

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

Agenda Date: 9/21/2020

Agenda #: 3.File #: 15-14181 Type: Zoning Decision

Rezoning Petition: 2019-167 by Grubb Management, LLC

Update: Petitioner is requesting deferral to October 19, 2020

Location: Approximately 0.7 acres (two lots) located on the south side of State Street and north side of

Katonah Avenue. (Council District 2 - Graham)

Current Zoning: I-2 (General Industrial) and R-8 (Single Family Residential)

Proposed Zoning: MUDD-O (Mixed Use Development, Optional)



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

Agenda Date: 9/21/2020

Agenda #: 4.File #: 15-14187 Type: Zoning Decision

Rezoning Petition: 2020-014 by Carolina Builders, LLC

Update: Petitioner is requesting deferral to October 19, 2020

Location: Approximately 3.9 acres located along the eastern side of Erwin Road and north of Tryon

Street. (Council District 3 - Watlington)

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

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



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

Agenda Date: 9/21/2020

Agenda #: 5.File #: 15-14178 Type: Zoning Decision

Rezoning Petition: 2019-111 by Hive Fitness, LLC

Location: Approximately 4.1 acres located on the south side of Southside Drive, west of Old Pineville road, and east of Yancey Road. (Council District 3 - Watlington)

road, and east of fancey Road. (Council District 3 - Wattington)

Current Zoning: I-2 (general industrial) **Proposed Zoning:** TOD-TR (transit transition)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2019-111

August 4, 2020

Zoning Committee

REQUEST Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-TR (transit transition)

LOCATION Approximately 4.1 acres located on the south side of Southside

Drive, west of Old Pineville Road and east of Yancey Road.

(Council District 3 - Watlington)

PETITIONER Hive Fitness, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Scaleybark Station Area Plan*, based on the information from the staff analysis and the public hearing and because:

• The *Scaleybark Station Area Plan* recommends office/industrial warehouse-distribution.

However we find this petition to Choose an item. public interest based on information from the staff analysis and the public hearing and because:

- The site is just under a ½ mile walk to Scaleybark Station on the LYNX Blue Line.
- The property directly across Old Pineville Road is zoned TOD-TR
- Use of conventional TOD-TR (transit transition) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD (transit oriented development) 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 *Scaleybark Station Area Plan*, from office/industrial warehouse-distribution to transit oriented development - mixed for the site.

Motion/Second: Barbee/Blumenthal

Yeas: Barbee, Blumenthal, Kelly, McMillian, Nwasike,

Samuel, and Welton

Petition 2019-111 (Page 2 of 2)

Zoning Committee Recommendation

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the conventional rezoning petition and noted that it is inconsistent with the adopted area plan.

There was no discussion of this request.

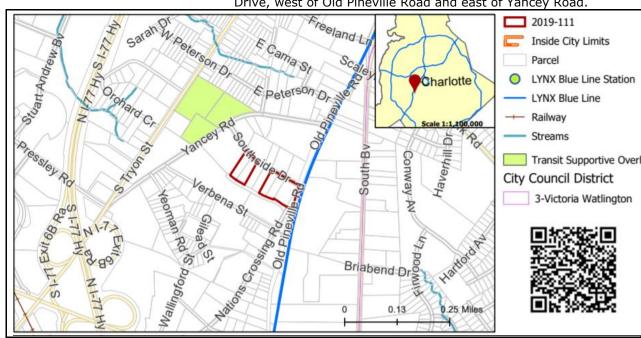
PLANNER Claire Lyte-Graham (704) 336-3782



REQUEST Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-TR (transit transition)

LOCATION Approximately 4.1 acres located on the south side of Southside Drive, west of Old Pineville Road and east of Yancey Road.



SUMMARY OF PETITION The petition proposes to allow all uses in the TOD-TR (transit

transition) district in an existing warehouse building currently in use as

a fitness/health club facility.

PROPERTY OWNER DC Property LLC; Elizabeth Funck; Beacon Partners; Stewart Fastener

Corp.

PETITIONER Hive Fitness, LLC

AGENT/REPRESENTATIVE Brian Smith/Urban Design Partners

Collin Brown and Brittany Lins/Alexander Ricks

COMMUNITY MEETING Meeting is not required.

STAFF RECOMMENDATION	Staff recommends approval of this petition.
	<u>Plan Consistency</u> The petition is inconsistent with the <i>Scaleybark Station Area Plan</i> (2008) recommendation for office/industrial warehouse-distribution.
	 Rationale for Recommendation The site is just under a ½ mile walk to Scaleybark Station on the LYNX Blue Line. The property directly across Old Pineville Road is zoned TOD-TR. Use of conventional TOD-TR (transit transition) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is

not necessary.

 TOD (transit oriented development) 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 *Scaleybark Station Area Plan*, from office/industrial warehouse-distribution to transit oriented development - mixed for the site.

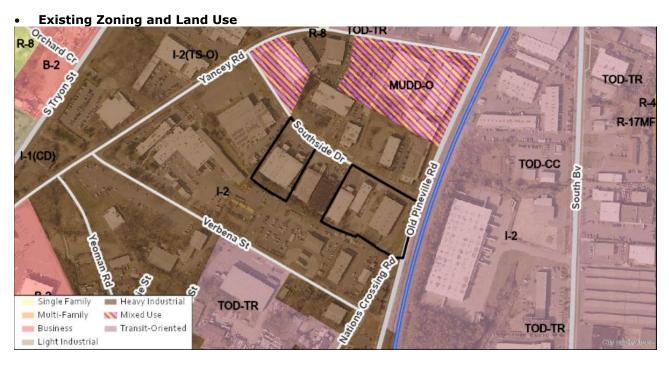
PLANNING STAFF REVIEW

Background

Rezoning petition 2019-111 was originally submitted with a request to rezone the site to MUDD-O (mixed use development, optional) in order to allow all uses in the MUDD (mixed use development) district in an existing warehouse building currently in use as a fitness/health club facility. A community meeting was held on October 1, 2019 with 4 attendees. The petition was in deferral status for several months. The petition has since been changed to a conventional request to TOD-TR with additional acreage.

Proposed Request Details

This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-TR (transit transitional) zoning district. Uses allowed in the TOD-TR district include residential, commercial, institutional, and government uses.



• The site is zoned I-2 and developed with warehouses used for office/distribution, health/fitness facility, and microbrewery purposes. The site is immediately surrounded by warehouses used for office, office/distribution, microbreweries, indoor recreation on properties zoned I-1(CD), I-2, I-2(TS-0), MUDD-O, TOD-TR, and TOD-CC districts.







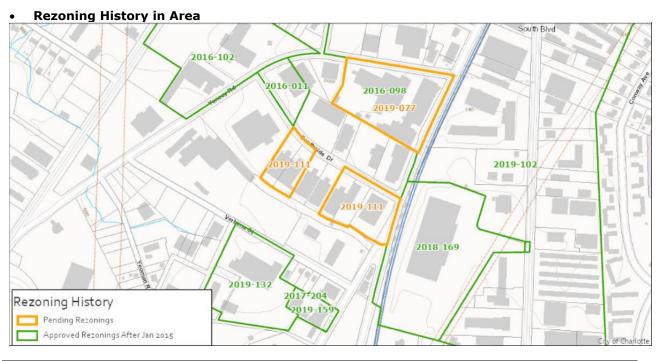
The site (including pic above) is developed with warehouses used for office/distribution, fitness facility, and microbrewery. The site is surrounded by a mix of office/distribution warehouses, retail, and entertainment uses.



West, along Southside Drive, are microbreweries, indoor entertainment uses, and office/warehouse uses.



Along Old Pineville Road are office/distribution warehouse uses.



Petition Number	Summary of Petition	Status
2019-159	Rezoned 0.95 acres from MUDD(CD) to TOD-TR to allow all uses in the TOD-TR.	Approved
2019-132	Rezoned 5.90 acres from I-2 to TOD-TR to allow all uses in the TOD-TR.	Approved
2019-077	MUDD-O SPA to allow up to 334,000 square feet of permitted uses.	Pending
2018-169	Amendment to the Zoning Ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations. These 4 new districts are the first phase of the City's Unified Development Ordinance.	Approved
2017-204	Rezoned 0.95 acres from I-2 to MUDD(CD) to reuse an existing building and allow the development of a new 3	Approved

	story building with an overall total of 29,390 square feet to allow a mix of residential and non-residential uses.	
2016-102	Rezoned 9.52 acres from I-2 to I-2 TS-O to allow the expansion of the existing uses associated with the Olde Mecklenburg Brewery.	Approved
2016-098	Rezoned 5.1 acres from I-2 to MUDD-O to allow reuse of 3 existing industrial warehouse buildings for all uses in the MUDD.	Approved
2016-011	Rezoned 1.18 acres from I-2 to MUDD-O to allow the reuse of an existing 17,455 square foot industrial warehouse building for all uses allowed in the MUDD.	Approved





 The Scaleybark Station Area Plan recommends Office/Industrial-Warehouse-Distribution for this site.

TRANSPORTATION CONSIDERATIONS

- The site is located on a local road east of a minor thoroughfare and is located approximately ½ of a mile from the Scaleybark LYNX Blue Line Station. CDOT will work with the petitioner during permitting to implement the streetscape in accordance with city ordinance to support the transit-oriented district requested by the petitioner.
- Active Projects Near the Site:
 - There are no active projects near the vicinity of the site.
 - No outstanding issues.
 - Vehicle Trip Generation:

Current Zoning:

Existing Use: 300 trips per day (based on 14,830 square foot health/fitness club). Entitlement: 300 trips per day (based on 14,830 square foot health/fitness club). Proposed Zoning: Too many uses to determine (based on proposed TOD-TR).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: See advisory comments at www.rezoning.org regarding need for affordable housing in the City of Charlotte.
- Charlotte Fire Department: No outstanding issues.
- Charlotte-Mecklenburg Schools: No comments received.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Southside Drive. 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 Fieldcrest 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. There is an anticipated completion date of early-2020. See advisory comments at www.rezoning.org

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

OUTSTANDING ISSUES

None.

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

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



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

Agenda Date: 9/21/2020

Agenda #: 6.File #: 15-14182 Type: Zoning Decision

Rezoning Petition: 2019-168 by Suncrest Real Estate and Land

Location: Approximately 22.87 acres located on the north side of Oakdale Road between Miranda Road and Interstate 485. (Council District - Outside City limits)

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

Proposed Zoning: MX-2 (CD) LWPA (mixed use, conditional, Lake Wylie Protected Area)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2019-168
August 4, 2020

REQUEST Current Zoning: R-3 LWPA (single-family residential, Lake Wylie

Protected Area)

Proposed Zoning: MX-2(CD) LWPA (mixed use, conditional, Lake

Wylie Protected Area)

LOCATION Approximately 23.15 acres located on the north side of Oakdale

Road between Miranda Road and Interstate 485.

(Outside City Limits)

PETITIONER Suncrest Real Estate and Land

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Northwest District Plan* (1990) recommendation for single-family residential use of up to four dwelling units per acre and for open space/parkland. The petition is consistent with the *General Development Policies* recommendations which support a density of up to 6 dwellings per acre based on the information from the staff analysis and the public hearing, and because:

• The plan recommends single-family residential use of up to four dwelling units per acre.

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

- This petition proposes a maximum of 138 residential townhouse-style dwelling units, for a density of six dwelling units per acre. This density is consistent with the *General Development Policies* support for residential development at up to eight dwelling units per acre.
- The petition commits to following the General Development Policy guidelines for townhomes which include using porches as a prominent feature of the building façade and minimizing the visual impact of garage doors. These additional design guidelines will contribute to the single-family character of the area.
- The petition includes a 100-foot watershed buffer and tree save area between development on this site and all singlefamily homes on the surrounding parcels, protecting the

floodplain on this parcel, and also providing an appropriate buffer between the proposed dwelling units and the surrounding single-family homes.

• The petition will plan for connectivity in the area by constructing a collector road at the back of the parcel that will connect to other future developments.

The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from single-family residential up to four units per acre and park/open space to residential up to 6 units per acre.

Motion/Second: Welton / Barbee

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is Choose an item. with the adopted area plan.

A commissioner asked if there was a timeline for a proposed traffic circle at Oakdale Road and Miranda Road. CDOT stated that there was no timeline from NCDOT.

There was no further discussion of this petition.

PLANNER

Michael Russell (704) 353-0225





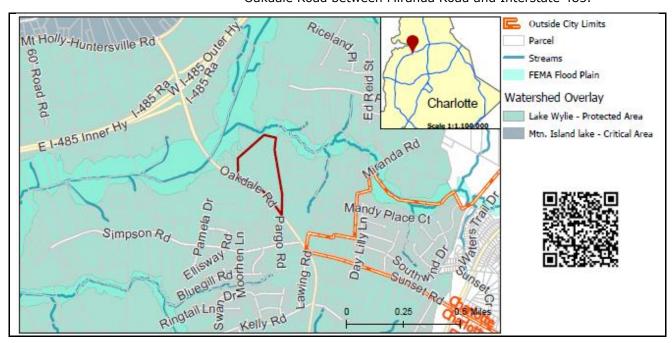
REQUEST Current Zoning: R-3 LWPA (single-family residential, Lake Wylie

Protected Area)

Proposed Zoning: MX-2(CD) LWPA (mixed use, conditional, Lake

Wylie Protected Area)

LOCATION Approximately 22.87 23.15 acres located on the north side of Oakdale Road between Miranda Road and Interstate 485.



SUMMARY OF PETITION

The petition proposes to allow up to 138 duplex townhouse style attached residential dwelling units at a density of 6 dwelling units per acre on parcels that are developed with single-family homes and a former golf clubhouse.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

Gilbert Picklesimer, Oak Hills, Inc. Suncrest Real Estate and Land Colelenest & Stone

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northwest District Plan* (1990) recommendation for single-family residential use of up to four dwelling units per acre and for open space/parkland. The petition is **consistent** with the *General Development Policies* recommendations which support a density of up to 6 dwellings per acre.

Rationale for Recommendation

• This petition proposes a maximum of 138 residential duplex townhouse style dwelling units, for a density of six dwelling units per acre. This density is consistent with the *General Development*

Petition 2019-168 (Page 2 of 8) Final Staff Analysis

Policies support for residential development at up to eight dwelling units per acre.

- The petition commits to following the *General Development Policy* guidelines for townhomes, which include using porches as a prominent feature of the building façade and minimizing the visual impact of garage doors. These additional design guidelines will contribute to the single-family character of the area.
- The petition includes a 100-foot watershed buffer and tree save area between development on this site and all single-family homes on the surrounding parcels, protecting the floodplain on this parcel, and providing an appropriate buffer between the proposed dwelling units and the surrounding single-family homes.
- The petition will plan for connectivity in the area by constructing a collector road at the back of the parcel that will connect to other future developments.

The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from Single Family Residential up to four units per acre and Park/Open Space to Residential up to 6 units per acre.

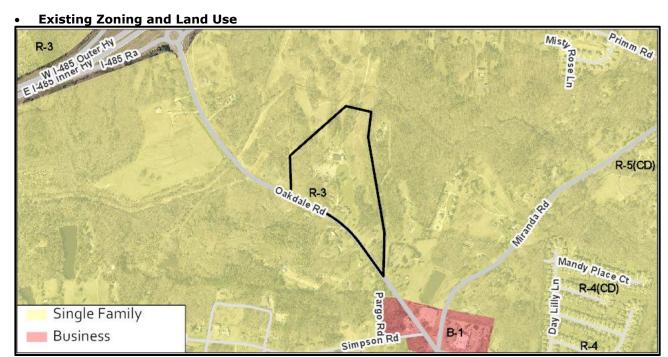
PLANNING STAFF REVIEW

Proposed Request Details

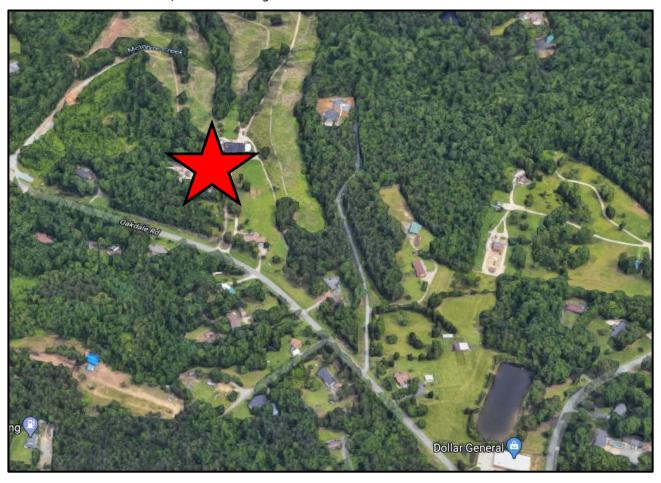
The site plan accompanying this petition contains the following provisions:

- Allow up to 138 duplex townhouse style attached dwelling units.
- Access will be provided at two points on Oakdale Road.
- Commits to a collector road within the site for future street connectivity.
- Commits to widening the road to provide left-turn lanes at each access point on Oakdale Road.
- Commits to continue a 12-foot multi-use path along Oakdale Road frontage.
- Provides an 8-foot wide planting strip and a 6-foot wide sidewalk along the collector road.
- Dedicates and conveys the 100-foot SWIM Buffer of Back Creek to Mecklenburg County for future greenway purposes.
- Dedicates a minimum 30-foot wide greenway easement along that portion of the site's western boundary.
- Primary exterior building materials will be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.
- Vinyl, EIFS or masonite may not be used as an exterior building material on any building. Vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- Provides walkways to connect all residential entrances to sidewalks along public and private streets.
- Commits to usable porches and stoops as a predominant feature of the building design and be located on the front of the building facing a public street, a private street or open space. Usable front porches will be covered and be at least 6 feet deep. Usable front porches will not be enclosed
- May provide optional amenity area with a swimming pool and a clubhouse.

Petition 2019-168 (Page 3 of 8) Final Staff Analysis



The subject property is developed with single-family homes and a former golf clubhouse. The surrounding land-use is large lot single-family homes with retail/commercial uses at Sunset Road/Oakdale Road/Miranda Road intersections, and a former golf course to the north of the site.



The subject property (denoted by red star) is developed with single-family homes.

Petition 2019-168 (Page 4 of 8) Final Staff Analysis



The properties to the southwest along Oakdale road are developed with large lot single-family residential.



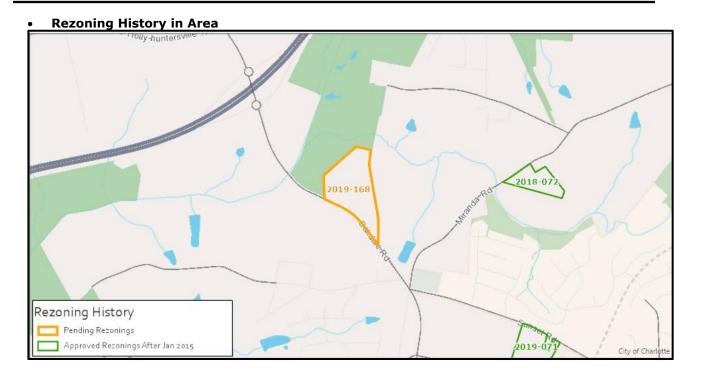
The property to the south at the intersection of Oakdale Road/Sunset Road/Miranda Road is developed with retail/commercial uses.

Petition 2019-168 (Page 5 of 8) Final Staff Analysis



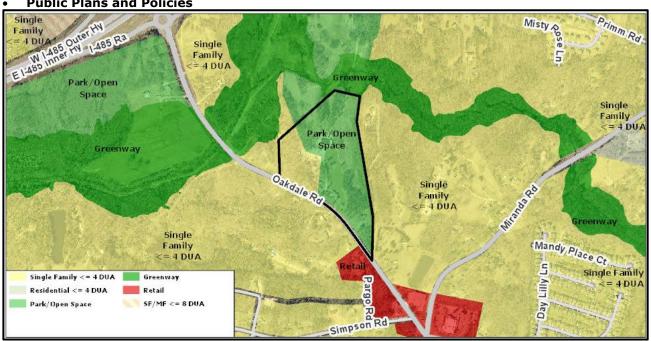
The property to the north along Oakdale Road is developed with the former Oak Hills Golf Club.

Petition 2019-168 (Page 6 of 8) Final Staff Analysis



Petition Number	Summary of Petition	Status
2018-072	Rezoned 7.68 acres to allow up to 29 single-family residential dwellings.	Approved
2019-071	Rezoned 54.99 acres to allow up to 280 residential dwelling units with no more the 150 attached dwelling units.	Approved

Public Plans and Policies



- The Northwest District Plan (1990) calls for single family residential up to 4 dwelling units per acre, as well as park/open space recognizing the golf course as a use when the plan was adopted.
- The General Development Policies (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the General Development Policies locational criteria for consideration of up to 6 dwellings per acre as illustrated in the table below.

Petition 2019-168 (Page 7 of 8) Final Staff Analysis

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

TRANSPORTATION SUMMARY

• The site is located on a minor thoroughfare road. The site plan commits to a collector road within the site for future street connectivity. The site is widening the road to provide left-turn lanes at each access point on Oakdale Road. In addition, in accordance with Charlotte BIKES, the site plan commits to continue a 12-foot multi-use path along Oakdale Road frontage. The petitioner will provide curb and gutter on Oakdale Road to accommodate a future 3-lane section, to include two thru-lanes and a center turn lane. Minor technical clarifications remain regarding the design details of the cross section and left-turn lane on Oakdale Road.

Active Projects:

- Oakdale-Miranda-Sunset Intersection Improvements:
 - The city will work with NCDOT to make improvements to the intersection to address existing crash patterns by installing a roundabout.
- Transportation Considerations:
 - See Outstanding Issues, Notes 1-2 Addressed
- Vehicle Trip Generation:

Current Zoning:

Existing Use: 20 trips per day (based on 2 single-family dwellings). Entitlement: 730 trips per day (based on 68 single-family dwellings).

Proposed Zoning: 1,000 trips per day (based on 138 duplexes).

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: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 36 students, while the development allowed under the proposed zoning may produce 41 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 5 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Long Creek Elementary from 83% to 88%
 - Bradley Middle at 107%
 - Hopewell High at 89%.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. See advisory comments at www.rezoning.org
- Engineering and Property Management:
 - **Arborist:** No comments submitted.
 - Erosion Control: No comments submitted.
 - Land Development: No outstanding issues.
 - Storm Water Services: See advisory comments at www.rezoning.org
 - Urban Forestry: No outstanding issues.
- Mecklenburg County Land Use and Environmental Services Agency: No comments submitted.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

Petition 2019-168 (Page 8 of 8) Final Staff Analysis

OUTSTANDING ISSUES

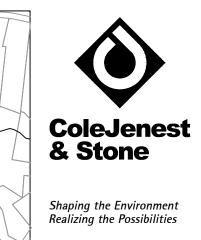
Transportation

- 1.—The petitioner should revise the proposed Oakdale Road cross section to relocate the multi-use path (MUP) sidewalk easement to 2-feet from back-of-MUP. Addressed
- 2. The petitioner should revise the site plan and conditional note(s) to clarify that the proposed access below will be reviewed and considered by NCDOT, during plan permitting, as either full movement or right-in/right-out. A right-in/right-out access will only be permitted if a center median is installed. If full movement, NCDOT may require the storage and taper length of the Oakdale Road left-turn lane to be extended. A detailed review will be completed during permitting. Addressed

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

Planner: Michael Russell (704) 353-0225





Land Planning

Landscape Architecture Civil Engineering Urban Design

200 South Tryon Street, Suite 400 Charlotte, North Carolina 28202 p+ 704 376 1555 f+ 704 376 7851

url+ www.colejeneststone.com

SUNCREST REAL **ESTATE AND LAND**

2701 EAST CAMELBACK ROAD, #180 BILTMORE PARK PHOENIX, AZ

OAKDALE ROAD RESIDENTIAL

4008 OAKDALE ROAD CHARLOTTE, NC 28216

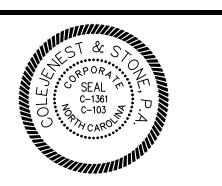
EXISTING CONDITIONS PLAN

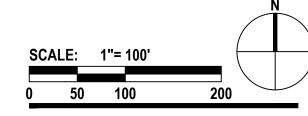
Project No. 4722.02

Issued

Revised

01/13/20 - REVISIONS PER STAFF COMMENTS 02/10/20 - REVISIONS PER CDOT COMMENTS 05/11/20 - SITE LAYOUT REVISIONS 07/27/20 - REVISIONS PER STAFF COMMENTS

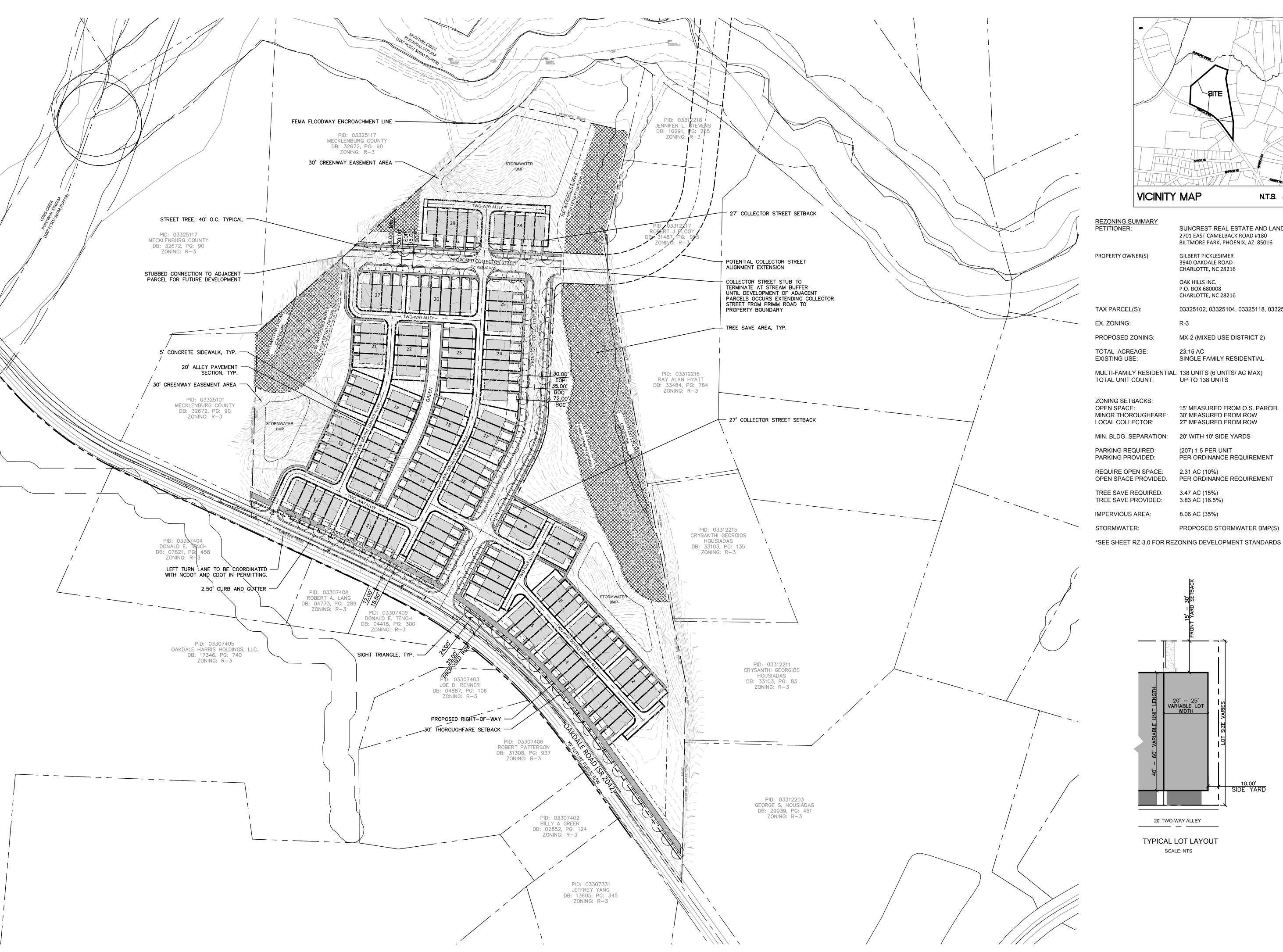




RZ-1.0

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REZONING SUMMARY

SUNCREST REAL ESTATE AND LAND 2701 EAST CAMELBACK ROAD #180 BILTMORE PARK, PHOENIX, AZ 85016

PROPERTY OWNER(S) GILBERT PICKLESIMER 3940 OAKDALE ROAD CHARLOTTE, NC 28216

> OAK HILLS INC. P.O. BOX 680008 CHARLOTTE, NC 28216

03325102, 03325104, 03325118, 03325103 TAX PARCEL(S):

