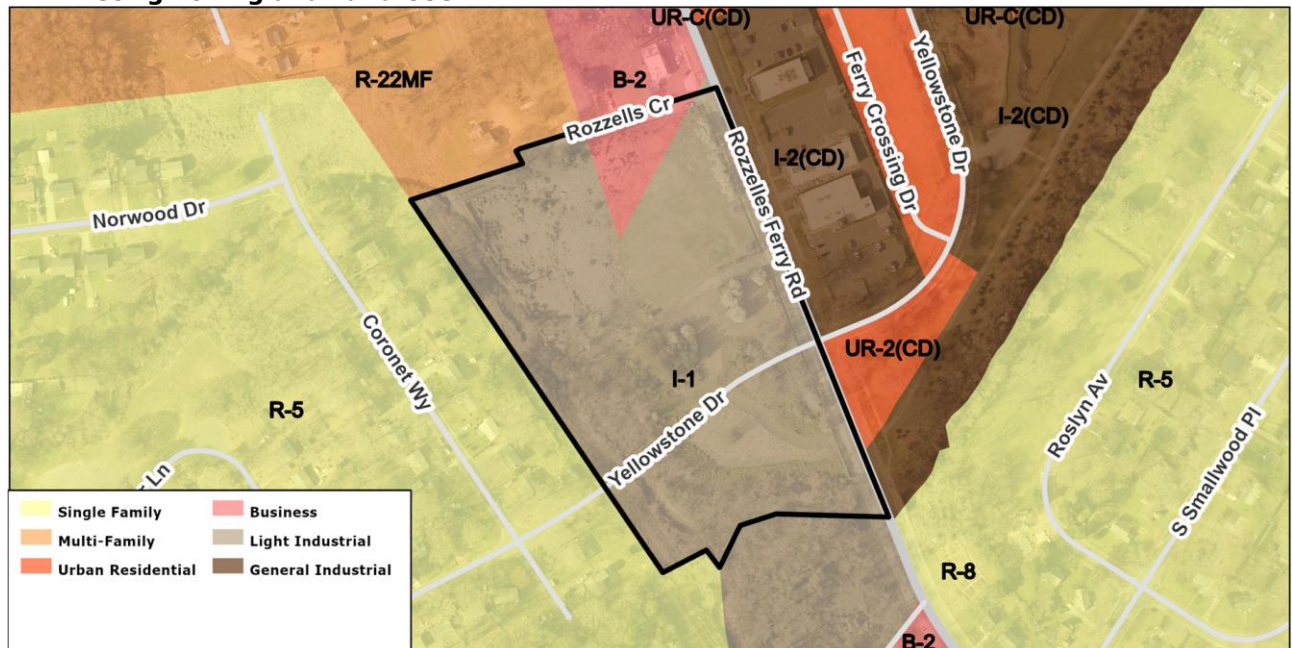
PLANNING STAFF REVIEW

• Proposed Request Details

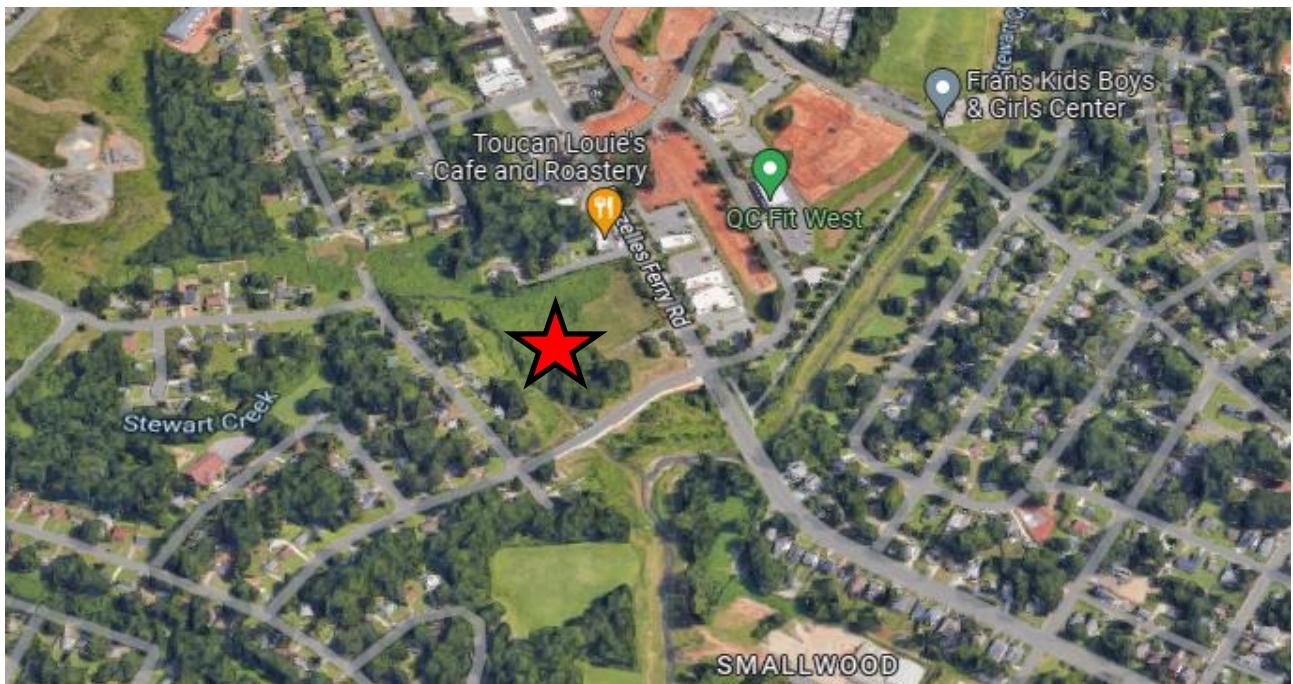
The site plan accompanying this petition contains the following provisions:

- Proposes up to 95 single family attached residential dwelling units at a density of 11.69 DUA.
- Maximum building height of 52'.
- Reserves 6% of units for a period of 10 years with monthly rents restricted for households earning less than 80% of the area median income.
- Allows for an additional building and units to be added if the existing greenway easement is relocated.
- Commits to providing a 8' planting strip and 8' sidewalk along the site's frontage of Rozzelle's Ferry Rd, Rozzelles Circle, and Yellowstone Dr.
- Dedicates and conveys to CDOT 28' of right-of-way from the centerline of Rozzelles Circle.
- Commits to preferred architectural standards including prominent pedestrian entrances fronting public streets, pitched roofs, and recessed garage doors.
- Limits detached lighting to full cut off type and 16' in height.
- Commits to the following improvements at Martin Luther King Park: pressure wash sidewalks, stairs, rails, benches, and basketball goals. Sand and repaint benches and rails. Resurface basketball court and replace nets.

• Existing Zoning and Land Use



The site is surrounded by a mixture of uses including single family detached residential, single family attached residential, commercial, and office uses.



The site, marked by a red star, is situated in between the Smallwood and Lakewood communities in an area that is rapidly transforming from industrial to mixed use.



The properties to the north of the site along Rozzelle's Ferry Rd are developed with primarily commercial uses.



The properties to the east of the site across Rozzelle's Ferry Rd are developed with a mix of commercial, office, and single family attached residential uses.

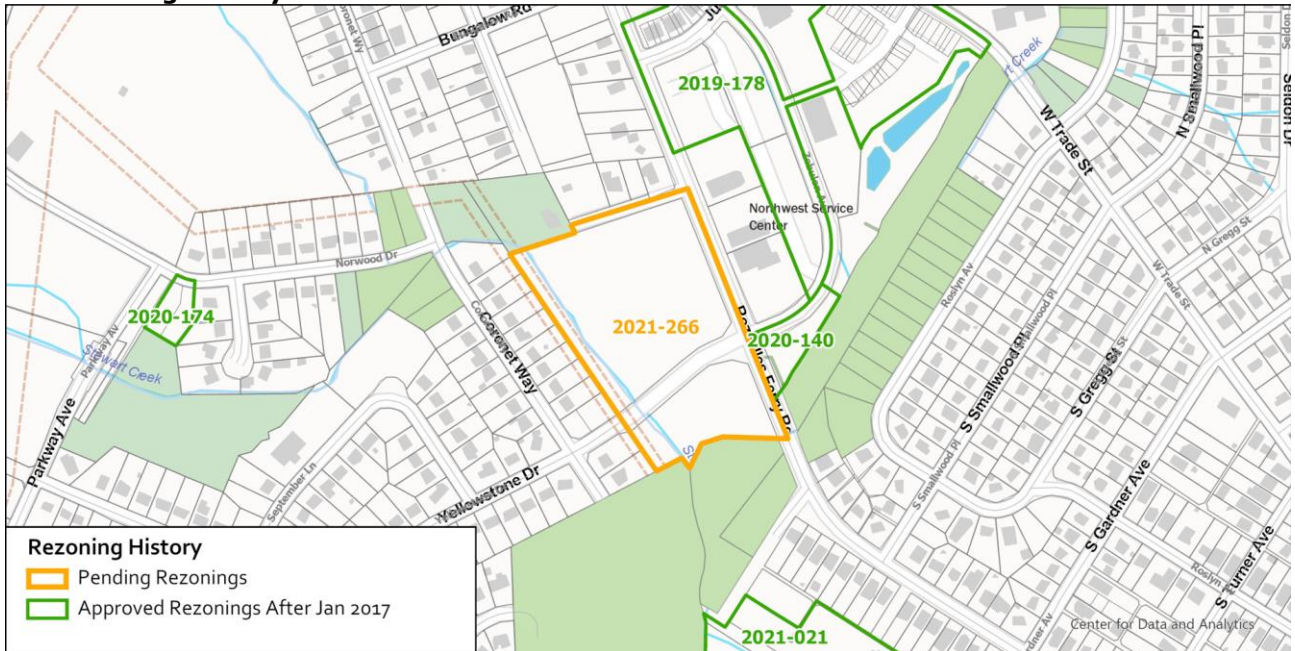


The properties to the south of the site include the undeveloped Stewart Creek floodplain and single family residential dwellings.



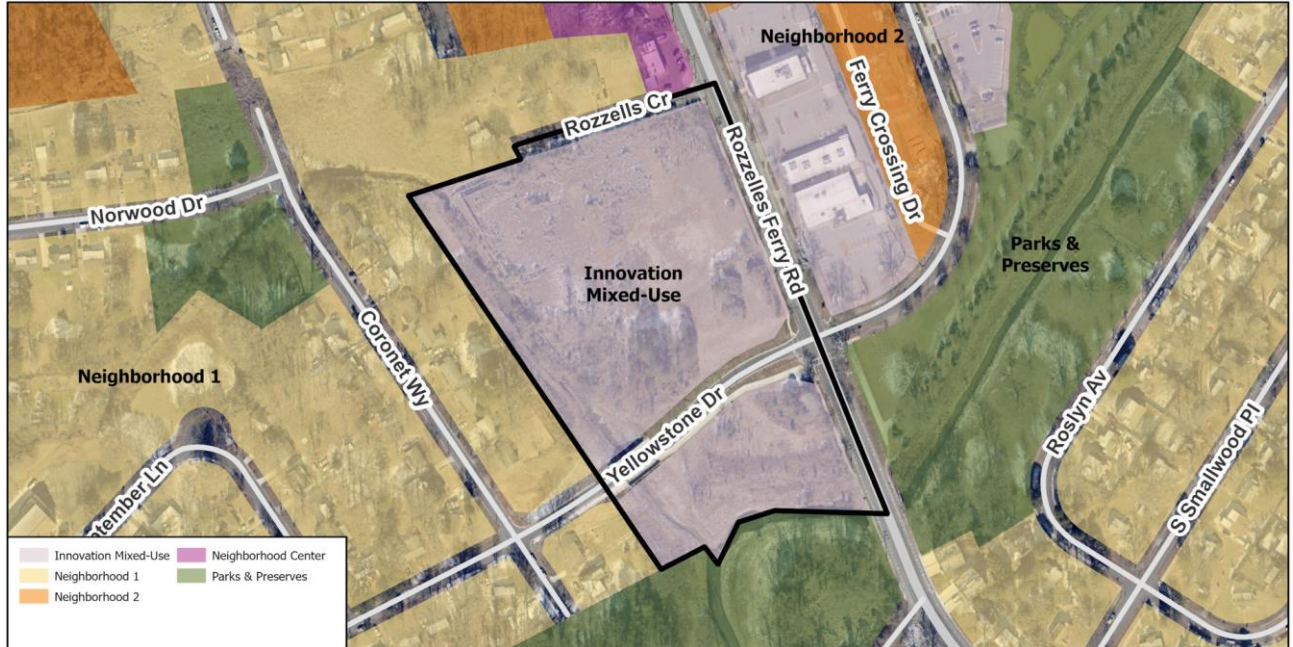
The properties to the west of the site along Coronet Way are developed with single family residential dwellings.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-021	The petition amended an existing approved plan to increase the maximum amount of residential dwelling units for the redevelopment of a mill building.	Approved
2020-174	The petition proposed to rezone a vacant lot to R-8.	Approved
2020-140	The petition proposed to rezone 0.53 acres of land to allow the development of 8 single family attached units at a density of 15 DUA.	Approved
2019-178	The petition proposed to develop the site with 133 single family attached residential units at 11.6 DUA.	Approved
2019-076	The petition proposed to develop the site with 47 single family attached residential units at 19.7 DUA.	Approved

- **Public Plans and Policies**



The 2040 Policy Map recommends Innovation Mixed-Use Place Type for this site.

- **TRANSPORTATION SUMMARY**

- This site is located along Rozzelles Ferry Road, a City-maintained minor thoroughfare, between Rozzells Circle and Yellowstone Drive, two City-maintained local streets. A Traffic Impact Study (TIS) is not needed for this site due to the site's generation of less than 2,500 daily trips. There are existing bike lanes along the site's frontage of Rozzelles Ferry Road and CDOT is coordinating with the petitioner to provide appropriate pedestrian infrastructure in accordance with the Charlotte WALKS policy. All outstanding CDOT comments have been addressed.

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: 175 trips per day (based on 81,300 SF warehouse).

Proposed Zoning: 675 trips per day (based on 95 single family attached dwellings).

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:** No outstanding issues.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **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 2 students, while the development allowed under the proposed zoning may produce 6 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 4.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Ashley Park Pre-K-8 at 97%.

- West Charlotte High at 98%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Rozzells Ferry Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 18-inch gravity sewer main located through the middle of the parcel. 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:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** See Outstanding Issues, Notes 4-5.

OUTSTANDING ISSUES

Transportation

1. ~~Label and dimension the Rozzells Circle curb and gutter from the existing centerline on the site plan. Back of curb needs to be dimensioned from the centerline of the roadway at 13'.~~ **ADDRESSED**
2. ~~Revise the site plan and conditional notes to commit to construct each internal private street in accordance with CLDSM 11.13, typical private street section. Additionally, revise the cross section "A A" on sheet RZ-02 accordingly.~~ **ADDRESSED**
3. ~~A site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued as needed. CDOT requests rights of way set at 2' behind back of sidewalk where feasible.~~ **ADDRESSED**

Environment

4. Identify tree save areas on site plan. Tree save should be a minimum of 15% of the overall site and free of utilities, easements, and invasive species. **OUTSTANDING**
5. ~~Provide a tree survey identifying all trees of 8 inch dbh or greater and all planted trees of 2 inch caliper or greater and 6 feet in height that grow partially or wholly within the city right of way.~~ **ADDRESSED**

Site and Building Design

6. ~~Label setback on north side of Yellowstone Dr from existing back or curb.~~ **ADDRESSED**
7. ~~Revise setback on Rozzells Circle to follow curb line.~~ **ADDRESSED**
8. ~~Revise note 4.c from "private lane" to "private alley".~~ **ADDRESSED**
9. ~~Remove the pool in the rendering and label as improved open space.~~ **ADDRESSED**

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

Planner: Joe Mangum (704) 353-1908







Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-266

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. The Charlotte Future 2040 Policy Map was adopted March, 28th, 2022 and became effective July 1st, 2022.

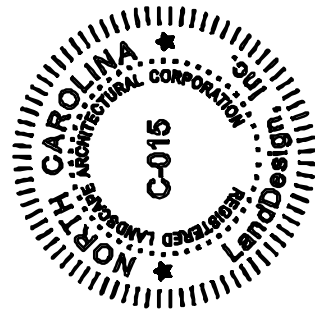
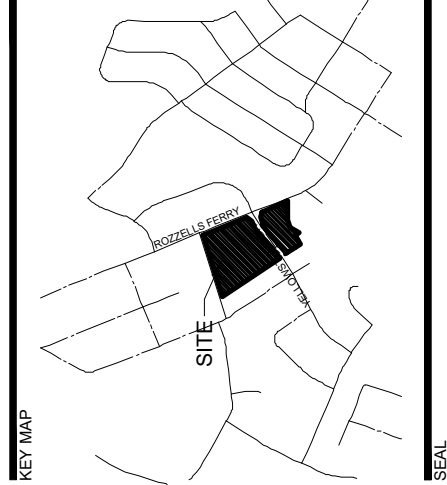
Please note not all goals will apply to all rezoning petitions.

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>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>✓</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>✓</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>✓</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 DEVELOPMENT DATA

- Acreage: ± 8.127 acres
- Tax Parcel #: 071-143.42
- Existing Zoning: B-2 and I-1
- Proposed Zoning: UR-2(CD)
- Existing Use: Vacant
- Proposed Uses: Up to 95 residential dwelling units together with accessory uses, as allowed in the UR-2 zoning district.
- Maximum Building Height: A maximum building height of 52 feet. Yards and setbacks will be increased when adjacent to single-family zoning (i.e. R-5) for building heights over 40 feet as required by the Ordinance. Height to be measured as required by the Ordinance.
- Parking: Parking as required by the Ordinance will be provided.
- Tree Save: 8.127 x 15% = 1.22 acres; As required by the ordinance for urban zones located in wedge areas.

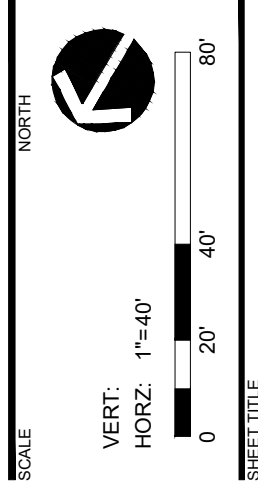


11/11/21

2701 ROZZELLES
FERRY ROAD

#2021-266

REVISION / ISSUANCE	
NO.	DESCRIPTION
1	INITIAL SUBMITTAL
2	PER STAFF COMMENTS
3	PER STAFF COMMENTS
4	PER STAFF COMMENTS



TECHNICAL DATA SHEET

RZ-01

PETITIONER: LLC CAPITAL
REZONING PETITION NO. 2021-266
07/21/2022

Development Data Table:

Site Area: +/- 8.127 acres
Tax Parcel: 071-143-42
Existing Zoning: B-2 and I-1
Proposed Zoning: UR-2(CD)
Existing Use: Vacant
Proposed Uses: Up to 95 residential dwelling units together with accessory uses, as allowed in the UR-2 zoning district.
Maximum Building Height: A maximum building height of 152 feet. Yards and setbacks will be increased when adjacent to single-family zoning (i.e. R-5) for building heights over 40 feet as required by the Ordinance. Height to be measured as required by the Ordinance.
Parking: Parking as required by the Ordinance will be provided.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Sere Ventures, LLC ("Petitioner") to accommodate the development of a residential community on approximately 8.127-acre site located on Rozzells Ferry Road at the intersection of Yellowstone Drive (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the UR-2 zoning classification shall govern.
- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 95 residential dwelling units, together with accessory uses allowed in the UR-2 zoning district.
- b. **Workforce Housing:** The Petitioner shall voluntarily provide a workforce housing program to ensure that some residential units are reasonably priced for persons earning less than area median income. The Petitioner shall ensure that no fewer than 6% of the total number of units developed on the Site, for a period of not less than 10 years, maintain monthly rents that are income restricted for households earning 80% or less of the area median income.
- c. The proposed residential buildings and dwelling units will be designed as single-family attached dwelling units (townhomes) each unit will have 400 square feet of Private Open Space or 10% of the Site shall be provided as Useable Common Open Space as allowed by the Ordinance. Units may be rented or sold.
- d. The Petitioner may add a building in the area shown on the schematic plan if the existing Greenway easement is relocated.

3. Access and Transportation:

- a. Access to the Site will be from Rozzells Circle and Yellowstone Drive in the manner generally depicted on the Rezoning Plan. Vehicular access to Rozzells Ferry Rd. will not be allowed.
- b. The Site's frontage on Rozzells Ferry Rd. and Rozzells Circle will be improved with an eight (8) foot planting strip and an eight (8) foot sidewalk as generally depicted on the Rezoning Plan. Along Yellowstone Drive the Petitioner will improve Development Area A frontage on Yellowstone with an eight (8) foot planting strip and an eight (8) foot sidewalk, along the southern side of Yellowstone Dr. adjacent to Development Area B the existing multi-use path/sidewalk will be maintained.
- c. The Site's frontage on Rozzells Circle will be improved in accordance with CLDPSM USDG U-02, local Residential Medium and as required by Chapter 20.
- d. On-street parking will be provided along Rozzells Circle and Yellowstone Dr. in accordance with CLDSM 50.09 as generally depicted on the Rezoning Plan.
- e. The Petitioner will dedicate and convey to CDOT 28-feet of right-of-way from the existing centerline of Rozzells Circle, and 38 feet of right-of-way from the existing centerline of Rozzells Ferry Rd.
- f. The additional right-of-way along Rozzells Circle, and Rozzells Ferry Rd. will be dedicated and conveyed prior to the issuance of the first certificate of occupancy. If a proposed sidewalk is located outside of the proposed right-of-way a permeant sidewalk easement located two (2) feet behind the sidewalk will be provided.
- g. The Site's internal streets will be built as a private lane or private alleys as generally depicted on the Rezoning Plan. Six (6) foot sidewalks and a six (6) foot planting strip will be provided along both sides of the internal private lane as generally depicted on the Rezoning Plan. Final locations of the internal sidewalks to be determined during the land development approval process for the Site.
- h. Each unit will have a direct five (5) foot sidewalk connection to the internal sidewalk network or the sidewalks along the existing public streets.
- i. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
- j. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
- k. The roadway improvements required by the development of the Site must be substantially completed prior to the issuance of the 1st certificate of occupancy for the Site, subject to the ability of the Petitioner to request that a letter of credit or a bond be posted for any improvements not in place at the time the 1st certificate of occupancy is issued.

4. Architectural Standards, Court Yards/Amenity Areas:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Aluminum and vinyl as a building material may only be used on windows, soffits and on handrails/railings. The proposed roofing materials will be architectural asphalt shingles, metal type roofing or TPO or similar material roof systems may also be used.
- b. End units abutting public streets, or the internal private lanes will have multiple windows on the end facades and a combination of landscaping materials to create interest and avoid a blank wall. The maximum length of a blank wall on the end of building without a window may not exceed 20 feet in either the vertical or

horizontal direction.

- c. Each unit will have either a one-car or a two-car garage. When garages are provided, the garage doors visible from the public streets shall minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane and additional architectural treatments such as translucent windows or projecting elements over the garage door opening.
- d. The residential dwelling units with frontage on Rozzells Ferry Rd, Rozzells Circle, and Yellowstone Drive will have the appearance of a front door orientation rather than a back-patio design. Each unit will have a door oriented toward the respective public street that will be connected to the sidewalk along the public street via an individual five (5) foot sidewalk.
- e. Residential dwelling unit entrances along a public street, the internal private lane and alleys, shall be at or slightly above grade and will be highly visible and architecturally treated as a prominent pedestrian entrance through a combination of at least four (4) of the following features: (i) decorative pedestrian lighting/sconces; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (viii) stoops or stairs; and/or (ix) contrasting pavement from primary sidewalk.
- f. Pitched roofs, if provided, will be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
- g. Proposed buildings will be limited to six (6) units or less.
- h. Meter banks will be screened from adjoining properties and from the abutting public streets, conditioned upon local service provider's acceptance of such screening treatment.
- i. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade. HVAC and related mechanical equipment may not be located between the proposed units and the existing public streets.
- j. Sidewalks will be provided to connect all residential entrances to sidewalks along public or private streets.

5. Streetscape, Buffers, Yards, Open Space, and Landscaping:

- a. A setback of 16 feet as measured from the future back of curb will be provided along Rozzells Ferry Rd. as generally depicted on the Rezoning Plan. Along the south side of Yellowstone Dr., a 20-foot setback as measured from the existing back of curb will be provided, along the northern side of Yellowstone Dr., a 16-foot setback as measured from the existing back of curb will be provided as generally depicted on the Rezoning Plan. Along Rozzells Circle a 16-foot setback as measured from the future back of curb will be provided as generally depicted on the Rezoning Plan.
- b. Side and rear yards as required by the Ordinance will be provided. Yards will be increased for building heights over 40 feet when adjacent to single-family zoning as required by the Ordinance.
- c. An improved open space area will be provided as generally depicted on the Rezoning Plan. The proposed open space area will be improved with landscaping, seating areas, hardscape elements and lighting other improvement may also be provided as appropriate to the proposed amenity area. A minimum of 5,000 square feet of improved open space will be provided. The schematic site plan indicates a pool as a possible improvement within the open space area, the Petitioner reserves the right to not include a pool in the open space area as generally depicted.
- d. **Environmental Features:**
- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- b. The location, size and type of storm water 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.
- c. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated 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.
- d. The Site will comply with the Tree Ordinance, and will look to use the tree save requirements/standards for Urban Zones located in a wedge. A tree survey as required by the Tree Ordinance will be provided when the plans are submitted for land development approval.
- e. All utilities within the Site will be placed underground.

7. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 16 feet in height.
- c. Decorative pedestrian scale lights will be provided along the internal private drives. The number and spacing of the pedestrian scale lighting will installed per Duke Energy recommended standards.
- d. Architectural lighting on building facades, such as but not limited to sconces, will be permitted.

8. Signage:

- a. Reserved.

9. Improvements to Martin Luther King Park (MLK Park):

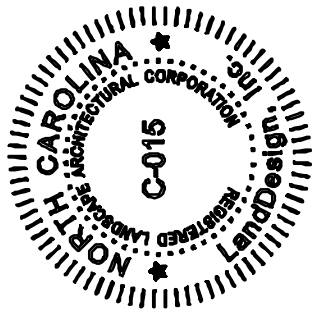
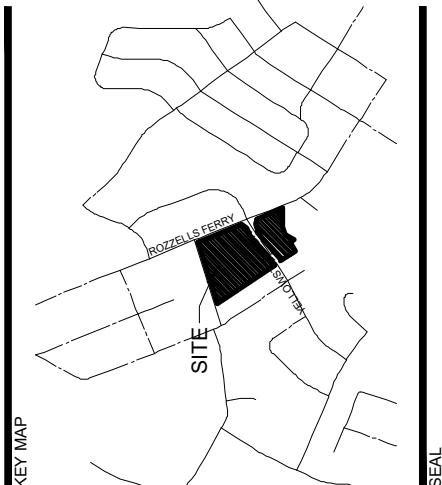
- a. The Petitioner will make the following improvements to MLK Park subject to the approval of Mecklenburg County Park and Recreation Department:
- Pressure wash sidewalks, stairs, rails & benches, and basketball goals.
 - Sand & repaint benches and rails
 - Resurface basketball court & replace nets.
- b. The proposed improvements to MLK Park if approved by Mecklenburg Co. Park & Recreation will be completed by the Petitioner prior to the issuance of the final certificate of occupancy.
- c. The Petitioner may work with Mecklenburg County to relocate the existing Greenway easement to have the easement align with the 100-foot SWIM buffer.

10. Amendments to the Rezoning Plan:

- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

11. Binding Effect of the Rezoning Application:

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under 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 subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



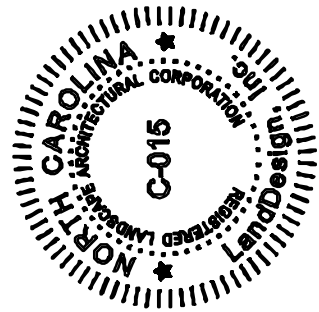
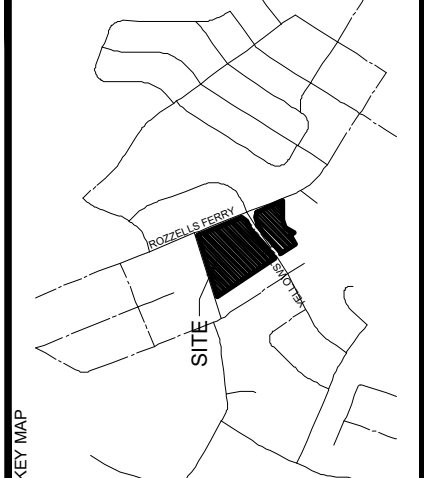
11/11/21

2701 ROZZELLES
FERRY ROAD

#2021-266

PREDESIGN PROOF		1021252
REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
1	INITIAL SUBMITTAL	11/19/2021
A	PER STAFF COMMENTS	05/09/2022
A	PER STAFF COMMENTS	06/13/2022
A	PER STAFF COMMENTS	07/21/2022

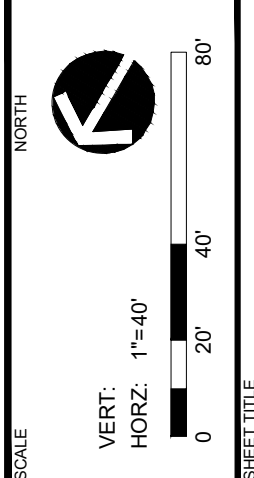
SCALE	NORTH
VERT:	
HORZ:	
SHEET TITLE	
DEVELOPMENT STANDARDS	
SHEET NUMBER	
RZ-03	



11/11/21
PROJECT
**2701 ROZZELLES
FERRY ROAD**

#2021-266

LANDDESIGN PROJECT		1021252
REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
1	INITIAL SUBMITTAL	11/19/2021
2	PER STAFF COMMENTS	05/09/2022
3	PER STAFF COMMENTS	06/13/2022
4	PER STAFF COMMENTS	07/21/2022



Petition 2021-266 by Sere Ventures

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Innovation-Mixed Use place type for the site.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The proposed rezoning for attached residential dwelling units is consistent with the character description for the Innovation Mixed-Use Place Type.
- The Innovation Mixed-Use Place Type is characterized by vibrant areas of mixed-use and employment, typically in older urban areas, that include residential uses.
- There have been several recent rezonings in the vicinity of this site to allow single family attached residential.
- In the vicinity of this site are existing residential neighborhoods as well as new residential developments under construction, helping to transform the area from an older underutilized industrial corridor into a vibrant mixed-use neighborhood.
- The petition commits to improvements to Martin Luther King Jr Park including resurfacing the basketball court and refurbishing benches.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Innovation-Mixed Use place type for the site.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 13. **File #:** 15-18434 **Type:** Zoning Item

Rezoning Petition: 2021-273 by Hutton ST 21, LLC

Location: Approximately 1.66 acres bound by the south side of Wyalong Drive, west side of Idlewild Road, west side of Margaret Wallace Road, and north side of Mintworth Avenue. (Council District 5-Newton)

Current Zoning: NS (neighborhood services)

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

Public Hearing Held: July 18, 2022 - Item #40

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Site Plan

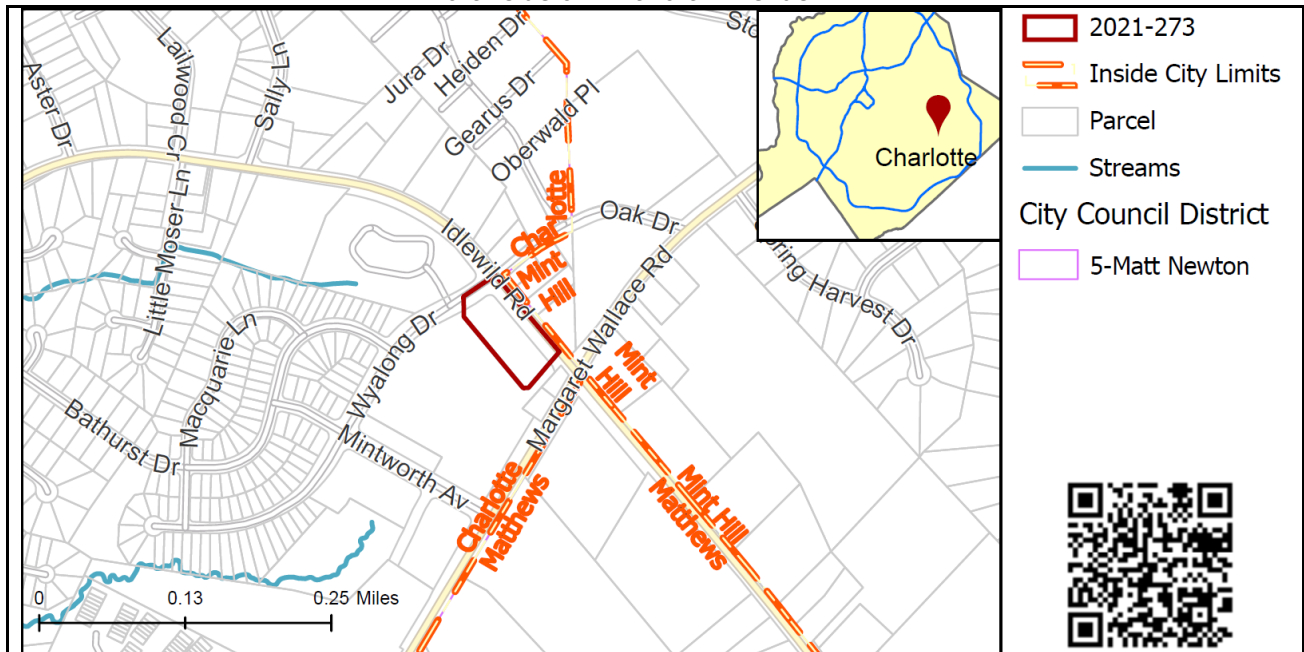
Statement of Consistency

REQUEST

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

LOCATION

Approximately 1.66 acres bound by the south side of Wyalong Drive, west side of Idlewild Road, west side of Margaret Wallace Road, and north side of Mintworth Avenue.



SUMMARY OF PETITION

The petition proposes to develop the vacant site with a up to 4,600 square foot car wash in southeast Charlotte.

PROPERTY OWNER

Medical Holdings, LLC; Pratik Desai; Pratik Vaishnav; ARS Management, Inc; Nilay Desai; Hemang Pathak

PETITIONER

Hutton ST 21, LLC

AGENT/REPRESENTATIVE

Eddie Moore/ McAdams

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1 RSVP'd, did not attend, however; petitioner followed up and answered questions described in report.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for commercial use.

Rationale for Recommendation

- The site is an outparcel of an existing shopping center.
- The previous zoning allowed two buildings on the outparcel including one with an accessory drive through.
- The plan proposes 1 building, up to 4,600 square feet, for a car wash.
- The area is developed with a mixture of commercial uses, including gas stations, convenience stores, grocery stores, personal services, EDEEs and other retail shops.

- The proposed car wash will provide a service for those in the area.

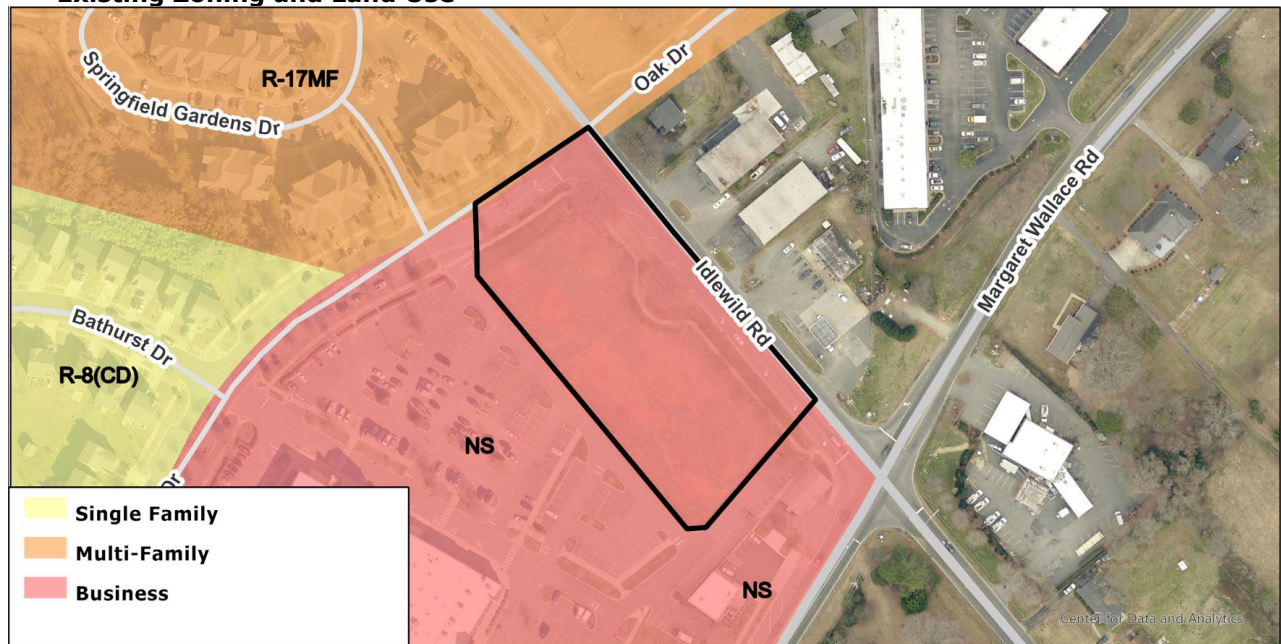
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows a car wash with 1 building up to 4,600 square feet.
- Vehicular access from the shopping center's internal driveways.
- Connects to internal sidewalk network.
- Transitions the bike lane and sidewalk north of the site along Idlewild Road to a multi-use path along the majority of the site frontage and meanders the path to preserve existing large tree.
- Provides a minimum 10,846 sqft area on the northern end of the site for tree replanting because the site is currently void of trees.
- Architectural standards related to specification of allowed exterior building materials, limits on expanses of blank walls, roof design and screening.

• Existing Zoning and Land Use



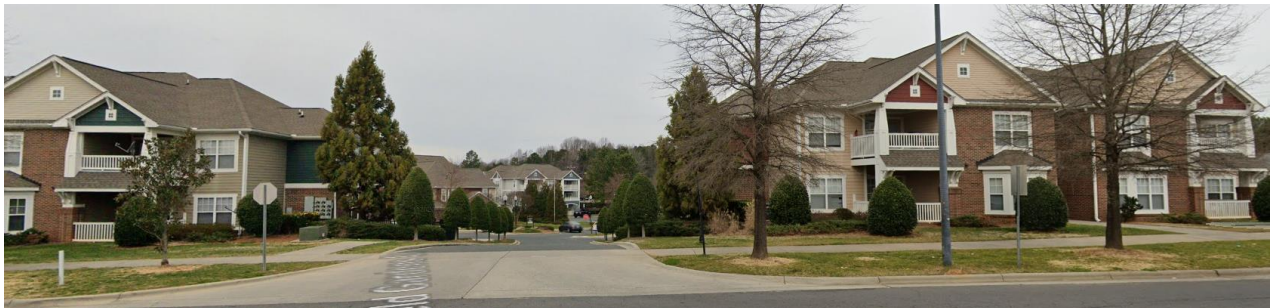
The site was previously zoned to NS by petition 2004-038 to retail, EDEE, and office uses including up to 3 free standing buildings with accessory drive throughs (a bank, an EDEE and a retail/office use). Within the subject rezoning area the 2004-038 site plan shows two retail/EDEE uses (one with a drive through) totaling 7,000 square feet. The site is located within a commercial node in the Charlotte, Matthews (south of Margaret Wallace Rd) and Mint Hill (east of Idlewild Rd) jurisdictions.



The site, indicated by the red star above, is in an area with a mixture of uses including single family and multi-family residential to the north and commercial uses west, south and east.



The site is a vacant, large outparcel in front of the existing Harris Teeter.



North of the site, across Wyalong Dr. is multi-family residential.



East of the site, across Idlewild Road are commercial uses including a convenience store, auto repair and retail shop.

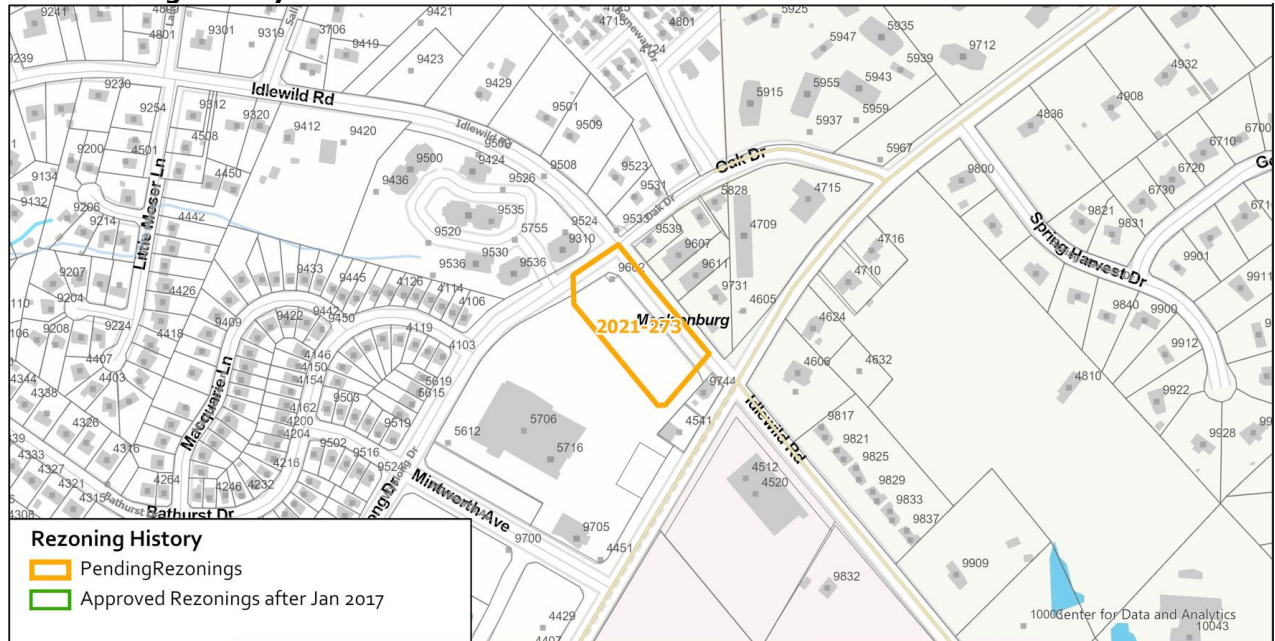


South of the site, along Margaret Wallace Road is an arcade and convenience store. Further south, across Margaret Wallace Rd, is a newly constructed grocery store (not pictured).



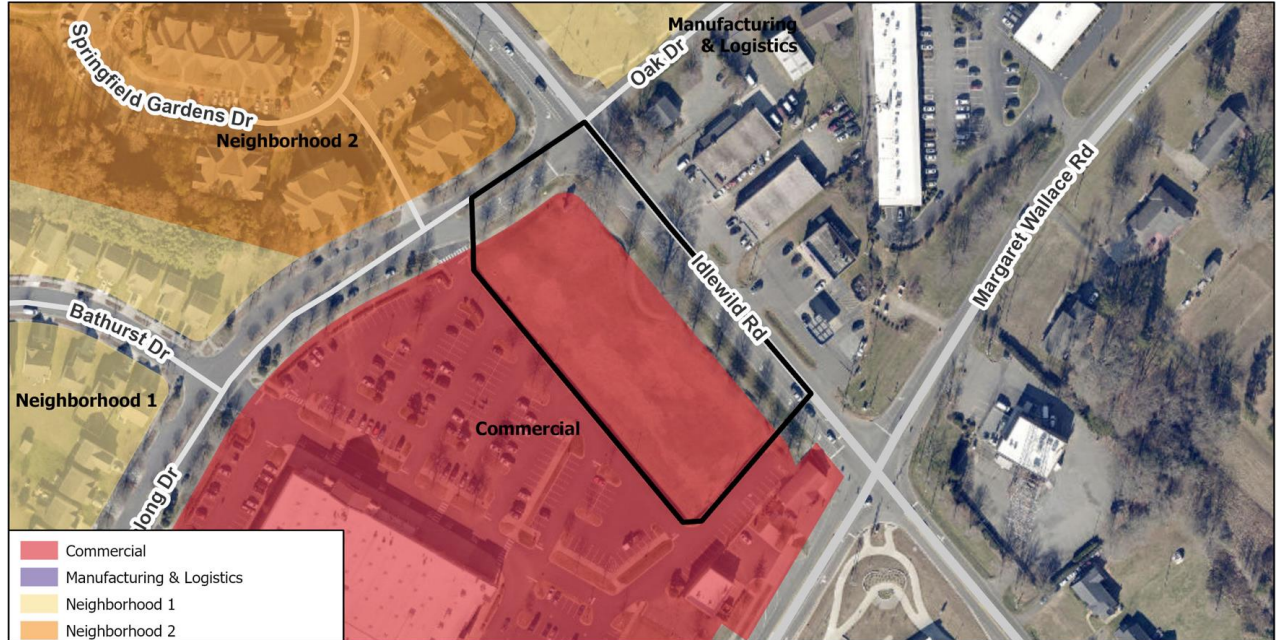
West of the site within the Mintworth Commons shopping center is a grocery store, retails, EDEE and personal service uses.

• **Rezoning History in Area**



There have not been any recent rezonings in the immediate area.

- **Public Plans and Policies**



- The 2040 Policy Map recommends Commercial.