MX-2 (MIXED USE DISTRICT 2)

23.15 AC **EXISTING USE:** SINGLE FAMILY RESIDENTIAL

MULTI-FAMILY RESIDENTIAL: 138 UNITS (6 UNITS/ AC MAX) TOTAL UNIT COUNT: UP TO 138 UNITS

ZONING SETBACKS: OPEN SPACE:

15' MEASURED FROM O.S. PARCEL MINOR THOROUGHFARE: 30' MEASURED FROM ROW LOCAL COLLECTOR: 27' MEASURED FROM ROW

20' WITH 10' SIDE YARDS MIN. BLDG. SEPARATION:

PER ORDINANCE REQUIREMENT PARKING PROVIDED:

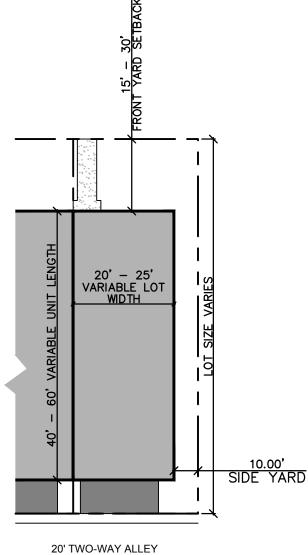
(207) 1.5 PER UNIT

REQUIRE OPEN SPACE: 2.31 AC (10%) OPEN SPACE PROVIDED: PER ORDINANCE REQUIREMENT

TREE SAVE REQUIRED: 3.47 AC (15%) TREE SAVE PROVIDED:

IMPERVIOUS AREA: 8.06 AC (35%)

STORMWATER: PROPOSED STORMWATER BMP(S)



TYPICAL LOT LAYOUT SCALE: NTS



Shaping the Environment Realizing the Possibilities

Land Planning

Landscape Architecture Civil Engineering

Urban Design 200 South Tryon Street, Suite 1400

url+ www.colejeneststone.com

Charlotte, North Carolina 28202 p+ 704 376 1555 f+ 704 376 7851

SUNCREST REAL **ESTATE AND LAND**

2701 EAST CAMELBACK ROAD, #180 **BILTMORE PARK** PHOENIX, AZ

OAKDALE ROAD RESIDENTIAL

4008 OAKDALE ROAD CHARLOTTE, NC 28216

REZONING PLAN

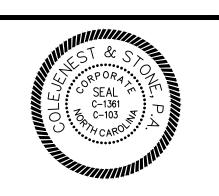


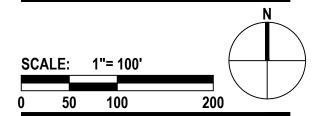
Issued

11/01/19

Revised

01/13/20 - REVISIONS PER STAFF COMMENTS 02/10/20 - REVISIONS PER CDOT COMMENTS 05/11/20 - SITE LAYOUT REVISIONS 07/27/20 - REVISIONS PER STAFF COMMENTS





RZ-2.0

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DEVELOPMENT STANDARDS

July 27, 2020

A. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Suncrest Real Estate and Land (the "Petitioner") to accommodate the development of a residential community on that approximately 23.15 acre site located on the north side of Oakdale Road between I-485 and Miranda Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 033-251-02, 033-251-04, 033-251-18 and 033-251-03.
- 2. 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").
- 3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-2 zoning district shall govern the development and use of the Site.
- 4. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal public streets and private alleys/drives depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- 5. 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.

B. Permitted Uses/Development Limitations

1. The Site may be devoted only to a residential community containing a maximum of 138 single family attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the MX-2 zoning district.

C. Transportation

- 1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- 2. As depicted on the Rezoning Plan, the Site will be served by internal public streets (each designated as a Collector Street on the Rezoning Plan) and internal private drives or alleys, and minor adjustments to the locations of the internal public streets and the internal private drives or alleys shall be allowed during the construction permitting process.
- 3. The Collector Streets to be constructed on the Site as shown on the Rezoning Plan shall be constructed in accordance with the Charlotte Land Development Standards for a collector street (U-07 REV 17).
- 4. The Collector Streets to be located on the Site and depicted on the Rezoning Plan will be approved and constructed prior to the issuance of the first certificate of occupancy for a new single family attached dwelling unit constructed on the Site.
- 5. On-street parking may be constructed on the internal public streets at the option of Petitioner provided that such on-street parking is approved by CDOT and/or NCDOT and any other applicable governmental agencies. If Petitioner elects not to construct such on-street parking or if such on-street parking is not approved by CDOT and/or NCDOT or any other applicable governmental agencies, Petitioner shall not be required to construct the on-street parking. Any on-street parking shall be located outside of the edge of pavement to edge of pavement set out in U-07 REV 17.
- 6. All transportation improvements will be approved and constructed prior to the issuance of the first certificate of occupancy for a new single family attached dwelling unit constructed on the Site, except as provided in paragraph 9 below.
- 7. Prior to the issuance of the first certificate of occupancy for a new single family attached dwelling unit constructed on the Site, Petitioner shall dedicate and convey to the City or to NCDOT (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Oakdale Road as required to provide right of way measuring 35 feet from the existing centerline of Oakdale Road, to the extent that such right of way does not already exist.
- 8. The Petitioner will dedicate and convey to the City or 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 single family attached dwelling unit constructed on the Site. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.
- 9. Prior to the issuance of the 70th certificate of occupancy for a new single family attached dwelling unit constructed on the Site, Petitioner shall install an eastbound left turn lane on Oakdale Road at the intersection of Oakdale Road and the new Collector Street as generally depicted on the Rezoning Plan.
- 10. During the permitting process for this proposed development, NCDOT will determine if the westernmost vehicular access point into the Site from Oakdale Road will be a full movement vehicular access point or a right-in, right-out vehicular access point. Petitioner will install such improvements that are required by NCDOT in connection with this determination.
- 11. All improvements proposed for NCDOT state-maintained roads will be subject to NCDOT approval and coordination. NCDOT shall have final determination on improvements being warranted or desired for additional maintenance acceptance.

D. <u>Architectural Standards</u>

- 1. The architectural standards set out below shall apply to each single family attached dwelling unit constructed on the Site.
- (a) The maximum height of any building constructed on the Site containing single family attached dwelling units shall be the maximum height permitted under the Ordinance.
- (b) Vinyl, EIFS or masonite may not be used as an exterior building material on any single family attached dwelling unit constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings. Additionally, aluminum may be used on trim and garage doors.
- (c) The actual sizes of the single family attached dwelling units/lots may vary from the sizes depicted on the Rezoning Plan.
- (d) Each single family attached dwelling unit constructed on the Site shall have a garage.
- (e) Each single family attached dwelling unit constructed on the Site will be alley/rear loaded.
- (f) The single family attached dwelling units located in Building 1, Building 4, Building 5, Building 11 and Building 12 shall front Oakdale Road.
- (g) If pitched roofs are provided, the front of the roofs shall be symmetrically sloped no less than 5:12. The rear of the roofs and roofs for any porches, covered stoops, attached sheds and dormers may be no less

than 2:12. Additionally, a flat roof architectural style may be employed.

- (h) The finished floor elevation of each single family attached dwelling unit located within 15 feet of a public sidewalk shall be a minimum of 12 inches above the average sidewalk grade of the public sidewalk.
- (i) Each single family attached dwelling unit constructed on the Site shall have a usable front porch or a front stoop. Usable front porches shall be covered and be at least 5 feet in depth. Front stoops shall be covered and front stoops may be covered by an awning, canopy, roof extension or other architectural feature chosen by Petitioner. Front stoops shall not be required to have a minimum depth of 5 feet.
- (j) All corner/end units that face a public street shall have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 20 feet on all levels. Blank wall provisions may include landscaping, which shall consist of, at a minimum, three 6 foot tall evergreen trees along the side of the single family attached dwelling unit.
- (k) The front elevation of each single family attached dwelling unit shall have windows or other architectural details that limit the maximum blank wall expanse to 15 feet on each level of the single family attached dwelling unit.
- (l) Walkways shall be provided to connect all residential entrances to sidewalks fronting public streets.
- (m) Townhome buildings that are adjacent to and front a public street shall not contain more than 5 individual single family attached dwelling units except as otherwise shown on the Rezoning Plan. This requirement shall not apply to buildings that do not front a public street or buildings that are adjacent and perpendicular to a public street.

E. Streetscape and Landscaping

- 1. A minimum 8 foot wide planting strip and a minimum 12 foot wide multi-use path shall be installed along the Site's frontage on Oakdale Road. Notwithstanding the foregoing, the width of the planting strip and the width of the multi-use path may be reduced as required where the multi-use path ties into an existing sidewalk located on the Site's frontage on Oakdale Road.
- 2. The minimum 12 foot wide multi-use path to be installed along the Site's frontage on Oakdale Road (or portions thereof) may be located in a sidewalk utility easement
- 3. A minimum 8 foot wide planting strip and a minimum 5 foot wide sidewalk shall be installed along the Site's frontages on the new internal Collector Streets.

F. Environmental Features

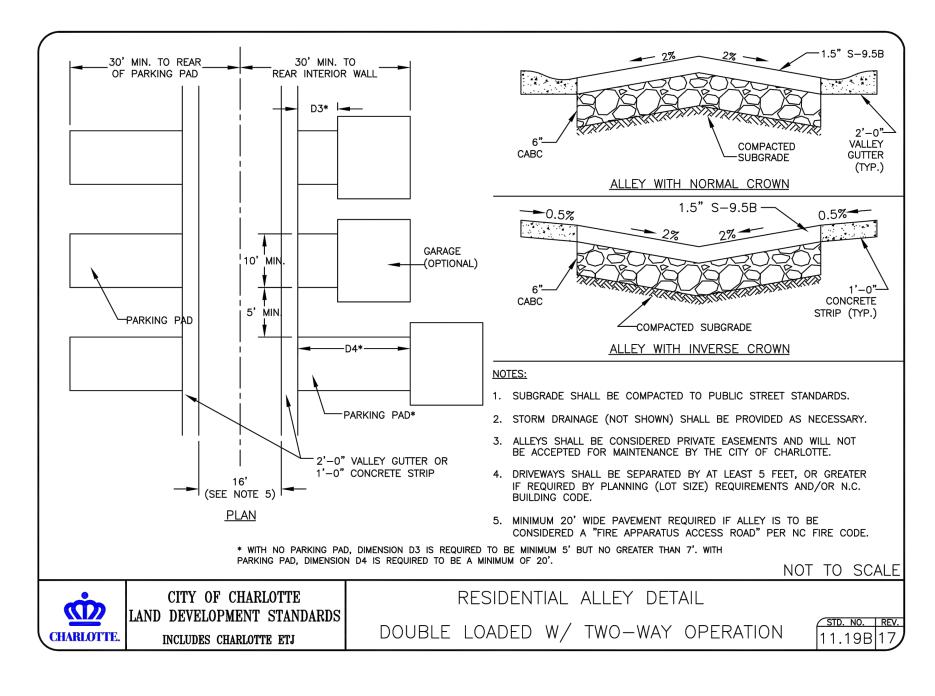
- 1. The development of the Site will comply with the tree save requirements of the Charlotte Tree Ordinance.
- 2. Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- 3. The location, size, and type of storm water management systems depicted 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.
- 4. Development within the SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City Ordinance.
- 5. Any increase of impervious area within SWIM/PCSO Buffers may not be allowed and is not approved with the rezoning process. Development within the SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Stream Delineation Reports and SWIM/PCSO Buffer location delineations are subject to review and approval by Charlotte-Mecklenburg Storm Water Services.

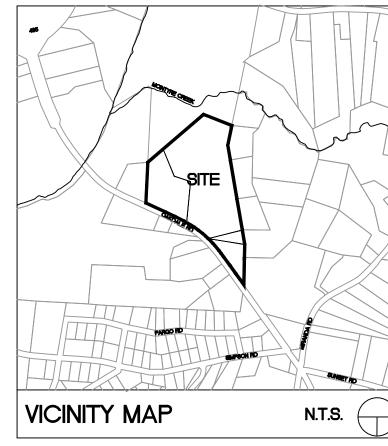
G. Amenities and Greenway

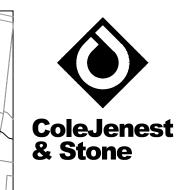
- 1. An amenity area may be constructed on the Site at the option of Petitioner.
- 2. Prior to the issuance of the 80th/ certificate of occupancy for a new single family attached dwelling unit constructed on the Site, Petitioner shall dedicate and convey the 100 foot SWIM Buffer of Back Creek located on the Site (the "Greenway Area") to Mecklenburg County for future greenway purposes. Prior to the dedication and conveyance of the Greenway Area to Mecklenburg County and subject to any restrictions imposed by stream buffer regulations, Petitioner shall have the right to install and locate utility lines through the 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 prior to the dedication of the Greenway Area to Mecklenburg County.
- 3. The trees located within the Greenway Area shall count towards the Site's minimum tree save requirements.
- 4. A minimum 30-foot wide greenway easement shall be established along that portion of the Site's western boundary line that is more particularly depicted on the Rezoning Plan.
- 5. The Greenway Area shall count towards the Site's required open space.

H. Binding Effect of the Rezoning Documents and Definitions

- 1. 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.
- 2. 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.
- 3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.







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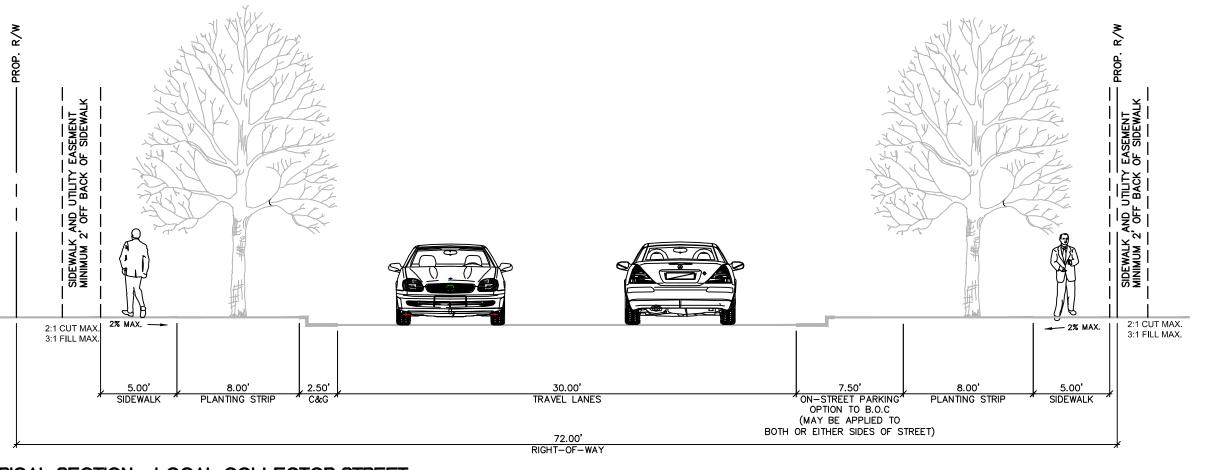
p+ 704 376 1555 f+ 704 376 7851 url+ www.coleieneststone.com

SUNCREST REAL ESTATE AND LAND

2701 EAST CAMELBACK ROAD, #180 BILTMORE PARK PHOENIX, AZ

OAKDALE ROAD RESIDENTIAL

4008 OAKDALE ROAD CHARLOTTE, NC 28216



TYPICAL SECTION - LOCAL COLLECTOR STREET CITY OF CHARLOTTE U-07-17 (N.T.S.)

REZONING DEVELOPMENT STANDARDS

Project No. 4722.02

Issued

Revised

01/13/20 - REVISIONS PER STAFF COMMENTS

02/10/20 - REVISIONS PER CDOT COMMENTS

07/27/20 - REVISIONS PER STAFF COMMENTS

05/11/20 - SITE LAYOUT REVISIONS



TO MATCH 11.00° 11.0

70.00'
FUTURE RIGHT-OF-WAY

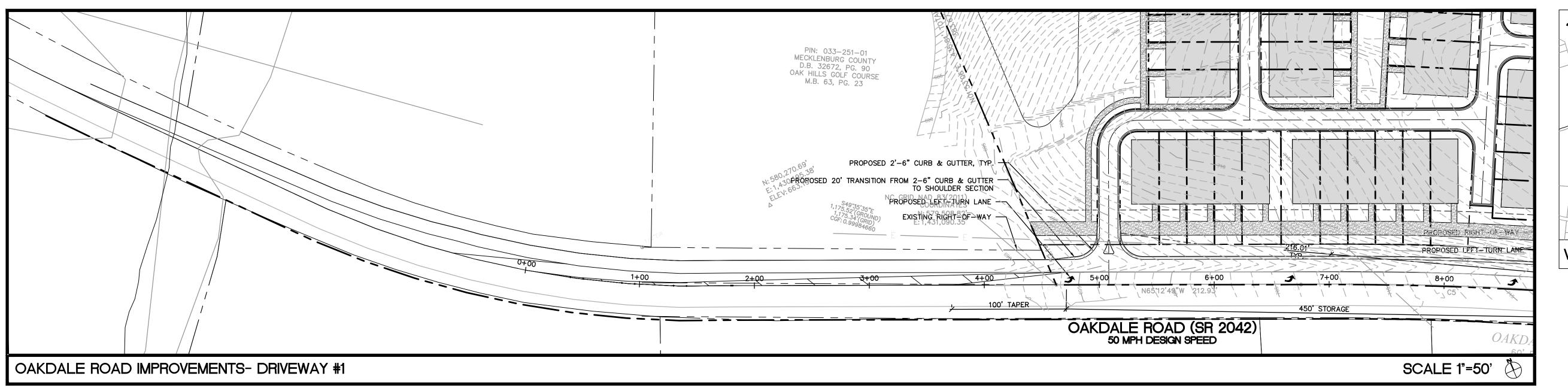
*ROADWAY IMPROVEMENTS TO BE MADE FROM CENTERLINE TO PROPOSED DEVELOPMENT ONLY. EXISTING PAVEMENT SECTION TO REMAIN SOUTH OF CENTERLINE

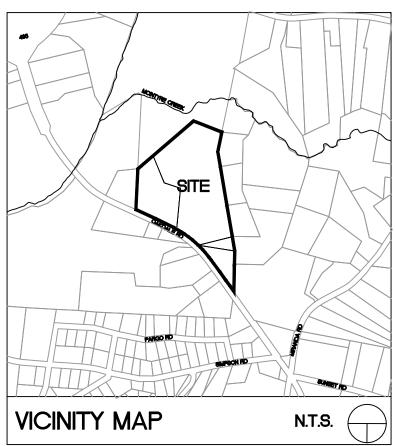
PROPOSED OAKDALE ROAD SECTION - MINOR THOROUGHFARE NCDOT (N.T.S.)

RZ-3.0

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Land Planning

Landscape Architecture Civil Engineering

Urban Design 200 South Tryon Street, Suite 1400

SUNCREST REAL ESTATE AND LAND

2701 EAST CAMELBACK ROAD, #180 **BILTMORE PARK** PHOENIX, AZ

OAKDALE ROAD RESIDENTIAL

4008 OAKDALE ROAD CHARLOTTE, NC 28216

PROPOSED OAKDALE ROAD **IMPROVEMENTS**

Project No.

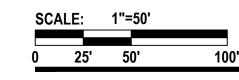
Issued

4722.02

Revised

01/13/20 - REVISIONS PER STAFF COMMENTS 02/10/20 - REVISIONS PER STAIT COMMENTS 02/10/20 - REVISIONS PER CDOT COMMENTS 05/11/20 - SITE LAYOUT REVISIONS 07/27/20 - REVISIONS PER STAFF COMMENTS



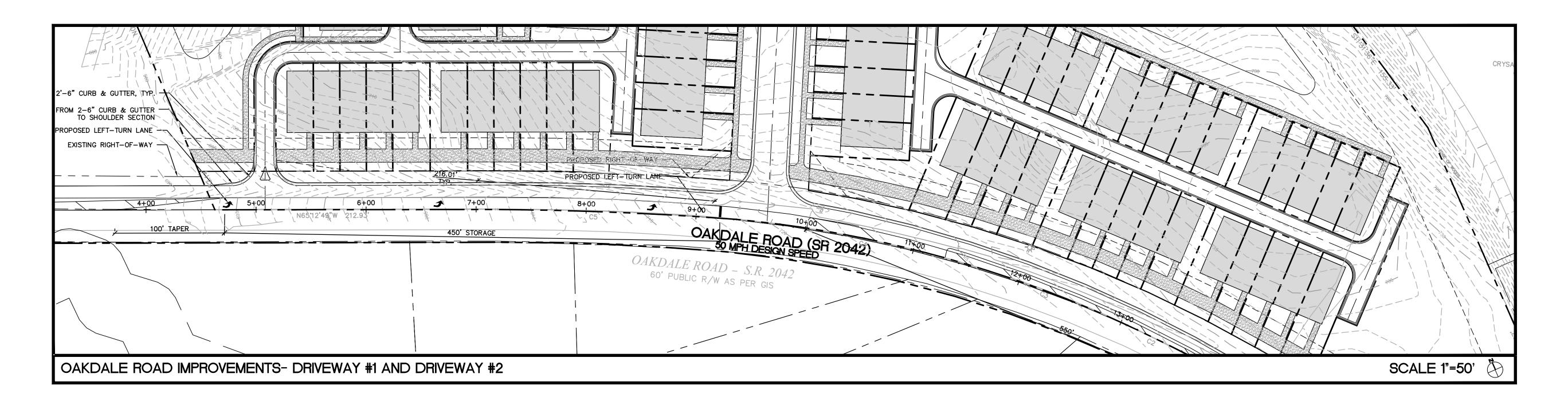


RZ-4.0

SCALE 1"=50'

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END OF PROPOSED CAKDALE ROAD IMPROVEMENTS

-- END OF PROPOSED 2'-6"CURB & GUTIER

OAKDALE ROAD IMPROVEMENTS- PROXIMITY TO NCDOT PROJECT W-5710X

BEGINNING OF TIP PROJECT W-5710X -

OAKDALE ROAD (SR 2042) 50 MPH DESIGN SPEED



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

Agenda Date: 9/21/2020

Agenda #: 7.File #: 15-14183 Type: Zoning Decision

Rezoning Petition: 2019-179 by Ronald Staley, Jr. of Verde Homes, LLC

Location: Approximately 1 acre located near the SE intersection of Parkwood Avenue and Hawthorne Lane in the Plaza Midwood community. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential) & R-22MF (multi-family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2019-179

August 4, 2020

REQUEST Current Zoning:

Current Zoning: R-5 (single family residential) & R-22MF (multi-

family residential)

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

LOCATION Approximately 1 acre located near the SE intersection of

Parkwood Avenue and Hawthorne Lane in the Belmont

Community.

(Council District 1 - Egleston)

PETITIONER Ronald Staley, Jr – Verde Homes, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** with the *Belmont Area Revitalization Plan*, based on the information from the staff analysis and the public hearing and because:

 The plan recommends single family uses up to five dwelling units per acre (DUA) for the site

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

- The proposal helps achieve the Plan's vision of a "familyoriented community diverse in age, culture, and income" by
 committing to three affordable dwelling units (12 percent of
 total). This provision of affordability also addresses the Plan's
 housing goal that seeks to increase and facilitate home
 ownership.
- The proposal addresses a goal of the Plan to create a more pedestrian friendly community by improving the pedestrian realm through the provision of an 8-foot planting strip and 8foot sidewalk along Parkwood Ave.
- The site considers the environment by orienting parking in such a way that preserves two existing, mature trees that will reduce any heat island created by the surface parking lot. It also commits to installing pervious pavers to help treat runoff and allow water infiltration to benefit existing trees.
- While not a specific goal or objective, the Plan references, in numerous places, the need for rehabilitated and new single family infill homes. This rezoning provides that infill through the provision of three single family attached homes

- The Belmont Area Revitalization Plan speaks to the opportunity for single family infill development on this vacant site and states that new homes should be compatible in design character with the existing adjacent housing stock. The plan's conditional notes commit to architectural and design features for both the attached single family units and the multi-family units facing Parkwood Ave.
- The proposed density of 25 DUA is just over the entitled density (R-22 MF) for the portion of the site fronting Parkwood Avenue and is a reasonable increase in density for a site that is addressing its context through architectural design standards.

The approval of this petition will revise the adopted future land use as specified by the Belmont Area Revitalization Plan (2003) from single family residential uses up to five dwelling units per acre to residential uses over 22 dwelling units per acre.

Motion/Second: Kelly / Barbee

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

A brief discussion was had regarding the proposed pervious pavers on site and the benefits provided by such. The rules were suspended, and Paul Pennell from Urban Design Partners noted that the pavers were added to decrease runoff and assist in the preservation of on-site trees and that the petitioner was agreeable to increasing the amount of pervious pavers.

There was no further discussion of this petition.

PLANNER

William Linville (704) 336-4090





REQUEST

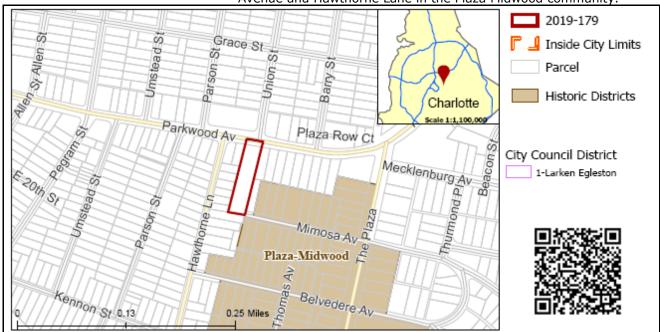
Current Zoning: R-5 (single family residential) & R-22MF (multi-

family residential)

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

LOCATION

Approximately 1 acre located near the SE intersection of Parkwood Avenue and Hawthorne Lane in the Plaza Midwood community.



SUMMARY OF PETITION

The petition proposes to rezone a currently vacant parcel in the Plaza Midwood neighborhood to allow for construction of 3 single family attached triplex residential units and 22 multi-family residential units (25 total units representing approximately 25 DUA).