- **TRANSPORTATION SUMMARY**

- The petition abuts Idlewild Road, a major thoroughfare, and Waylong Drive, a city-maintained local road. A Traffic Impact Study (TIS) is not needed for this due to the site generating less than 2,500 daily trips. The site is northwest of the City of Charlotte's recently completed Margaret Wallace Road Sidewalk Project which installed sidewalk on Margaret Wallace Road from Cedarbark Drive to Idlewild Road. The petitioner commits to providing bicycle and pedestrian facilities along the site's frontages in compliance with the City Council Approved Charlotte BIKES and Charlotte WALKS Plans. CDOT continues to work with the petitioner on the design concept of the bike facility and transitions while seeking not to impact existing matured trees. The detail design of the bike facility will be concluded during the permitting process. All outstanding CDOT comments have been addressed.

- **Active Projects:**

- None in the area.

- **Transportation Considerations**

- See Requested Technical Revisions, Note 1 Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 00 trips per day (based on vacant parcel).

Entitlement: 00 trips per day (based on too many uses to determine).

Proposed Zoning: 650 trips per day (based on 4,600 sqft automatic car wash).

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:** No outstanding issues.
- **Charlotte Fire 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 24-inch water distribution main located along Idlewild Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Idlewild 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:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

REQUESTED TECHNICAL REVISIONSTransportation

1. ~~Modify Transportation Conditional Note 3 to state that, "Bike facilities shall be installed along Idlewild Road as generally depicted on the Rezoning Site Plan. The configuration of the bike facilities are subject to modifications and to any adjustments required by CDOT or applicable government agency, department or government body."~~ Addressed.

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





Planner: John Kinley (704) 336-8311









Goals Relevant to Rezoning Determinations

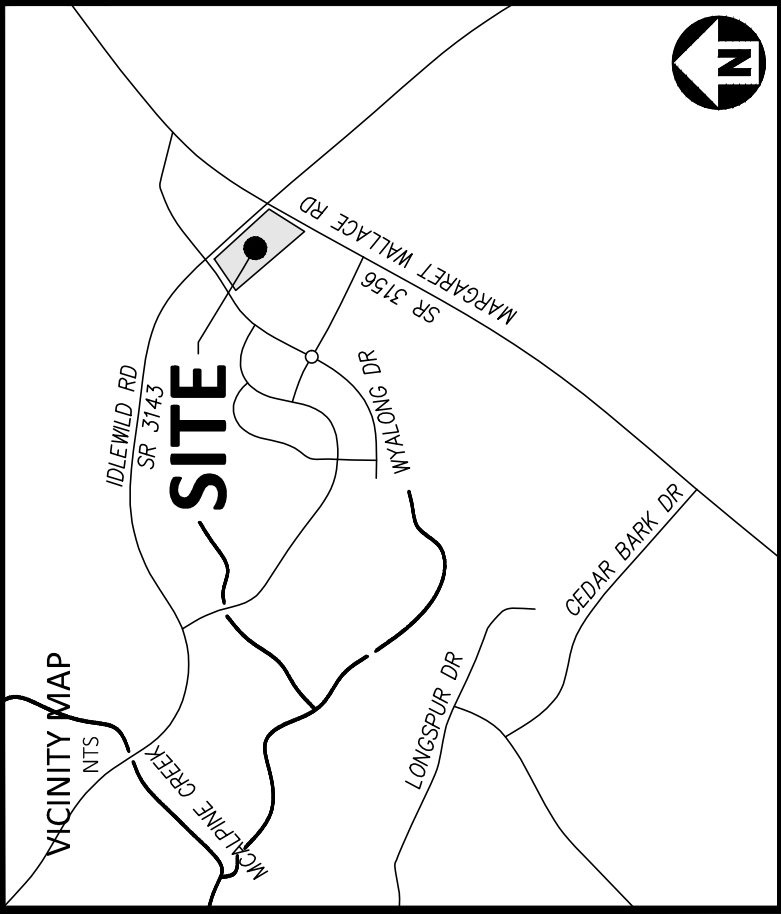
Rezoning Petition # 2021-273

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.	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.	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 DATA	
DEVELOPER: HUTTON 3430 TORRINGTON WAY CHATTANOOGA, TN 37402 423.551.2268	
PREPARED BY: MCADAMS COMPANY 1000 MARKET STREET CHATTANOOGA, TN 37402 704.537.0800	
PID: PORTION OF 19304368	± 1.66 AC (PROPOSED AREA BASED ON FUTURE SUBDIVISION)
TOTAL SITE ACREAGE:	NS
EXISTING ZONING:	NS (CD)
PROPOSED ZONING:	B-2(CD)
EXISTING USE:	VACANT OUTPARCEL - MINTWORTH VILLAGE
PROPOSED USE:	COMMERCIAL - AUTOMATIC CAR WASH
BUILDING SQUARE FOOTAGE:	6,000 SF
FLOOR AREA RATIO:	0.062
MINIMUM BUILDING HEIGHT:	25 FT
MINIMUM BUILDING SETBACK (TO WYALONG DRIVE):	10 FT
REAR YARD SETBACK:	10 FT ALONG SOUTHERN PARKING LOT
REAR YARD SETBACK:	10 FT ALONG SOUTHERN PARKING LOT
NOTES: • FIRE HYDRANT SHALL BE LOCATED WITHIN 400 FEET TO THE MOST REMOTE POINT OF BUILDING AS VEHICLE • TRAVEL ALONG WYALONG DRIVE SHALL BE MAINTAINED AS A TWO-WAY STREET • CERTIFICATE OF OCCUPANCY IS ISSUED AS NEEDED. THE PETITIONER MAY PHASE TRANSPORTATION IMPROVEMENTS IF SAID IMPROVEMENTS AND PHASING ARE EXPLICITLY DESCRIBED IN SITE PLAN NOTES.	

SITE LEGEND	
---	PROPERTY LINE
---	RIGHT-OF-WAY LINE
---	LOT LINE
---	CENTERLINE
---	PERIMETER BUFFER
---	BUILDING SETBACK

Development Data Table:

Site Area:	4/- 1.66 acres
Tax Parcel:	Portion of 19304368
Existing Zoning:	NS
Proposed Zoning:	B-2(CD)
Existing Use:	Vacant outparcel - Mintworth Village
Proposed Use:	Automated car wash with accessory cleaning stations
Maximum Building Height:	25 feet
Parking:	Will meet or exceed Ordinance standards

I. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Hutton (the "Petitioner") to accommodate the development of an automated car wash development on that approximately 1.66-acre site located on the west side of Idlewild Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of a portion of Tax Parcel Number 19304368.
- 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 requested in the optional provisions below, the regulations established under the Ordinance for the B-2 zoning district shall govern the development and use of the Site.
- The development 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 improvements shown on the Rezoning Plan are preliminary and subject to change. The Petitioner acknowledges that any use may be altered or modified in accordance with the setback and landscaping and use 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 6.2.07 of the Ordinance.

II. Permitted Uses

The Site may be devoted only to an automated car wash and any incidental and accessory uses relating thereto that are allowed in the B-2 zoning district.

III. 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 to any adjustments required by CDOT for approval.

- Existing 6' sidewalk along Wyalong Drive will remain.

- Bike facilities shall be installed along Idlewild Road as generally depicted on the Rezoning Site Plan. The configuration of the bike facilities are subject to modifications and to any adjustments required by CDOT or applicable government agency, department or government body.
- Vehicular cross access easement for Site recorded in Book 16654, Page 91.
- Dedication and fee simple conveyance of all rights of way and sidewalk utility easement to the City before the site's first building certificate of occupancy is issued.
- 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 eastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

IV. Architectural Standards

- The principal building(s) on the Site may use a variety of building materials. The building materials will be a combination of the following: brick, glass, natural stone (or its synthetic equivalent), stucco, EIFS, cementitious siding, fiber cement ("Hardiplank"), scored and painted CMU block, and/or other materials approved by the Planning Director.
- Architectural elevations shall be designed to create visual interest as follows:
 - Building elevations facing network required streets shall not have expanses of blank walls greater than twenty (20) feet in all directions and architectural features such as, but not limited to banding, medallions and design features such as transparent windows, display windows, or spandrel glass windows and materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- Roof form and articulation - Roof form 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, or parapets.
 - Roof top HVAC and related mechanical equipment will be screened from public view at grade from network required streets.
- The building and drive aisles along Idlewild Road and Wyalong Drive will be screened with a landscape screen along the entire length.

V. Environmental Features

- The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- The Site shall comply with the City of Charlotte Tree Ordinance.

VI. 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.

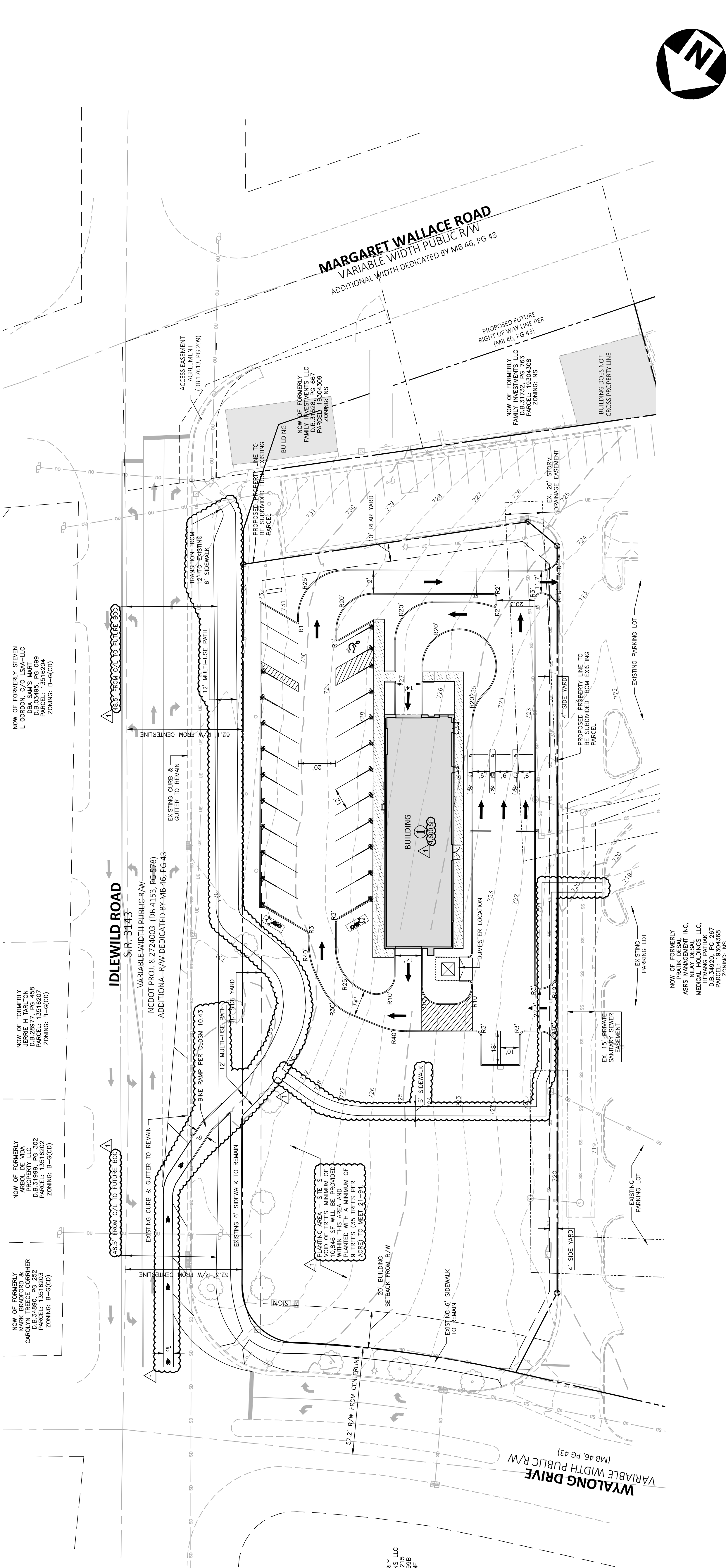
Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in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

WYALONG MOD WASH

REZONING PETITION # 2021-273

5706 WYALONG DRIVE
CHARLOTTE, NORTH CAROLINA 28227

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REVISIONS

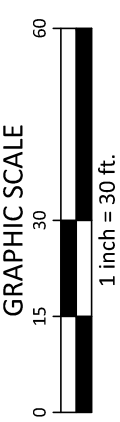
NO.	DATE	PER CITY COMMENTS
1	06.13.2022	PER CITY COMMENTS
2	07.21.2022	PER CITY COMMENTS

PLAN INFORMATION

PROJECT NO.	HUT21003
FILENAME	HUT21003-R21
CHECKED BY	EM
DRAWN BY	JDS
SCALE	1"=30'
DATE	12.08.2021

SHEET

REZONING PLAN



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

RZ.01

Petition 2021-273 by Hutton ST 21, LLC

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The policy map recommends commercial place type.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The site is an outparcel of an existing shopping center.
- The previous zoning allowed two buildings on the outparcel including one with an accessory drive through.
- The plan proposes 1 building, up to 4,600 square feet, for a car wash.
- The area is developed with a mixture of commercial uses, including gas stations, convenience stores, grocery stores, personal services, EDEEs and other retail shops.
- The proposed car wash will provide a service for those in the area.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The policy map recommends commercial place type.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 14. **File #:** 15-18435 **Type:** Zoning Item

Rezoning Petition: 2021-276 by McCraney Property Company

Location: Approximately 44.95 acres located on I-85 Service Road southwest of the I-85/I-85 interchange. (ETJ-BOCC: 2-Leake; closest CC: 3-Watlington)

Current Zoning: R-3 AIR LLWPA (single-family residential, airport noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1 (CD) AIR LLWPA (light industrial, conditional, airport noise overlay, Lower Lake Wylie Protected Area)

Public Hearing Held: July 18, 2022 - Item #41

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

Site Plan

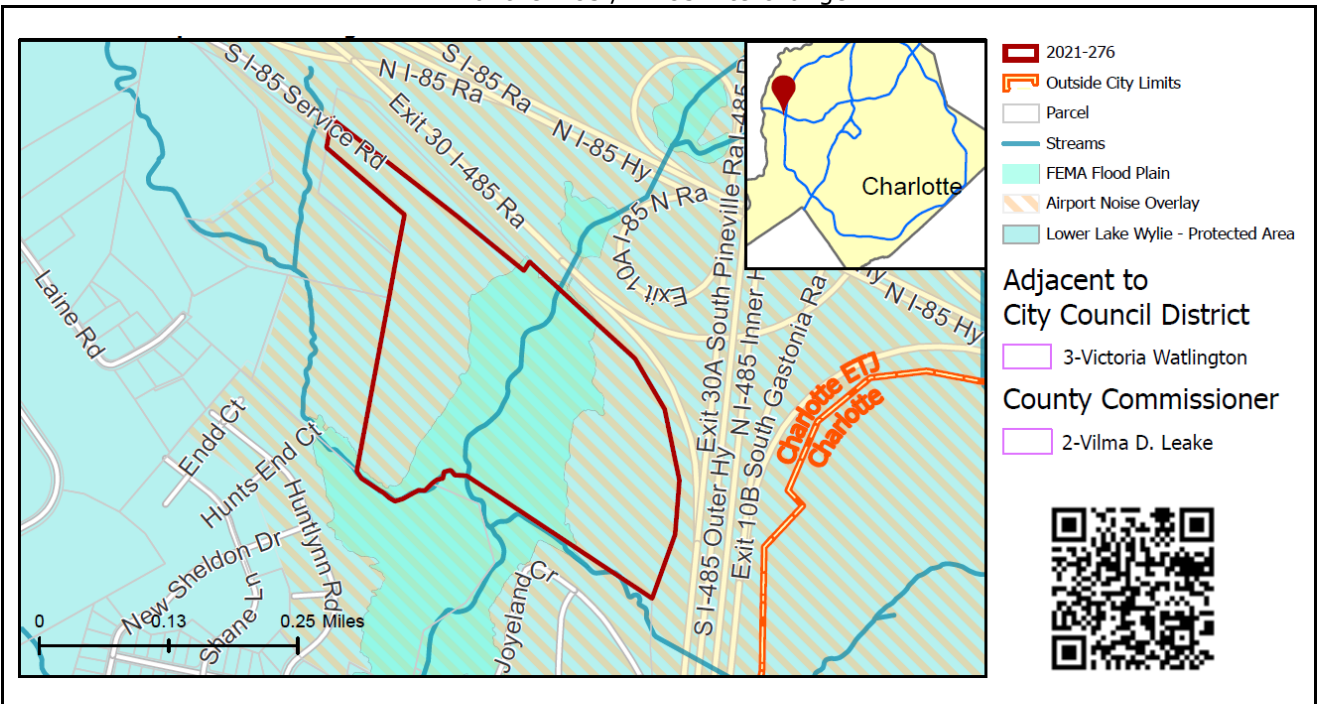
Statement of Consistency

REQUEST

Current Zoning: R-3 AIR LLWPA (single family residential, airport noise overlay, Lower Lake Wylie Protected Area)
Proposed Zoning: I-1 (CD) AIR LLWPA (light industrial, conditional, airport noise overlay, Lower Lake Wylie Protected Area)

LOCATION

Approximately 44.95 acres located on I-85 Service Road southwest of the I-85 / I-485 interchange.



SUMMARY OF PETITION

The petition proposes to develop up to 335,000 square feet of gross floor area of uses permitted in the I-1 district.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

Gary F. Parker, Cebon W. Hester, Jesse Robert Brown
McCraney Property Company
John Carmichael

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.

Plan Consistency

The petition is **inconsistent** with the Commercial Place Type recommended for this site as per the adopted *2040 Policy Map*.

Rationale for Recommendation

- While inconsistent with the commercial place type recommendation, the proposed rezoning is adjacent to the interchange of I-85 and I-485, making it suitable for light industrial uses.
- The petition provides a Class A buffer where adjacent to residential zoning and Neighborhood 1 place type.

- The petition commits to dedication and conveyance of the 100' SWIM buffer of Paw Creek to Mecklenburg County for future greenway development.
- Access to the site is via the I-85 Service Rd, which provides a short route to the Sam Wilson Rd interchange with I-85. The petition commits to improving the I-85 Service Rd as required by NCDOT.
- The site is within the Airport Noise Overlay.

The approval of this petition will revise the adopted Place Type as specified by the *2040 Policy Map*, from Commercial Place Type to Manufacturing & Logistics Place Type for the site.

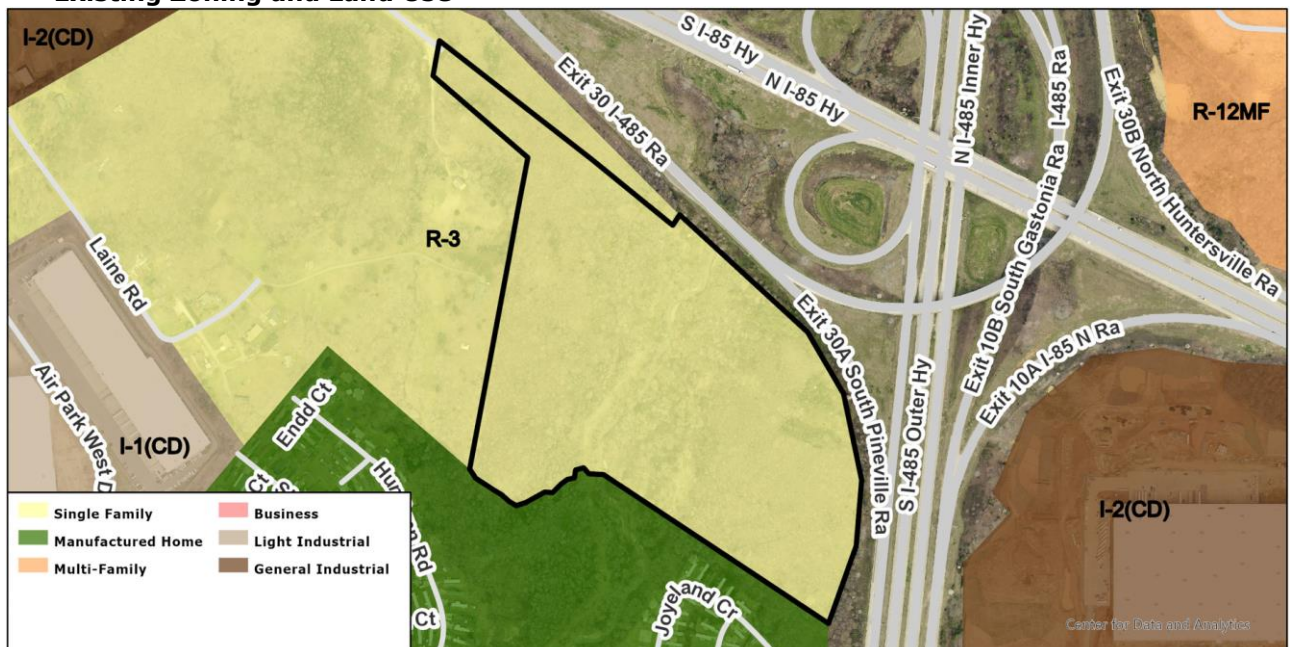
PLANNING STAFF REVIEW

• Proposed Request Details

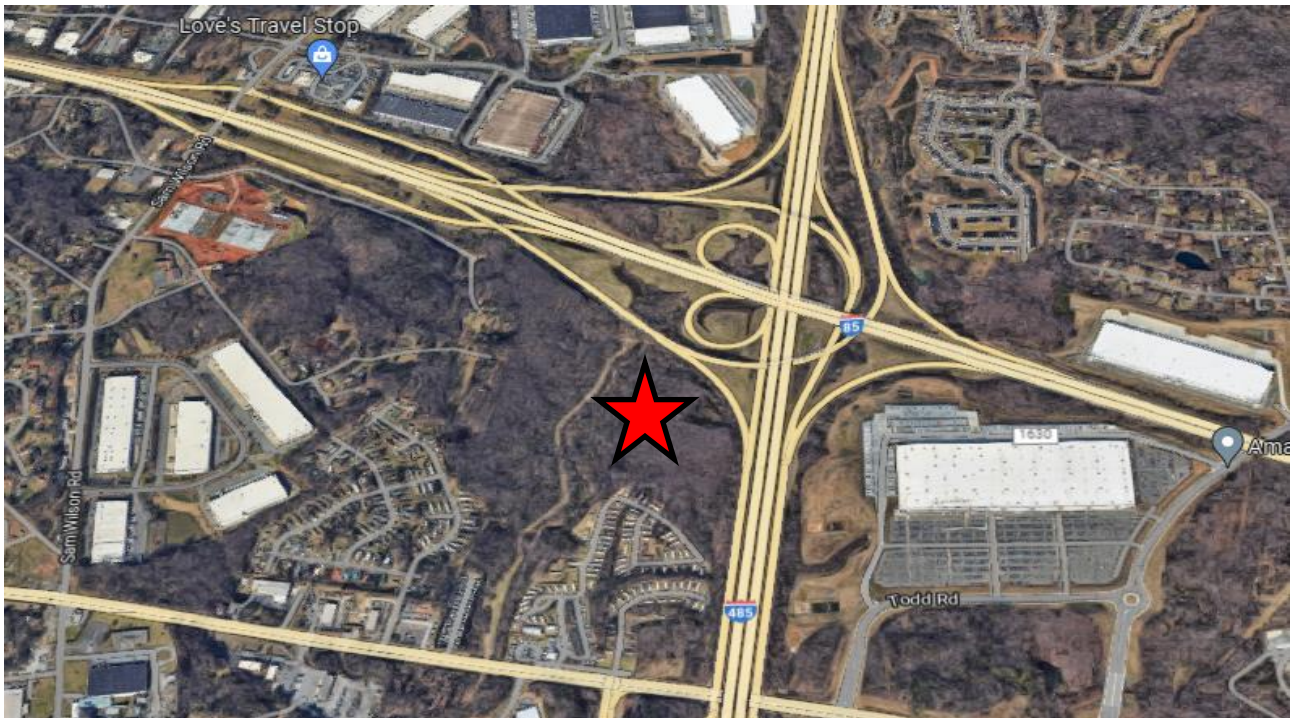
The site plan accompanying this petition contains the following provisions:

- Proposes up to 335,000 SF of gross floor area of uses permitted in the I-1 district.
- Prohibits the following uses:
 - Automobiles, truck and utility trailer rental.
 - Automotive repair garages.
 - Automotive service stations.
 - Barber and beauty shops.
 - Financial institutions.
 - Eating, Drinking and Entertainment Establishments (Type 1 and Type 2).
 - Retail establishments, shopping centers and business, personal and recreational services.
 - Adult establishments.
- Limits the amount of office space to 25% if the total square footage (83,750 SF).
- Limits the number of principal buildings to two.
- Commits to improvements to South I-85 Service Road between Sam Wilson Rd and the site as requested by NCDOT during the permitting process.
- Commits to dedicate the 100' SWIM buffer of Paw Creek to Mecklenburg County for future greenway purposes. The petitioner will work with Mecklenburg County to ensure that any crossings of Paw Creek can accommodate a future greenway trail.
- Provides a Class A buffer around the perimeter of the site where adjacent to residential use and zoning.