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

COMMUNITY MEETING

Miles Boyd and Dorothy F. Barnes Ronald Staley, Jr. – Verde Homes, LLC Paul Pennell, Urban Design Partners

Meeting is required and has been held. Report available online. Number of people attending the Virtual Community Meeting: 17

Second Virtual Community Meeting has been held (07/13/20). Number of people attending the second Virtual Community Meeting: 9

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Belmont Area Revitalization Plan's* (2003) recommendation for single family residential uses up to five dwelling units per acre (DUA).

Rationale for Recommendation

The proposal helps achieve the Plan's vision of a "family-oriented community diverse in age, culture, and income" by committing to three affordable dwelling units (12 percent of total). This provision of affordability also addresses the Plan's housing goal that seeks to increase and facilitate home ownership.

- The proposal addresses a goal of the Plan to create a more pedestrian friendly community by improving the pedestrian realm through the provision of an 8-foot planting strip and 8-foot sidewalk along Parkwood Ave.
- The site considers the environment by orienting parking in such a
 way that preserves two existing, mature trees that will reduce any
 heat island created by the surface parking lot. It also commits to
 installing pervious pavers to help treat runoff and allow water
 infiltration to benefit existing trees.
- While not a specific goal or objective, the Plan references, in numerous places, the need for rehabilitated and new single family infill homes. This rezoning provides that infill through the provision of three single family attached homes
- The Belmont Area Revitalization Plan speaks to the opportunity for single family infill development on this vacant site and states that new homes should be compatible in design character with the existing adjacent housing stock. The plan's conditional notes commit to architectural and design features for both the attached single family units and the multi-family units facing Parkwood Ave.
- The proposed density of 25 DUA is just over the entitled density (R-22 MF) for the portion of the site fronting Parkwood Avenue and is a reasonable increase in density for a site that is addressing its context through architectural design standards.

The approval of this petition will revise the adopted future land use as specified by the *Belmont Area Revitalization Plan* (2003) from single family residential uses up to five dwelling units per acre to residential uses over 22 dwelling units per acre.

PLANNING STAFF REVIEW

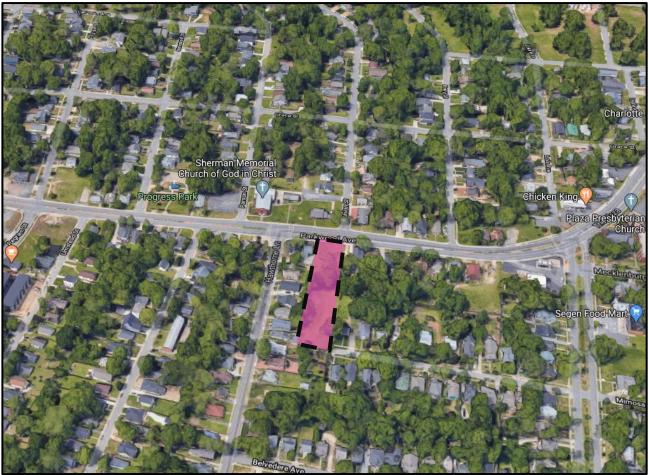
Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes 3 single family attached residential units and 22 multi-family residential units (25 total units/ 25 DUA).
 - Within the multi-family structure, two residential units shall be affordable units (80 percent AMI or below) for a period of 15 years.
 - Within the single family structure, one residential unit shall be affordable (50 percent AMI or below for a period of 15 years.
- Proposes the construction of two total structures, with the structure closest to Parkwood Avenue being comprised of the 22 proposed multi-family units and the remaining structure constructed near the southern extent of the property.
- Proposes 29 surface parking spaces and three garage parking spaces provides pervious pavers for a majority of the parking lot.
- Commits to a multi-family building height of 50 40 feet (three stories) and single family attached maximum building height of 35 feet (2.5 stories).
- Provides a driveway connection from Mimosa Avenue for one single family attached triplex building as well as a pedestrian connection from units to the sidewalk along Mimosa Avenue.
 - Commits to treating the driveway entrance at Mimosa with masonry columns on either side.
- Restricts vehicular connections to the site from Mimosa Avenue.
- Provides 6-foot wooden screen fence along the southern and eastern property lines.
- Commits to an improved streetscape along Parkwood Avenue comprised of an 8-foot planting strip and an 8-foot sidewalk.
- Commits to installing an ADA-compliant bus pad along the property's Parkwood Avenue frontage.
- Commits to additional architectural design standards including a commitment to specific building materials, a limitation on the usage of vinyl, the presentation of front or side to all streets, screened HVAC.
- Commits to 15' height for all detached lighting (full cutoff, downwardly directed).



There is no rezoning history available for this site. The subject property is split zoned, with the northern portion zoned R-22 MF and remainder zoned R-5. The site is currently vacant. It is nestled within an existing detached single family neighborhood in the NW corner of the Plaza Midwood community. Commercial development begins as you travel east along Parkwood Avenue. Much of the surrounding area is detached single family residential.



General location of rezoning boundary outlined in black dashed line/pink fill.

Petition 2019-179 (Page 4 of 7) Final Staff Analysis



View of the subject property as seen from Parkwood Avenue. Single family homes are on either side.



Context of surrounding residential located along Parkwood Ave.



Streetview along Mimosa Avenue. Mimosa Avenue terminates at the southern edge of the subject property.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-156	Petition to rezone .52 acres to allow multi-family units at a density of 33.5 units per acre.	Approved



• The Belmont Area Revitalization Plan (2003) recommends single family residential uses up to five dwelling units per acre for this site.

TRANSPORTATION SUMMARY

The site is located on a major thoroughfare road. The site commits to installing the required streetscape along Parkwood Avenue. CDOT is requesting the petitioner update the site plan to construct a driveway that meets the Charlotte Land Development Standards.

Active Projects:

- o Parkwood (N. Davidson The Plaza) Improvements
 - This project will install pavement markings to create a buffered bike land on Parkwood Avenue from Belmont Avenue to The Plaza. Several new signals will be added within the project limits as well.
- Transportation Considerations
 - $\circ \quad \text{No outstanding issues.} \\$
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 50 trips per day (based on 5 dwellings).

Proposed Zoning: 140 trips per day (based on 20 dwellings (3 single family; 22 multi-family).

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: See advisory comments at www.rezoning.org
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 3 students, while the development allowed under the proposed zoning may produce 1 student. Therefore, the net decrease in the number of students generated from existing zoning to proposed is 1 student.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Shamrock Gardens Elementary remains at 107%
 - Eastway Middle remains at 118%
 - Garinger High remains at 122%.

Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Parkwood Avenue. Charlotte

Petition 2019-179 (Page 7 of 7) Final Staff Analysis

Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Parkwood Avenue. See advisory comments at www.rezoning.org

- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues.
 - Urban Forestry: 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.

OUTSTANDING ISSUES

Transportation

1. Revise the driveway to Mimosa Avenue to meet Charlotte Land Development Standards Manual for two-way circulation since it is a shared driveway. ADDRESSED

Site and Building Design

2. The petitioner should present a design that is more aligned with the future land use of the parcel and reflective of the surrounding residential context that is proximal to the site along Mimosa Avenue and Parkwood Drive. These changes should reflect a reduction in density, height, and overall impervious area of the proposal. The proposed surface parking lot is not supported in any form. RESCINDED. The petitioner has added pervious pavers to a portion of the surface parking lot. A reduction in height has also been provided.

REQUESTED TECHNICAL REVISIONS

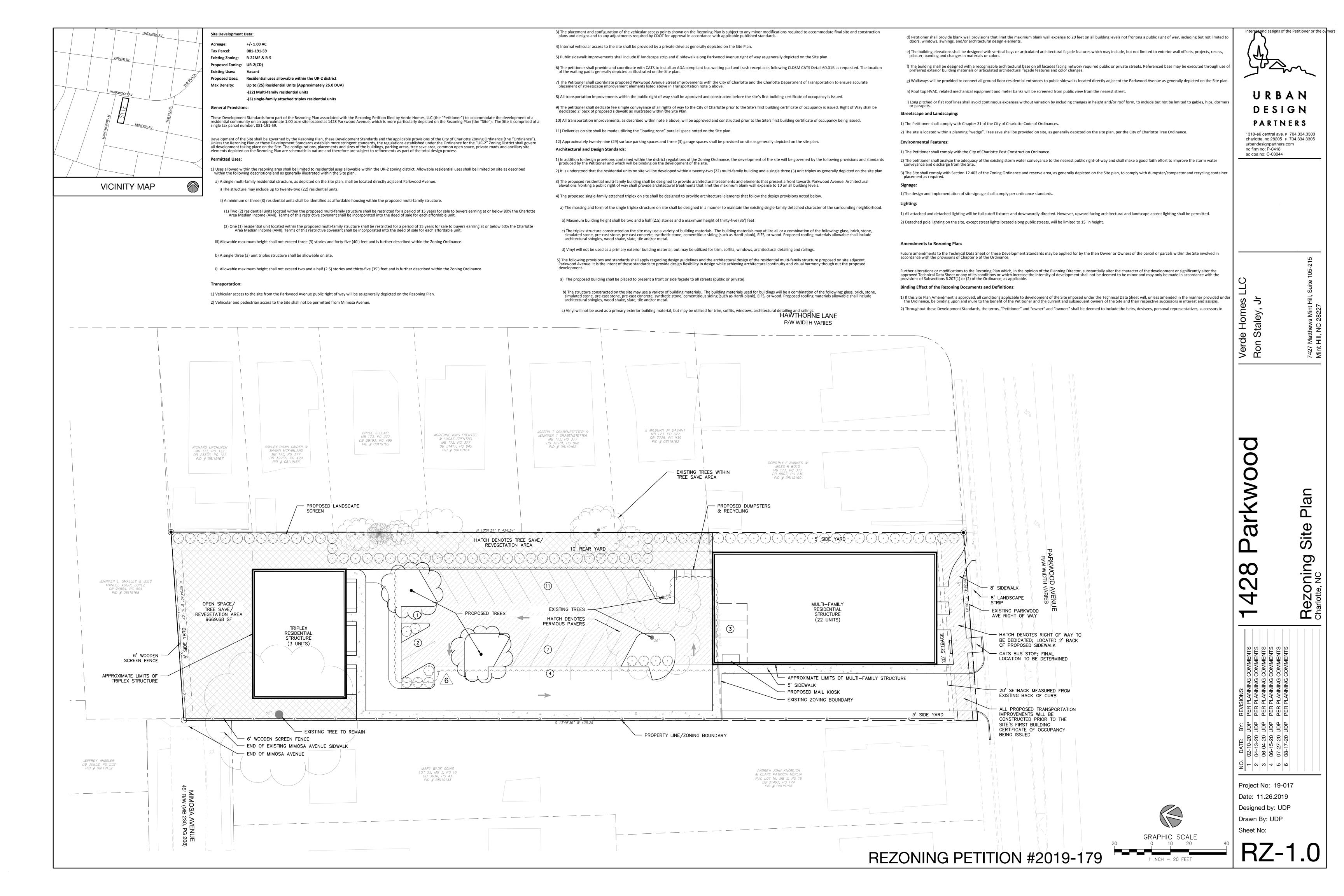
Site and Building Design

3.—Coordinate with Charlotte Fire to resolve the required provision of an approved turnaround.

ADDRESSED

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

Planner: William Linville (704) 336-4090





City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 8.File #: 15-14184 Type: Zoning Decision

Rezoning Petition: 2019-184 by Taft Mills Group

Location: Approximately 4.2 acres located to the east of W. T. Harris Boulevard, south of Woodland

Circle and north of Interstate 485. (Council District 2 - Graham)

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

Proposed Zoning: R-17 MF (CD) (multi-family residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2019-184

August 4, 2020

Zoning Committee

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

Proposed Zoning: R-17MF(CD) (multi-family residential,

conditional)

LOCATION Approximately 4.2 acres located to the east of W.T. Harris

Boulevard, south of Woodland Circle and north of Interstate

485.

(Council District 2 - Graham)

PETITIONER Taft Mills Group

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Northlake Area Plan's* recommendation for residential uses but inconsistent with the *Northlake Area Plan's* recommendation of up to 8 units per acre based on the information from the staff analysis and the public hearing, and because:

• The plan recommends residential development up to 8 dwelling units per acre.

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

- This petition proposes up to 71 age-restricted multi-family dwelling units, for a density of 16.9 dwelling units per acre. While this density is inconsistent with the Northlake Area Plan's future land use recommendation of up to 8 units per acre, the proposal for residential units is still consistent with the plan's residential recommendation.
- The petition commits to a 28-foot Class C buffer separating
 the site between the single-family homes surrounding the
 northern area of the site. This buffer will consist of maturing
 evergreen trees, evergreen shrubs, and other understory
 trees. This buffer will help mitigate impact to the single-family
 adjacent to the site.
- Almost directly across the site, on the other side West W.T.
 Harris Boulevard, are parcels 02521146 and 02521149, which
 are recommended for commercial development. The
 commercial development across the street, zoned to B-2(CD)
 after a 2017 zoning, and the site's location facing West W.T.

Harris Boulevard and the exit to get off Interstate 485 make it an unlikely location for single-family development. Allowing for multi-family development will change the land use to a higher density than recommended in the plan but will keep the land for a residential use rather than commercial.

- Multi-family residential is conducive to the growing commercial and higher-density residential nature of West W.T. Harris Boulevard. Commercial development and commercial zoning are located at the intersection of West W.T. Harris Boulevard and Mt. Holly-Huntersville Road, a guarter-mile north of where the parcel is located. An apartment complex and single family attached homes are located just on the other side of Interstate 485 on West W.T. Harris Boulevard, less than a half-mile away from the site.
- The petition is committed to increasing pedestrian mobility and safety by including an eight-foot planting strip and a 12foot multi-use path alongside West W.T. Harris Boulevard.
- This petition commits to constructing age-restricted dwelling units, which will help to accommodate the growing senior population in Charlotte.

The approval of this petition will revise the adopted future land use as specified by the Northlake Area Plan (2008), from residential up to 8 dwelling units per acre to residential up to 17 dwelling units per acre for the site.

Motion/Second: Barbee / Welton

Barbee, Blumenthal, Kelly, McMillan, Nwasike, Yeas:

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

There was no further discussion of this petition.

Michael Russell (704) 353-0225

PLANNER



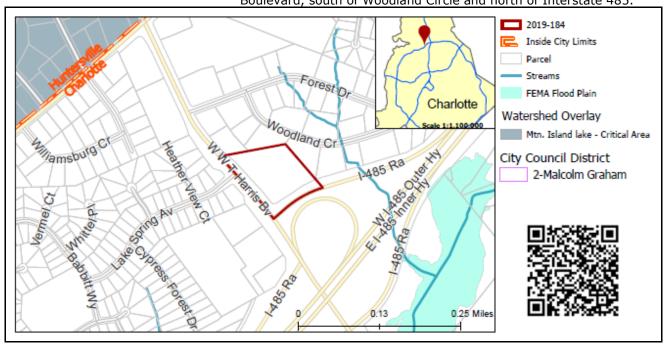


REQUEST Current Zoning: R-3 (single family residential)

Proposed Zoning: R-17MF(CD) (multi-family residential,

conditional)

LOCATION Approximately 4.2 acres located to the east of W.T. Harris Boulevard, south of Woodland Circle and north of Interstate 485.



SUMMARY OF PETITION

The petition proposes up to 71 age restricted multi-family residential dwelling units in one principal building on vacant land for a density of 16.9 dwelling units per acre.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

June M. Greene, Robert Greene, Haywood Smith, Sylvia Smith Taft Mills Group

Keith MacVean, Moore & Van Allen, PLLC

COMMUNITY MEETINGMeeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 14

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northlake Area Plan (2008)* recommendation for residential development up to 8 dwelling units per acre as a single use.

Rationale for Recommendation

• This petition proposes up to 71 age-restricted multi-family dwelling units, for a density of 16.9 dwelling units per acre. While this density is inconsistent with the *Northlake Area Plan's* future land use recommendation of up to 8 units per acre, the proposal

Petition 2019-184 (Page 2 of 8) Final Staff Analysis

for residential units is still consistent with the plan's residential recommendation.

- The petition commits to a 28-foot Class C buffer separating the site between the single-family homes surrounding the northern area of the site. This buffer will consist of maturing evergreen trees, evergreen shrubs, and other understory trees. This buffer will help mitigate impact to the single-family adjacent to the site.
- Almost directly across the site, on the other side W W.T. Harris Boulevard, are parcels 02521146 and 02521149, which are recommended for commercial development. The commercial development across the street, zoned to B-2(CD) after a 2017 zoning, and the site's location facing West W.T. Harris Boulevard and the exit to get off Interstate 485 make it an unlikely location for single-family development. Allowing for multi-family development will change the land use to a higher density than recommended in the plan but will keep the land for a residential use rather than commercial.
- Multi-family residential is conducive to the growing commercial and higher-density residential nature of W W.T. Harris Boulevard. Commercial development and commercial zoning are located at the intersection of W W.T. Harris Boulevard and Mt. Holly Huntersville Road, a quarter-mile north of where the parcel is located. An apartment complex and single family attached homes are located just on the other side of I-485 on W W.T. Harris Boulevard, less than a half-mile away from the site.
- The petition is committed to increasing pedestrian mobility and safety by including an eight-foot planting strip and a 12-foot multiuse path alongside West W.T. Harris Boulevard.
- This petition commits to constructing age-restricted dwelling units, which will help to accommodate the growing senior population in Charlotte.

The approval of this petition will revise the adopted future land use as specified by the *Northlake Area Plan (2008)*, from residential up to 8 dwelling units per acre to residential up to 17 dwelling units per acre for the site.

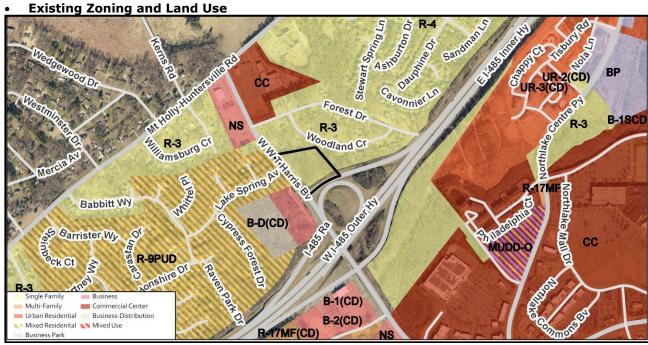
PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

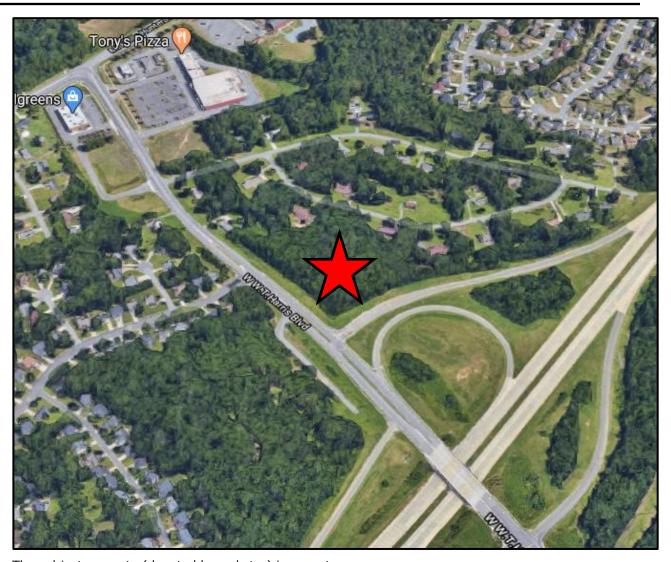
- Allows up to 71 age restricted multi-family units in one principal building.
- Access to the site will be limited to a right-in/right-out only along West W.T. Harris Boulevard.
- Commits to an eight-foot wide planting strip and a 12-foot multi-use path along West W.T. Harris Boulevard.
- Proposes to dedicate via fee simple conveyance any additional right-of-way.
- Provides a 28-foot undisturbed Class C buffer where the Site abuts existing single-family uses.
- Limits maximum building height to four stories or 50-feet.
- Provides open space amenity areas with landscaping, seating areas, hardscape elements and shade structures.
- Limits detached lighting to 22-feet in height.
- Building materials on the principal building will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
- Building will be oriented to present a front or side façade to West W. T. Harris Boulevard.
- Parking lots will not be located between any residential building and West W. T. Harris Boulevard.
- Building massing and height will be designed to break up long monolithic building forms by including modulations (recesses, projections, and architectural details) of the building massing.

Petition 2019-184 (Page 3 of 8) Final Staff Analysis



The subject property is vacant. The surrounding land use is single-family residential, retail and commercial uses.

Petition 2019-184 (Page 4 of 8) Final Staff Analysis



The subject property (denoted by red star) is vacant.



The property to the west along Lake Spring Avenue is developed with single-family homes and a proposed QT gas station along West W.T. Harris Boulevard.

Petition 2019-184 (Page 5 of 8) Final Staff Analysis



The property to the north along Woodland Circle is developed with single family homes.

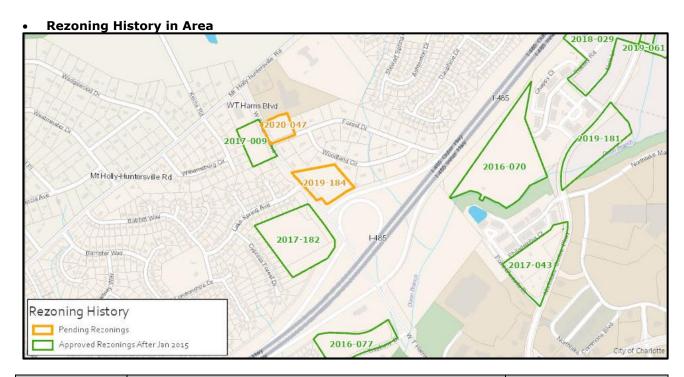


The property borders Interstate 485 and an access road to the south.



The property to the east along Woodland Circle is developed with single-family homes.

Petition 2019-184 (Page 6 of 8) Final Staff Analysis



Petition Number	Summary of Petition	Status
2016-070	Rezoned 17.52 acres to allow up to 300 multi-family units.	Approved
2016-077	Rezoned 5.52 acres to allow a 141-room hotel and a 7,000-square foot EDEE (eating/drinking/entertainment establishment).	Approved
2017-009	Rezoned 2.97 acres to allow up to 75 age-restricted multifamily units.	Approved
2017-043	Rezoned 7.12 acres to allow a 180-room hotel and up to 40,000 square feet of retail, restaurant, and office uses.	Approved
2017-182	Rezoned 11.96 acres to allow development of a QuikTrip gas station and other commercial uses including eating/drinking/entertainment establishments (EDEEs), retail, offices, medical offices, indoor pet services, personal services, financial institutions and climate controlled self-storage.	Approved
2018-029	Rezoned 15.78 acres to allow up to 300 multi-family units.	Approved
2019-061	Rezoned 15.54 acres to allow up to 300 multi-family units.	Approved
2019-181	Rezoned 6.54 acres to allow up to 78 multi-family units.	Pending Approved
2020-047	Proposes to rezone 1.72 acres to allow the development of a commercial building with up to 10,000-square feet with one accessory drive-through window.	Pending

Petition 2019-184 (Page 7 of 8) Final Staff Analysis





• The Northlake Area Plan (2008) calls for residential uses up to eight dwelling units per acre.

TRANSPORTATION SUMMARY

• The site is located on a major thoroughfare road. The site plan commits to installing an 8-foot planting strip and 12-foot multi-use path along W.T. Harris Boulevard, in accordance with Charlotte BIKES. In addition, the petitioner has committed to constructing ordinance required curb and gutter along its W.T. Harris Blvd street frontage. Lastly, the developer has agreed to install a right turn lane, on W.T Harris Boulevard, into the development.

Active Projects:

- There are no active projects in the vicinity of this project.
- Transportation Considerations
 - No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 120 trips per day (based on 12 single-family dwellings). Proposed Zoning: 260 trips per day (based on 71 senior apartments).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No outstanding issues.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Age restricted residential petitions do not impact the number of students generated.
- **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. See advisory comments at www.rezoning.org

Engineering and Property Management:

- Arborist: No comments submitted.
- Erosion Control: No comments submitted.
- Land Development: No outstanding issues.
- Storm Water Services: No outstanding issues.
- **Urban Forestry:** No outstanding issues.

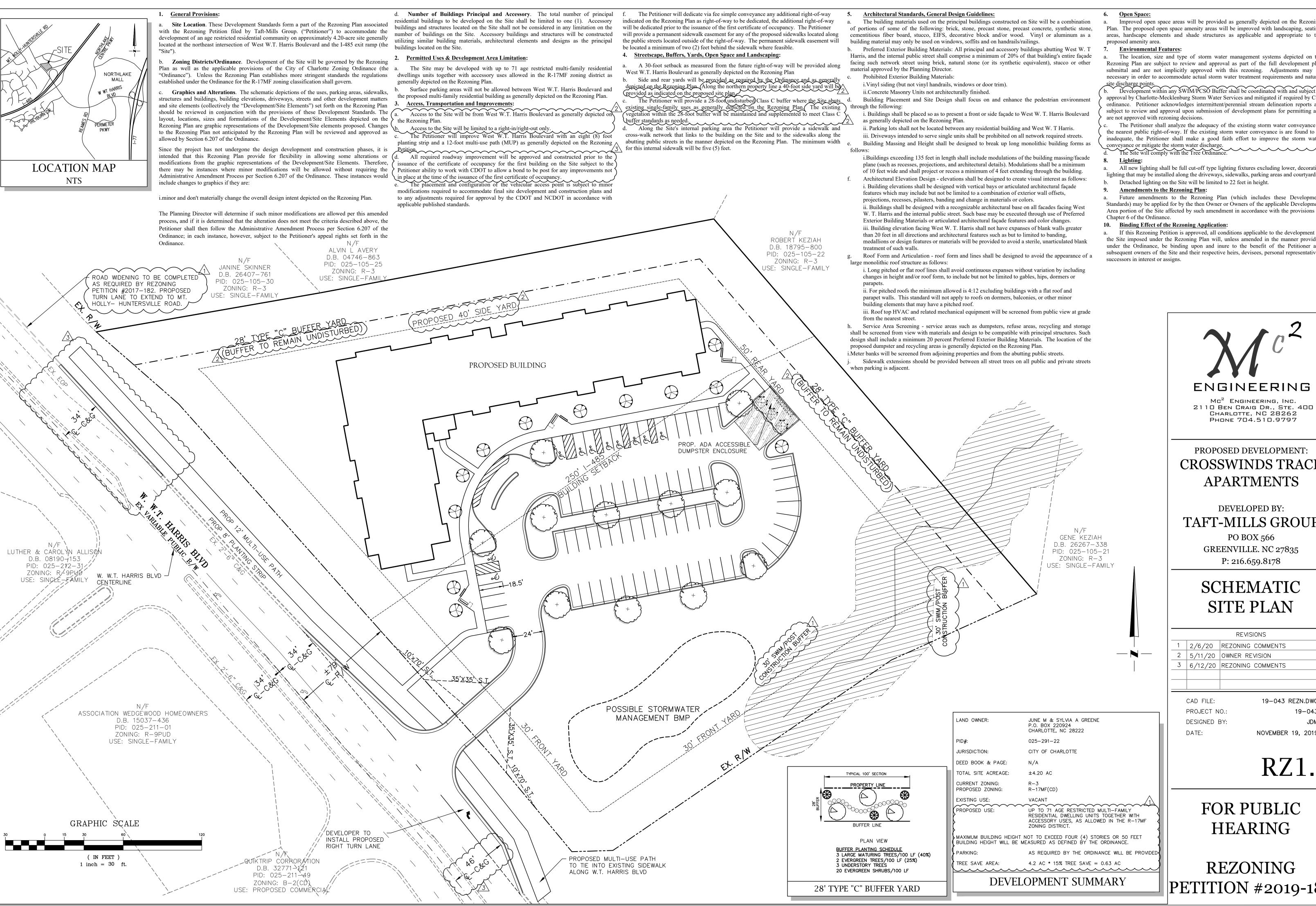
Petition 2019-184 (Page 8 of 8) Final Staff Analysis

• Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.