• Existing Zoning and Land Use



The site is located at the interchange of I-85 and I-485, just to the north and east of the site. The properties to the south of the site are developed with mobile homes and the properties to the west are developed with large lot single family detached dwellings.



The site, marked by a red star, is adjacent to the interchange of I-85 and I-485.



View of the site from I-85.

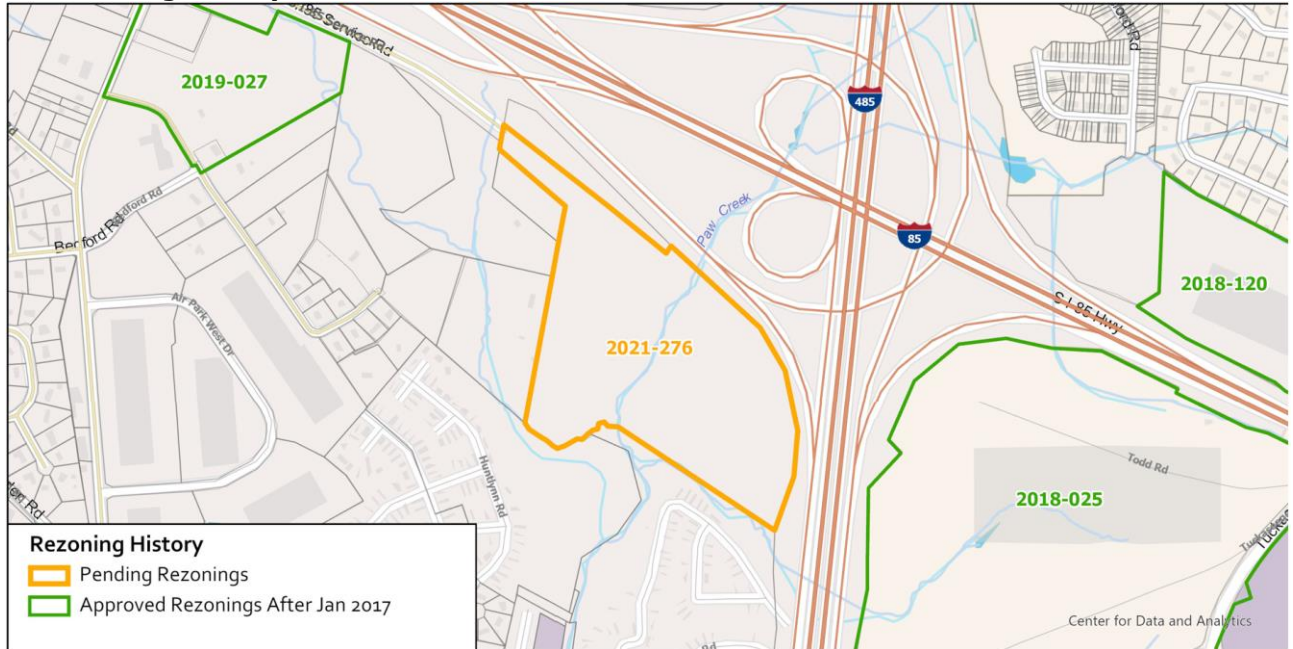


View of the site at the access point from I-85 Service Rd.



The properties to the south of the site developed with mobile homes.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-027	Petition to allow 250,000 square feet of industrial uses.	Approved
2018-120	Petition to allow 450,000 square feet of industrial uses.	Approved
2018-025	Petition to allow 2.4 million square feet of industrial uses.	Approved

• Public Plans and Policies



The adopted 2040 Policy Map recommends the Commercial Place Type for this site.

- **TRANSPORTATION SUMMARY**

- This site is located off I-85 Service Road, a State-maintained local street, southwest of the I-85 and I-485 interchange. A Traffic Impact Study (TIS) is not needed for this site, due to the site's generation of less than 2,500 daily trips. Additionally, the petitioner has committed to coordinate with Mecklenburg County Parks and Recreation to dedicate the SWIM buffer and accommodate for the future Paw Creek Greenway within the site. Lastly, the petitioner has committed to improve the I-85 service road in accordance with NCDOT standards. 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: 1,325 trips per day (based on 134 single family detached dwellings).
 - Proposed Zoning: 570 trips per day (based on 335,000 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:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **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 currently does not have water system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections. Sewer is accessible for this rezoning boundary. 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 comments submitted.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No comments submitted.

OUTSTANDING ISSUES

Site and Building Design

1. ~~Illustrate 1/2 Class A buffer on the site plan at access point from I-85 Service Rd.~~ **ADDRESSED**

2. ~~Remove building and parking envelope from setback.~~ **ADDRESSED**

Transportation

3. ~~Provide street stub to the south of the site.~~ **ADDRESSED**

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





Planner: Joe Mangum (704) 353-1908







Goals Relevant to Rezoning Determinations

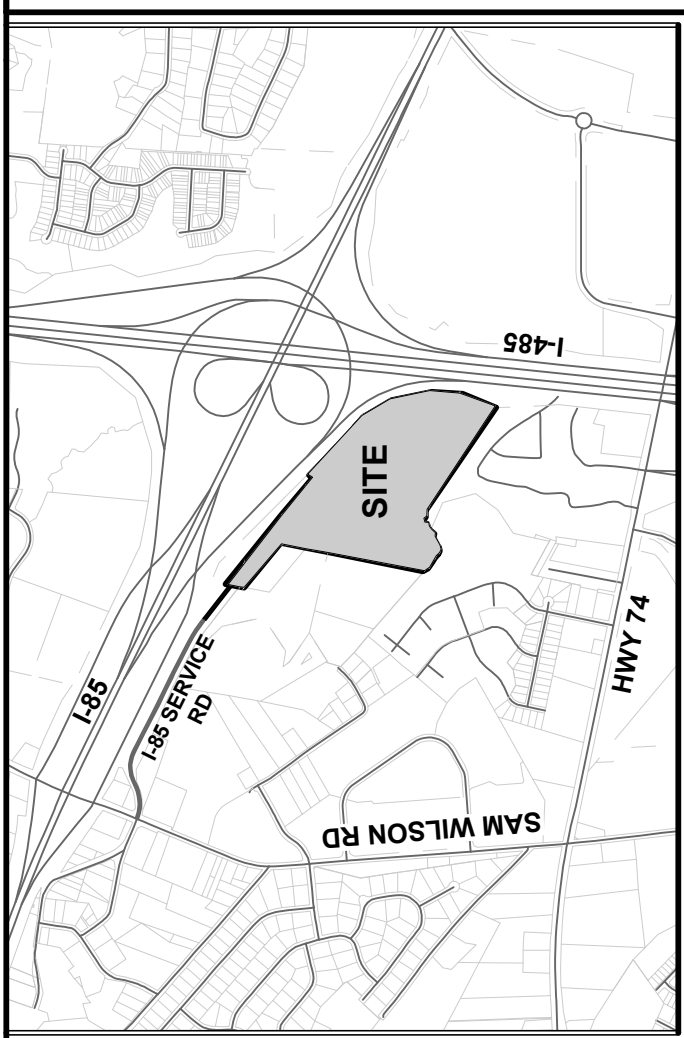
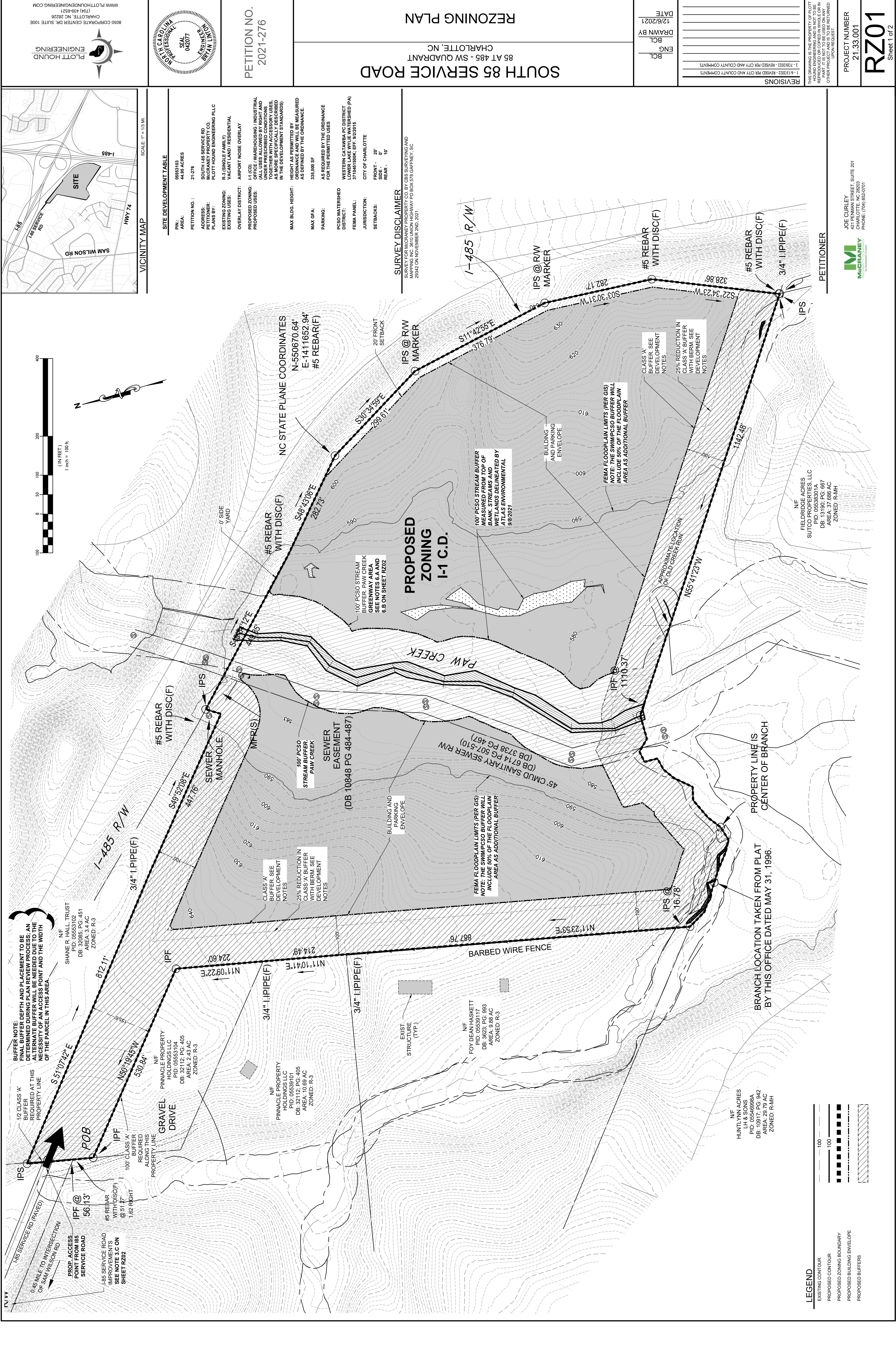
Rezoning Petition # 2021-276

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. The Charlotte Future 2040 Policy Map was adopted March, 28th, 2022 and became effective July 1st, 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>



VICINITY MAP	
SCALE 1" = 100 MI.	
SITE DEVELOPMENT TABLE	
PIN:	05553103
AREA:	44.95 ACRES
PETITION NO.:	21-276
ADDRESS:	SOUTH I-85 SERVICE RD
APPLICANT:	McCRANEY PROPERTY CO.
PLANS BY:	McCRANEY PROPERTY CO. / PLOTT HOUND ENGINEERING PLLC
EXISTING ZONING:	R-3 (SINGLE FAMILY)
EXISTING USES:	VACANT LAND / RESIDENTIAL
OVERLAY DISTRICT:	AIRPORT NOISE OVERLAY
PROPOSED ZONING:	I-1 (CD)
PROPOSED USES:	OFFICE / WAREHOUSING / INDUSTRIAL (ALL USES ALLOWED BY RIGHT AND TOGETHER WITH ACCESSORY USES, AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS)
MAX BLDG. HEIGHT:	HEIGHT AS PERMITTED BY ORDINANCE AND WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
MAX GFA:	335,000 SF
PARKING:	AS REQUIRED BY THE ORDINANCE FOR THE PERMITTED USES
PCSO WATERSHED DISTRICT:	WESTERN CATAWBA PC DISTRICT
FEMA PANEL:	LOWER LAKE WYLLIE WATERSHED (PA 3710451500K; EFF. 9/22/15)
JURISDICTION:	CITY OF CHARLOTTE
SETBACKS:	FRONT - 20' SIDE - 0' REAR - 10'

SURVEY DISCLAIMER
SURVEY FOR McCRANEY PROPERTY CO. BY CBS SURVEYING AND MAPPING, INC. 10000 WILLOW CREEK RD, SUITE 201, CHARLOTTE, NC 28203. 25842 ON NOVEMBER 2ND, 2021.

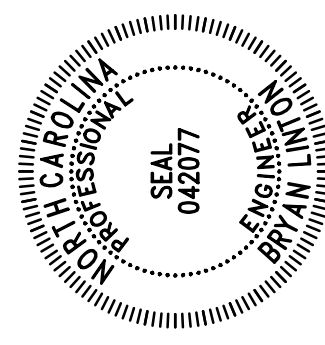
SOUTH 85 SERVICE ROAD

REZONING PLAN

85 AT 485 - SW QUADRANT
CHARLOTTE, NC



8600 CORPORATE CENTER DR, SUITE 100E
CHARLOTTE, NC 28226
(704) 439-8521
WWW.PLOTTHOUNDENGINEERING.COM



STATE OF NORTH CAROLINA
BRIAN LUMLEY
ENGINEER
SEAL
042077


PETITION NO.
2021-276

RZ01

Sheet 1 of 2

PROJECT NUMBER
21.33.001

JOE CURLEY
421 PENMAN STREET, SUITE 201
CHARLOTTE, NC 28203
PHONE: (704) 655-0701



McCRANEY
McCRANEY PROPERTY CO.

DATE
12/6/2021

DRAWN BY
BCL

ENG
BCL

1 - 6/19/2022 - REVISED PER CITY AND COUNTY COMMENTS

2 - 7/10/2022 - REVISED PER CITY AND COUNTY COMMENTS

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DEVELOPMENT STANDARDS

June 13, 2022

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by McCraney Property Company (the “Petitioner”) for an approximately 44.95 acre site located at the southwest quadrant of the I-85 and I-485 interchange, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the “Site”). The Site is comprised of Tax Parcel No. 055-531-03.
- B. 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”).
- C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-1 zoning district shall govern the development and use of the Site.
- D. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of 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 and buffer requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.

- E. 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.
- F. Pursuant to Section 1.110 of the Ordinance and Section 160D-108.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.

2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out below, the Site may be devoted to any use or uses allowed by right or under prescribed conditions in the I-1 zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the I-1 zoning district.
- B. Notwithstanding the terms of paragraph 2.A above, the following uses shall be prohibited on the Site:
- (1) Automobiles, truck and utility trailer rental.
 - (2) Automotive repair garages.
 - (3) Automotive service stations.
 - (4) Barber and beauty shops.
 - (5) Financial institutions.
 - (6) Eating, Drinking and Entertainment Establishments (Type 1 and Type 2).
 - (7) Retail establishments, shopping centers and business, personal and recreational services.
 - (8) Adult establishments.

- C. A maximum of two principal buildings may be developed on the Site.

- D. A total maximum of 335,000 square feet of gross floor area may be developed on the Site.

- E. Notwithstanding the foregoing, of the allowed 335,000 square feet of gross floor area that may be developed on the Site, a maximum of 25 percent of such allowable gross floor area, or 83,750 square feet, may be devoted to office uses.

- F. All buildings, parking areas and truck courts located on the Site shall be located in one of the two building and parking envelopes depicted on the Rezoning Plan. Minor adjustments to the locations of the building and parking envelopes shall be allowed during the permitting process.

3. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access point 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 internal driveways and the 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. Petitioner shall improve South I-85 Service Road located between Sam Wilson Road and the Site as required by NCDOT. Any such improvements shall be coordinated with and approved by NCDOT during the permitting process.

- D. All transportation improvements set out in this Section 3 of the Development Standards shall be constructed and approved prior to the issuance of the first certificate of occupancy for a new building constructed on the Site.

- E. Petitioner will dedicate via fee simple conveyance to NCDOT any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy for a new building constructed on the Site. The dedicated right of way shall be set at two (2) feet behind the back of sidewalk where feasible.

- 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 north western Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

4. STREETScape/BUFFERS

- A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to the Ordinance, Petitioner may reduce the required width of any buffer by 25% by installing a berm that meets the standards of Section 12.302(8A) of the Ordinance.

- B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.

5. ENVIRONMENTAL FEATURES

- A. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.
- B. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

- C. The location, size and type of any storm water management systems depicted on the Rezoning Plan are subject to review and approval with 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.

- D. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated 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.

6. GREENWAY

- A. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall dedicate and convey to Mecklenburg County for future greenway purposes that portion of the 100 foot SWIM Buffer of Paw Creek located on the Site (the “Greenway Area”), which Greenway Area is depicted on the Rezoning Plan. Prior to the dedication and conveyance of the Greenway Area to Mecklenburg County, Petitioner shall have the right to install and locate utility lines through such Greenway Area and to reserve such easements over the Greenway Area that are necessary to maintain, repair and replace such utility lines, and to reserve such other easements as may be reasonably necessary in connection with the development of the Site as long as these easements and utility lines do not interfere with the construction and maintenance of the greenway. Any easements must be reviewed by Mecklenburg County prior to the dedication and conveyance of the Greenway Area to Mecklenburg County.

- B. Petitioner shall work with the Mecklenburg County Park and Recreation Department on any crossing(s) of Paw Creek so that such crossing(s) can accommodate the future greenway trail.

7. 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.

SOUTH 85 SERVICE ROAD
85 AT 485 - SW QUADRANT
CHARLOTTE, NC

DEVELOPMENT STANDARDS

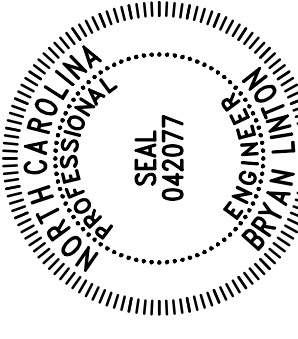
ENG
BCL
DRAWN BY
DATE
12/6/2021

REVISIONS
1- 6/13/2022 - REVISED PER CITY AND COUNTY COMMENTS

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PROJECT NUMBER
21.33.001

RZ02
Sheet 2 of 2



Petition 2021-276 by McCraney Property Company

To Approve:

This petition is found to be **inconsistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Commercial Place Type for this site.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- While inconsistent with the commercial place type recommendation, the proposed rezoning is adjacent to the interchange of I-85 and I-485, making it suitable for light industrial uses.
- The petition provides a Class A buffer where adjacent to residential zoning and Neighborhood 1 place type.
- The petition commits to dedication and conveyance of the 100' SWIM buffer of Paw Creek to Mecklenburg County for future greenway development.
- Access to the site is via the I-85 Service Rd, which provides a short route to the Sam Wilson Rd interchange with I-85. The petition commits to improving the I-85 Service Rd as required by NCDOT.
- The site is within the Airport Noise Overlay.

The approval of this petition will revise the adopted Place Type as specified by the *2040 Policy Map*, from Commercial Place Type to Manufacturing & Logistics Place Type for the site.

To Deny:

This petition is found to be **inconsistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Commercial Place Type for this site.

Therefore, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 15. **File #:** 15-18436 **Type:** Zoning Item

Rezoning Petition: 2021-278 by Dream Acres, LLC

Location: Approximately 6.33 acres located on the east side of Harrisburg Road, north of Parkton Road, and west of Cedarbrook Drive. (Council District 5 - Newton)

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

Proposed Zoning: R-6 (single-family residential)

Public Hearing Held: July 18, 2022 - Item #42

Staff Resource: [Claire Lyte-Graham](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

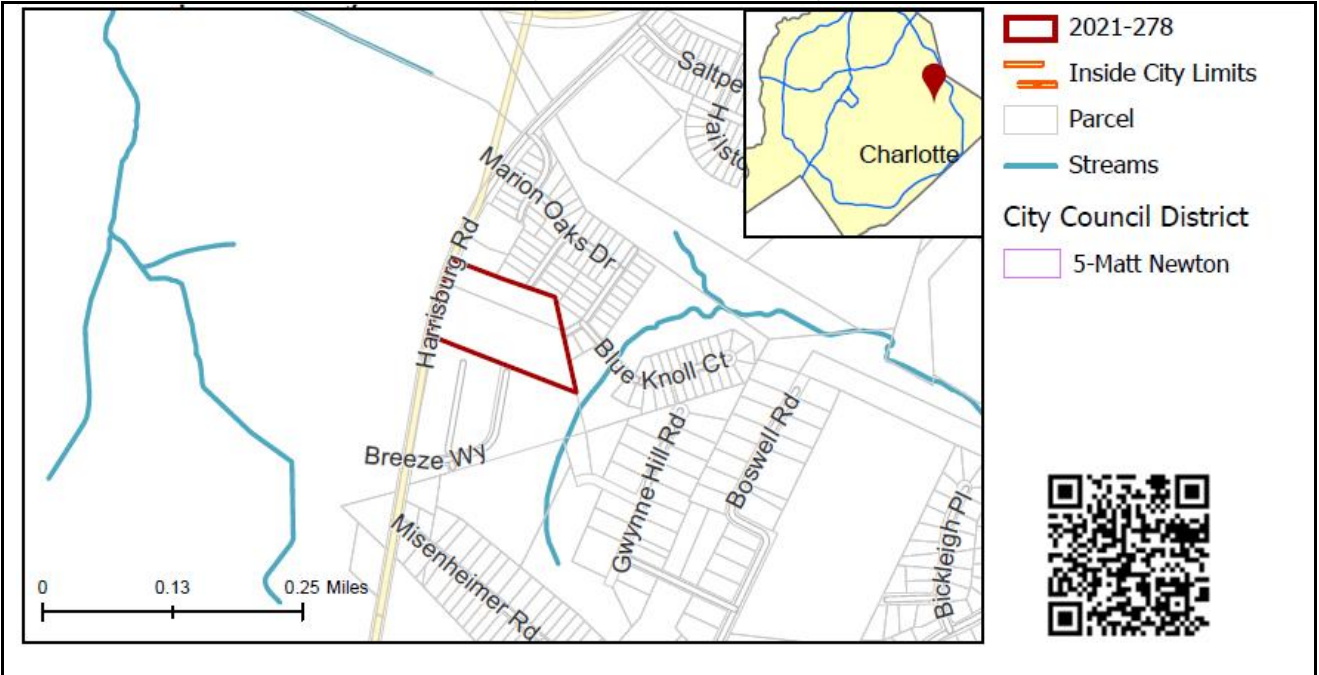
Statement of Consistency

REQUEST

Current Zoning: R-4 (single family residential)
Proposed Zoning: R-6 (single family residential)

LOCATION

Approximately 6.33 acres located on the east side of Harrisburg Road, north of Parkton Road, and west of Cedarbrook Drive.



SUMMARY OF PETITION

The petition proposes to rezone a single family residential parcel to a conventional residential district to allow all permitted uses, either by-right or under prescribed conditions.

PROPERTY OWNER

Dream Acres LLC

PETITIONER

Dream Acres LLC

AGENT/REPRESENTATIVE

N/A

COMMUNITY MEETING

Meeting is not required.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map (2022)* recommendation for the Neighborhood 1 Place Type.

Rationale for Recommendation

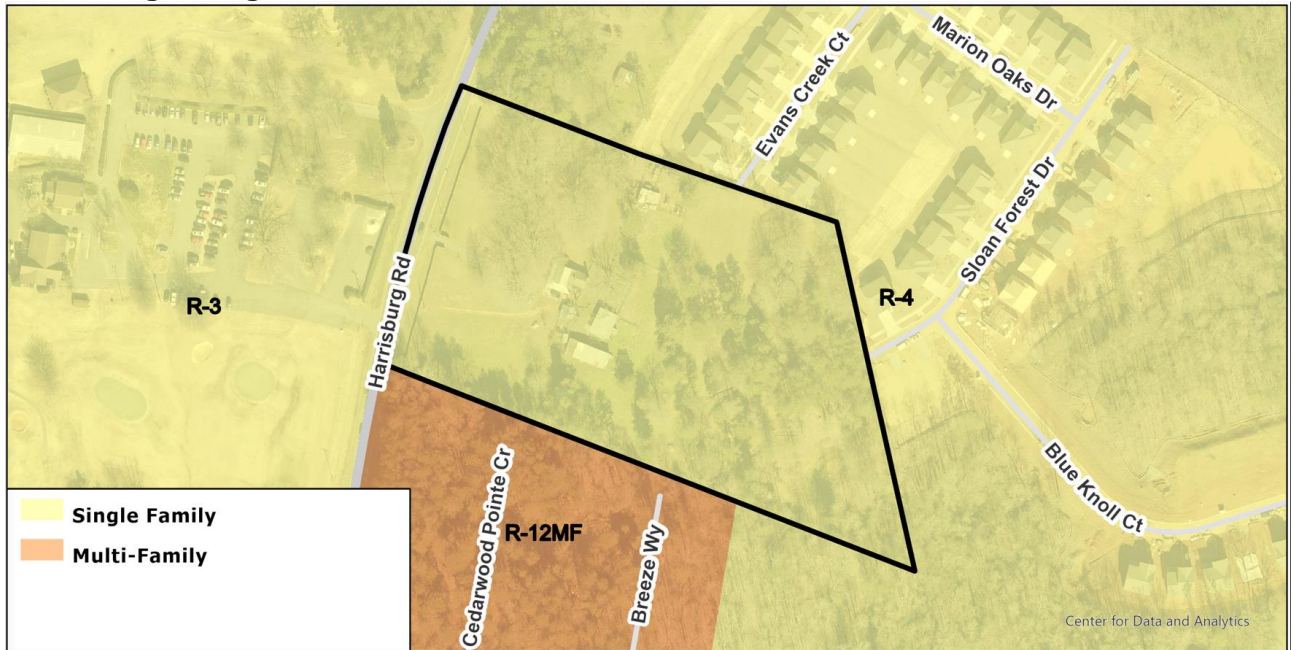
- The petition is consistent with the Charlotte Future 2040 Comprehensive Plan Goals #1: 10-Minute Neighborhood and #9: Retain Our Identity & Charm.
- The petition's proposal for low density, single family units is consistent with Neighborhood 1 Place Type.
- The Neighborhood 1 Place Type may consist of smaller lot single family detached developments, small townhome buildings, and small multi-family buildings.
- The petition is compatible with neighboring residential uses.

PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- **Existing Zoning and Land Use**



The rezoning site is currently developed with a single family residence constructed in 1930 along with accessory structures, and is surrounded by single family residential neighborhoods, an apartment community, and a public golf course on parcels zoned R-3 (single family residential), R-4 (single family residential), and R-12MF (multi-family residential).



The rezoning site is developed with a single family residence built in 1930.



North (above) and east/southeast (below) are single family residential neighborhoods.



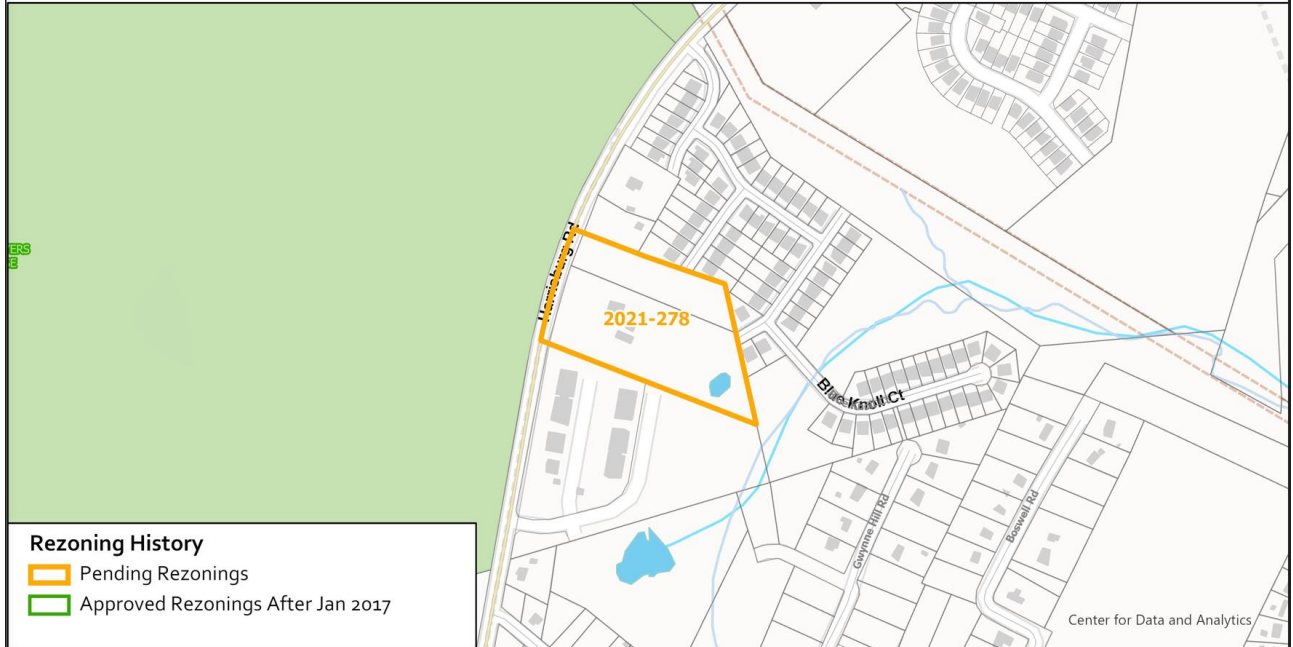


South is an apartment community.



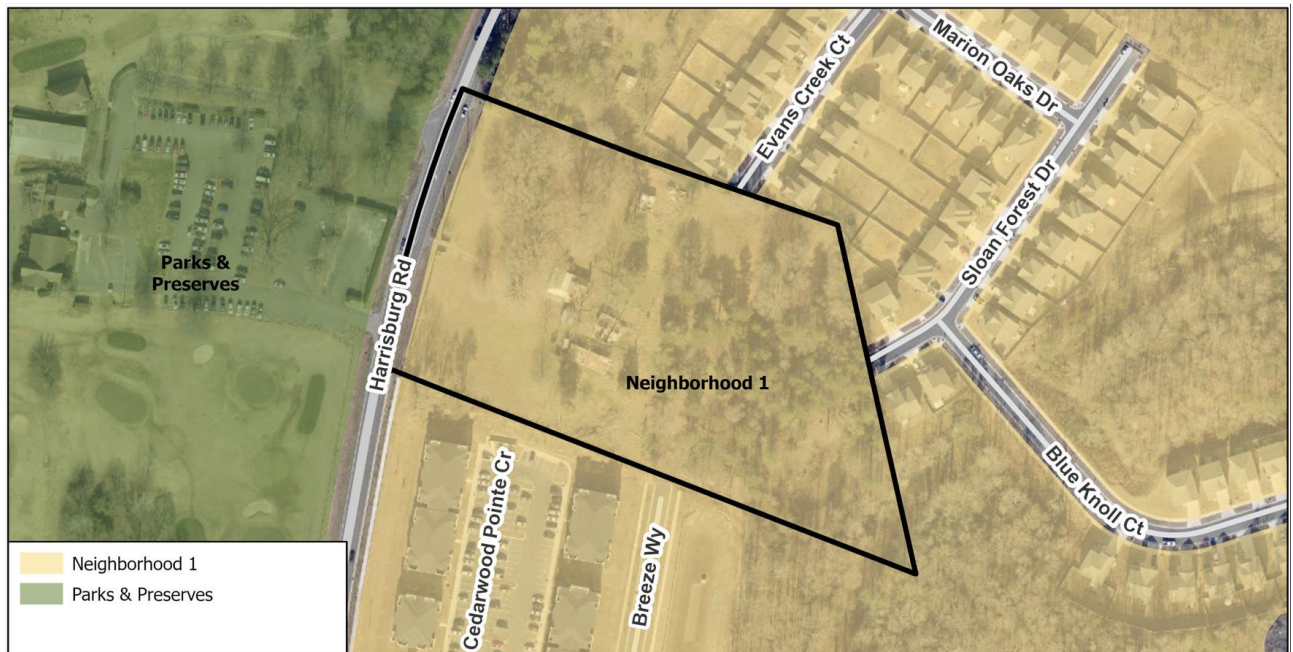
West, across Harrisburg Road, is the Charles T. Meyers Public Golf Course.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
	There have been no recent rezonings in the immediate vicinity.	

- Public Plans and Policies**



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

- **TRANSPORTATION SUMMARY**

- The site is located on Harrisburg Road, a State-maintained major throughfare, north of Misenheimer Road, a City-maintained minor collector. A Traffic Impact Study (TIS) is not needed for this site. CDOT will work with the petitioner during the permitting process to ensure all required streetscape and transportation related ordinance requirements are complied with for adequate access and connectivity to the site and surrounding network.
- **Active Projects:**
 - Sidewalk Gaps and Ramps
 - The project is located between Misenheimer Road and the Norfolk-Southern rail line and will install sidewalks as well as accessible ramps.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: Vacant
 - Entitlement: 210 trips per day (based on 18 dwelling units).
 - Proposed Zoning: 375 trips per day (based on 32 dwelling units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the current zoning could generate 14 students, while the development allowed under the proposed zoning may produce 21
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - J. H. Gunn Elementary remains at 103%
 - Albemarle Road Middle remains at 107%
 - Rocky River High remains at 85%.
- **Charlotte Water:** Insert location information from memo. Due to the limited treatment capacity with WSACC, Charlotte Water will not accept applications for plan review, Capacity Assurance Program review or Pre-Capacity Assurance (previously Willingness to Serve) review in the capacity-limited basins. This pause on acceptance of new capacity requests is temporary and until more capacity becomes available. Customers can sign up at charlottewater.org to be notified of program updates. 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:** See advisory comments at www.rezoning.org
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** See advisory comments at www.rezoning.org

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 # 2021-278

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.	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>✓</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>

Petition 2021-278 by Dream Acres LLC

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Neighborhood 1 Place Type.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The petition is consistent with the Charlotte Future 2040 Comprehensive Plan Goals #1: 10-Minute Neighborhood and #9: Retain Our Identity & Charm.
- The petition's proposal for low density, single family units is consistent with Neighborhood 1 Place Type.
- The Neighborhood 1 Place Type may consist of smaller lot single family detached developments, small townhome buildings, and small multi-family buildings.
- The petition is compatible with neighboring residential uses.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Neighborhood 1 Place Type.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 16. **File #:** 15-18438 **Type:** Zoning Item

Rezoning Petition: 2021-283 by Lane Cloninger

Location: Approximately 0.60 acre located on the west side of Keswick Avenue, northwest of North Tryon Street, and east of North Graham Street. (Council District 1 - Egleston)

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

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

Public Hearing Held: July 18, 2022 - Item #43

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Post-Hearing Staff Analysis

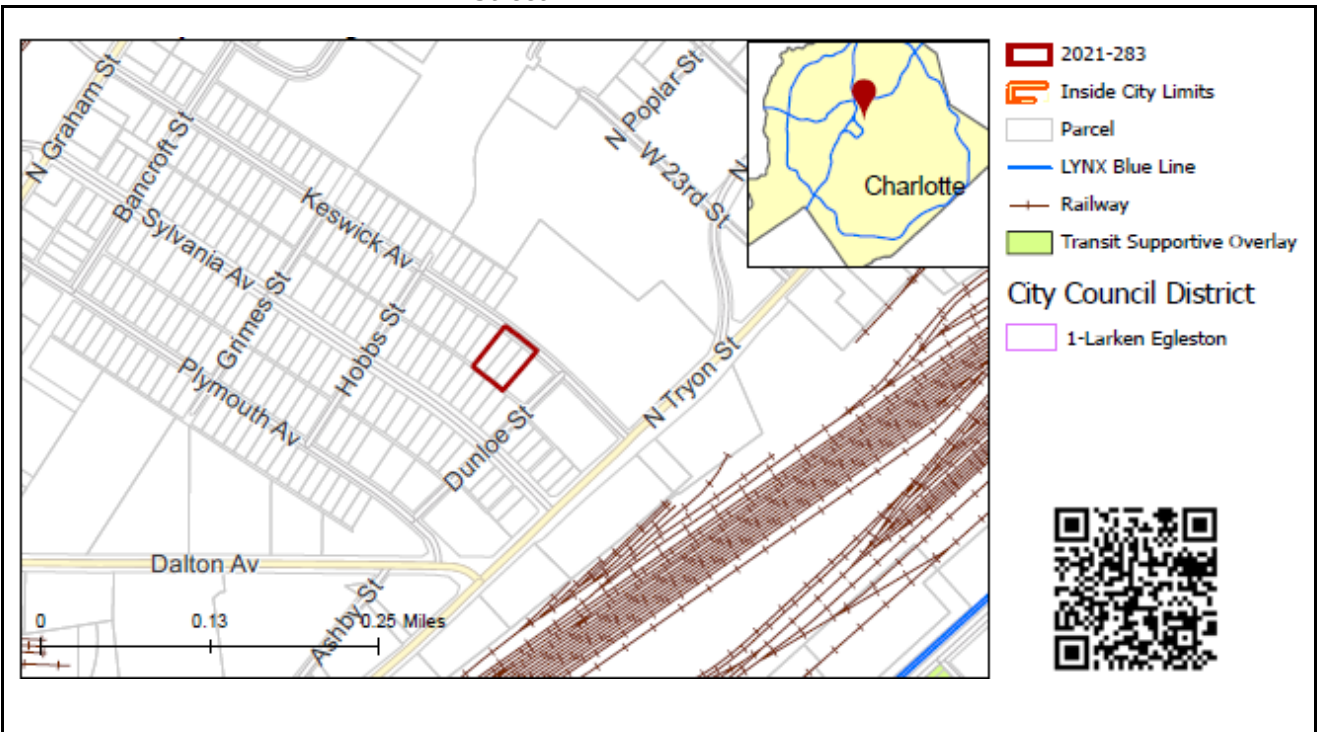
Statement of Consistency

REQUEST

Current Zoning: R-5 (single family residential)
Proposed Zoning: R-8 (single family residential)

LOCATION

Approximately 0.60 acres located on the west side of Keswick Avenue, northwest of North Tryon Street, and east of North Graham Street.



SUMMARY OF PETITION

The petition proposes to allow all uses in the R-8 (single family residential) zoning district for 3 parcels located on the west side of Keswick Avenue, northwest of North Tryon Street, and east of North Graham Street.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

Lane Cloninger
Lane Cloninger
Lane Cloninger
Meeting is not required.

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation of the Neighborhood 1 place type.

Rationale for Recommendation

- The petition is aligned with the 2040 Policy Map recommendation of Neighborhood 1 - of "places for neighborhoods with a variety of housing types, where single-family housing is still the predominant use"
- The petition proposes to slightly increase the density at this site.
- While this petition increases the density for the site, this site is at the edge of the established neighborhood and helps serve as a

transition between the abutting parking lot and adjacent mixed-use site, and the surrounding slightly lower-density sites.

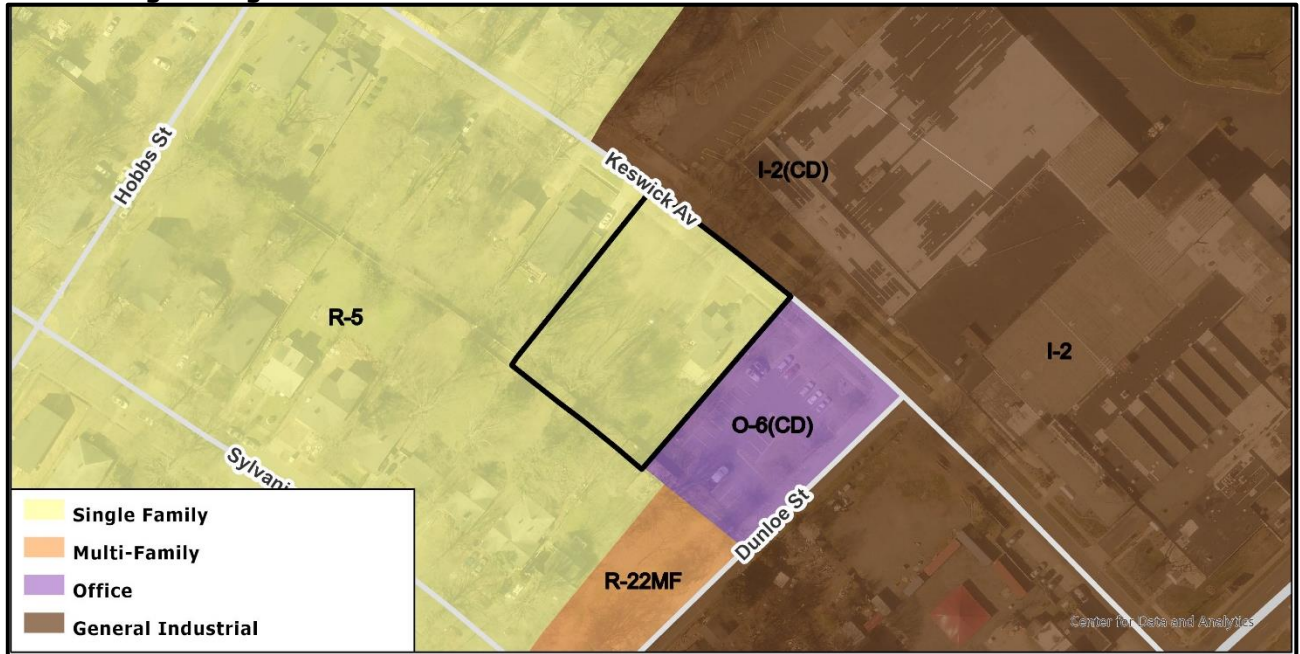
PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- The petition would allow all uses in the R-8 (single family residential) zoning district.

- **Existing Zoning and Land Use**



The surrounding land uses include single family homes, office, commercial, and industrial uses.



The subject property is denoted by a red star.



The property to the south along Keswick Avenue is developed with a parking lot.



The property behind the site along Sylvania Avenue is developed with single family homes.

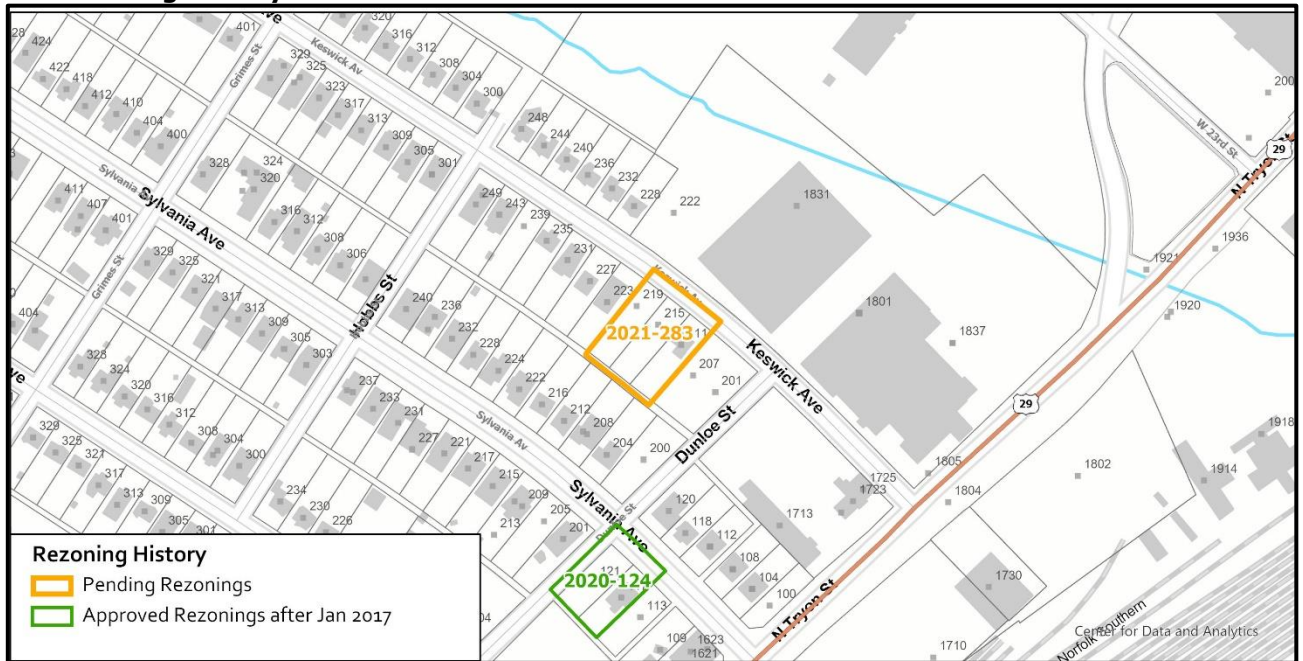


The property across Keswick Avenue from the site is developed with an office use.