• Mecklenburg County Parks and Recreation Department: No outstanding issues.

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

Planner: Michael Russell (704) 353-0225



Improved open space areas will be provided as generally depicted on the Rezoning Plan. The proposed open space amenity areas will be improved with landscaping, seating areas, hardscape elements and shade structures as applicable and appropriate to the

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.

b. 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

The Petitioner shall analyze the adequacy of the existing storm water conveyance to the nearest public right-of-way. If the existing storm water conveyance is are found to be inadequate, the Petitioner shall make a good faith effort to improve the storm water

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.

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

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,

ENGINEERING

MC² Engineering, Inc. 2110 BEN CRAIG DR., STE. 400 CHARLOTTE, NC 28262 PHONE 704.510.9797

PROPOSED DEVELOPMENT:

CROSSWINDS TRACE APARTMENTS

DEVELOPED BY:

TAFT-MILLS GROUP PO BOX 566

GREENVILLE. NC 27835 P: 216.659.8178

SCHEMATIC SITE PLAN

REVISIONS 1 2/6/20 REZONING COMMENTS 2 5/11/20 OWNER REVISION 3 6/12/20 REZONING COMMENTS

19-043 REZN.DWG PROJECT NO .: 19-043 **DESIGNED BY:**

NOVEMBER 19, 2019

RZ1.0

FOR PUBLIC **HEARING**

REZONING PETITION #2019-184



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 9.File #: 15-14185 Type: Zoning Decision

Rezoning Petition: 2020-005 by Ronald Staley, Jr. of Verde Homes, LLC

Location: Approximately 0.92 acres located at the SW intersection of Allen Street and Parkwood Avenue in the Belmont community. (Council District 1 - Egleston)

Current Zoning: R-5 (residential)

Proposed Zoning: NS (neighborhood services)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-005
August 4, 2020

Zoning Committee

REQUEST Current Zoning: R-5 (residential)

Proposed Zoning: NS (neighborhood services)

LOCATION Approximately .92 acres located at the SW intersection of Allen

Street and Parkwood Avenue in the Belmont Community.

(Council District 1 - Egleston)

PETITIONER Ron Staley, Jr., Verde Homes

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** with the *Belmont Area Revitalization Plan*, based on the information from the staff analysis and the public hearing and because:

 The plan recommends residential uses up to 22 dwelling units per acre (DUA) for the property fronting Parkwood Avenue and residential uses up to five DUA for the property fronting Allen Street.

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

- The proposal for 3,000 square feet of retail space achieves the Plan's economic development goal by increasing retail services within the Belmont Neighborhood.
- The request is consistent with uses already allowed by-right in the B-1 zoning district directly across Parkwood Avenue
- The requested density of 23.9 DUA is reasonable variation in density from the recommended density of 22 DUA for a majority of the site.
- The proposal achieves the Plan's goal of creating a more pedestrian friendly community and improves vehicular flow by committing to inter-parcel connectivity with petition number 2019-156.
- The proposal's units along Allen Street are oriented in a way
 that is compatible with existing residences along the street, in
 particular by providing pedestrian connections from the
 sidewalk to the front door and by matching front setbacks.
 This compatibility is one of the Plan's guiding principles to
 assist in achieving the overall vision for Belmont.

The approval of this petition will revise the adopted future land use as specified by the Belmont Area Revitalization Plan, from multi-family up to 22 units per acre and single family uses up to 5 units per acre to residential/office/retail for the site.

Motion/Second: Welton / Kelly

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

inconsistent with the adopted area plan.

There was a brief discussion on the housing located at the site would be torn down as a result of this proposal. It was confirmed that the housing would be removed but it was not known if the units were owner or renter-occupied.

There was no further discussion of this petition.

PLANNER William Linville (704) 336-4090

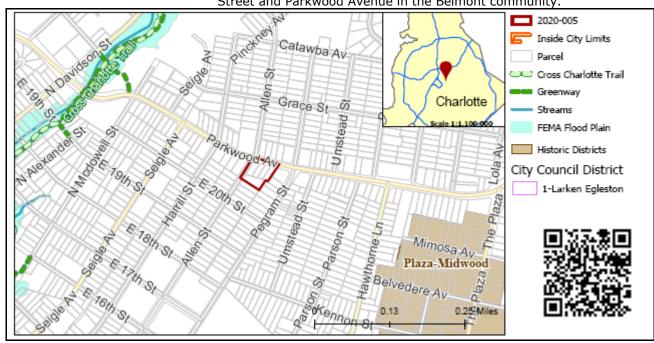




REQUEST Current Zoning: R-5 (residential)

Proposed Zoning: NS (neighborhood services)

LOCATION Approximately 0.92 acres located at the SW intersection of Allen Street and Parkwood Avenue in the Belmont community.



SUMMARY OF PETITION

The petition proposes to establish a development from five contiguous single family parcels that provides a mixture of uses including single-family attached units, multi-family units, and ground floor commercial uses as permitted within the NS district.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

COMMUNITY MEETING

Carolina Capital Reserve Fund II, LLC Ron Staley, Jr.; Verde Homes Paul Pennell, Urban Design Partners

Meeting is required and has been held. Report available online. Number of people attending the Virtual Community Meeting: 27

SIAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Belmont Area Revitalization Plan's* (2003) recommendation for multi-family uses up to 22 dwelling units per acre (DUA) for parcels abutting Parkwood Avenue and single family uses up to 5 DUA for the parcel fronting Allen Street.

Rationale for Recommendation

- The proposal for 3,000 square feet of retail space achieves the Plan's economic development goal by increasing retail services within the Belmont Neighborhood.
- The request is consistent with uses already allowed by-right in the B-1 zoning district directly across Parkwood Avenue

- The requested density of 23.9 DUA is reasonable variation in density from the recommended density of 22 DUA for a majority of the site.
- The proposal achieves the Plan's goal of creating a more pedestrian friendly community and improves vehicular flow by committing to inter-parcel connectivity with petition number 2019-156.
- The proposal's units along Allen Street are oriented in a way that is compatible with existing residences along the street, in particular by providing pedestrian connections from the sidewalk to the front door and by matching front setbacks. This compatibility is one of the Plan's guiding principles to assist in achieving the overall vision for Belmont.

The approval of this petition will revise the adopted future land use as specified by the *Belmont Area Revitalization Plan*, from multi-family up to 22 units per acre and single family uses up to 5 units per acre to residential/office/retail for the site.

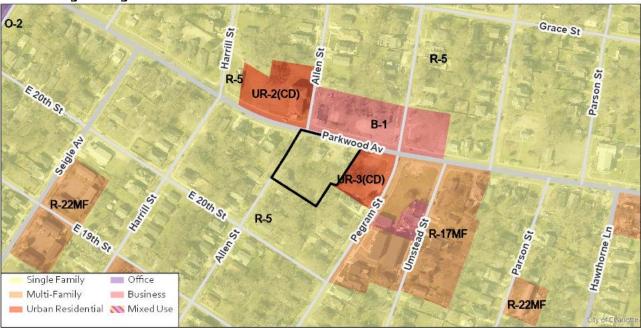
PLANNING STAFF REVIEW

Proposed Request Details

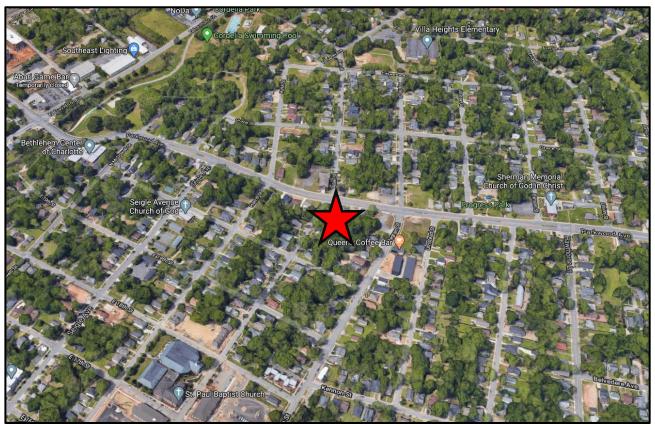
The site plan accompanying this petition contains the following provisions:

- A proposed structure of up to three stories (40 feet) to be located against Parkwood Avenue to contain a mixture of ground-floor retail uses, multi-family units, and attached single-family units.
- Up to 3,000 square feet of ground floor residential uses.
- Restricted uses include accessory drive-through windows, automotive service stations and fueling, auto sales and leasing, and commercial car washes. Short-term (less than 30 days) and long-term rentals (30 days or more) shall be regulated at the site.
- 12 multifamily and 5 single-family attached units along the site's Parkwood Avenue frontage plus an additional 5 units along the site's Allen Street frontage.
- Commits to providing three (3) affordable units, two units deed restricted to buyers at or below 80 percent AMI for a period of 15 years and one unit deed restricted to buyers at or below 50 percent AMI
- Commits to transportation improvements including:
 - Vehicular cross-access to an adjacent parcel (2019-156).
 - An 8-foot sidewalk and 8-foot planting strip along Allen Street and Parkwood Avenue.
 - A minimum of 17 off-street parking spaces
- Commits to architectural standards including:
 - Utilizing a variety of building materials
 - A design that generally maintains the look and character of existing neighborhood homes
 - Buildings that present a side or front to all streets
 - Garage door design that minimizes their visibility from Parkwood Avenue and Allen Street
 - Usable porches/stoops along with pedestrian connections from the buildings to the sidewalk
 - Minimum 60 percent façade transparency along ground level
- Commits to a courtyard/amenity space along the project's eastern boundary
- Commits to full cut-off detached and attached lighting and 12' maximum height for detached lighting

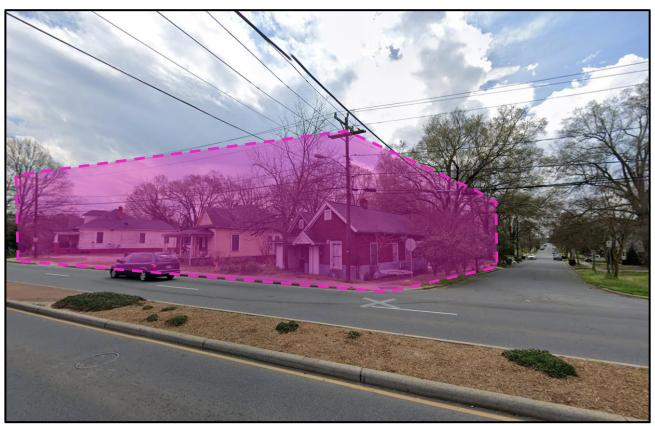
Existing Zoning and Land Use



The site was most recently rezoned in 1988 (1988-075) from B-1 (neighborhood business) to R-6 (residential). The subject property is surrounded by a largely residential area within the Belmont community with frontage along Parkwood Avenue. Parcels zoned B-1 are located directly across Parkwood. Institutional uses, including Villa Heights Elementary and Cordelia Park, are within walking distance.



General location of subject property denoted by red star.



Streetview looking south toward the subject property. General rezoning boundary outline in pink.

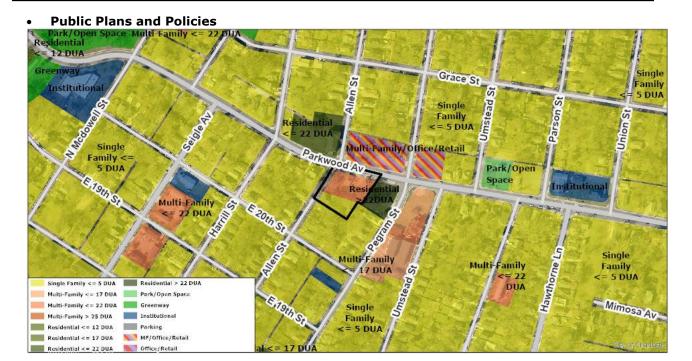


Surrounding neighborhood context. Homes along Allen Street are largely single-story structures with connections from the front door to the sidewalk.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-179	Request to rezone in order to permit multi-family units and single-family detached units.	Pending
2019-156	Request to rezone to an urban residential district in order to construct a single-building multi-family development.	Approved
2019-146	Request to rezone to two urban residential districts to preserve an old corner store and construct one duplex.	Pending
2019-133	Request to adaptively reuse a corner retail establishment for a restaurant and parking.	Approved
2019-102	City-sponsored TOD rezoning for multiple sites along the Blue Line.	Approved
2018-060	Petition to adaptively reuse church structure and construct 6 additional residential units.	Approved
2018-011	Petition to allow the construction of a residential community of up to 5 dwelling units.	Approved



 The Belmont Area Revitalization Plan (2003) recommends multi-family dwelling units up to 22 DUA for a portion of the subject property and single family residential up to 5 DUA for the remainder of the site.

TRANSPORTATION SUMMARY

 The site is located on a major thoroughfare road. The petitioner has committed to constructing an 8-foot planting strip and 8-foot sidewalk along the property frontage along Parkwood Avenue and Allen Street in accordance with the City Council Adopted Charlotte Walks Policy.

Active Projects:

- o Parkwood (N. Davidson -The Plaza) Improvements
 - This project will install pavement markings to create a buffered bike lane on Parkwood Avenue from Belmont Avenue to The Plaza. Several new signals will be added with the project limits as well.
 - Current status: 100% design
 - Construction: Beginning fall 2020, completion by fall 2021

• Transportation Considerations

No outstanding issues.

Vehicle Trip Generation:

Current Zonina:

Existing Use: 38 trips per day (based on 4 dwelling units). Entitlement: 38 trips per day (based on 4 dwelling units).

Proposed Zoning: 690 trips per day (based on 12 multifamily units, 10 townhomes, and 3,000 SF retail space).

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DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 2 students, while the development allowed under the proposed zoning may produce 2 students. Therefore, there is no net increase in the number of students generated from existing zoning to proposed zoning.
 - 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 67%
 - Eastway Middle remains at 118%

Petition 2020-005 (Page 7 of 7) Final Staff Analysis

- Garinger High remains at 122%
- **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Parkwood Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Parkwood Avenue. See advisory comments at www.rezoning.org
- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: See advisory comments at www.rezoning.org
 - **Urban Forestry:** 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.

OUTSTANDING ISSUES

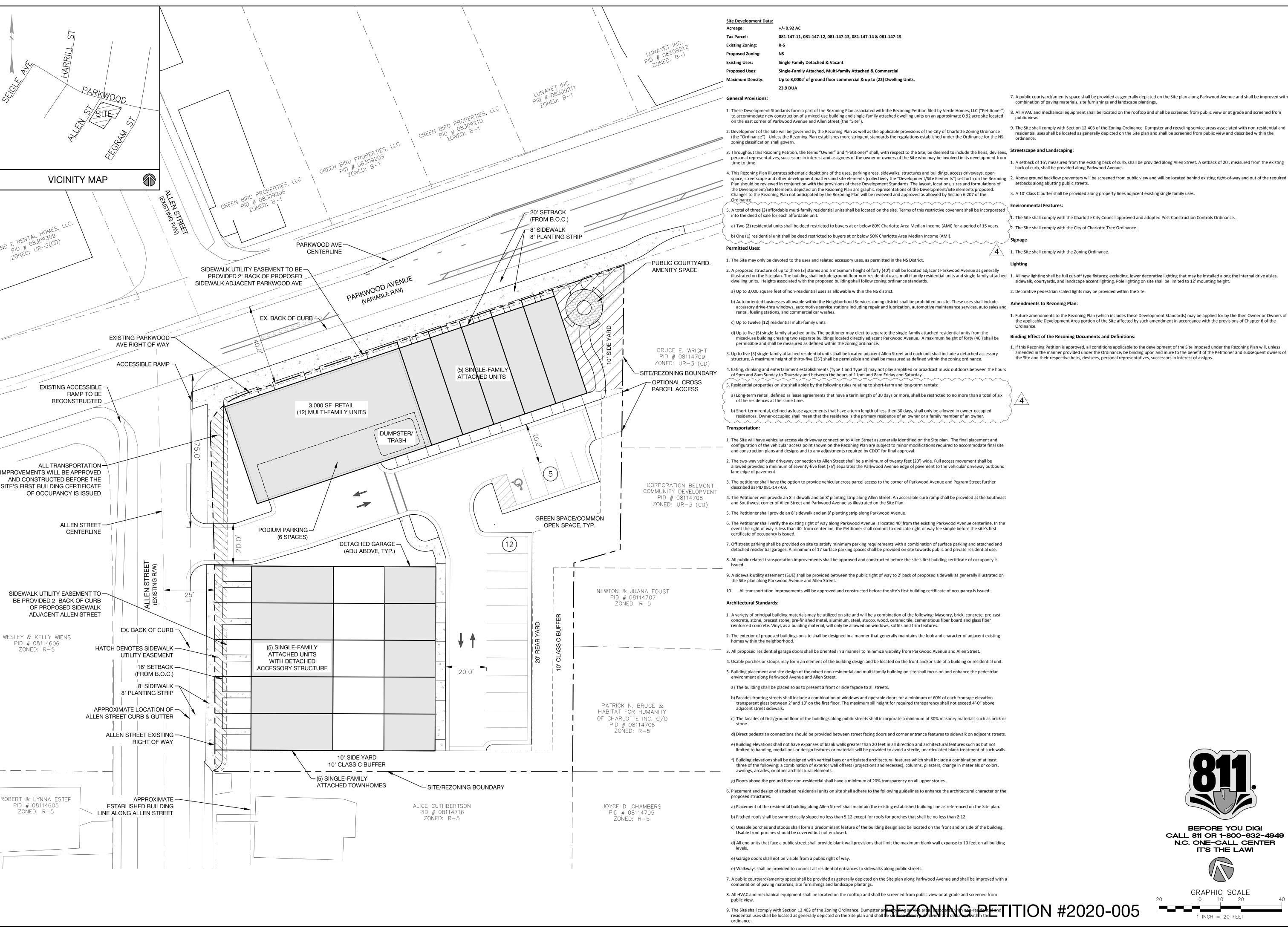
Transportation

1.—The petitioner should revise the site plan to show the driveway further away from Parkwood Road

— 10' from the property line or a minimum of 100' from the Parkwood intersection. ADDRESSED

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

Planner: William Linville (704) 336-4090





DESIGN **PARTNERS**

1318-e6 central ave. P 704.334.3303 charlotte, nc 28205 F 704.334.3305 urbandesignpartners.com nc firm no: P-0418 sc coa no: C-03044

. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

sidewalk, courtyards, and landscape accent lighting. Pole lighting on site shall be limited to 12' mounting height.

2. Decorative pedestrian scaled lights may be provided within the Site.

1. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of

Binding Effect of the Rezoning Documents and Definitions:

1. 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 of assigns.



BEFORE YOU DIG! CALL 811 OR 1-800-632-4949 N.C. ONE-CALL CENTER IT'S THE LAW!



Project No: 19-149 Date: 01.09.20 Designed by: UDP Drawn By: UDP Sheet No:



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 10.File #: 15-14186 Type: Zoning Decision

Rezoning Petition: 2020-007 by Erwin Capital

Location: Approximately 13.211 acres located along the northern side of Albemarle Road between Rocky River Church Road and Blair Road. (Outside City Limits)

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

Proposed Zoning: B-1 (CD) SPA (neighborhood business, conditional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-007

August 4, 2020

REQUEST Current Zoning: B-1(CD) (neighborhood business, conditional)

Proposed Zoning: B-1(CD)(SPA) (neighborhood business,

conditional, site plan amendment)

LOCATION Approximately 13.211 acres located along the northern side of

Albemarle Road between Rocky River Church Road and Blair

Road.

(Outside City Limits)

PETITIONER Woodland Beaver Farms, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Albemarle Road/I-485 Interchange Plan,* based on the information from the staff analysis and the public hearing and because:

• The plan recommends multi-family/retail uses for the site.

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

- This site plan amendment is consistent with the land use recommendations of multi-family/retail uses for the property.
- The request is consistent with the context of surrounding land uses found along this area of Albemarle Road.
- The request will help achieve the Plan's land use recommendations for Zone A by allowing retail uses to be oriented along Rocky River Road and Albemarle Road.
- The petition is committing to enhanced architectural design guidelines which help realize the Plan's design recommendations for zone A.

Motion/Second: Kelly / Welton

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None Petition 2020-007 (Page 2 of 2) Zoning Committee Recommendation

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan. **ZONING COMMITTEE**

DISCUSSION

There was no further discussion of this petition.

William Linville (704) 336-4090 **PLANNER**





REQUEST

Current Zoning: B-1 (CD) (neighborhood business, conditional) Proposed Zoning: B-1 (CD) SPA (neighborhood business, conditional, site plan amendment)

LOCATION

Approximately 13.211 acres located along the northern side Albemarle Road between Rocky River Church Road and Blair Road



SUMMARY OF PETITION

The petition proposes to amend an existing approved site plan (1998-042C) to permit additional uses including an additional EDEE with accessory drive through and other uses permitted by right and under prescribed conditions in the neighborhood business district.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Woodland Beaver Farms, LLC Woodland Beaver Farms, LLC Mark Kime, LandDesign

COMMUNITY MEETING

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

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Albemarle Road/I-485 Interchange Study's* (2003) recommendation for multi-family/retail uses for the site

Rationale for Recommendation

- This site plan amendment is consistent with the land use recommendations of multi-family/retail uses for the property.
- The request is consistent with the context of surrounding land uses found along this area of Albemarle Road.
- The request will help achieve the Plan's land use recommendations for Zone A by allowing retail uses to be oriented along Rocky River Road and Albemarle Road.

 The petition is committing to enhanced architectural design guidelines which help realize the Plan's design recommendations for zone A.

PLANNING STAFF REVIEW

Background

The previously approved site plan for this location (1998-042C) rezoned a total of 40 acres into two development areas. One area to the north of the overall site was rezoned to R-17MF which entitled the site to up to 300 multi-family dwelling units. That development area has been completely built-out. The remaining southern portion (approximately 24 acres) was devoted to retail and office uses up to 80,000 SF. The retail component only allowed one EDEE with accessory drive through window and one gas station. The area that is part of this SPA is the area that remains undeveloped under the current conditional plan and would allow, if approved, residential uses, one additional accessory drive-through, and commits to other architectural standards not written into the existing approved site plan.

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Permits all B-1 uses (including residential) on the site with the addition of only one two EDEE's
 with accessory drive through windows allowed on site while prohibiting convenience stores with
 fuel pumps/gas stations on site. Before the issuance of a building permit for the development of
 the second EDEE with accessory drive through window, the petitioner shall be required to submit
 a TIS for the site to CDOT and/or NCDOT.
- Commits to architectural standards for all non-residential uses (excluding hotels), single-family attached dwelling units, and multi-family buildings which include:
 - Preferred building materials for residential units (attached and multi-family) and nonresidential uses
 - A commitment to varying levels of transparency on all levels of non-residential structures
 - Limitations on the use of vinyl and EIFS as a primary building material for attached residential units.
 - Providing pedestrian connections from sidewalks to entryways for residential and nonresidential units
 - Committing to façade articulation and the limitation of large blank expanses of walls through offsets, changes in materials and/or colors, and etc. for non-residential buildings and multi-family buildings.
 - Committing to providing usable porches and/or stoops with a minimum depth of 5 feet.
- Transportation improvements including an 8-foot planting strip and 12-foot multi-use path along the project's frontage with Albemarle Road and Rocky River Church Road.
- Construction of ADA-compliant but waiting pad.

• Existing Zoning and Land Use



The site is part of a larger approved rezoning from 1998 (1998-042C) that permitted up to 300 multi-family residences and up to 80,000 square feet or retail uses. Mint Hill's zoning limits are located along the southern portion of Albemarle Road at this location, while there are surrounding residential units at varying density to the north, east, and west of the subject property.



General location of subject property denoted by red star.

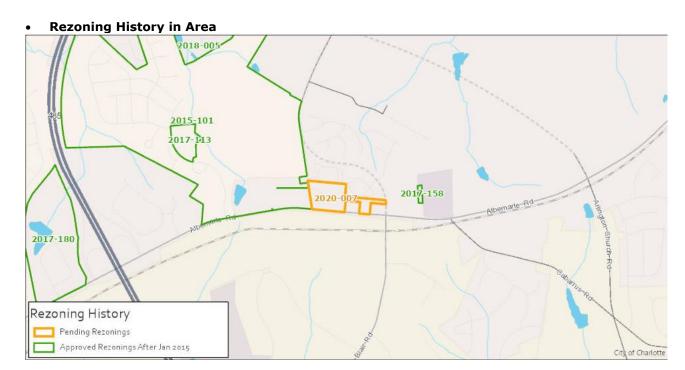
Petition 2020-007 (Page 4 of 7) Final Staff Analysis



Streetview along Albemarle Road looking NE towards subject property.



Streetview from Rocky River Church Road looking SE into the site. The vacant land seen in this image is included in the rezoning petition.



Petition Number	Summary of Petition	Status
2018-005	Rezoning of approximately 141 acres to accommodate up to 350 residential units.	Approved
2017-180	Rezoning to accommodate the development of a up to 45,000 square feet of retail and medical office.	Approved
2017-158	Rezoning from residential to general business.	Approved
2017-113	Petition to rezone in order to provide indoor and outdoor recreational uses in the Cresswind neighborhood.	Approved
2015-101	Original rezoning petition for Cresswind, a master-planned residential community east of I-485.	Approved

• Public Plans and Policies



 The Albemarle Road/I-485 Interchange Study (2003) recommends multi-family/retail uses for the site.

Petition 2020-007 (Page 6 of 7) Final Staff Analysis

TRANSPORTATION SUMMARY

o The site is located on a major thoroughfare. Petitioner will install an 8-foot-wide planting strip and a 12-foot-wide multi-use path along the Site's frontages on Albemarle Road and Rocky River Church Road in accordance with the City Council Adopted Charlotte BIKES Policy. This Petition seeks to increase the number of uses to include two accessory drive through windows. Prior to the issuance of a building permit for the development of a second eating, drinking and entertainment establishment (Type 1 or Type 2) with accessory drive-in and/or drive-through service lanes/windows on the Site, Petitioner shall be required to submit a Traffic Impact Study for the Site to CDOT and/or NCDOT as applicable.

Active Projects:

There are no active projects within the immediate area; However, the Blair Road Extension Project is an unfunded NCDOT project adjacent to the site. It proposes to construct Blair Road between Albemarle Road and Rocky River Church Road as a two-lane divided (Median or Center Turn Lane) with Bike Facilities and Sidewalks. This project is currently on hold.

Transportation Considerations

No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

Existing Use: 0 trips per day (based on vacant land use). Entitlement: 4,625 trips per day (based on 68,000 SF retail).

Proposed Zoning: 6,322 trips per day (based on 68,000 SF retail including one EDEE with accessory drive-through window).

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: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 74 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 74 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Clear Creek Elementary from 100% to 107%
 - Northeast Middle from 75% to 77%
 - Rocky River High from 81% to 82%.
 - Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Rocky River Church Road. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 990 feet south of the rezoning boundary on Rocky River Church Road. A developer donated project will be required in cases there is not direct service. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding accessibility to sewer system connections. See advisory comments at www.rezoning.org

• Engineering and Property Management:

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

Petition 2020-007 (Page 7 of 7) Final Staff Analysis

OUTSTANDING ISSUES

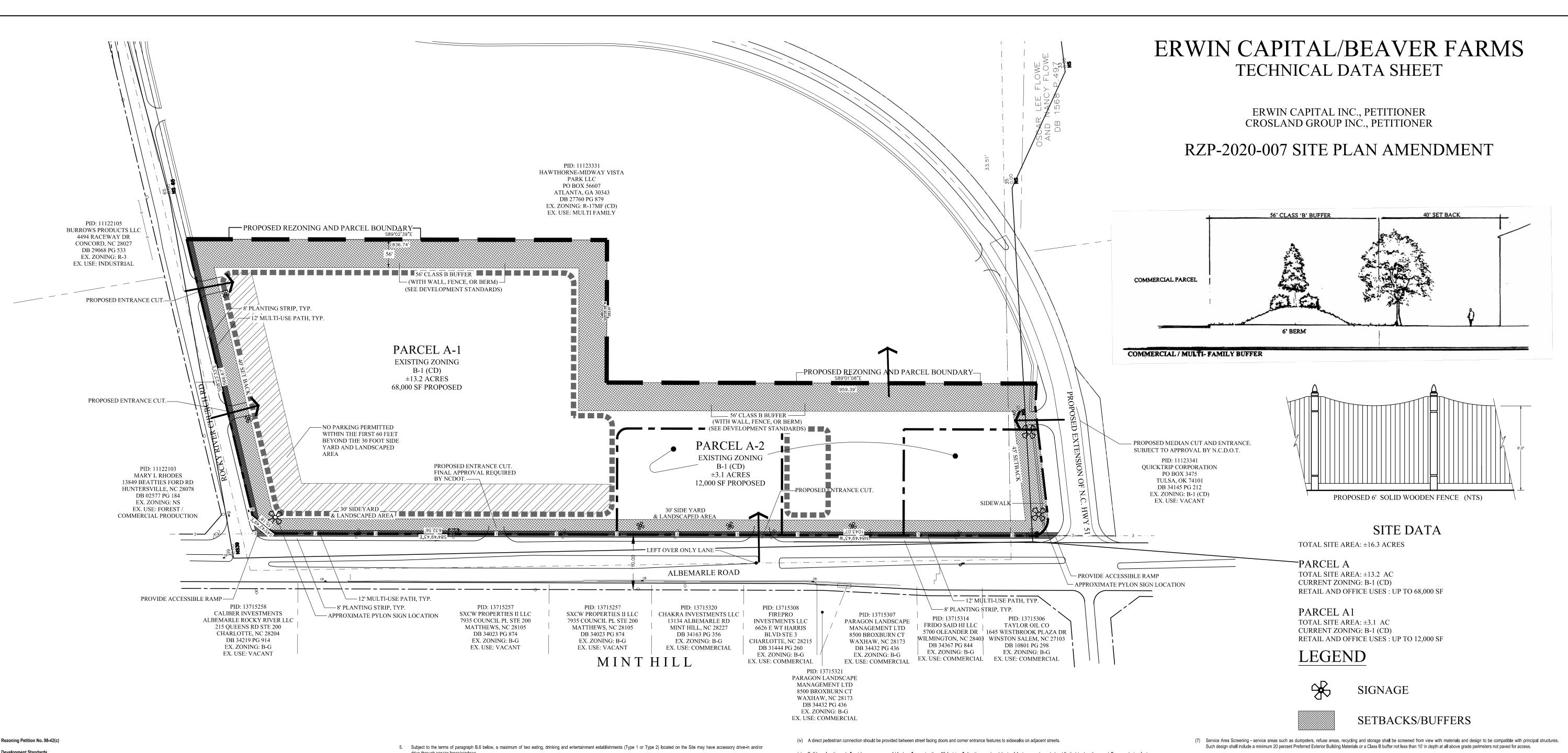
Transportation

1. The petitioner should revise the site plan and add a note 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. CDOT requests ROW set at 2' behind back of sidewalk where feasible. ADDRESSED Site and Building Design

- 2.—Revise conditional notes in section F to include hotels as a use subject to the architectural controls listed for non-residential uses. ADDRESSED
- 3. Revisit language in conditional note F.1.(c) to more precisely describe where/when a building with an accessory drive through window or service lanes/windows may present a circulation drive between the building and adjacent streets. ADDRESSED

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

Planner: William Linville (704) 336-4090



Development Standards Woodland/Beaver Farms Site

A. GENERAL PROVISIONS

Revised - July 27, 2020

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Erwin Capital (the "Petitioner") to request an amendment to the approved B-1 (CD) conditional rezoning plan for an approximately 13.211 acre site located generally on the northeast corner of the intersection of Rocky River Church Road and Albemane Road, which site is more

particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 111-233-32, 111-233-33, 111-233-34, 111-233-37 and 111-233-40. The Site is an approximately 13.211 acre portion of an approximately 40.1 acre site (the "Original Rezoning Site") that was rezoned to the B-1 (CD) zoning district by the Charlotte City Council in 1998 pursuant to Rezoning Petition No. 1998-042(c) to accommodate a multi-use development on the Site.

Under the approved B-1 (CD) conditional rezoning plan relating to Rezoning Petition No. 1998-042(c) (the "1998 Approved Plan"), the Original Rezoning Site is divided into two parcels for entitlement purposes, such parcels being designated as Parcel A and Parcel B on the 1998 Approved Plan. Pursuant to the 1998 Approved Plan, Parcel A, which contains approximately 16.3 acres, may be developed with a maximum of 80,000 square feet of retail and office uses, and Parcel B, which contains approximately 23.8 acres, may be developed with a maximum of 300 multi-family dwelling units. The Site is a portion of Parcel A.

- That portion of Parcel A that comprises the Site is designated on this Rezoning Plan as "Parcel A-1" and that portion of Parcel A that is not part of the Site and is not subject to this Rezoning Petition
- Subject to the terms and requirements of the Ordinance and the terms and conditions of the Development Standards and the Rezoning Plan, principal buildings, accessory structures and parking areas may be located anywhere on the Site. This Rezoning Plan does not limit the number of principal buildings, accessory structures and parking areas that may be located on the Site.
- Notwithstanding the terms of paragraph A.5 above, parking areas may not be located within that portion of the Site designated on the Rezoning Plan as a "60 Foot No Parking Zone". The 60 Foot No Parking Zone is hatched on the Rezoning Plan. However, buildings, accessory structures and vehicular circulation drives or drive aisles associated with drive-in and drive-through service lanes/windows may be located in the 60 Foot No Parking Zone.
- Prior to the Charlotte City Council's decision on this Rezoning Petition, the Petitioner shall file with the Charlotte Planning, Design and Development Department (the "Planning Department") a request for an administrative site plan amendment to the 1998 Approved Plan to reduce the maximum gross floor area allowed on that portion of Parcel A that is not subject to this Rezoning Petition (designated as Parcel A-2 on this Rezoning Plan) to 12,000 square feet of gross floor area. In the event that this Rezoning Petition is approved, the Planning Department shall process and approve this administrative site plan amendment request. In the event that this Rezoning Petition is withdrawn prior to approval or denied by the Charlotte City Council, the Planning Department shall not process or approve this administrative site plan amendment request and the Planning Department shall return this administrative site plan amendment request to Petitioner.
- The development and use of the Site will be governed by this Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the B-1 zoning district shall govern the
- 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.
- 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

B. PERMITTED USES/DEVELOPMENT LIMITATIONS

- Subject to the limitations set out below in paragraphs B.2 through B.6, the Site may only be devoted to the following uses:
- (a) Retail uses, personal service uses, general and professional office uses (including medical and dental offices), financial institutions, hotel uses and eating, drinking and entertainment establishments (Type 1 and Type 2) and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-1 zoning district.
- (b) Residential uses allowed in the B-1 zoning district and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-1 zoning district. Residential uses
- A total maximum of 68,000 square feet of gross floor area may be developed on the Site.

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- A maximum of 110 hotel rooms may be developed on the Site. The gross floor area of a hotel building developed on the Site shall count towards the total maximum allowed gross floor area that may be developed on the Site set out above in paragraph B.2
- In the event that residential uses allowed in the B-1 zoning district are developed on the Site, each residential dwelling unit shall be counted towards the total maximum allowed gross floor area that may be developed on the Site set out above in paragraph B.2 at the rate of 1,000 square feet per residential dwelling unit.

- drive-through service lanes/windows.
- 6. Prior to the issuance of a building permit for the development of a second eating, drinking and entertainment establishment (Type 1 or Type2) with accessory drive-in and/or drive-through service lanes/windows or the Site, Petitioner shall be required to submit a Traffic Impact Study for the Site to CDOT and/or NCDOT as applicable. The Traffic Impact Study shall be required to be approved by CDOT and/or NCDOT as applicable prior to the issuance of a building permit for the development of a second eating, drinking and entertainment establishment (Type 1 or Type2) with accessory drive-in and/or drive-through service lanes/windows on the Site, and Petitioner shall be required to construct and install any required transportation improvements set out in the approved Traffic Impact Study in accordance with the time frame set out in the approved Traffic Impact Study.
- 7. A convenience store with fuel pumps and/or a gasoline station shall not be permitted on the Site.

1. Buffer areas shall be established on the Site as required under the Ordinance based on the actual use or uses on the Site. Any required buffer areas shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 thereof. The width of any required buffer may be reduced by 25% if a wall, fence or berm is provided that meets the requirements of Section 12.302(8) of the Ordinance.

- 2. A 56 foot wide Class B buffer (reduced in size by 25% by virtue of the installation of a wall, fence or berm) is depicted on the Rezoning Plan. Notwithstanding the depiction of a 56 foot wide Class B buffer on the Rezoning Plan, the actual types and widths of the buffer areas to be established on the Site shall be based upon the actual use or uses on the Site.
- 3. 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,
- 4. Petitioner reserves the right to clear, grade and fill within any required buffer areas.
- 5. Petitioner reserves the right to install utilities within any required buffer areas. However, utility installations may only cross buffer areas at interior angles measured at property lines which are not
- 6. No buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within any required buffer areas.
- 7. Where existing trees and natural vegetation have been cleared to accommodate pedestrian sidewalks or pathways or the installation of utilities, the cleared, unimproved areas will be landscaped

D. SETBACKS, SIDE YARDS AND REAR YARDS

- All buildings constructed on the Site shall satisfy or exceed the setback, rear vard and side vard requirements established under the Ordinance for the B-1 zoning district. Building setbacks off of Albemarle Road and Rocky River Church Road will be established in the manner depicted on the Rezoning Plan.
- 8. No storm water detention facilities may be located within any setback areas
- SCREENING AND LANDSCAPED AREAS . Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance. 2. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- 3. Any dumpsters visible from a public street or from adjoining property will be screened with a solid-enclosure with gates.

F. ARCHITECTURAL CONTROLS 1. Buildings Devoted to Non-Residential Uses

- (a) The maximum height of any building devoted to non-residential uses, including, without limitation, a building devoted to a hotel use, shall be governed by the Ordinance
- (b) The architectural and design standards set out below shall apply to any building devoted to non-residential uses, including, without limitation, a building devoted to a hotel use.
- (1) Building Placement and Site Design shall focus on and enhance the pedestrian environment on public network required streets through the following:
- (i) Buildings shall be placed so as to present a front or side facade to all public streets
- (ii) Facades fronting public streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation with transparent glass between 2' and 10' on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above
- (iii) The facades of the first/ground floor of the buildings along public streets shall incorporate a minimum of 30% masonry materials such as brick or stone

- (v) Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as, but not limited to, banding, medallions or design features or
- (vi) Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades or other architectural elements.

(vii) Buildings shall have a minimum height of 22 feet.

(viii) Multi-story buildings shall have a minimum of 20% transparency on all upper stories. (c) Notwithstanding anything contained herein to the contrary, uses with accessory drive-in and/or drive-through service lanes/windows may have a vehicular circulation drive or drive aisle located between the building and any adjacent streets (public or private). However, pick-up windows may not be located on the facade of a building that faces an adjacent public street.

2. Single Family Attached Dwelling Units

(a) The maximum height of any single family attached dwelling units constructed on the Site shall be governed by the Ordinance.

- (b) The architectural and design standards set out below shall apply to any single family attached dwelling units constructed on the Site. (1) The primary exterior building materials for the single family attached dwelling units constructed on the Site will be a combination of portions of the following: brick veneer or similar masonry products,
- stone, manufactured stone, stucco and cementitious siding.
- (2) Vinyl, EIFS or masonite may not be used as an exterior building material on any single family attached dwelling unit constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings. Additionally, aluminum may be used on trim and garage doors. (3) Pitched roofs, if provided, shall 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
- (4) The finished floor elevation of each single family attached dwelling unit located within 15 feet of a public sidewalk shall be a minimum of 12 inches above the average sidewalk grade of the public
- (5) Each single family attached dwelling unit constructed on the Site shall have a usable front porch or a front stoop. Usable front porches shall be covered and be at least 5 feet in depth. Front stoops shall be covered and front stoops may be covered by an awning, canopy, roof extension or other architectural feature chosen by Petitioner. Front stoops shall not be required to have a minimum (6) All corner/end units that face a public or private street shall have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank
- wall expanse to 20 feet on all levels. (7) Walkways shall be provided to connect all residential entrances to sidewalks fronting public streets. (8) Townhome buildings that are adjacent to and front a public street shall not contain more than 5 individual single family attached dwelling units. This requirement shall not apply to buildings that do
- not front a public street or buildings that are adjacent and perpendicular to a public street. (9) Garage doors visible from public streets shall minimize the visual impact by providing a minimum setback of 12 inches from the further of the front wall plane or porch or stoop protrusion and shall nave additional architectural treatments such as translucent windows or projecting elements over the garage door opening.
- (a) The maximum height of any building devoted to multi-family uses shall be governed by the Ordinance. (b) The architectural and design standards set out below shall apply to buildings devoted to multi-family uses.
- (1) Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 30% of that building's entire facade facing such network street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.
- (i) Vinyl siding (but not vinyl hand rails, windows, doors or door trim).
- (ii) Concrete Masonry Units not architecturally finished.
- (3) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following: (i) Buildings shall be placed so as to present a front or side facade to all network required streets (public or private).

(iii) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

- (ii) Buildings shall front (the side of a building that has windows will also be considered a front) a minimum of 50% of the total network required street frontage on the Site (exclusive of driveways, pedestrian access points, usable open space, tree save areas, natural areas, and/or tree re-planting areas).
- (iii) Driveways intended to serve single units shall be prohibited on all network required streets.
- (4) Building Massing and Height shall be designed to break up long monolithic building forms as follows: (i) Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10
- feet wide and shall project or recess a minimum of 6 feet extending through the building. (5) Architectural Elevation Design - elevations shall be designed to create visual interest as follows: (i) Building elevations shall be designed with vertical bays or articulated architectural facade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
- (ii) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural facade features and color changes. (iii) Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- (6) Roof Form and Articulation roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follow (i) 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. (ii) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.

Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree Ordinance.

1. 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

704.333.0325 WWW.LANDDESIGN.COM



NOT FOR CONSTRUCTION

ERWIN CAPITAL, INC

1521 PROVIDENCE ROAD

1019529

REVISION / ISSUANCE

DESCRIPTION

INITIAL SUBMITTAL

REVISED PER STAFF 04/20/2020

REVISED PER STAFF 06/09/2020

REVISED PER STAFF 07/23/2020

owner or owners of the Site from time to time who may be involved in any CHARLOTTE, NC 28211

02/18/2020

. Off street parking spaces will satisfy the minimum standards under the Ordinance.

2. Off-street parking for an age restricted, independent living facility use shall be provided at the rate of 1 parking space per 3 dwelling units.

. All freestanding lighting fixtures installed on the Site will be uniform in design.

The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet in height. All freestanding light fixtures and wall pack light fixtures installed on the Site except street lights which may be erected along Albemarle Road or Rocky River Church Road shall be designed such that direct illumination does not extend past any property line. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards Albemarle Road and Rocky River Church Road and adjacent All wall packs will be shielded.

1. All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

The number of vehicular access points to the Site shall be limited to the number depicted on the Rezoning Plan. 2. The placement and configuration of each access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any

adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation 3. The parking lots for each of the establishments place on the Site must be configured in such a fashion as to allow internal vehicular traffic to move from one parcel to the other parcel.

K. TRANSPORTATION AND SIDEWALKS

Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed.

5. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed. Roadway improvement required as part of Rezoning Petition No. 1998-042(c) has been completed. Petitioner will install an 8 foot wide planting strip and a 12 foot wide multi-use path along the Site's frontages on Albemarle Road and Rocky River Church Road as generally depicted on the

8. Subject to the approval of CDOT and any other governmental agencies, Petitioner shall, prior to the issuance of the first certificate of occupancy for a building constructed on the Site, construct an ADA compliant bus waiting pad per land development standard 60.01B within the required planting strip along the Site's frontage on Albemarle Road. The exact location of the waiting pad shall be determined during the site design and permitting process, and the waiting pad shall be located entirely within right of way. In the event that Petitioner cannot obtain all approvals and permits required to construct the waiting pad, then Petitioner shall have no obligation to construct the waiting pad. CATS shall be responsible for the installation and maintenance of a bench or shelter on

9. All transportation improvements required to be constructed pursuant to this Section K of the Development Standards will be approved and constructed prior to the issuance of the first certificate of occupancy for a building constructed on the Site.

Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed.

Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed. Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed.

4. Right of way dedication required as part of Rezoning Petition No. 1998-042(c) has been completed.

5. Prior to the issuance of the first certificate of occupancy for a building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte or to the North Carolina Department of Transportation as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Albemarle Road as required to provide right of way measuring 50 feet from the centerline of existing Albemarle Road, to the extent that such right of way does not already exist.

6. Petitioner will dedicate via fee simple conveyance 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 building constructed on the Site. The right of way shall be located two (2) feet behind the sidewalk where feasible. If it is not feasible to locate any right of way two (2) feet behind the sidewalk, then Petitioner may provide a permanent sidewalk easement for any of the proposed sidewalks (or portions thereof) located along the public streets located outside of the right-of-way.

2. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

2. 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

SITE PLAN AMENDMENT

DESIGNED BY: MEK

DRAWN BY: MEK

CHECKED BY: LDI



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 11.File #: 15-14188 Type: Zoning Decision

Rezoning Petition: 2020-017 by Aspen Heights Partners

Location: Approximately 2.75 acres located east of Baltimore Avenue, south of Remount Road, and

north of Benjamin Street. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-017

August 4, 2020

Zoning Committee

REQUEST

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

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

LOCATION

Approximately 2.75 aces located east of Baltimore Avenue, south of Remount Road and north of Benjamin Street.

(Council District 3 - Watlington)

PETITIONER

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *New Bern Transit Station Area Plan* based on the information from the staff analysis and the public hearing and because:

The New Bern Transit Station Area Plan recommends institutional uses.

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

- The project site is along Baltimore Avenue, which is primarily residential in character.
- The proposed residential use is compatible with the surrounding uses.
- A 20-unit townhouse community is proposed on the opposite side of Baltimore Avenue via petition 2020-018.
- The proposed site plan will enhance the connectivity and walkability of the emerging mixed-use neighborhood.
- The parcels surrounding this site are being redeveloped from former industrial and vacant sites into a mixed-use area with office, residential and retail uses.
- The development commits to community space for local nonprofit organizations.
- The development commits to streetscape improvements, on street parking, a pedestrian refuge island, and a new ADA compliant bus waiting pad.

The approval of this petition will revise the adopted future land use as specified by the *New Bern Transit Station Area Plan* from institutional to residential greater than 22 dwelling units per acre.

Petition 2020-017

(Page 2 of 2)

Zoning Committee Recommendation

Motion/Second: Barbee / Blumenthal

Yeas: Barbee, Blumenthal, Kelly, McMillian, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE

DISCUSSION

Staff provided a summary of the petition and noted that it is

inconsistent with the adopted area plan. There was no discussion

of this petition.

PLANNER Claire Lyte-Graham (704) 336-3782





REQUEST

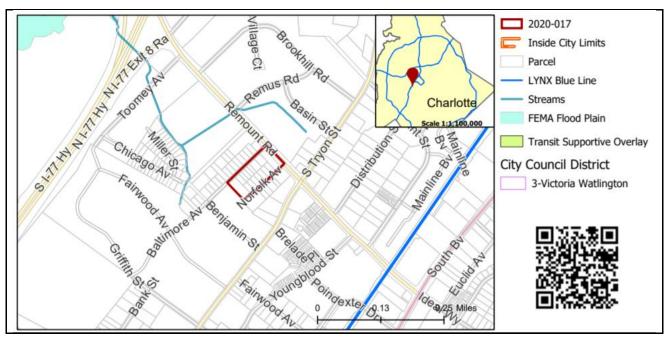
LOCATION

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

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

Approximately 2.75 acres located east of Baltimore Avenue, south

of Remount Road, and north of Benjamin Street.



SUMMARY OF PETITION

The petition proposes to allow a multifamily residential community on a parcel currently developed with The Bethlehem Center of Charlotte.

PROPERTY OWNER

The Bethlehem Center of Charlotte, Inc. Christian Service Methodist Church Aspen Heights Partners

PETITIONER AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins

COMMUNITY MEETING

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

walkability of the emerging mixed-use neighborhood.

STAFF RECOMMENDATION	Staff recommends approval of this petition.
	<u>Plan Consistency</u> The petition is inconsistent with the <i>New Bern Transit Station Area Plan</i> recommendation for institutional uses.
	 Rationale for Recommendation The project site is along Baltimore Avenue, which is primarily residential in character. The proposed residential use is compatible with the surrounding uses. A 20-unit townhouse community is proposed on the opposite side of Baltimore Avenue via petition 2020-018. The proposed site plan will enhance the connectivity and

- The parcels surrounding this site are being redeveloped from former industrial and vacant sites into a mixed-use area with office, residential and retail uses.
- The development commits to community space for local non-profit organizations.
- The development commits to streetscape improvements, on street parking, a pedestrian refuge island, and a new ADA compliant bus waiting pad.

The approval of this petition will revise the adopted future land use as specified by the *New Bern Transit Station Area Plan* from institutional to residential greater than 22 dwelling units per acre.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

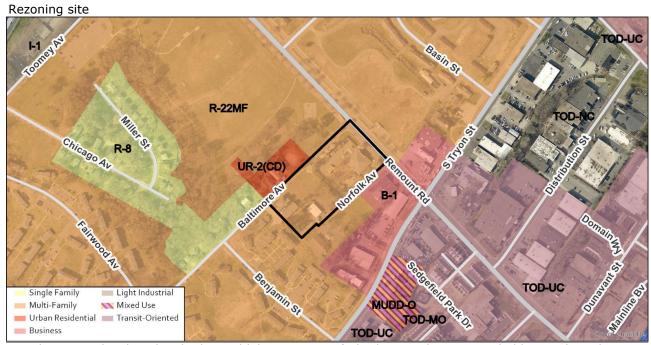
- Allows up to 274 multifamily residential units with parking garage.
- Limits building height of 68 feet.
- Commits to reserving a minimum 1,000 square feet of community space for local non-profit organizations, to be used as seen fit through coordination with The Bethlehem Center.
- Commits to the following transportation improvements:
 - Allows one point of access onto Baltimore Avenue.
 - Allows one point of access onto Norfolk Avenue, along with one dedicated service driveway
 with vehicular maneuvering (accessing dumpster/compactor and recycling area within).
 - Proposes dumpster/compactor and recycle area within the building.
 - Extends the bike lane from the site's frontage to the intersection of Remount Road and South Tryon Street.
 - Constructs a pedestrian refuge island across Remount Road and enhanced intersection crossing.
 - Constructs a new ADA compliant bus waiting pad on Remount Road.
 - Provides 8-foot sidewalk, 8-foot planting strip, and 8-foot amenity zone along Remount Road
 - Provides 8-foot sidewalk and 8-foot planting strip along Baltimore Avenue.
 - Provides 8-foot pedestrian zone and 8-foot planting strip along Norfolk Avenue.
 - Accommodates on street parking along Norfolk Avenue.
- Proposes the following architectural standards:
 - Uses a combination of the following building materials: brick, glass, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement ("HardiPlank") and/or materials.
 - Prohibits vinyl siding and limits use of vinyl to hand rails, windows, soffits, or door trim. Prohibits concrete masonry units not architecturally finished.
 - Designs building massing to break up monolithic building forms through modulations of the building massing/façade plane (such as recesses, projections, wall offsets, pilasters, and other architectural details.
 - Designs buildings with a recognizable architectural base on all facades facing network required streets.
 - Provides a minimum of 1 prominent entrance along the site's frontage of Remount Road.
 - Notes ground floor transparency area shall be a minimum of 50% transparency and all upper floor transparency shall be a minimum of 15% transparency.
 - Limits blank wall expanses to a maximum of 15 feet on all building levels.
 - Prohibits building elevations facing network required streets from having expanses of blank walls greater than 20 feet.
 - Provides a "green screen" to adjacent properties with a minimum 12-foot Evergreen
 plantings at time of installation. Species, spacing and planting details will be determined at
 permitting.
 - Notes facades of structured parking facilities fronting Baltimore Avenue and/or Norfolk Avenue, if provided, shall be designed so that vehicles parked on all levels of the structure and associated lightings are screened by a wall or panel measuring a minimum of 42 inches in height. Screening will include both vertical and horizontal treatment that resembles patterns and architecture of the occupied portions of the building. Remaining openings on all levels will be screened using decorative elements such as grillwork, lovers, green walls or a similar treatment. Minimum evergreen plantings of 12 feet, at the time of installation, will be provided to additionally screen structured parking facilities.

 Petitioner proposes to coordinate sidewalk easement on County owned land with Mecklenburg County Real Estate prior to construction.



Rezoning site





• The site is developed with The Bethlehem Center of Charlotte and is surrounded by residential, institutional, and commercial uses in various zoning districts.



North are residential uses and Southside Park.

Petition 2020-017



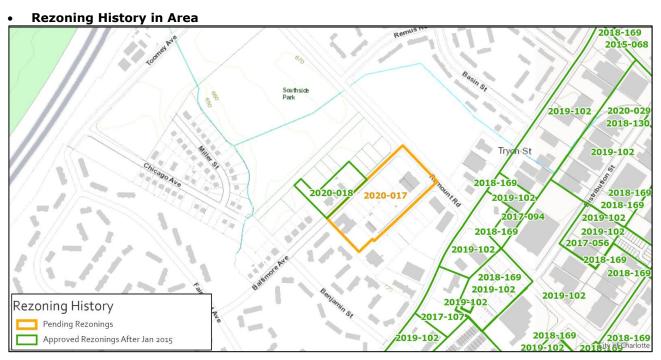
South are single family and multifamily homes.



Along Remount Road are commercial and warehouse uses.