The property to the North along Keswick Avenue is developed by single family homes.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-124	Rezoned 0.33 acres to allow up to 21 multifamily units in one building.	Approved

- **Public Plans and Policies**



The *Charlotte Future 2040 Policy Map* recommends the Neighborhood 1 place type for these parcels.

- **TRANSPORTATION SUMMARY**

- The site is located on Keswick Avenue, a City-maintained local street west of Dunloe Street, a City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site due to the site generating less than 2,500 daily trips. CDOT will work with the petitioner during the permitting process to ensure all required streetscape and transportation related ordinance requirements are complied with for adequate access and connectivity to the site and surrounding network
- **Active Projects:**
 - Parkwood Phase II Storm Drainage Improvement Project
 - The project will install and/or repair drainage infrastructure. The project area is south of Sylvania Avenue and north of the Gold Line Streetcar line.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 10 trips per day (based on 1 dwelling unit).
 - Entitlement: 30 trips per day (based on 3 dwelling units).
 - Proposed Zoning: 35 trips per day (based on 4 dwelling units).

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:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 1 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 1 student.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Highland Renaissance Academy from 74%% to 75%.
 - Martin Luther King Middle remains at 101%.
 - Garinger High remains at 115%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Keswick Avenue. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Keswick Avenue. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **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:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** 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 # 2021-283

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>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>✓</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>

Petition 2021-283 by Lane Cloninger

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Neighborhood 1 place type for these parcels.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The petition is aligned with the *2040 Policy Map* recommendation of Neighborhood 1 - of "places for neighborhoods with a variety of housing types, where single-family housing is still the predominant use"
- The petition proposes to slightly increase the density at this site.
- While this petition increases the density for the site, this site is at the edge of the established neighborhood and helps serve as a transition between the abutting parking lot and adjacent mixed-use site, and the surrounding slightly lower-density sites.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends the Neighborhood 1 place type for these parcels.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 17. **File #:** 15-18439 **Type:** Zoning Item

Rezoning Petition: 2022-001 by White Point Partners

Location: Approximately 2.99 acres located on the west side of Yancey Road and south side of East Peterson Drive, east of South Tryon Street. (Council District 3 - Watlington)

Current Zoning: R-8 (single-family residential) and I-2 TS-O (general industrial, transit supportive - optional)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: July 18, 2022 - Item #44

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

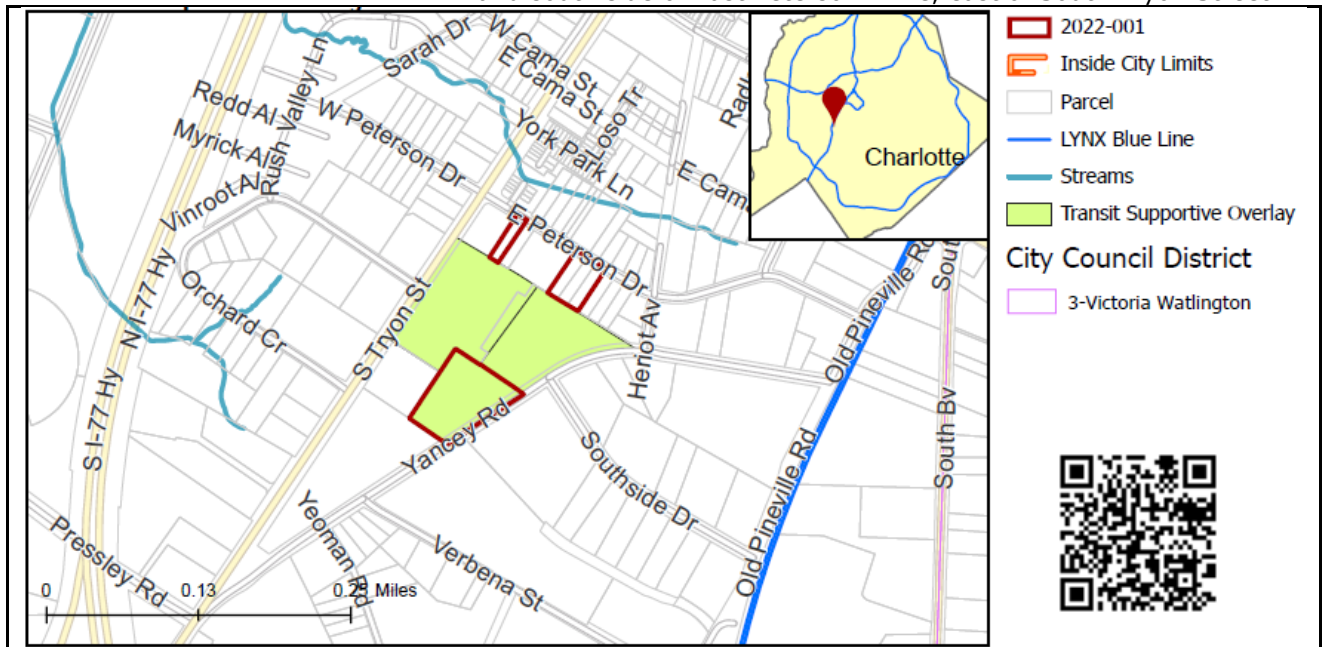
Post-Hearing Staff Analysis
Statement of Consistency

REQUEST

Current Zoning: R-8 (single family residential) and I-2 TS-O (general industrial, transit supportive – optional)
Proposed Zoning: TOD-NC (transit oriented development, neighborhood center)

LOCATION

Approximately 2.99 acres located on the west side of Yancey Road and south side of East Peterson Drive, east of South Tryon Street.



SUMMARY OF PETITION

The petition proposes to allow all uses in the TOD-NC zoning district on parcels currently developed with warehousing and office space for Olde Mecklenburg Brewery as well as single family homes.

PROPERTY OWNER

Victor Toval and Maca Properties, LLC

PETITIONER

White Point Partners

AGENT/REPRESENTATIVE

Collin Brown, Alexander Ricks, PLLC

COMMUNITY MEETING

Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** and **inconsistent** with the 2040 Policy Map (2022) recommendation for Community Activity Center and Neighborhood 1 at this site.

Rationale for Recommendation

- The site is within a 1-mile walk of the Scaleybark Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- Immediately adjacent to the site are a number of parcels zoned TOD-NC, representing an ongoing shift in this area to more transit-supportive redevelopment projects.
- Though a portion of the rezoning site is inconsistent with the recommended Neighborhood 1 Place Type, the parcels immediately

abut areas under the Community Activity Center Place Type on two sides and the area is very near the major transit corridors in lower South End.

- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

The approval of this petition will revise the recommended place type for a portion of the site as specified by the *2040 Policy Map (2022)*, from Neighborhood 1 to Community Activity Center.

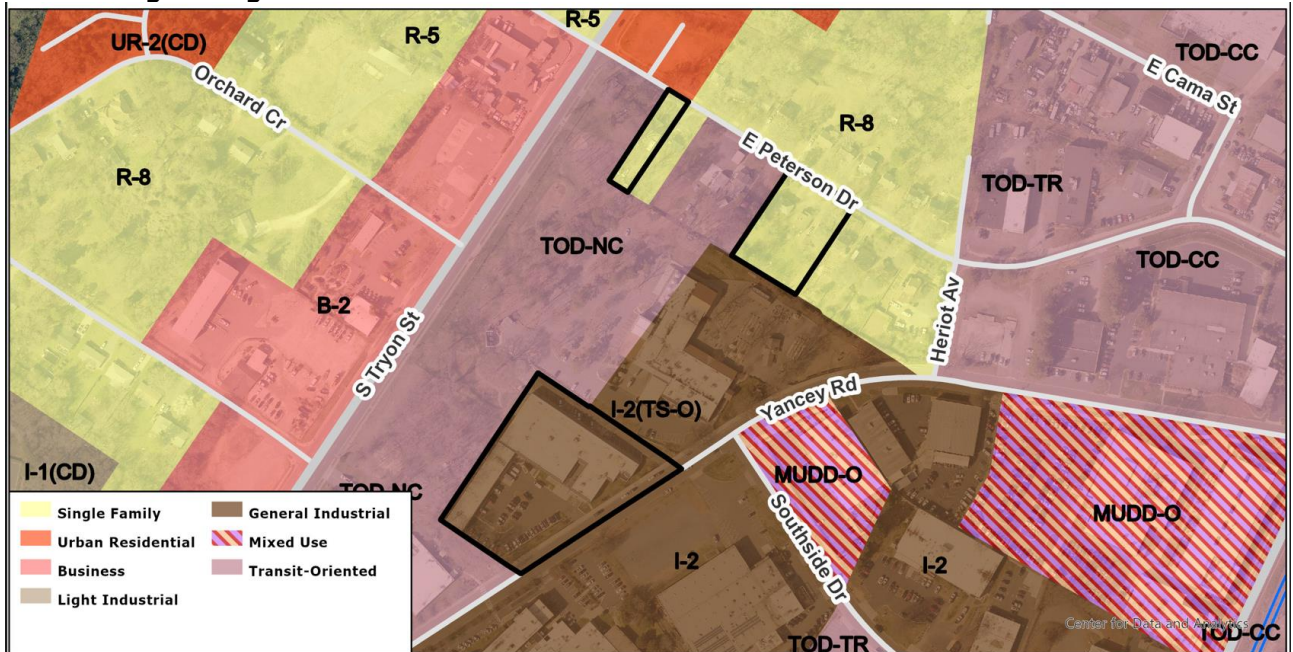
PLANNING STAFF REVIEW

- **Proposed Request Details**

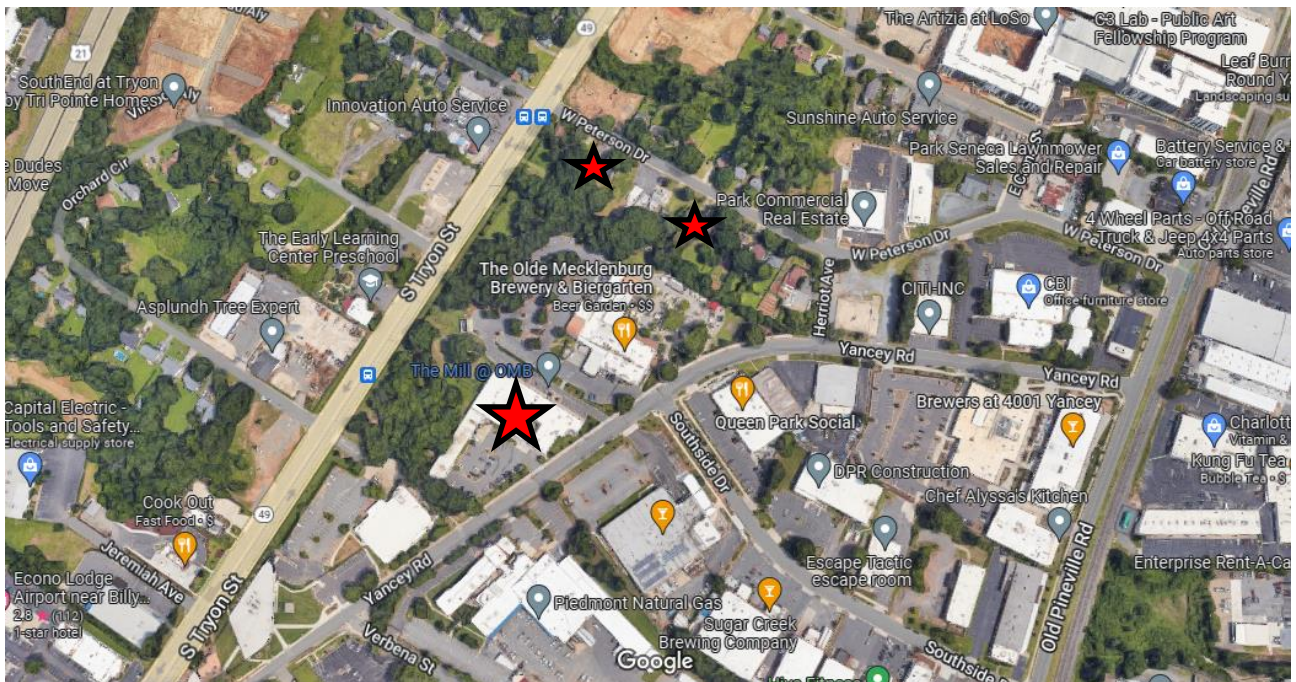
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-NC (transit oriented development, neighborhood center) zoning district.

- **Existing Zoning and Land Use**



- The site is currently zoned R-8 and I-2 (TS-O) and is in an area with commercial, office, residential, and light industrial uses.



- The subject site is denoted with red stars.



- North of the portion of the site along Yancey Road and south of the portion of the site along Peterson Drive is Olde Mecklenburg Brewery.



- The portion of the rezoning site along Peterson Drive is adjacent to single family houses on the northern, eastern, and western sides.

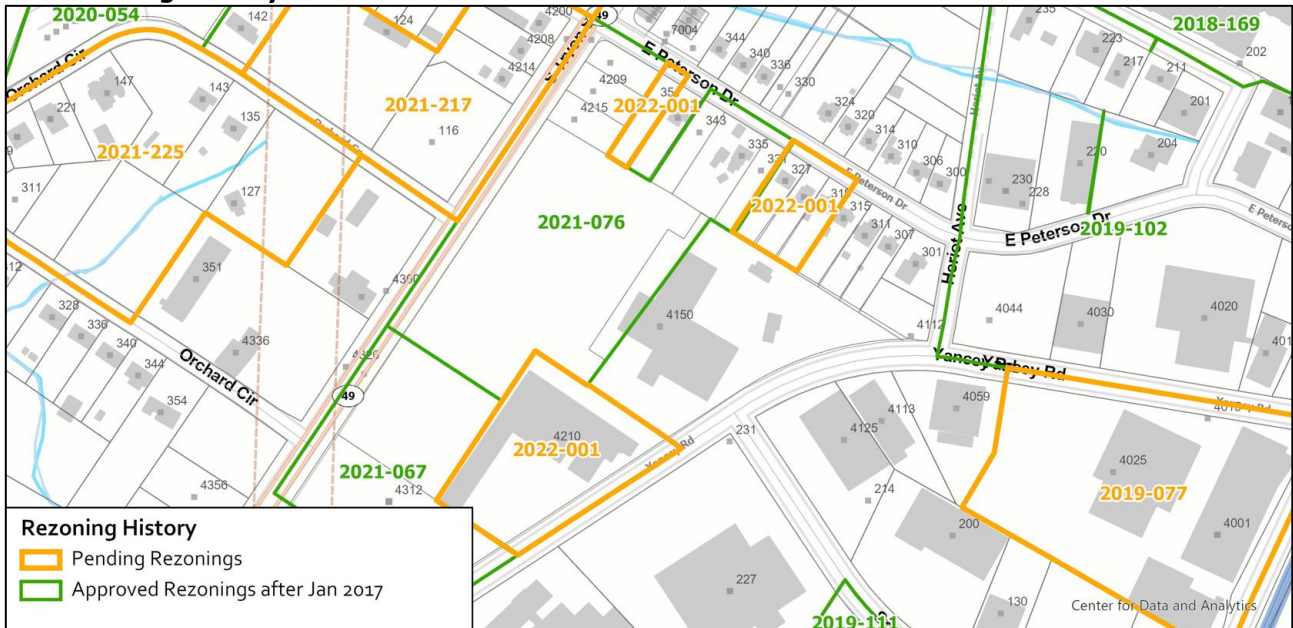


- Numerous brewery operations are located east of the portion of the rezoning site along Yancey Road.



- Various office uses are located south of the portion of the rezoning site along Yancey Road.

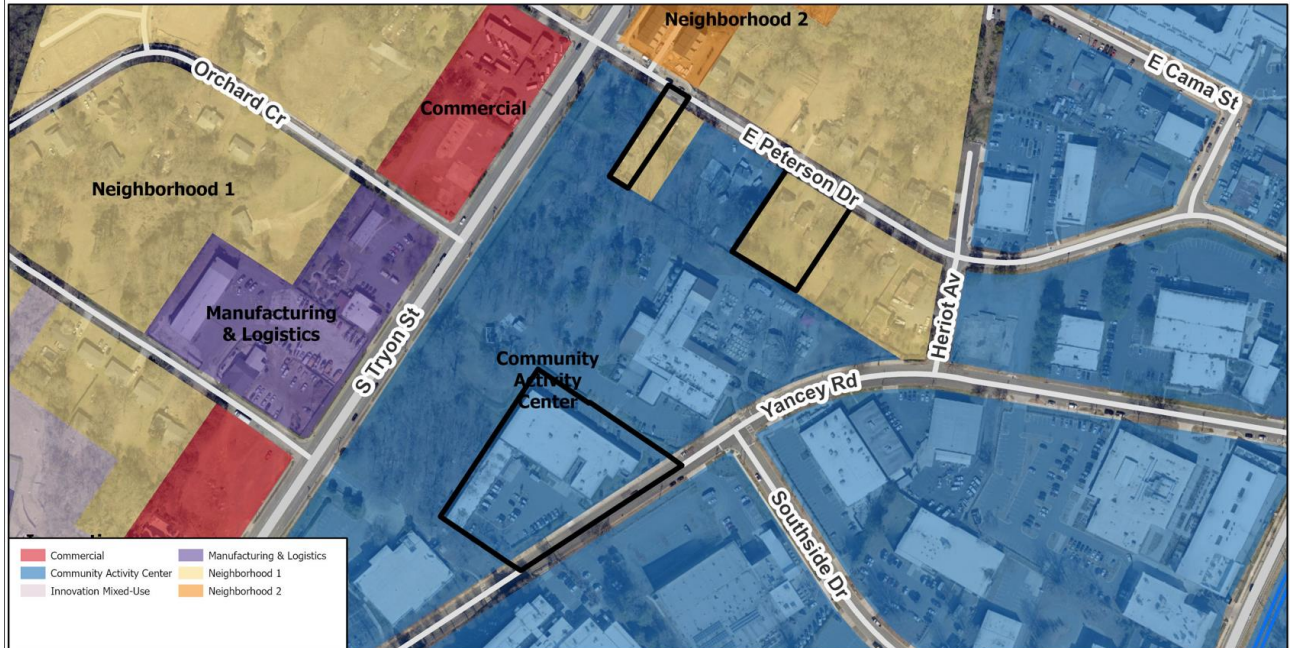
Rezoning History in Area



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 districts.	Approved
2019-077	Rezoning 5.10 acres from MUDD-O to MUDD-O SPA.	Withdrawn

2019-102	Rezoned 1,7771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC, or TOD-TR.	Approved
2019-111	Rezoned 4.1 acres from I-2 to TOD-TR.	
2020-054	Rezoned 13.27 acres from R-8 to UR-2(CD).	Approved
2021-067	Rezoned 3.45 acres from I-2 to TOD-NC.	Approved
2021-076	Rezoned 5.74 acres from I-2(TS-O), O-2 and R-8 to TOD-NC.	Approved
2021-217	Rezoning 3.513 acres from B-2 and R-8 to TOD-NC.	Pending
2021-225	Rezoning 5.807 acres from R-8 to TOD-NC.	Pending

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Community Activity Center and Neighborhood 1 at this site.

- **TRANSPORTATION SUMMARY**

- The site is located on Yancy Road, a City-maintained major collector, south of Southside Drive, a City-maintained local street. This site is requesting a TOD-NC 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:**

- Street Lighting – South Tryon
 - Upgrade existing streetlight to LED on South Tryon Street from Morehead Street to Woodlawn Road
 - Project Complete

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 140 trips per day (based on 3 dwellings and warehouse uses).

Entitlement: 220 trips per day (based on 5 dwellings and warehousing).

Proposed Zoning: Too many uses to determine trip generation.

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:** No comments submitted.

- **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 # 2022-001

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>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>

Petition 2022-001 by White Point Partners

To Approve:

This petition is found to be **consistent** and **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Community Activity Center Place Type; and
- The Neighborhood 1 Place Type is also recommended for the site.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The site is within a 1-mile walk of the Scaleybark Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- Immediately adjacent to the site are a number of parcels zoned TOD-NC, representing an ongoing shift in this area to more transit-supportive redevelopment projects.
- Though a portion of the rezoning site is inconsistent with the recommended Neighborhood 1 Place Type, the parcels immediately abut areas under the Community Activity Center Place Type on two sides and the area is very near the major transit corridors in lower South End.
- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

The approval of this petition will revise the recommended place type for a portion of the site as specified by the *2040 Policy Map* (2022), from Neighborhood 1 to Community Activity Center.

To Deny:

This petition is found to be **consistent** and **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Community Activity Center Place Type; and
- The Neighborhood 1 Place Type is also recommended for the site.