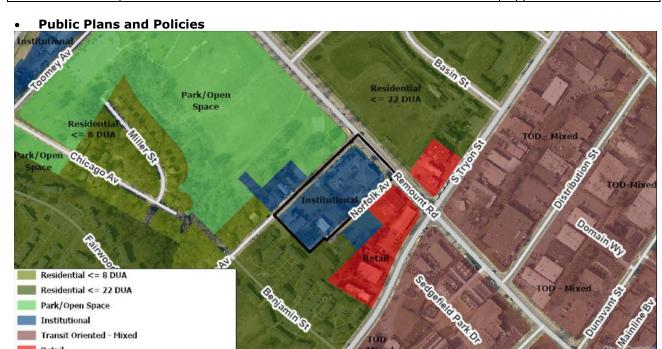


The site is immediately surrounded by residential, institutional, recreational, commercial, and warehouse uses.



Petition Number	Summary of Petition	Status
2020-018	Rezone 0.917 acres to UR-2(CD) for townhouse units.	Approved
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR	Approved
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations	Approved
2018-130	Rezoned 0.97 acres to TOD-M(O) to allow the reuse of an existing building with a possible 4,000-square foot expansion for all uses in the TOD-M	
2018-039	Rezoned 0.17 acres to TOD-M	Approved
2017-191	Rezoned 2.44 acres to TOD-M	Approved
2017-170	Rezoned 1.4 acres to TOD-M	Approved

2017-107	Rezoned 1.25 acres to MUDD-O to allow up to 105,000 square feet of warehousing within an enclosed building and 3,000 square feet of office and retail.	Approved
2017-094	Rezoned 0.35 acres to TOD-M	Approved
2017-056	Rezoned 1.33 acres to TOD-M	Approved
2015-068	Rezoned 3.06 acres to TOD-M	Approved



• The New Bern Transit Station Area Plan (2008) recommends institutional uses.

TRANSPORTATION CONSIDERATIONS

- The site is located on a minor thoroughfare. With consideration to the Vision Zero Action Plan, the petitioner has committed to construct a pedestrian crossing at the intersection of Baltimore and Remount Road, which is classified within Charlotte's High Injury Network. Charlotte WALKS was also applied by CDOT to request these pedestrian connectivity improvements across from an existing CATS bus stop. In reference to Charlotte BIKES, the petitioner has also committed to extend the buffer bike lane on Remount to the intersection of South Tryon, to provide a continuous bike facility to the Rail Trail. This rezoning petition is also located across from rezoning petition 2020-018. CDOT and petitioner have previously discussed that trash handling will occur internal to the site, and CDOT continues to request for a conditional note to be added to the site plan to establish this commitment.
- Active Projects
 - South Tryon Corridor Implementation
 - The project will implement pedestrian hybrid beacons, bulb-outs, and pavement markings at various locations along South Tryon Street between Clanton Road and Carson Boulevard.
 - Construction: TBD; real estate acquisition to finish end Q1 2020
 - I-77 Lane Widening (I-5718A STIP)
 - This project will implement additional managed lanes to widen to a 10-lane freeway from the South Carolina state line to I-277/US 74 (Belk Freeway). The project will also reconstruct the I-77/I-277 (Belk Freeway) interchange and install ramp meters.
 - o Construction: 2029; real estate acquisition to start 2025
- See Outstanding Issues, Note 3, Rescinded Technical Revision Note 5. Addressed
- Vehicle Trip Generation:

Current Zoning:

Existing Use: 152 trips per day (based on 21,878 square foot religious institution). Entitlement: 325 trips per day (based on 60 apartments and R-22MF zoning). Proposed Zoning: 1,492 trips per day (based on 274 apartments; site plan).

DEPARTMENT COMMENTS (see full department reports online)

• Charlotte Area Transit System: No outstanding issues.

- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: See advisory comments a www.rezoning.org
 regarding dumpster/compactor and recycling requirements and adequate room for truck
 maneuvering/turnaround.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org regarding approved turnaround and fire hydrant distance from building.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 7 students, while the development allowed under the proposed zoning will produce 32 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 25.
 - The proposed development is projected to impact the school utilization over existing conditions (without mobile classroom units) as follows:
 - Marie G. Davis K-8 increases from 114% to 120%
 - Myers Park High to remain at 125%.
 - See advisory comments at www.rezoning.org for CMS impact statement.

Charlotte Water: No comments submitted.

- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No comments submitted.
 - Land Development: No outstanding issues.
 - **Storm Water Services:** This property drains to Irwin Creek, which is an impaired/degraded stream and may contribute to downstream flooding. This project has the opportunity to mitigate future impacts to this stream. See advisory comments at www.rezoning.org.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments online at www.rezoning.org regarding air quality and groundwater services.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

- Petitioner needs to clearly note that petition 2020-018 as illustrated is not part of this rezoning petition, or it should be removed from the site plan. At the writing of this staff analysis, petition 2020-018 in the rezoning process. Addressed
- 2. Clarify the term "green screen" and to what standard it will be installed. Addressed
- Transportation

3. The petitioner should revise the site plan and conditional note(s) to clarify the trash container locations and how handling will be performed. Rescinded

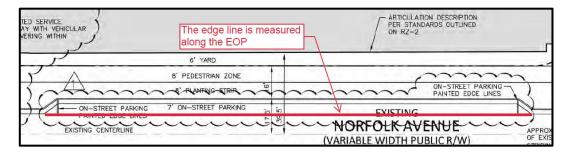
<u>Environment</u>

4. Mecklenburg County Park and Recreation requests a note be added stating the petitioner will coordinate sidewalk easement on county-owned land with Mecklenburg County real estate prior to construction. Addressed

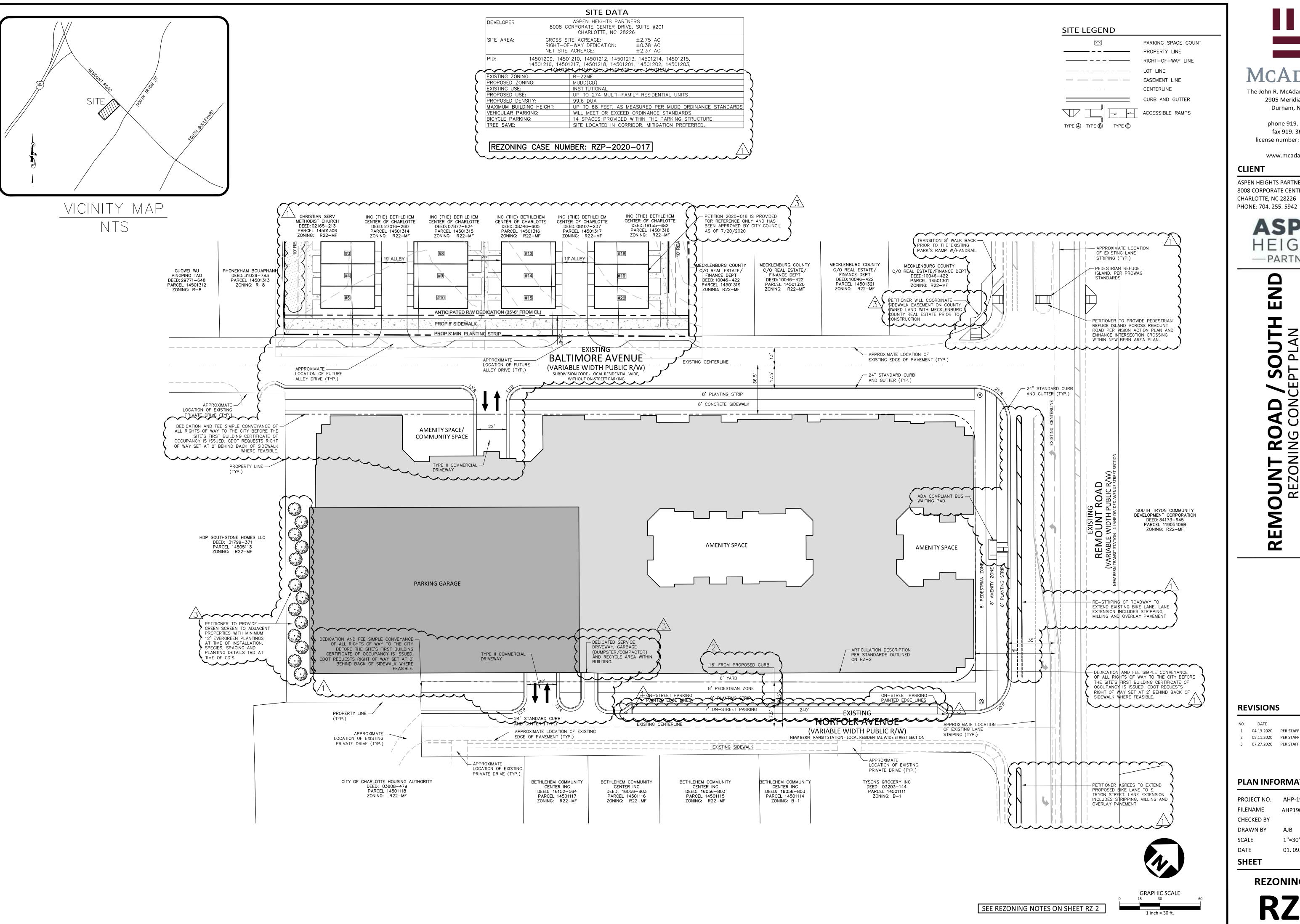
REQUESTED TECHNICAL REVISIONS

Transportation

5. The petitioner should revise the site plan to show the edge line measured parallel to the edge of pavement and curb line. Addressed



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





The John R. McAdams Company, Inc. 2905 Meridian Parkway Durham, NC 27713

phone 919. 361. 5000

fax 919. 361. 2269

www.mcadamsco.com

license number: C-0293, C-187

CLIENT

ASPEN HEIGHTS PARTNERS 8008 CORPORATE CENTER DRIVE, SUITE #201 CHARLOTTE, NC 28226

-PARTNERS-

REMOU

REVISIONS

NO. DATE 1 04.13.2020 PER STAFF COMMENTS 2 05.11.2020 PER STAFF COMMENTS 3 07.27.2020 PER STAFF COMMENTS

PLAN INFORMATION

PROJECT NO. AHP-19000 FILENAME AHP19000-RZ1 CHECKED BY DRAWN BY

1"=30' SCALE DATE 01. 09. 2020

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

REZONING PLAN



Development Data Table:

Site Area: +/- 2.75 acres

Tax Parcels: 14501209; 14501210; 14501212; 14501213; 14501214; 14501215; 14501216; 14501217; 14501218;

14501201; 14501202; 14501203; 14501204; 14501205; 14501206; and 14501207

Existing Zoning: R-22MF

Proposed Zoning: MUDD(CD)
(Existing Use: Institutional)

Proposed Uses: Up to 274 Multi-family Residential Units and accessory uses (including community space) as permitted

in the MUDD Zoning District

Maximum Building Height: Up to 68 feet, as measured per MUDD Ordinance standards

Parking: Will meet or exceed Ordinance standards

I. General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Aspen Heights Partners (the "Petitioner") to accommodate the development of a multi-family residential development on that approximately 2.75-acre site located on the south side of Remount Road, between Baltimore Avenue and Norfolk Avenue, more particularly

2.75-acre site located on the south side of Remount Road, between Baltimore Avenue and Norfolk Avenue, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 14501209; 14501210; 14501212; 14501213; 14501214; 14501215; 14501216; 14501217; 14501218; 14501201; 14501202; 14501203; 14501204; 14501205; 14501206; and 14501207.

- 2. Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- 3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, or as otherwise requested in the optional provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern the development and use of the Site.
- 4. 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 elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall be minor in nature and not materially change the overall design intent depicted on the Rezoning Plan.
- 5. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner(s) of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Minor alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

II. Permitted Uses

The Site may be devoted only to a residential community containing a maximum of two hundred seventy-four (274) multifamily dwelling units and any incidental and accessory uses relating thereto that are allowed in the MUDD zoning district.

III. Transportations

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and

designs and to any adjustments required by CDOT for approval.

2. Petitioner shall extend the bike lane from the Site's frontage to the intersection of Remount Road and South Tryon Street, as generally depicted on the Rezoning Plan.

- 3. Petitioner shall construct a pedestrian refuge island across Remount Road and enhanced intersection crossing, as generally depicted on the Rezoning Plan.
- 4. Petitioner shall construct a new ADA compliant bus waiting pad in the location as generally depicted on the Rezoning Plan.

5. Where applicable, the Petitioner shall dedicate all rights-of-way in fee simple conveyance to the City of Charlotte before the Site's first building certificate of occupancy is issued.

6. All transportation improvements shall be completed prior to the issuance of the Site's first building certificate of occupancy unless otherwise stated herein.

IV. Architectural Standards

- 1. 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, cementitious siding, fiber cement ("HardiPlank") and/or other materials approved by the Planning Director.
- 2. Prohibited Exterior Building Materials: (i) vinyl siding, excluding vinyl handrails, windows, soffits or door trim, and (ii) concrete masonry units not architecturally finished.
- 3. Building massing shall be designed to break up long monolithic building forms as follows: Buildings exceeding 120 feet in length shall include modulations of the building massing/façade plane (such as recesses, projections, wall offsets, pilasters, and

other architectural details). Modulations shall be a minimum of ten (10) feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor.

- 4. Architectural elevations shall be designed to create visual interest as follows:
 - a. Buildings shall be designed with a recognizable architectural base on all facades facing network required streets and the greenway. Such base may be executed through the use of articulated architectural façade features, changes in building materials, or color changes;
 - b. There shall be a minimum of one (1) Prominent Entrance along the Site's frontage of Remount Road. Prominent Entrance spacing (maximum distance between entrances) along the Site's frontage of Remount Road shall be a maximum of 150 feet for buildings of 150 feet in length or more
 - e. Ground floor transparency area (measured 3' to 10' from grade) shall be a minimum of 50% transparency and all upper floor transparency shall be a minimum of 15% transparency; and
 - d. 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 or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- 5. Roof form and articulation -- roof form lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
 - a. Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers, or parapets.
 - b. Roof top HVAC and related mechanical equipment will be screened from public view at grade from network required

6. Facades of structured parking facilities fronting Baltimore Avenue and/or Norfolk Avenue, if provided, shall be designed so that vehicles parked on all levels of the structure and associated lighting are screened by a wall or panel measuring a minimum of forty-two (42) inches in height. Screening shall include both vertical and horizontal treatment that resembles patterns and architecture of the occupied portions of the building. The remaining openings on all levels shall be screened using decorative elements such as grillwork, louvers, green walls, or a similar treatment. Minimum evergreen plantings of twelve (12) feet, at the time of installation, shall be provided to additionally screen structured parking facilities in the location as generally depicted on the Rezoning Plan.

Community Space. The Petitioner shall

Community Space. The Petitioner shall reserve a minimum 1,000 square feet of community space for local non-profit organizations, to be used as seen fit through coordination with The Bethlehem Center, in the location as generally depicted on the Rezoning Plan.

VI. Environmental Features

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

VII. Binding Effect of the Rezoning Documents and Definitions

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

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



The John R. McAdams Company, Inc. 2905 Meridian Parkway Durham, NC 27713

phone 919. 361. 5000 fax 919. 361. 2269 license number: C-0293, C-187

www.mcadamsco.com

CLIENT

ASPEN HEIGHTS PARTNERS 8008 CORPORATE CENTER DRIVE, SUITE #201 CHARLOTTE, NC 28226 PHONE: 704. 255. 5942



HEIGHTS

—PARTNERS—

REZONING CONCEPT PLAN
441 REMOUNT ROAD

REVISIONS

NO. DATE

04.13.2020 PER STAFF COMMENTS
 05.11.2020 PER STAFF COMMENTS
 07.27.2020 PER STAFF COMMENTS

PLAN INFORMATION

PROJECT NO. AHP-19000
FILENAME AHP19000-RZ1
CHECKED BY

DRAWN BY AJB
SCALE N/A
DATE 01. 09. 2020

REZONING PLAN

R7-2



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 12.File #: 15-14189 Type: Zoning Decision

Rezoning Petition: 2020-019 by Dependable Development, Inc.

Location: Approximately 18.17 acres located along Plaza Road Extension, east of Faires Road and west of its intersection with Interstate 485. (Council District 5 - Newton)

Current Zoning: R-3 (residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-019

August 4, 2020

Zoning Committee

REQUEST Current Zoning: R-3 (residential)

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

conditional)

LOCATION Approximately 18.17 acres located along Plaza Road Extension,

east of Faires Road and west of its intersection with Interstate

485).

(Council District 5 - Newton)

PETITIONER Dependable Development, Inc.

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** with the *Rocky River Road Area Plan*, based on the information from the staff analysis and the public hearing and because:

 The plan recommends residential uses up to four dwelling units per acre and greenway uses for the site.

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

- The requested density (4.29 DUA) is only marginally higher than the recommended residential density for the site (4 DUA).
- The site's dedication of a 40-foot easement to Mecklenburg County Parks and Recreation is consistent with the park/open space recommendation for a portion of the site.
- The petition helps achieve the vision of the Rocky River Road Area Plan by offering housing opportunities that offer high-quality design principles (through its commitment to enhanced architectural design standards) and through on-site open space preservation (through a dedication of a 40-foot easement for future greenway construction).

The approval of this petition will revise the adopted future land use as specified by the *Rocky River Road Area Plan* from residential up to 4 DUA and greenway to residential up to 5 DUA for the portion of the site that is not recommended for greenway.

Motion/Second: Kelly / Welton

Petition 2020-019 (Page 2 of 2) Zoning Committee Recommendation

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

inconsistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER William Linville (704) 336-4090





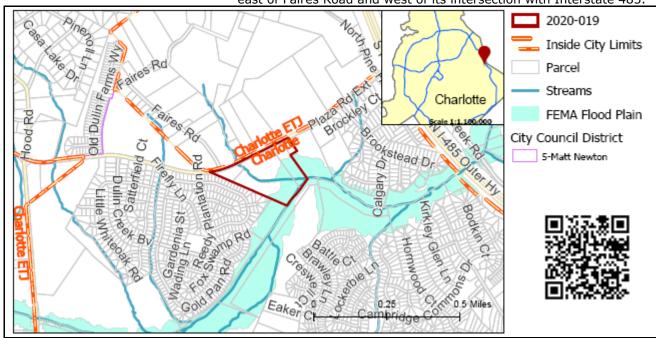
REQUEST Current Zoning: R-3 (residential)

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

conditional)

LOCATION

Approximately 18.17 acres located along Plaza Road Extension, east of Faires Road and west of its intersection with Interstate 485.



SUMMARY OF PETITION

The petition proposes to rezone and develop approximately 18 acres to construct a single-family attached (townhome) residential development with up to 78 units at a density of 4.29 dwelling units per acre (DUA).

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Cascades, LLC Dependable Development, Inc.

Shaun Gasparini, Dependable Development, Inc.

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Number of people attending the Virtual Community Meeting: 8

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Rocky River Road Area Plan's* (2006) recommendation for residential uses up to 4 DUA for the site and with the Plan's recommendation for greenway for the southeastern portion of the site along Reedy Creek.

Rationale for Recommendation

- The requested density (4.29 DUA) is only marginally higher than the recommended residential density for the site (4 DUA).
- The site's dedication of a 40-foot easement to Mecklenburg County Parks and Recreation is consistent with the park/open space recommendation for a portion of the site.

 The petition helps achieve the vision of the Rocky River Road Area Plan by offering housing opportunities that offer high-quality design principles (through its commitment to enhanced architectural design standards) and through on-site open space preservation (through a dedication of a 40-foot easement for future greenway construction).

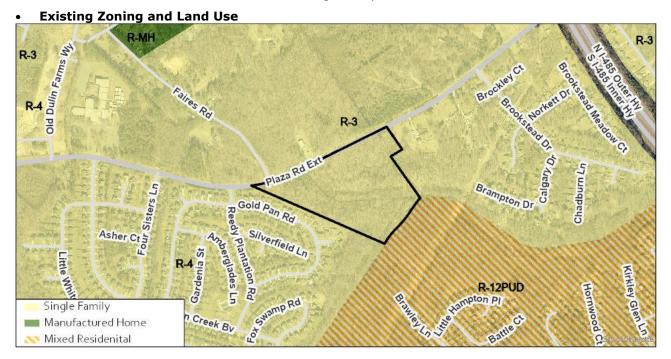
The approval of this petition will revise the adopted future land use as specified by the *Rocky River Road Area Plan* from residential up to 4 DUA and greenway to residential up to 5 DUA for the portion of the site that is not recommended for greenway.

PLANNING STAFF REVIEW

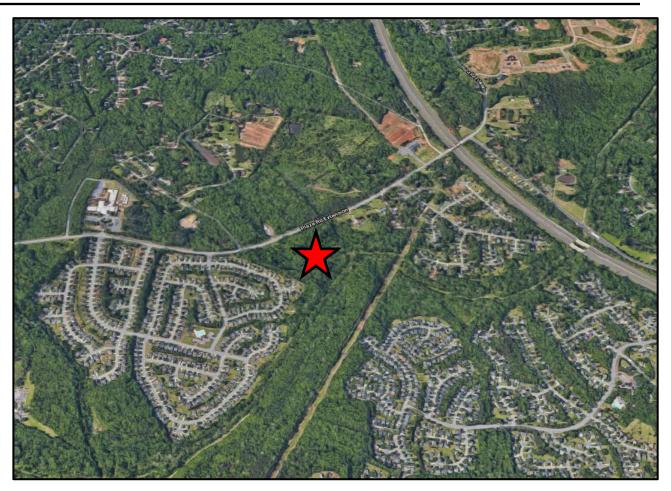
Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes up to 78 single family attached (townhome) units at an overall density of 4.29 DUA.
- 40-foot maximum building height.
- Transportation improvements including
 - 8-foot planting strip and 12-foot multi-use path along the site's frontage with Plaza Road Extension.
 - Internal network of sidewalks and pathways, including an 8-foot unpaved trail loop to connect two halves of the proposed development that is split by a stream/ SWIM buffer.
 - Pedestrian connection on the eastern portion of the site to the 12-foot multi-use path
- Architectural elements including:
 - Reverse frontage units along the project's frontage with Plaza Road Extension and screened from the street with landscaping and fence (either wholly comprised of masonry or masonry accents).
 - Usable porches and/or stoops with a depth of at least 6 feet.
 - Limits to blank wall expanses greater than 20 feet in length.
- Commits to the dedication of 9 acres of open space on the site
- Commits to enhanced 37.5-foot Class C buffer (fence and landscaping) along the western property line to screen the project from existing single family detached homes.
- Dedicates 40-foot easement to Mecklenburg County Parks and Recreation



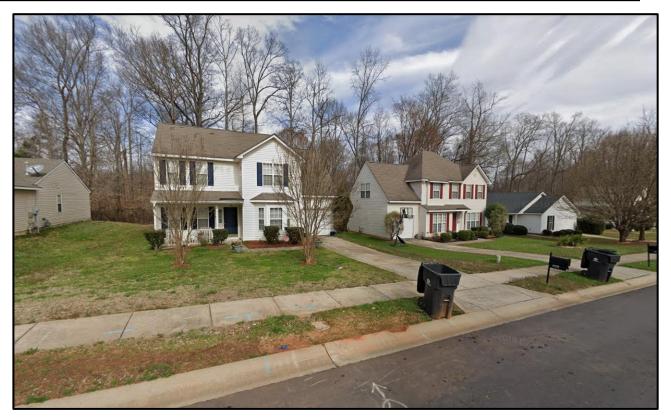
There have been no rezonings at this site. The subject property is located near The Plaza and I-485 and is a largely residential area comprised of single family detached homes on large tracts and some contemporary-style residential subdivisions. Reedy Creek Elementary is just west of the subject property.



General location of subject property denoted by red star.



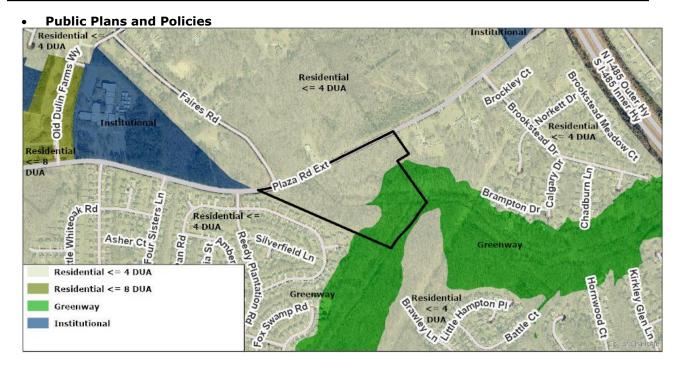
Streetview from Plaza Road Extension looking east. Subject property's frontage is along the right hand side of the image.



Representative image of detached single family residential neighborhood adjacent to the western edge of the subject property.



Petition Number	Summary of Petition	Status
2019-088	Request to rezone approximately 30 acres to increase allowed residential density.	Approved
2019-028	Request to conditionally rezone approximately 26 acres to accommodate a residential development.	Approved
2018-084	Request to rezone approximately 42 acres to accommodate residential development.	Approved
2016-123	Request to permit construction of house of worship.	Approved



• The Rocky River Road Area Plan (2006) recommends residential uses up to four DUA for much of the site. Park/open space is recommended for the eastern area of the site within the floodplain of Reedy Creek.

• TRANSPORTATION SUMMARY

The site is located on a major thoroughfare. The petitioner commits to construct a left-turn lane into the main access point. In addition, the petitioner commits to installing curb and gutter, and a 12' multi-use path along Plaza Road Extension. The petitioner also commits to meeting the required ordinance streetscape on street "C".

Active Projects:

- Win Hollow Trunk Sewer and Pump Station Elimination Sewer Project in Final Design.
- Transportation Considerations
 - o No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 590 trips per day (based on 54 single family detached dwelling units).

Proposed Zoning: 550 trips per day (based on 74 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 29 students, while the development allowed under the proposed zoning may produce 16 students. Therefore, there is no net increase in the number of students generated from existing zoning to proposed zoning.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Reedy Creek Elementary remains at 128%
 - Northridge Middle remains at 140%
 - Rocky River High from 81% to 82%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Plaza Road Extension. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via

Petition 2020-019 (Page 6 of 6) Final Staff Analysis

an existing 8-inch gravity sewer main located through the center of the rezoning boundary. See advisory comments at www.rezoning.org

- Engineering and Property Management:
 - **Arborist:** No comments submitted.
 - Erosion Control: See advisory comments at www.rezoning.org
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues.
 - Urban Forestry: 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

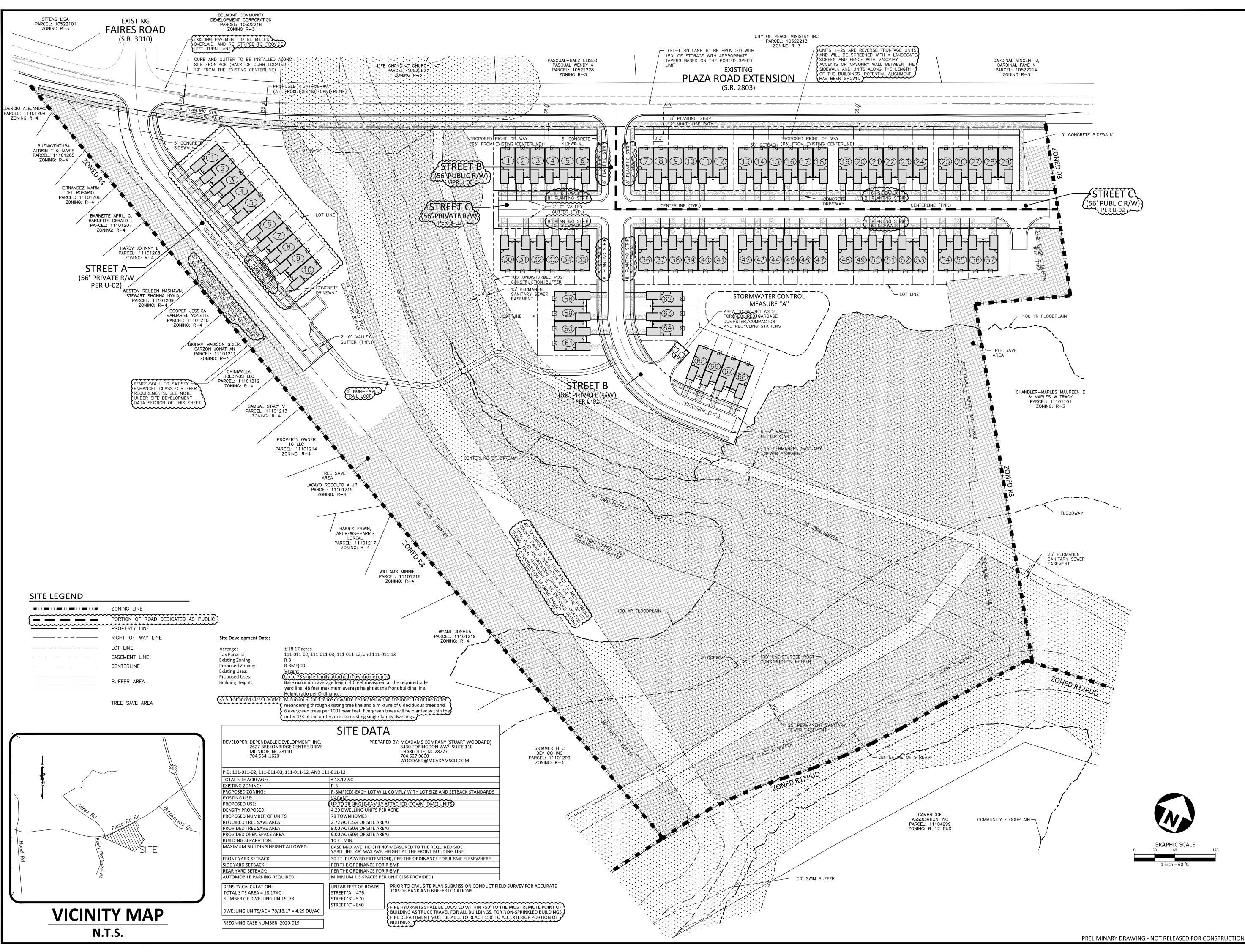
REQUESTED TECHNICAL REVISIONS

Site and Building Design

- 1. Note 4.g. remove second sentence unless a clear commitment to <u>not</u> enclose those spaces is being made. ADDRESSED
- 2.—Note 5.a. should be removed unless there is a dedication of land or improved open space being proposed. If one of those scenarios exists, please describe the proposal in greater detail in the conditional notes. ADDRESSED
- 3. Correct spelling of "units" in the development site data table on sheet 1. ADDRESSED

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

Planner: William Linville (704) 336-4090





McAdams

The John R. McAdams Company, Inc 3430 Toringdon Way Suite 110 Charlotte, NC 28277

phone 704. 527. 0800 fax 919. 361. 2269 license number: C-0293, C-187

www.mcadamsco.com

CLIENT

PLAZA ROAD EXTENSION TOWNHOMES REZONING PETITION #: 2020-019

REVISIONS

NO. DATE
1 2020. 04.13 PER CITY 1ST REVIEW

2 2020. 05.11 PER CITY 2ND REVIEW 3 2020. 07.24 PER CITY 3RD REVIEW

PLAN INFORMATION

PROJECT NO. TRU-19040
FILENAME TRU19040-RZ1
CHECKED BY SAW
DRAWN BY TKD

SCALE 1"=60'
DATE 01. 20. 2020
SHEET

REZONING CONCEPT PLAN

RZ-1

PETITION NO. 2020-019 DEVELOPMENT STANDARDS DEPENDABLE DEVELOPMENT { 07/24/2020

Site Development Data:

± 18.17 acres Tax Parcels: 111-011-02, 111-011-03, 111-011-12, and 111-011-13 Existing Zoning:

R-8MF(CD) Proposed Zoning: Existing Uses:

Vacant (Up to 78 single-family attached (Townhome) un Proposed Uses:

(4.29 Dwelling units per acre)

Base maximum average height 40 feet measured at the required side Building Height: yard line. 48 feet maximum average height at the front building line.

Height ratio per Ordinance.

b) As depicted on the Rezoning Plan, the Site will be served by public and/or private streets.

1. General Provisions

These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Dependable Development (the "Petitioner") to accommodate the development of a residential townhome community on that approximately 18.17-acre site located on the south side of Plaza Road Extension, west of Faires Road, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 111-011-02 and 111-011-03.

Development of the Site shall 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, the regulations established under the Ordinance for the R-8MF Zoning District shall govern all development taking place on the Site.

The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal public streets and the internal private streets, alleys or drives depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.

Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Section 6.207 of the Ordinance.

2. Permitted Uses and Maximum Development

The Site may be developed with up to 78 single-family attached dwelling units (townhomes), together with any incidental and accessory uses related thereto that are allowed in the R-8MF zoning district.

3. <u>Transportation</u>

a) Vehicular access will be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point shown on the Rezoning Plan is subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.

c) The Petitioner shall provide a minimum 12 foot wide multi-use path and 8 foot wide planting strip along the Site's frontage of Plaza Road Extension.

d)Internal sidewalks and pedestrian connections shall be provided along all public and private streets throughout the Site. The internal sidewalks may meander to save

issued or phased per the Site's development plan. The right-of-way shall be set at 2 feet behind the back of sidewalk where feasible.

e) Where necessary, Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is

f) Unless otherwise stated herein, all transportation improvements along Plaza Road Extension shall be approved and constructed prior to the issuance of the first certificate of occupancy for principal buildings within the Site.

4. Architectural Standards

a) The principal buildings used for residential uses constructed on the Site may use a variety of building materials. The building materials used for buildings may be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as Hardi-plank), vinyl, EIFS or wood.

b) Each attached residential dwelling unit shall be provided with at least a 1 car garage. c) Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12.

d) Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to 20 feet on all building levels, including but not limited to doors, windows,

awnings, and/or architectural design elements. e) Walkways will be provided to connect all residential entrances to sidewalks along public and/or private streets, as generally depicted on the Rezoning Plan.

f) Townhouse buildings will be limited to 6 individual units or fewer or will otherwise be meaningfully differentiated between units, including, but not limited to, forward offsets in the front walls of units, vertical height differences, or architectural differences in elevations (such as windows, doors, bays, trim, or materials). The townhome buildings, adjacent to the single-family dwellings to the west, will be limited to 5 individual units or fewer. The townhome buildings along Plaza Road Extension are reverse frontage units and will be screened with a landscape screen and fence with masonry accents or masonry wall between the sidewalk and units along the length 🕽

Usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building. Usable front porches shall be covered and be at least 6 feet deep. h) Garage doors shall not face Plaza Road Extension.

5. Open Space, Streetscape and Landscaping

a) The Petitioner may subdivide the Site and create sublots within the Site with no side or rear yards as part of a unified development plan.

b) The Petitioner shall comply with the Tree Ordinance and Post Construction Stormwater Ordinance.

c) The Petitioner shall provide a minimum 37.5 foot Class C Buffer, including a wall or fence or 50 foot Class C Buffer, adjacent to the existing single-family properties, in y the locations as generally depicted on the Rezoning Plan. A 37.5' Enhanced Class C Buffer with Fence (Minimum 6' solid fence or wall to be located within the inner 1/3 of the buffer meandering through existing tree line and a mixture of 6 deciduous trees and 6 evergreen trees per 100 linear feet. Evergreen trees will be planted withir the outer 1/3 of the buffer, next to existing single-family dwellings) will be provided as generally depicted on the plan.

a) All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

b) The maximum height of any freestanding lighting fixtures installed on the Site, excluding street lights located along public streets, shall be 21 feet.

7. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet or these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

Further alterations or modifications to this Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Technical Data Sheet or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

8. <u>Environmental Features</u>

a) 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

b) 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.

c) Development of the Site shall comply with the Tree Ordinance.

9. Binding Effect of the Rezoning Documents and Definitions

a) If this Rezoning Plan is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective

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

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license number: C-0293, C-187 www.mcadamsco.com

CLIENT

REVISIONS

NO. DATE

2020. 04.13 PER CITY 1ST REVIEW 2020. 05.11 PER CITY 2ND REVIEW 3 2020. 07.24 PER CITY 3RD REVIEW

PLAN INFORMATION

PROJECT NO. TRU-19040 FILENAME TRU19040-RZ1 CHECKED BY DRAWN BY SCALE

DATE 01. 20. 2020 SHEET

REZONING CONCEPT PLAN NOTES



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 13.File #: 15-14190 Type: Zoning Decision

Rezoning Petition: 2020-021 by K Sade Ventures, Inc.

Location: Approximately 4.56 acres located along the northern side of University City Boulevard, just west of the Mecklenburg/Cabarrus County line. - (Outside City limits)

Current Zoning: B-1 (CD) (neighborhood business)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-021

August 4, 2020

Zoning Committee

REQUEST Current Zoning: B-1 (CD) (neighborhood business, conditional)

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

LOCATION Approximately 4.56 acres located along the northern side of

University City Boulevard, just west of the

Mecklenburg/Cabarrus County Line.

(Outside City Limits)

PETITIONER K Sade Ventures, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Northeast District Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends retail uses for the site.

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

- Transportation improvements (including left-overs and signalization) resulting from petition 2018-160 (approved October 2019) will improve overall pedestrian and traffic safety for planned retail uses at this site.
- The subject property location makes sense for retail uses as it fronts University City Boulevard and will serve a recently approved mixed residential development and numerous other residences in the area.
- The request is in alignment with the proposed land use for the site.
- This request is in alignment with the plan's recommendation that commercial development be limited to areas already zoned for or identified as retail uses.

Motion/Second: Welton / Barbee

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

(Page 2 of 2) Petition 2020-021 Zoning Committee Recommendation

ZONING COMMITTEE

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan. **DISCUSSION**

There was no further discussion of this petition.

William Linville (704) 336-4090 **PLANNER**





REQUEST

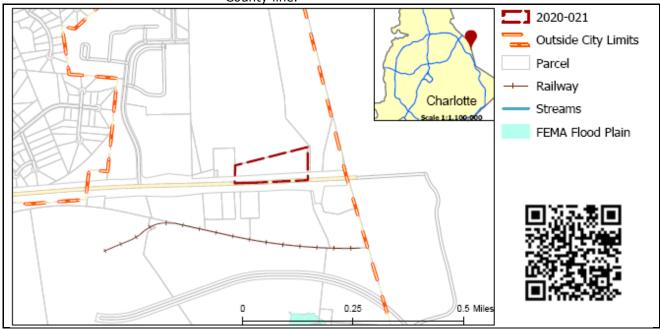
LOCATION

Current Zoning: B-1(CD) (neighborhood business)

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

Approximately 4.56 acres located along the northern side of University City Boulevard, just west of the Mecklenburg/Cabarrus

County line.



SUMMARY OF PETITION

The petition proposes to rezone a vacant parcel to allow all uses permitted by right and under prescribed conditions in the B-2 (general business) zoning district.

PROPERTY OWNER PETITIONER

K Sade Ventures LLC K Sade Ventures LLC

AGENT/REPRESENTATIVE

Ty Shaffer, John Carmichael; Robinson Bradshaw

COMMUNITY MEETING

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

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Northeast District Plan's* (1996) recommendation for retail uses at the site.

Rationale for Recommendation

- Transportation improvements (including left-overs and signalization) resulting from petition 2018-160 (approved October 2019) will improve overall pedestrian and traffic safety for planned retail uses at this site.
- The subject property location makes sense for retail uses as it fronts University City Boulevard and will serve a recently approved mixed residential development and numerous other residences in the area.
- The request is in alignment with the proposed land use for the site.

 This request is in alignment with the plan's recommendation that commercial development be limited to areas already zoned for or identified as retail uses.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

• Site allows all uses permitted by-right or under prescribed conditions in the B-2 zoning district but caps the maximum gross floor area for the site to 20,000 square feet.

Existing Zoning and Land Use



The subject property is located outside of Charlotte city limits near the Mecklenburg/Cabarrus County line. A mixture of residential uses is located to the north of University City Boulevard, while a mixture of commercial/industrial uses are located to the south.

Petition 2020-021 (Page 3 of 5) Final Staff Analysis



Approximate location of subject property denoted by red star.



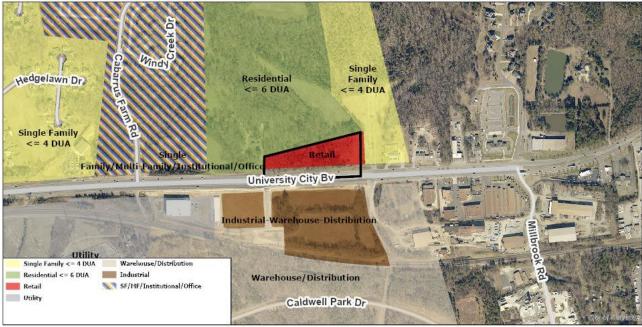
View from University City Boulevard looking north toward the subject property.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2018-160	Petition to rezone over 93.86 acres from R-3 to MX-1 (mixed residential) to accommodate a residential development of varying housing types.	Approved
2018-124	Petition to rezone in order to allow all uses in the I-1 (light industrial district).	Approved
2018-035	Petition to allow up to 120,000 SF of light industrial uses an up to 5,000 SF of retail.	Approved

• Public Plans and Policies



• The Northeast District Plan (1996) recommends retail uses for this site.

TRANSPORTATION SUMMARY

The site is located on University City Boulevard. This portion of University City Boulevard is lacking curb, gutter, and sidewalk along the site's frontage. CDOT will work with the petitioner during permitting to upgrade the streetscape in accordance with city ordinance.

Petition 2020-021 (Page 5 of 5) Final Staff Analysis

- Active Projects:
 - N/A
- Transportation Considerations
 - No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: no trip generation available for entitled land use type (funeral home)

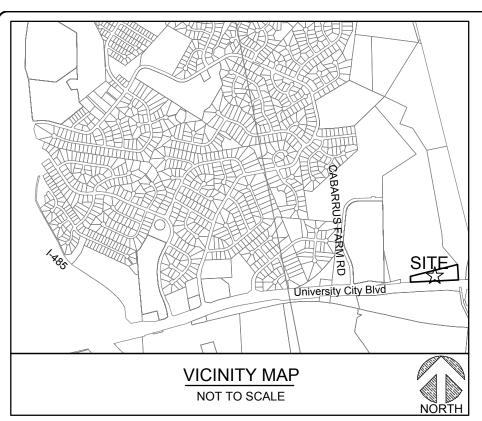
Proposed Zoning: 2,328 trips per day (based on 20,000 SF of retail uses).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 5 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 5 students.
 - The proposed development will not increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Stoney Creek Elementary remains at 110%
 - James Martin Middle remains at 74%
 - Vance High remains at 129%
- **Charlotte Water:** Sewer service is accessible for this rezoning boundary. 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. See advisory comments at www.rezoning.org
- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues.
 - Urban Forestry: No outstanding issues.
- Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

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

Planner: William Linville (704) 336-4090



DEVELOPMENT DATA TABLE

Site Acreage Tax Parcels included in Rezoning

a. Existing Zoning:

b. Proposed Zoning:

e. Amount of Open Space

c. Maximum Building Height

d. Number and/or Ratio of Parking Spaces

B-1(CD)

B-2 (CD)

± 4.35 AC

05111105

To Meet Ordinance Requirements

To Meet Ordinance Requirements To Meet Ordinance Requirements

DEVELOPMENT STANDARDS MAY 4, 2020

GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY K. SADE VENTURES INC. TO REQUEST THE REZONING OF AN APPROXIMATELY 4.35 ACRE SITE LOCATED ALONG THE NORTH SIDE OF UNIVERSITY CITY BOULEVARD, EAST OF CABARRUS FARM ROAD (THE "SITE"), TO THE B-2 (CD) ZONING DISTRICT. THE SITE IS MORE PARTICULARLY DEPICTED ÓN THE REZONING PLAN, AND THE SITE IS COMPRISED OF TAX PARCEL NO.
- 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 B-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- D. 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

PERMITTED USE/DEVELOPMENT LIMITATIONS

- A. THE SITE MAY BE DEVOTED TO USES PERMITTED BY RIGHT, OR UNDER PRESCRIBED CONDITIONS, IN THE B-2 ZONING DISTRICT, TOGETHER WITH INCIDENTAL AND ACCESSORY USES RELATED THERETO.
- B. THE MAXIMUM GROSS FLOOR AREA OF THE BUILDING OR BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE 20,000 SQUARE FEET.

TRANSPORTATION

A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").

ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH 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 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.

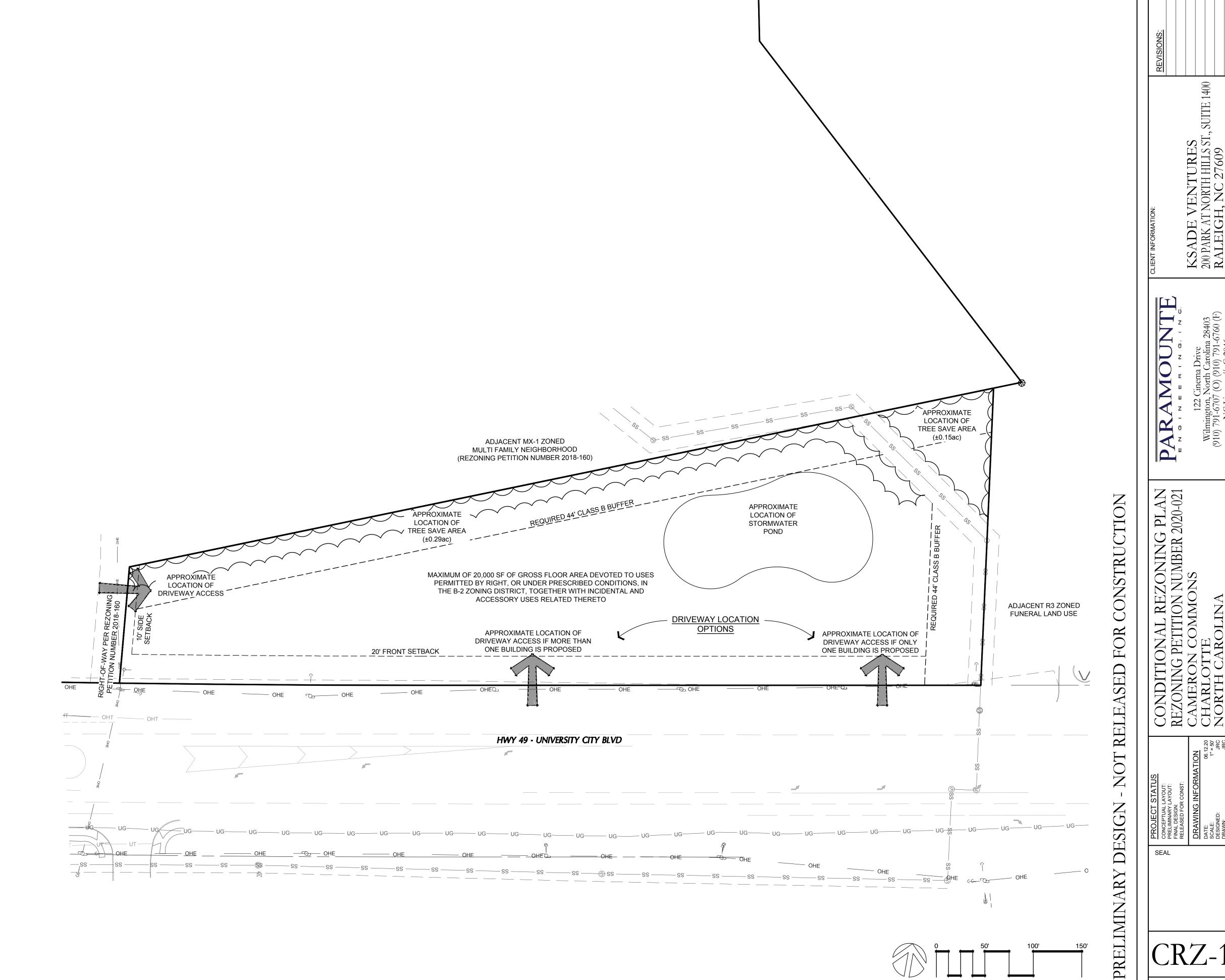
A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.

BINDING EFFECT OF THE REZONING DOCUMENTS

- 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 THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- B. 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.

FIRE DEPARTMENT NOTES

- A. FIRE DEPARTMENT ACCESS ROAD SHALL HAVE A MIN. 20' UNOBSTRUCTED CLEAR WIDTH AND SHALL BE CAPABLE OF SUPPORTING 80,000 LBS. 2-
- B. FIRE DEPARTMENT ACCESS ROAD THAT EXCEEDS 150' SHALL PROVIDE AN APPROVED TURNAROUND.
- C. TURN RADIUS 30' INSIDE AND 42' OUTSIDE.
- D. FOR NON-SPRINKLED BUILDINGS. FIRE DEPARTMENT MUST BE ABLE TO REACH 150' TO ALL EXTERIOR PORTION OF BUILDING.
- E. FOR SPRINKLED BUILDINGS. FIRE DEPARTMENT MUST BE ABLE TO REACH 200' TO ALL EXTERIOR PORTION OF BUILDING.
- F. FOR BUILDINGS THAT IS EQUIPPED WITH A SPRINKLER SYSTEM. A FIRE DEPARTMENT CONNECTION SHALL BE LOCATED WITHIN 200' OF A FIRE HYDRANT FOR A NFPA 13 SPRINKLER SYSTEM.
- G. FIRE HYDRANT SHALL BE LOCATED WITHIN 750' TO THE MOST REMOTE POINT OF BUILDING AS TRUCK TRAVEL FOR ALL BUILDINGS.



PEI JOB#: 20142.PE

NORTH SCALE: 1" = 50'



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 14.File #: 15-14191 Type: Zoning Decision

Rezoning Petition: 2020-022 by Boulevard Real Estate Advisors, LLC

Location: Approximately 4.24 acres located at the northeast intersection of Anderson Street and

Spencer Street in the NODA community. (Council District 1 - Egleston)

Current Zoning: I-2 (heavy industrial)

Proposed Zoning: TOD-TR (transit-oriented development, transitional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-022
August 11, 2020

Zoning Committee

REQUEST Current Zoning: I-2 (heavy industrial)

Proposed Zoning: TOD-TR (transit transition)

LOCATION Approximately 4.24 acres located at the northeast intersection

of Anderson Street and Spencer Street in the NODA community.

(Council District 1 - Egleston)

PETITIONER Boulevard Real Estate Advisors

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** with the *Central District Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends industrial uses for this site.

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

- While inconsistent with the plan's recommendation for industrial uses at the site, the plan acknowledges the likelihood of light rail development and resulting land use changes. The plan states "when a light rail system is built, adjacent land uses will be affected".
- The TOD-TR district is an appropriate transition from higher intensity TOD Districts to adjacent existing neighborhoods. As there is existing TOD-TR to the north and existing single family zoning to the south, TOD-TR is an appropriate district for this site.
- The request for TOD-TR at this site is appropriate as the site is greater than one-half mile but less than one mile walking distance to a transit stop.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from industrial uses to transit-oriented development-mixed for the site.

Motion/Second: Barbee / Blumenthal

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None

Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

Committee member Barbee had a question regarding trip generation and how trips were calculated for TOD districts. It was explained that as this is a conventional petition, there was no specific use outlined for the site and trip generation was difficult to ascertain. However, when the project gets to permitting and the proposed use exceeds 2,500 trips per day, a traffic study would be required.

There was no further discussion of this petition.

PLANNER William Linville (704) 336-4090



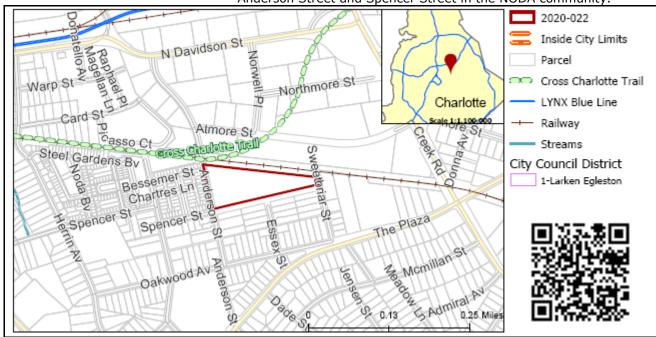


REQUEST Current Zoning: I-2 (heavy industrial)

Proposed Zoning: TOD-TR (transit transition)

LOCATION

Approximately 4.24 acres located at the northeast intersection of Anderson Street and Spencer Street in the NODA community.



SUMMARY OF PETITION

The petition proposes to redevelop a former industrial parcel in order to allow all uses permitted by-right and under prescribed conditions within the TOD-TR district.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Starnes Commercial Properties LLC Boulevard Real Estate Advisors Ty Shaffer, Robinson Bradshaw

COMMUNITY MEETING

Meeting is not required.

COMMONITY MEETING	riceting is not required.
STAFF	Staff recommends approval of this petition.
RECOMMENDATION	<u>Plan Consistency</u> The petition is inconsistent with <i>Central District Plan's</i> (1993) recommendation of industrial land uses at the site.
	 Rationale for Recommendation While inconsistent with the plan's recommendation for industrial uses at the site, the plan acknowledges the likelihood of light rail development and resulting land use changes. The plan states "when a light rail system is built, adjacent land uses will be affected". The TOD-TR district is an appropriate transition from higher intensity TOD Districts to adjacent existing neighborhoods. As there is existing TOD-TR to the north and existing single family zoning to the south, TOD-TR is an appropriate district for this site.

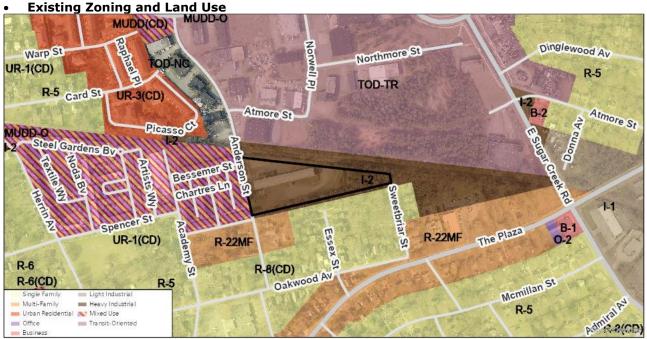
• The request for TOD-TR at this site is appropriate as the site is greater than one-half mile but less than one mile walking distance to a transit stop.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from industrial uses to transitoriented development-mixed for the site.