Therefore, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 18.**File #:** 15-18440 **Type:** Zoning Item

Rezoning Petition: 2022-002 by Cameron CLT South End Owner, LLC

Location: Approximately 12.50 acres located on the wet side of South Boulevard, east of Old Pineville Road, and north of East Woodlawn Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: July 18, 2022 - Item #45

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

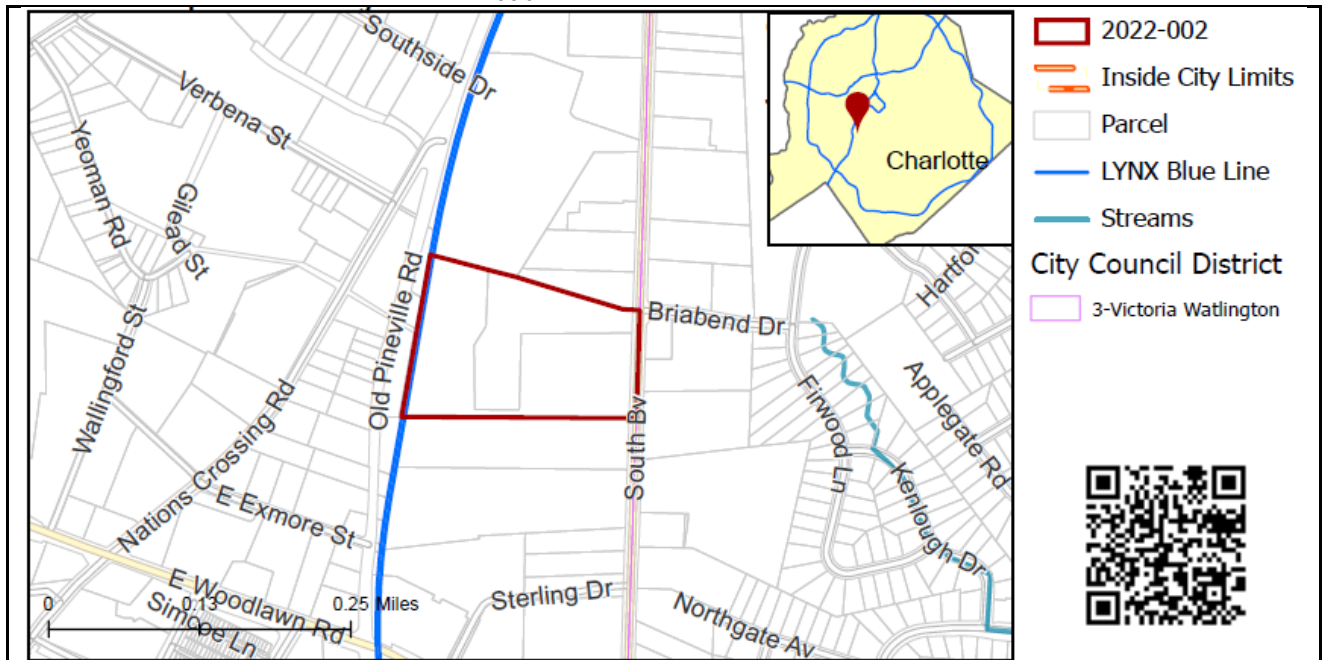
Post-Hearing Staff Analysis
Statement of Consistency

REQUEST

Current Zoning: I-2 (general industrial)
Proposed Zoning: TOD-NC (transit oriented development, neighborhood center)

LOCATION

Approximately 12.50 acres located on the west side of South Boulevard, east of Old Pineville Road, and north of East Woodlawn Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the TOD-NC district on parcels currently developed with commercial and warehouse uses.

PROPERTY OWNER

Cameron CLT South End Owner, LLC

PETITIONER

Cameron CLT South End Owner, LLC

AGENT/REPRESENTATIVE

Collin Brown, 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 2040 Policy Map (2022) recommendation for Community Activity Center.

Rationale for Recommendation

- The site is within a 1-mile walk of the Woodlawn Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- The existing uses on the site are incompatible with the recommended place type. If approved, this rezoning will allow the property to be redeveloped to transit supportive uses which are consistent with the Community Activity Center Place Type.
- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

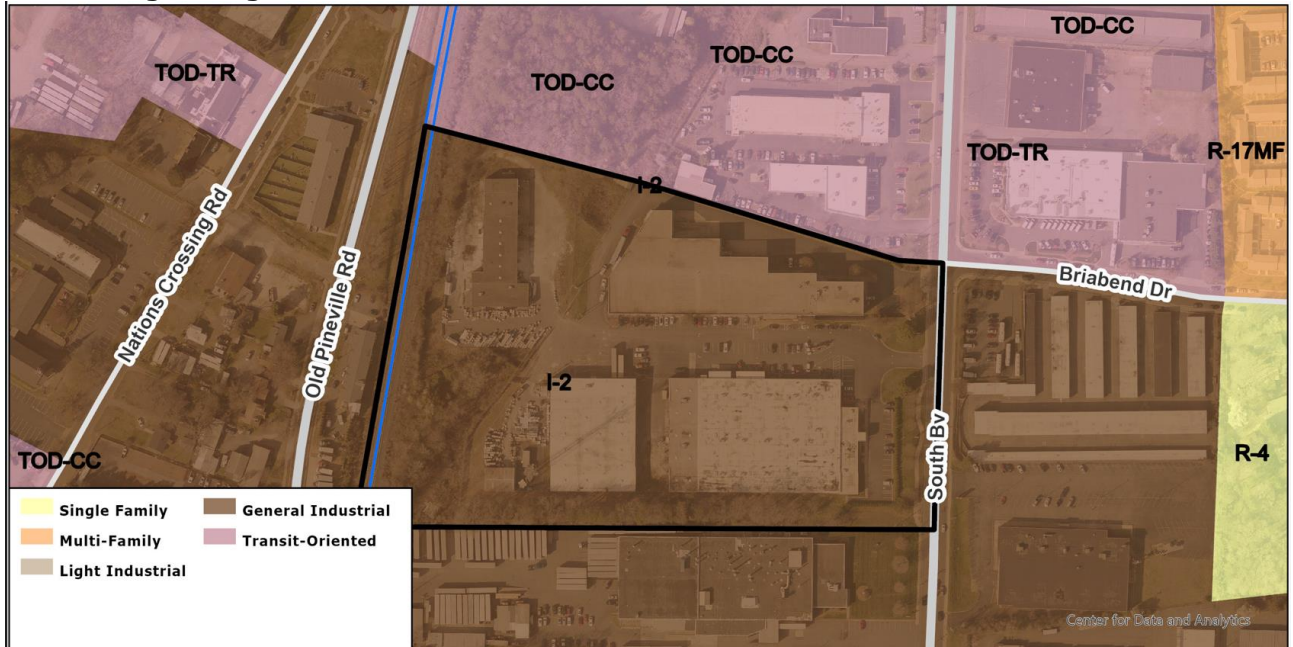
PLANNING STAFF REVIEW

• Proposed Request Details

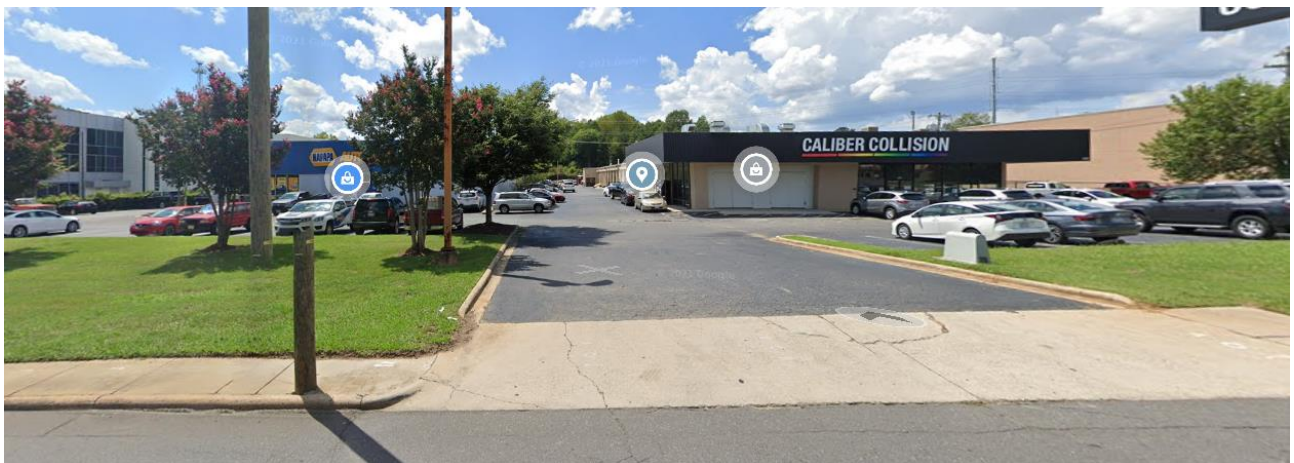
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-NC (transit oriented development, neighborhood center) zoning district.

• Existing Zoning and Land Use



- This site is zoned I-2 and is in an area with predominantly commercial and industrial uses along this portion of South Boulevard.



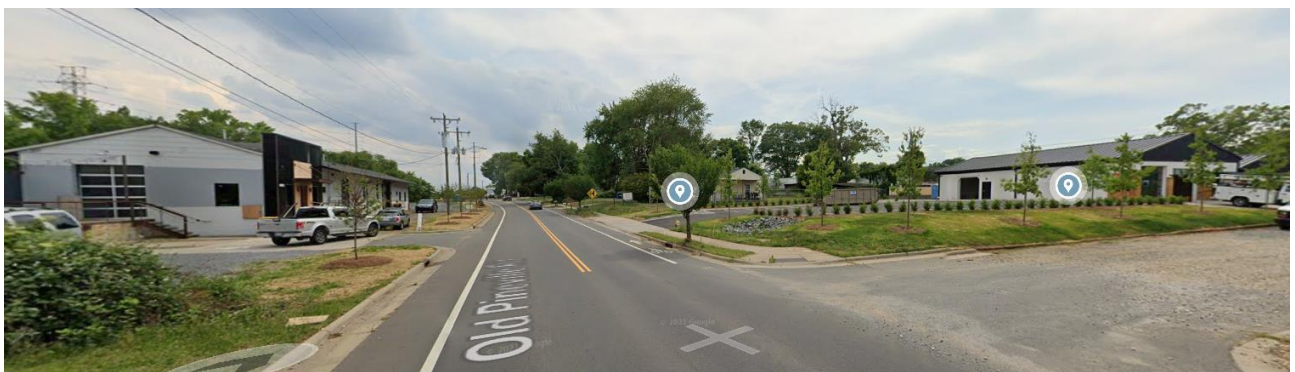
- North of the site are auto-centric commercial uses.



- East of the site is a storage facility.

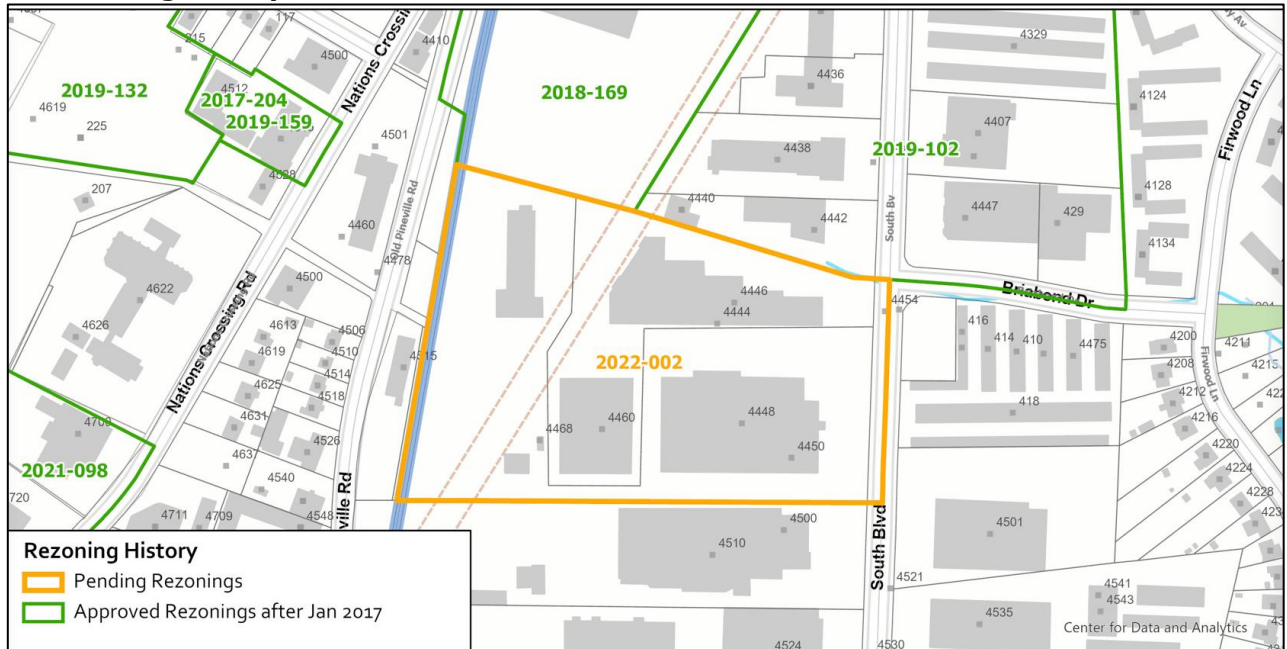


- South of the site is an industrial manufacturer and retail uses.



- West of the site are a number of redeveloped areas that house retail and office uses.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-204	Rezoned 0.95 acres from I-2 to MUDD(CD)	Approved
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 districts.	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
2019-132	Rezoned 5.9 acres from I-2 to TOD-TR.	Approved
2019-159	Rezoned 0.95 acres from MUDD-O(CD) to TOD-TR.	Approved
2021-098	Rezoned 3.49 acres from I-2 to TOD-CC.	Approved

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Community Activity Center for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on South Boulevard, a City-maintained major throughfare south of Briabend Drive, a City-maintained local street. This site is requesting a TOD-NC 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: 160 trips per day (based on warehouse uses).
 - Entitlement: 900 trips per day (based on warehouse uses).
 - Proposed Zoning: Too many uses to determine trip generation.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **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 comments submitted.
- **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 # 2022-002

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>

Petition 2022-002 by Cameron CLT South End Owner, LLC

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Community Activity Center Place Type.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The site is within a 1-mile walk of the Woodlawn Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- The existing uses on the site are incompatible with the recommended place type. If approved, this rezoning will allow the property to be redeveloped to transit supportive uses which are consistent with the Community Activity Center Place Type.
- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Community Activity Center Place Type.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 19.**File #:** 15-18441 **Type:** Zoning Item

Rezoning Petition: 2022-019 by Chris Ogunrinde

Location: Approximately 3.74 acres located on the west side of South Tryon Street and northeast side of Pressley Road, east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: B-2 (general business)

Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Public Hearing Held: May 23, 2022 - Item #43

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of his petition.

Attachments:

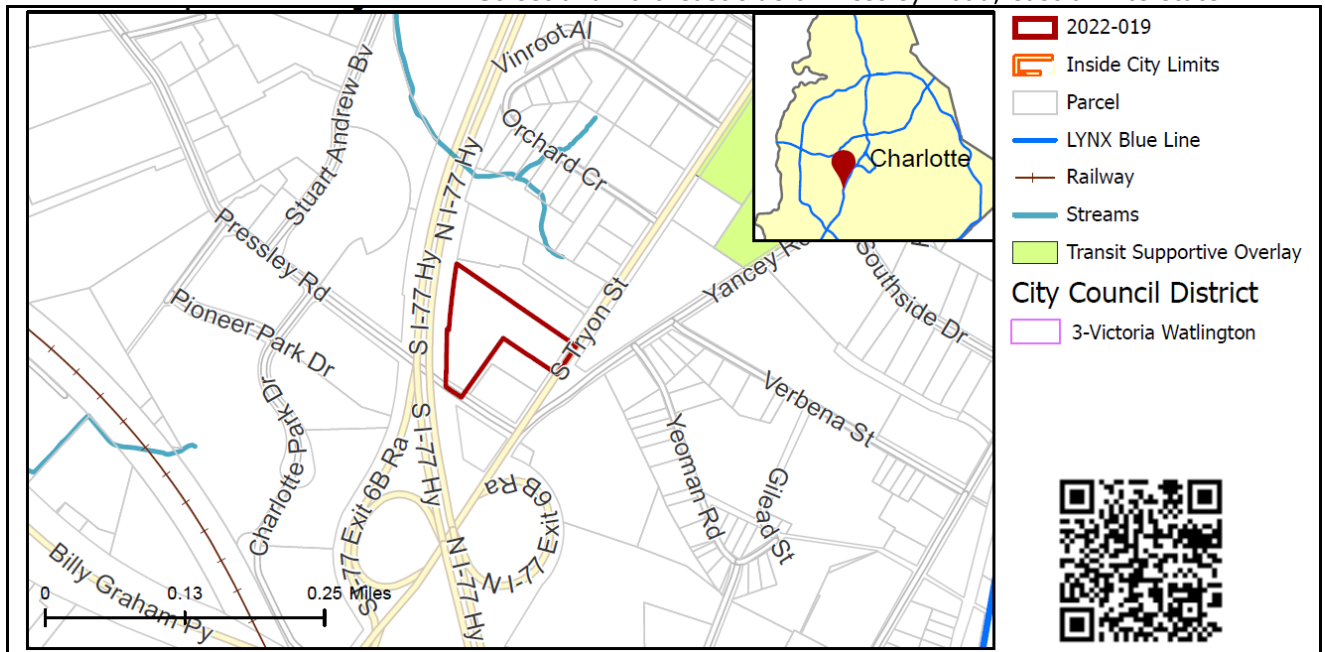
Post-Hearing Staff Analysis
Statement of Consistency

REQUEST

Current Zoning: B-2 (general business)
Proposed Zoning: TOD-NC (transit oriented development, neighborhood center)

LOCATION

Approximately 3.74 acres located on the west side of South Tryon Street and northeast side of Pressley Road, east of Interstate 77.



SUMMARY OF PETITION

The petition proposes to allow all uses in the TOD-NC zoning district on a parcel currently developed with an Econolodge motel.

PROPERTY OWNER

Shree Ganesh Charlotte, Inc.

PETITIONER

Chris Ogunrinde, Urban Trends Real Estate, Inc.

AGENT/REPRESENTATIVE

Chris Ogunrinde, Urban Trends Real Estate, Inc.

COMMUNITY MEETING

Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map (2022) recommendation for the Commercial Place Type at this site.

Rationale for Recommendation

- The site is a 1-mile walk to both the Woodlawn Station and Scaleybark Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- This rezoning site is adjacent to a number of parcels in the Community Activity Center place type and in an area with an increasing number of parcels zoned TOD-NC and TOD-TR as the uses shift from industrial and auto-centric development to more transit-supportive projects.
- The TOD-NC zoning district maintains the high level of design standards associated with the TOD-UC zoning district, but TOD-NC

is more appropriate for this site due to its surrounding context of more moderately intense uses.

- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

The approval of this petition will revise the adopted future land use as specified by the *2040 Policy Map* (2022), from Commercial to Neighborhood Center.

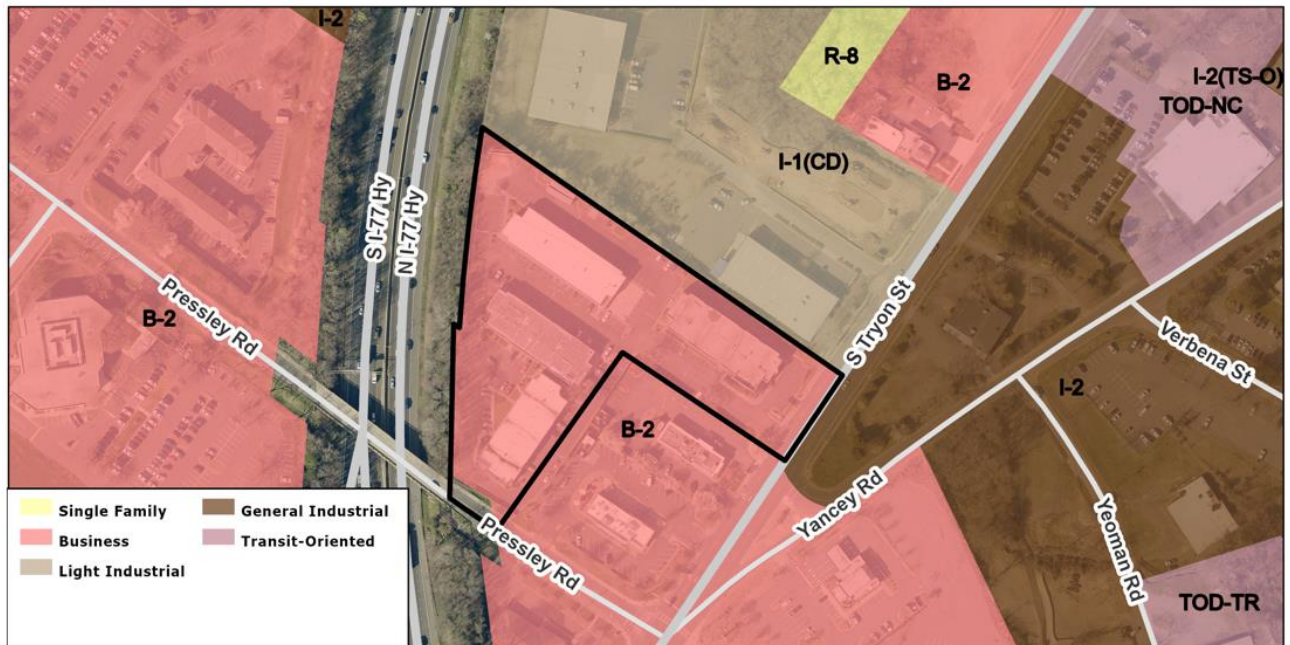
PLANNING STAFF REVIEW

• Proposed Request Details

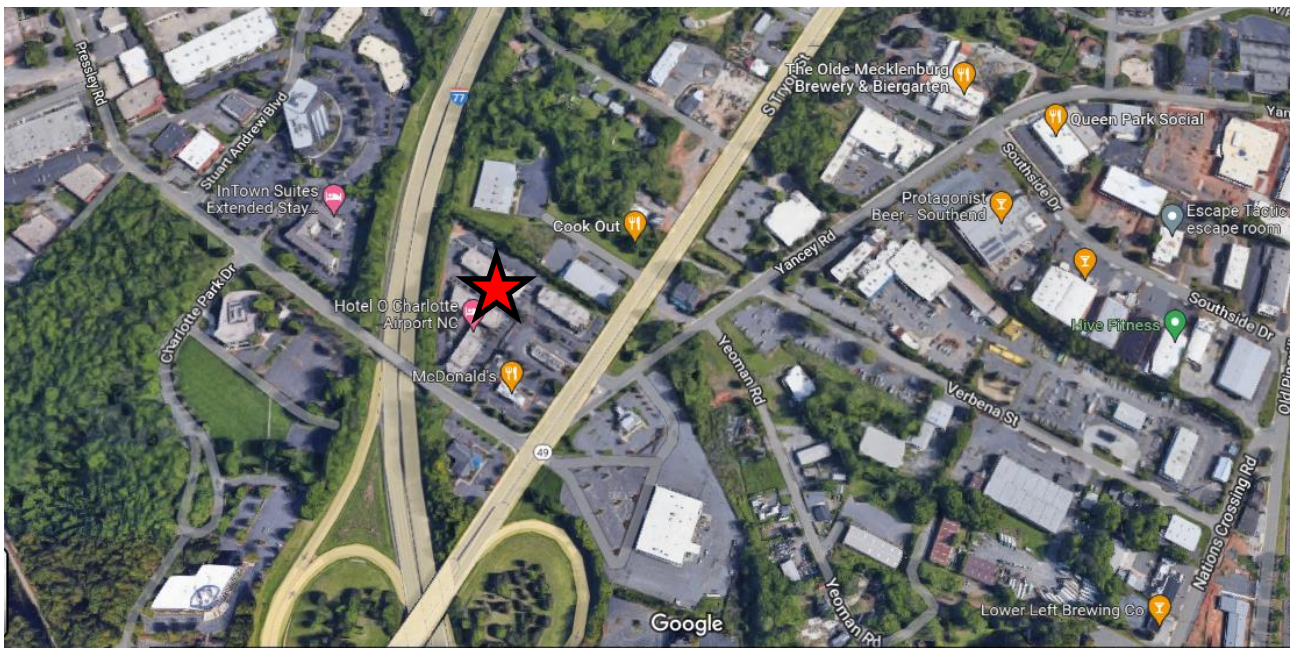
This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-NC (transit oriented development – neighborhood center) zoning district.