PLANNING STAFF REVIEW

Proposed Request Details

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



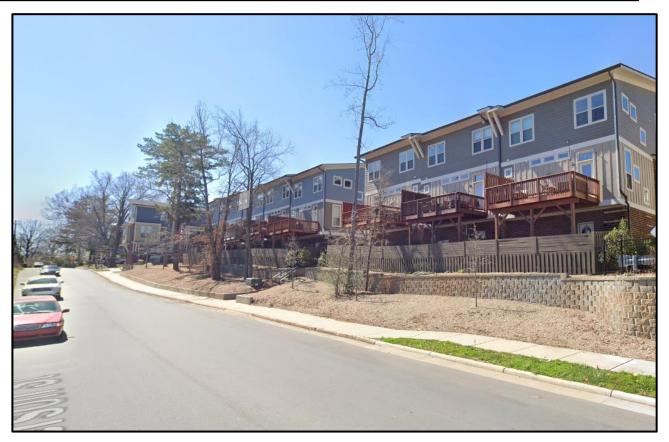
There have been no historic rezonings at the site. The site is generally surrounded by residential land uses of varying density with TOD-zoned parcels to the NE that are still operating with industrial-type land uses.



General location of subject property denoted by red star.

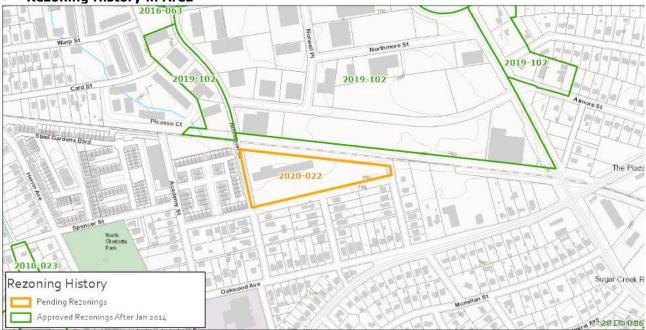


Streetview from Anderson Street looking SE towards the subject property.



Streetview from Anderson Street looking SW across from subject property toward recent townhome development.





Petition Number	Summary of Petition	Status
2019-102	City-sponsored petition to rezone parcels proximal to Blue Line transit stations.	Approved
2018-023	Petition to redevelop site to allow all uses permitted in the R-6 district.	Approved
2016-063	Petition to allow for adaptive reuse of existing buildings that are within .5 mile of the Sugar Creek transit station.	Approved

Public Plans and Policies



• The Central District Plan (1993) recommends industrial uses for the site.

TRANSPORTATION SUMMARY

 The site is located on Anderson Street and has additional frontage on unconstructed R/W. Anderson Street is lacking curb, gutter, and sidewalk along the site's frontage. CDOT will work with the petitioner during permitting to upgrade the streetscape in accordance with city ordinance.

Active Projects:

- XCLT Bike Boulevard
- Transportation Considerations
 - No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

Existing Use: 80 trips per day (based on warehouse land use)

Entitlement: 150 trips per day (based on 63,600 SF of industrial uses).

Proposed Zoning: Too many uses to determine.

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 outstanding issues.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
 - Charlotte Water: Water and sewer service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Anderson Street. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Anderson Street. See advisory comments at www.rezoning.org

Engineering and Property Management:

- Arborist: No comments submitted.
- Erosion Control: No outstanding issues.
- Land Development: No outstanding issues.
- Storm Water Services: See advisory comments at www.rezoning.org
- Urban Forestry: No outstanding issues.

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• Mecklenburg County Land Use and Environmental Services Agency: See advisory comments at www.rezoning.org

• Mecklenburg County Parks and Recreation Department: No outstanding issues.

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

Planner: William Linville (704) 336-4090



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 15.File #: 15-14192 Type: Zoning Decision

Rezoning Petition: 2020-034 by Jefferson Apartment Group

Location: Approximately 5.07 acres located .2 miles NE of I-277, SW of North Tryon Street, near

Optimist Hall and Norfolk Southern's railyard. (Council District 1 - Egleston)

Current Zoning: I-2 (heavy industrial)

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

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-034

August 4, 2020

REQUEST Current Zoning: I-2 (heavy industrial)

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

conditional)

LOCATION Approximately 5.07 acres located .2 miles NE from I-277, SW of

N. Tryon Street, near Optimist Hall and Norfolk Southern's

railyard.

(Council District 1 - Egleston)

PETITIONER Jefferson Apartment Group

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** with the *North Tryon Area Plan* based on the information from the staff analysis and the public hearing and because:

• The plan recommends office/industrial-warehouse-distribution uses for the site.

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

- The project assists in implementing the North Tryon Area Plan's vision to "build on the area's locational strengths" in order to create an area of "thriving, mixed use communities surrounding and interacting with Center City" by transitioning a portion former industrial land to high-density residential uses.
- The commitment to one pedestrian connection to North Tryon Street and a potential multi-use path connection to E. 16th Street to get residents safely in and out of their residences to points of interest dovetails well with the stated purpose of the MUDD district which states the district should "maintain a strong emphasis on pedestrian scale, urban development, and amenities."
- The petitioner has committed to construct off-site sidewalk along Wadsworth Place along one side of the street within the existing right-of-way to improve pedestrian safety as they travel from the site to nearby amenities.
- The proposal is consistent with the form and density of development along the N. Davidson Street corridor and

redevelopment that has occurred around the Optimist Park neighborhood.

The approval of this petition will revise the adopted future land use as specified by the *North Tryon Area Plan*, from office/industrial-warehouse-distribution to residential uses over 22 DUA for the site.

Motion/Second: Kelly / McMillan

Yeas: Barbee, Kelly, McMillan, Nwasike, Samuel, and

Welton

Nays: None Absent: None Recused: Blumenthal

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

There was a brief discussion on the commitment by the petitioner to construct the off-side sidewalk along Wadsworth within the existing ROW and clarification on the potential for the multi-use path to $16^{\rm th}$ Street.

There was no further discussion of this petition.

PLANNER William Linville (704) 336-4090





REQUEST

LOCATION

Current Zoning: I-2 (heavy industrial)

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

Approximately 5.07 acres located .2 miles NE from I-277, SW of N. Tryon Street, near Optimist Hall and Norfolk Southern's railyard

Tryon Street, near Optimist Hall and Norfolk Southern's railyard.

2020-034
Inside City Limbs
Parcel

LYNX Blue Line Station
LYNX Blue Line Station
LYNX Blue Line Station
FMA Rood Plain
Historic District

1-Larken Egleston



SUMMARY OF PETITION

The petition proposes to develop a multi-family residential community along the Blue Line Extension corridor for up to 350 residential units at a density of 69.03 dwelling units per acre (DUA).

0.25 Mile

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Don. R. Reid

Greg Van Wie, Jefferson Apartment Group

0.13

Keith MacVean, Moore & Van Allen

COMMUNITY MEETING

Meeting is required and has been held virtually. Report available

niine.

Number of people attending the Virtual Community Meeting: 1

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *North Tryon Area Plan's* recommendation for office/industrial-warehouse-distribution uses for the site.

Rationale for Recommendation

- The project assists in implementing the *North Tryon Area Plan's* vision to "build on the area's locational strengths" in order to create an area of "thriving, mixed use communities surrounding and interacting with Center City" by transitioning a portion former industrial land to high-density residential uses.
- The commitment to one pedestrian connection to North Tryon Street and a potential multi-use path connection to E. 16th Street to get residents safely in and out of their residences to points of interest dovetails well with the stated purpose of the MUDD district

- which states the district should "maintain a strong emphasis on pedestrian scale, urban development, and amenities."
- The petitioner has committed to construct off-site sidewalk along Wadsworth Place along one side of the street within the existing right-of-way to improve pedestrian safety as they travel from the site to nearby amenities.
- The proposal is consistent with the form and density of development along the N. Davidson Street corridor and redevelopment that has occurred around the Optimist Park neighborhood.

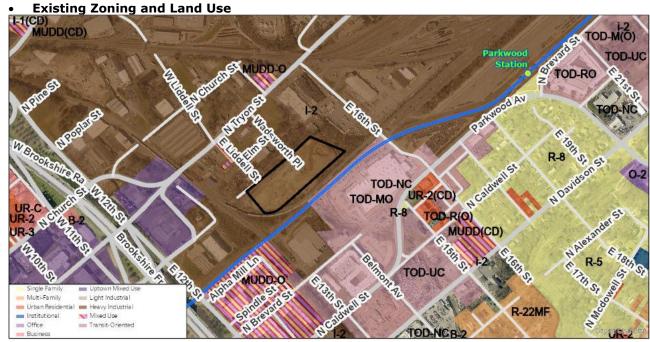
The approval of this petition will revise the adopted future land use as specified by the *North Tryon Area Plan*, from office/industrial-warehouse-distribution to residential uses over 22 DUA for the site.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes a multi-family residential development of up to 350 dwelling units together with accessory uses permitted in the MUDD zoning district.
- Limits the number of principal structures to two, with no limitations on the number of accessory structures.
- Proposes access to the site from N. College Street by way of Liddell Street and Wadsworth Place.
- Commits to improve College Street along the length of the subject property.
- Commits to construction of 12-foot multi-use path if permissions are granted from neighboring property owners to connect the site to E. 16th Street. Alternatives to this is the potential multi-use path include sidewalk along Wadsworth (one side only) if enough right-of-way exists. The petitioner further commits to constructing an off-site, 5-foot sidewalk along one side of Wadsworth Place within the existing ROW. Because of the narrow ROW and the fact that it is an off-site improvement, the sidewalk may be placed alongside the edge of pavement.
- Commits to improving one side of College Street with an 8-foot sidewalk and 8-foot planting strip.
- Proposes architectural guidelines including:
 - Provides a list of "Preferred Building Materials" and only permits vinyl on aluminum on windows, soffits or handrails.
 - Treatment of the side of the structure that faces the light rail line as a primary facade.
 - Amenities and active uses oriented towards the College Street side of the site.
 - Facade articulation of any building exceeding 120 feet in length.
 - Additional elevation design elements to create visual interest from the ground level.
- Commits to full cutoff lighting excluding decorative lighting. Detached lighting shall not exceed 22 feet.



The site is zoned I-2 (heavy industrial), and there have been no historic rezonings at the site. It is immediately surrounded by heavy industrial uses and near the Norfolk Southern railyard. South of property opposite the Blue Line is a mixture of retail, multi-family, and single family homes.



General location of subject property denoted by red star. Aerial view of subject property looking SE. Parkwood Station is in the top right of the frame. Uses above the yellow line (used to delineate existing rail lines) have developed into a mixture of uses while uses below the yellow line are largely industrial in nature. One exception is a redevelopment/adaptive reuse of an old grocery store located at the corner of N. Tryon Street and Liddell Street (2019-143).

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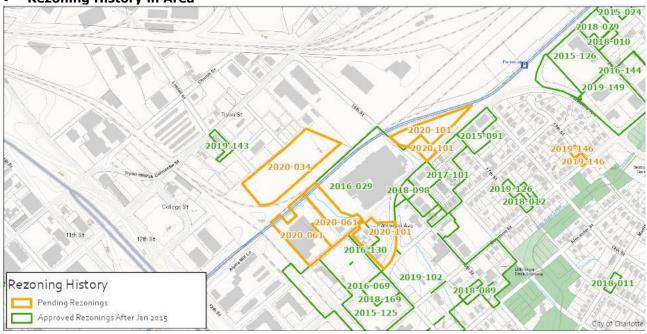


Streetview from E. Liddell Street, one of the two existing streets providing ingress and egress to the site. View looking SW towards the site. There is partial curb and gutter along Liddell Street. The Blue Line Extension can be seen in the background and is highlighted in pink.



Streetview from Wadsworth Place, one of the two existing streets providing ingress and egress to the site. View looking SW towards the site. This portion of the street is lacking curb and gutter. The smokestack from Optimist Hall can be seen in the background and is highlighted in pink.

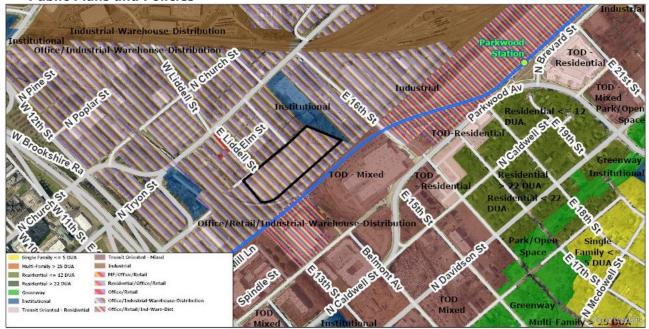
Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-146	Request to rezone parcel into two urban residential districts and to adaptively reuse historic corner store.	Approved
2019-143	Request to rezone in order to adaptively reuse a historic structure for office and retail uses.	Approved
2019-126	Request for urban residential district to provide multi-family units with an affordability component.	Approved
2019-102	City-sponsored TOD rezoning for parcels along Blue Line.	Approved
2019-149, 2018-169, 2018- 098, 2018-079, 2018-010, 2017-101, 2016-069, 2016- 029, 2016-130, 2016-144, 2016-144, 2015-125, 2015- 126, 2015-091	Petitions all requesting transit-oriented development zoning districts	Approved
2018-089	Request from single-family residential to UR-C district.	Approved
2018-011	Request from single-family zoning district to urban residential.	Approved
2015-024	Request to light industrial transit-supportive overlay.	Approved

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Public Plans and Policies



 The North Tryon Area Plan (2010) recommends office/industrial-warehouse-distribution uses for this site.

TRANSPORTATION SUMMARY

The site is located on a local road. The site is located approximately 3,700 feet from the Parkwood light rail station. The petitioner is building College Street to the required City standards by providing an 8-foot planting strip and 8-foot sidewalk along the development's frontage.

Active Projects:

- North Tryon Street Gateway This project will create a gateway between Uptown and the North End through streetscape enhancements along North Tryon Street from11th Street to Dalton Avenue, with aesthetic improvements at the railroad overcrossings. Streetscape elements
- o **16th Street Streetscape** This project will provide pedestrian, bicycle facilities and aesthetics on 16th Street.
- Transportation Considerations
 - No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 170 trips per day (based on 76,050 SF of warehouse uses). Proposed Zoning: 2,045 trips per day (based on 350 multi-family 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: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 69 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 69 students.
 - Choose an item.
 - Walter G. Byers Pre-K-8 from 92% to 106%
 - West Charlotte High from 94% to 95%.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system

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capacity. Sanitary sewer service will be dependent on the completion of a public infrastructure project—Charlotte Water's North Tryon 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. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 2-inch water distribution main located along Wadsworth Place. See advisory comments at www.rezoning.org

- Engineering and Property Management:
 - **Arborist:** No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: See advisory comments at www.rezoning.org
 - Urban Forestry: 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.

OUTSTANDING ISSUES

Transportation

1.—To reflect the importance of pedestrian connectivity to this site, note 3.f should be revised to commit to an off-site pedestrian improvement that includes the construction minimum 6 foot wide sidewalk along both sides of Wadsworth (as this is the shortest path to the Blue Line's Parkwood Ave. Station) and the petitioner should revise language to commit to providing that connection before issuance of final certificate of occupancy. ADDRESSED

Environment

2. Rezoning sheet RZ-4 indicates a 40-foot storm drainage easement (SDE) per deed book 17218 page 419 over a 60-inch RCP. Please note that Charlotte Mecklenburg Storm Water Services (CMSWS) does not have an SDE over this portion of the drainage system. The SDE per this book and page are over the drainage system and channel on the eastern portion of the site. Please revise the plan sheet to show this accordingly. CMSWS also has a separate SDE parallel to the railroad tracks that is shown on sheet RZ-4. Please include reference to the SDE in deed book 33974 pages 209-216. No buildings or structures are permitted over and across these easements. Encroachments into these easements are not approved with the rezoning process. ADDRESSED

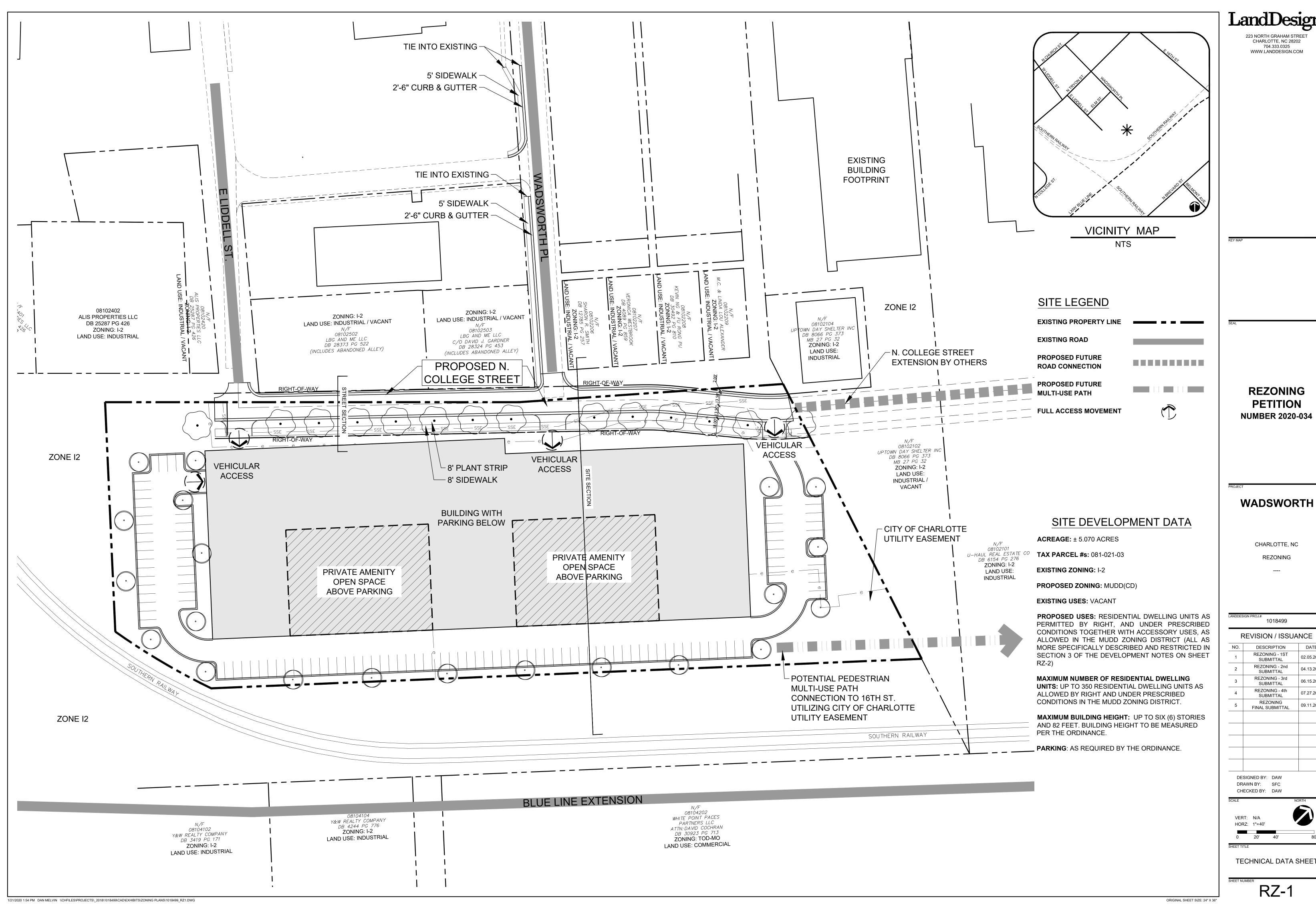
REQUESTED TECHNICAL REVISIONS

Transportation

3. Conditional note 3.k contains a spelling error and should be revised to "...request that CDOT allow a bond to be posted..." ADDRESSED

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

Planner: William Linville (704) 336-4090



02.05.2020 04.13.2020

06.15.2020 07.27.2020 09.11.2020

TECHNICAL DATA SHEET

JAG Development Company **Development Standards** 07/23/2020 **Rezoning Petition No. 2020-034**

Site Development Data: --Acreage: \pm 5.07 acres --Tax Parcel #: 081-021-03 --Existing Zoning: I-2 -- Proposed Zoning: MUDD(CD)

-- Existing Uses: Vacant --Proposed Uses: Residential dwellings units as permitted by right, and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district (all as more specifically described and restricted below in Section 3). --Maximum Number of Residential Dwelling Units: Up to 350 residential dwelling units as allowed by right and under prescribed

conditions in the MUDD zoning district. --Maximum Building Height: Up to six (6) stories and 82 feet. Building height to be measured per the Ordinance

--Parking: As required by the Ordinance.

1. General Provisions:

- Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by JAG Development Company ("Petitioner") to accommodate the development of a residential community on an approximately 5.07-acre site located at 200 Wadsworth Place (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 MUDD zoning classification shall govern all development taking place on the Site.
- Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Permissible Building Areas (as defined below) 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:

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

Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site will be limited to two (2). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

2. Permitted Uses, Development Area Limitations:

a. The principal building constructed on the Site may be developed with up to 350 multi-family residential dwellings units as permitted by right, and under prescribed conditions together with accessory uses allowed in the MUDD zoning district.

3. <u>Transportation Improvements and Access:</u>

- The Petitioner will construct required roadway improvements and provide any required sidewalk and utility easements needed for these improvements prior to the issuance of the first certificate of occupancy. The Petitioner reserves the right to post a bond for any roadway improvements not finalized at the time of the issuance of the certificate of occupancy, as allowed by City
- b. CDOT/NCDOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. 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 area, by way of a private/public partnership effort or other public sector project support.
- Access to the Site will be from N. College Street, by way of existing Wadsworth Place and E Liddell Street and the extension of N. College Street as generally depicted on the Rezoning Plan. The number of access points to N. College Street may vary from the number indicated on the Rezoning Plan.
- d. The Petitioner will construct N. College Street as a new public street as generally depicted on the Rezoning Plan.
- The Petitioner will construct a 12-foot multi-use path (MUP) connection from the Site to E. 16th Street if the City or the Petitioner is able to secure the necessary permissions from the adjoining property owners to allow the construction of the 12-foot MUP from the Site to E. 16th Street. The 12-foot MUP could be constructed over the existing utility easement recently secured by the City. The Petitioner is also willing to erect a fence between the proposed 12-foot MUP and the adjoining property to help address security issues.
- The Petitioner will construct a five-foot (5) sidewalk from the Site to N. Tryon Street along one-side of Wadsworth Place within the existing right-of-way. The proposed sidewalk may be located at the back of curb to help minimize the need for additional right-of-way or easements.
- The Petitioner will dedicate via fee simple conveyance any required right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk
- h. The alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.
- The Petitioner may design the vehicular entrances to the proposed parking structure with gates and other access control measures to limit and control access to the parking structure to residents and their guests. Visitor parking spaces or spaces associated with the leasing office may be located outside gates.
- The Petitioner reserves the right to install security fencing and gates around the perimeter of the Site. Fencing to be decorative and supplemented with landscaping to soften its appearance.
- Any required roadway improvement will be approved and constructed prior to the issuance of the first certificate of occupancy subject to the Petitioner's ability to request that CDOT allow a bond to be post for any improvements not in place at the time of the issuance of the first certificate of occupancy.

4. Streetscape, Landscaping Open Space and Screening:

- a. A 16-foot building setback as measured from the proposed back of curb along N. College Street will be provided as generally depicted on the Rezoning Plan.
- b. An eight (8) foot planting strip and a eight (8) foot sidewalk will be established along one side of N. College Street as generally
- c. Trash pickup for the building will be from the interior vehicular circulation areas of the Site.
- d. Meter banks will be screened where visible from public view at grade level.

General Design Guidelines:

- 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, defined as the "Preferred Building Materials". Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings. Concrete masonry units not architecturally finished will not be allowed. The railings utilized on balconies and patios must be metal railings.
- b. The proposed building will be designed and constructed so that the each building elevation(s) that abut/face an existing or proposed Public Street will have at least 40% masonry materials (e.g. brick, natural stone, (or its synthetic equivalent) precast stone, precast concrete), exclusive of windows, doors and roofs.
- c. The building façade addressing the light rail line will be treated as a primary façade.
- d. The design of the building will locate building amenity areas and active uses associated with the residential community on the ground floor of the building facing N. College Street.

- e. Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
- Buildings shall be placed to present a front or side façade to all network required streets (public or private).
- ii. Buildings shall front a minimum of 50% of the total network required street frontage on the site (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).
- iii. Parking lots shall not be located between any building and any network required public or private streets.
- Building massing and height shall be designed to break up long monolithic building forms as follows: Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 6 feet extending through the
- Architectural Elevation Design elevations shall be designed to create visual interest as follows:
- Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
- Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.
- iii. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination the following options: (i) a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); and (ii) horizontal and vertical variations in wall planes. If the final architectural design cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director.
- Residential building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) 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; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.
- Where ground floor connection to units is not possible and a shared or common entry is used, transition from the street to the entry itself is provided to create a unique sense of entry for pedestrians. The ground level transitions are thoughtfully designed and incorporated into the overall character of the building and include any / all the following: changes in grade or setback, stairs, low masonry walls, ornamental railing, changes in paving material, additional landscaping or other methods.
- Parking lot areas are not located between any building and any network required public or private street however, parking lot areas may be located to the side as generally depicted on the Rezoning Plan.
- k. The exposed portions of multi-level parking decks shall provide screening so that interior cars are not visible from public streets. This is primarily accomplished using architectural louvers or decorative screens on all levels. Parking located on the ground floor level of a parking structure will be also be screened from abutting public streets using louvers, or decorative screens.
- The pedestrian crossings on Site will be designed to incorporate markings, or varied paving or pavers, signage, and lighting so that these crossings are visible to moving vehicles during day light and nighttime hours.
- m. Internal sidewalk connections shall be provided between buildings and from buildings to all publicly accessible on-site facilities (parking areas, bicycle facilities, open space, etc.) and abutting or adjacent parks, greenways, bikeways, trails, developments and transit stops. Internal sidewalks shall be hard surfaced and at least 6 feet in width unless connecting to four units or less.
- n. Fences or walls used for screening shall be constructed in a durable fashion of brick, stone, other finished masonry materials, wood split-rail, metal or other materials specifically designed as fencing materials.
- Service equipment such as dumpsters, refuse areas, recycling and storage are screened from view from public streets with materials and design to be compatible with principal structures. Such design includes a minimum 20% Preferred Exterior Building
- p. Roof Form and Articulation roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as
- 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.
- For pitched roofs (not including details that may include crickets, towers or other elements that slope back to the primary roof) the minimum slope shall be (4:12), excluding buildings with a flat roof and parapet.
- iii. All rooftop mechanical equipment on buildings shall be screened from public view from below by integrating the equipment into the building and roof design to the maximum extent feasible, using parapet walls or similar architectural treatments.
- iv. For flat roofs, a parapet extends above the roof plane and include an element that provides a visual termination of the facade.
- q. Ventilation grates or emergency exit doors located at the first-floor level in the building facade oriented to any public street must be decorative.
- 6. Environmental Features:
- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- b. Development within the SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance.
- c. The Site will comply with the Tree Ordinance.

7. <u>Lighting:</u>

- a. All new attached and detached lighting shall be fully shielded downwardly directed and full cut off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site, except street lights located along public streets, will be limited to 22 feet in height.
- c. The on-site pedestrian circulation system shall be lighted to a level where employees, residents, and visitors can safely use the system at night.

8. Amendments to the Rezoning Plan:

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 or portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

9. Binding Effect of the Rezoning Application:

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 herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

223 NORTH GRAHAM STREE CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

REZONING PETITION NUMBER 2020-034

WADSWORTH

CHARLOTTE, NC REZONING

1018499 **REVISION / ISSUANCE** DESCRIPTION **REZONING - 1ST** 02.05.2020 SUBMITTAL REZONING - 2nd 04.13.2020 SUBMITTAL REZONING - 3rd 06.15.2020 SUBMITTAL REZONING - 4th 07.27.2020 SUBMITTAL REZONING 09.11.2020 FINAL SUBMITTAL