• Existing Zoning and Land Use



- The site is currently zoned B-2 and is in an area with retail, office, warehouse, institutional, and residential uses.



- The subject site is denoted with a red star.



- North of the site is a woodworking and machinery supply store and a Cook Out restaurant.



- East of the site are various other drive-through EDEE uses and offices.

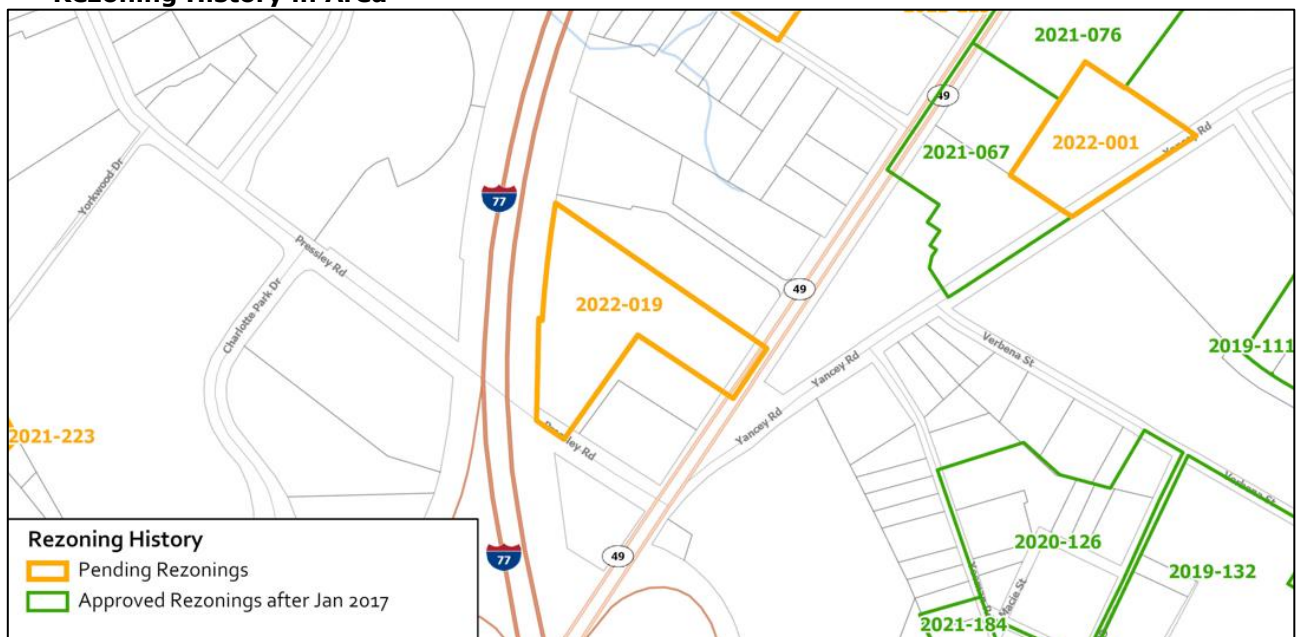


- South of the site is a medical office and a bank.



- The site is bound on its western side by Interstate 77. West of the site past the interstate is an extended stay establishment and office uses.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-111	Rezoned 4.1 acres from I-2 to TOD-TR.	Approved
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
2021-067	Rezoned 3.45 acres from I-2 to TOD-NC.	Approved
2021-076	Rezoned 5.74 acres from I-2(TS-O), O-2 and R-8 to TOD-NC.	Approved
2021-184	Rezoned 0.86 acres from I-2 to TOD-TR.	Approved
2021-223	Rezoning 2.39 acres from R-22MF to I-2(CD).	Pending
2022-001	Rezoning 2.99 acres from I-2(TS-O) and R-8 to TOD-NC.	Pending

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Commercial for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on South Tryon Street, a State-maintained major thoroughfare, and Pressley Road, a City-maintained major collector. This site is requesting a TOD-NC 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: 1,790 trips per day (based on 196 motel rooms).
 - Entitlement: 4,060 trips per day (based on 56,100 square feet of retail uses).
 - Proposed Zoning: Too many uses to determine trip generation.

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:** No comments submitted.
- **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 # 2022-019

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.	✓

	<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>

Petition 2022-019 by Chris Ogunrinde

To Approve:

This petition is found to be **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Commercial Place Type at this site.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The site is a 1-mile walk to both the Woodlawn Station and Scaleybark Station.
- The TOD-NC district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station or within a 1-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- This rezoning site is adjacent to a number of parcels in the Community Activity Center place type and in an area with an increasing number of parcels zoned TOD-NC and TOD-TR as the uses shift from industrial and auto-centric development to more transit-supportive projects.
- The TOD-NC zoning district maintains the high level of design standards associated with the TOD-UC zoning district, but TOD-NC is more appropriate for this site due to its surrounding context of more moderately intense uses.
- The use of conventional TOD-NC zoning applies standards and regulations to create the 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.

The approval of this petition will revise the adopted future land use as specified by the *2040 Policy Map* (2022), from Commercial to Neighborhood Center.

To Deny:

This petition is found to be **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Commercial Place Type at this site.

Therefore, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused:



Agenda Date: 8/2/2022

Agenda #: 20.**File #:** 15-18442 **Type:** Zoning Item

Rezoning Petition: 2022-054 by Carolina Farm Trust

Location: Approximately 2.37 acres located on the south side of South Hoskins Road, east of Welling Avenue, and west of Rozzelles Ferry Road. (Council District 2 - Graham)

Current Zoning: B-D (CD) (distributive business, conditional)

Proposed Zoning: B-2 (general business)

Public Hearing Held: July 18, 2022 - Item #46

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

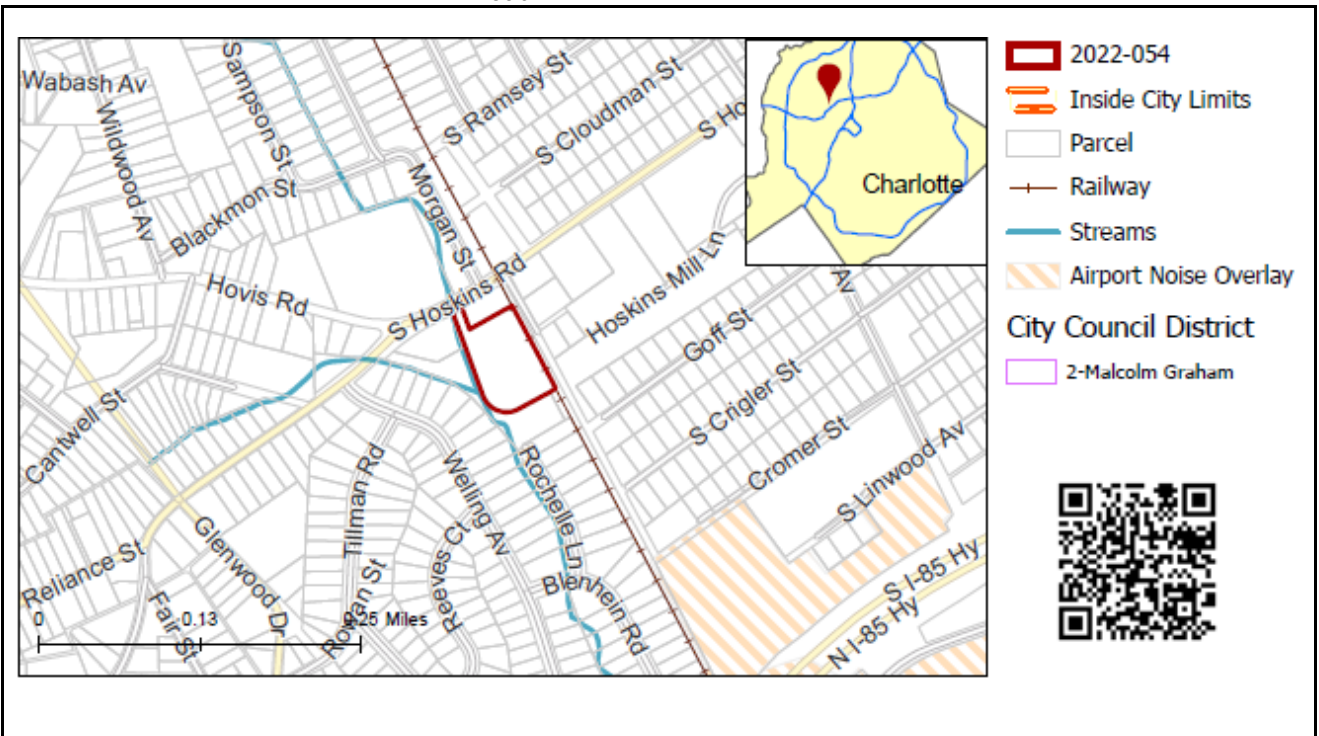
Post-Hearing Staff Analysis
Statement of Consistency

REQUEST

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

LOCATION

Approximately 2.37 acres located on the south side of South Hoskins Road, east of Welling Avenue, and west of Rozzelles Ferry Road.



SUMMARY OF PETITION

The petition proposes to utilize an existing building to allow all uses in the B-2 (general business) zoning district.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

Double L Investments of Charlotte, LLP
Carolina Farm Trust
Zack Wyatt
Meeting is not required.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the Neighborhood Center Place Type recommended for this site as per the *Charlotte Future 2040 Policy Map*.

Rationale for Recommendation

- The Neighborhood Center Place Type typically includes land uses such as retail, restaurants, personal services, institutional, multi-family, and offices.
- The proposed rezoning to B-2 (general business) is consistent with the retail land uses typically found in the Neighborhood Center Place Type.

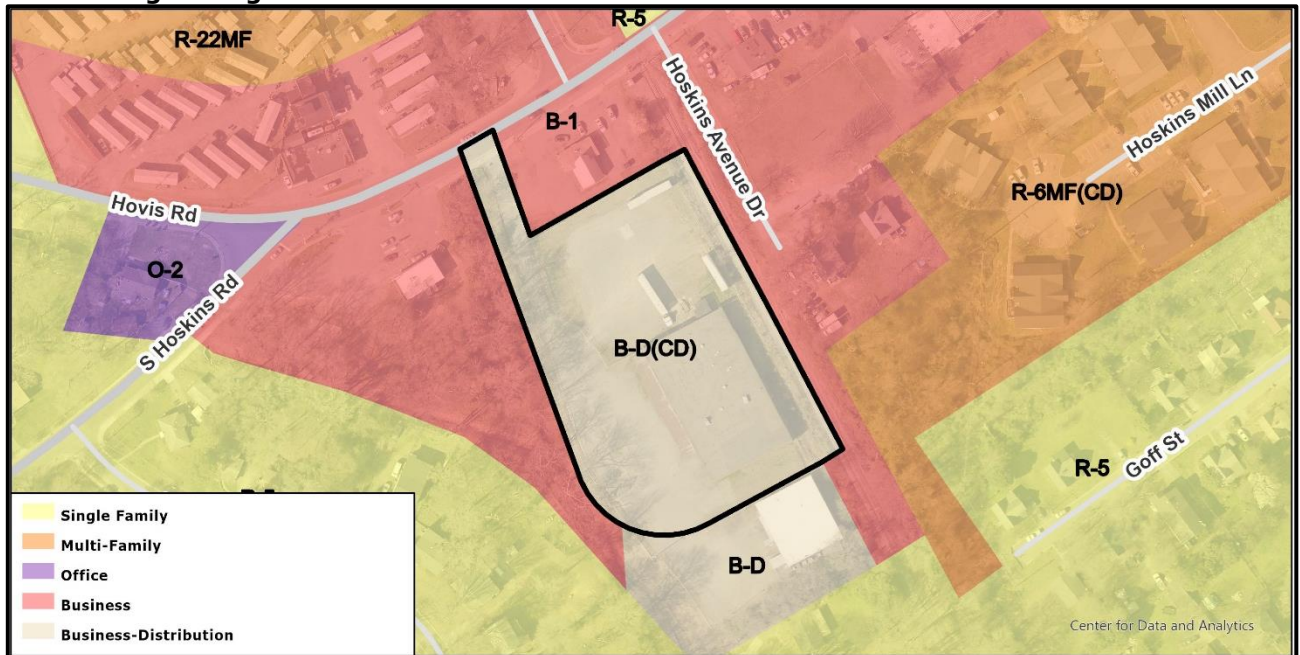
PLANNING STAFF REVIEW

- **Proposed Request Details**

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

- The petition would allow all uses in the B-2 (general business) zoning district.

- **Existing Zoning and Land Use**



The site was rezoned in 2018 (rezoning petition 2017-144) to utilize an existing building to allow all uses in the BD (distributive business) district. The surrounding land uses include single family homes, apartments, and commercial and institutional uses.



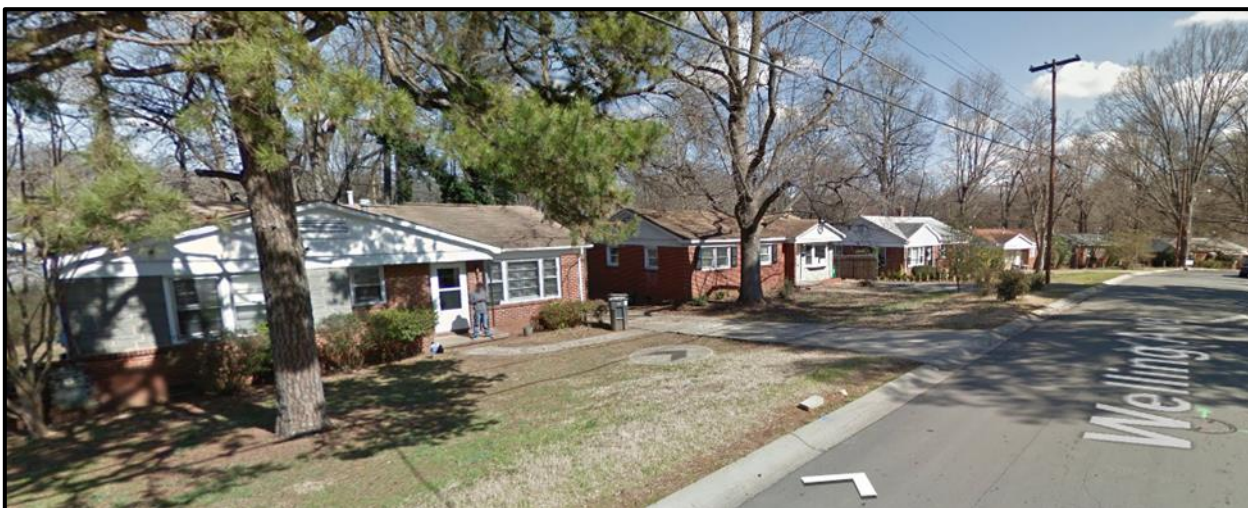
The subject property is denoted with a red star.



The subject site is developed with a commercial building with access from South Hoskins Road. There is a convenience store in front of the site.



East of the site, across the railroad tracks are commercial uses along South Hoskins Road and two residential structures.

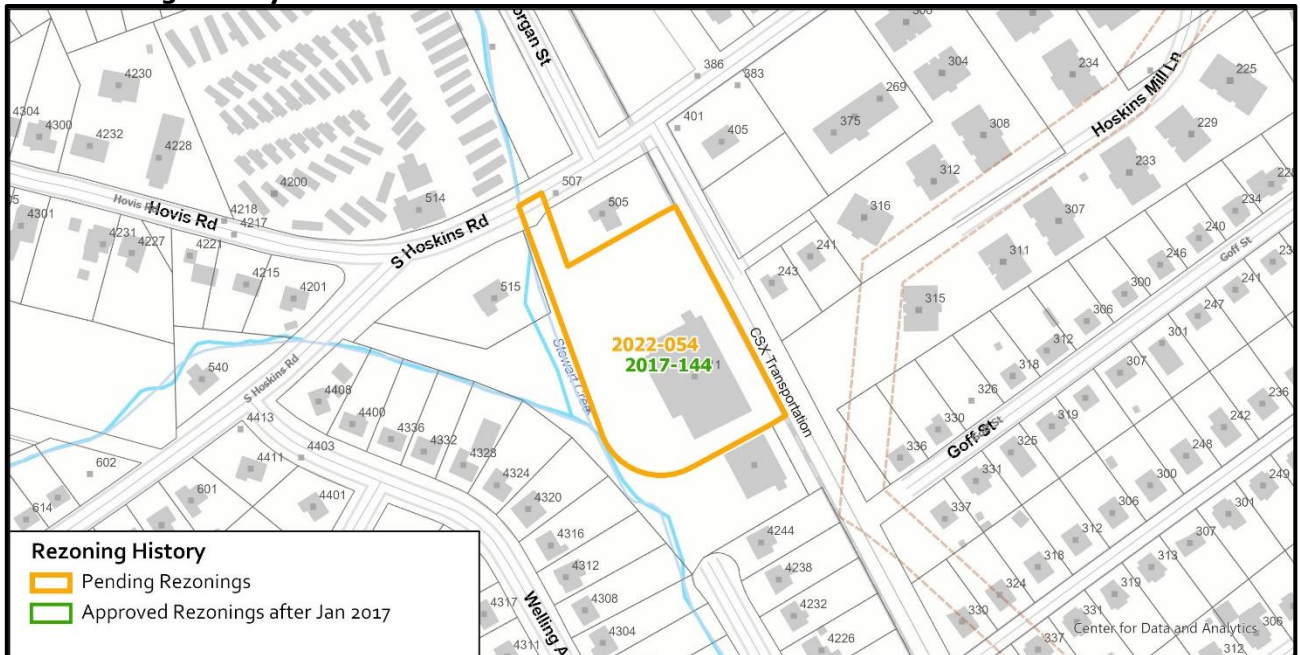


West of the site, along Welling Avenue are single family homes



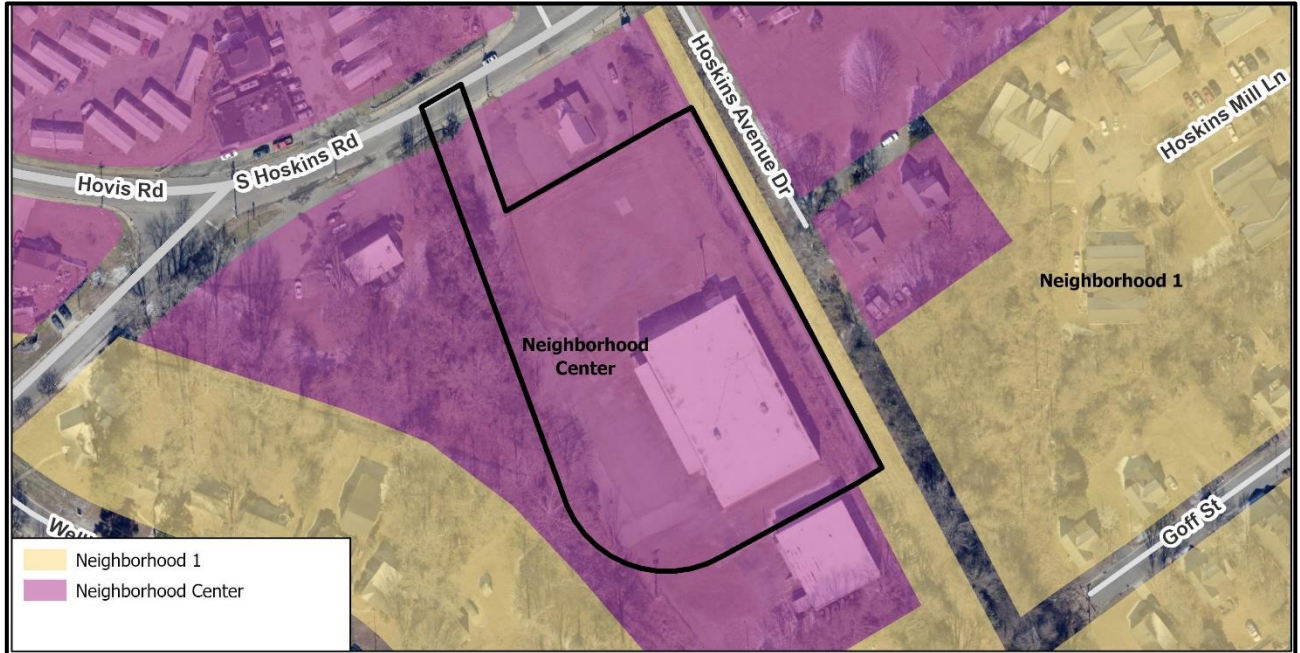
North of the site, across South Hoskins Road, are parcels developed with a manufactured home park, laundromat, and outdoor storage.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-144	Rezoned 2.37 acres to allow all uses in the BD (distributive business) district.	Approved

- **Public Plans and Policies**



The *Charlotte Future 2040 Policy Map* (adopted March 2022) recommends Neighborhood Center Place Type for this site.

- **TRANSPORTATION SUMMARY**

- The site is located on South Hoskins Road, a City-maintained minor throughfare, south of Hoskins Avenue Drive, a City-maintained local street. A Traffic Impact Study (TIS) is not needed for this site. CDOT will work with the petitioner during the permitting process to ensure all required streetscape and transportation related ordinance requirements are complied with for adequate access and connectivity to the site and surrounding network.
- **Active Projects:**
 - No active projects near the site
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**

Current Zoning:

 - Existing Use: 70 trips per day (based on 17,736 square-feet of warehouse use).
 - Entitlement: 1,235 trips per day (based on 23,740 square-feet of distribution business).

Proposed Zoning: 1,235 trips per day (based on 23,740 square-feet of retail uses.).

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 Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along South Hoskins Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 12-inch gravity sewer main located along South Hoskins Road. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **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:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** 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 # 2022-054

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. The Charlotte Future 2040 Policy Map was adopted March, 28th, 2022 and became effective July 1st, 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.	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>✓</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>✓</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>✓</p>

Petition 2022-054 by Carolina Farm Trust

To Approve:

This petition is found to be **consistent** with the *Charlotte Future 2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *Charlotte Future 2040 Policy Map* recommends Neighborhood Center Place Type for this site.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The Neighborhood Center Place Type typically includes land uses such as retail, restaurants, personal services, institutional, multi-family, and offices.
- The proposed rezoning to B-2 (general business) is consistent with the retail land uses typically found in the Neighborhood Center Place Type.

To Deny:

This petition is found to be **consistent** with the *Charlotte Future 2040 Policy Map* based on the information from the staff analysis and the public hearing, and because:

- The *Charlotte Future 2040 Policy Map* recommends Neighborhood Center Place Type for this site.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

Motion:

Approve or Deny

Maker:

2ND:

Vote:

Dissenting:

Recused: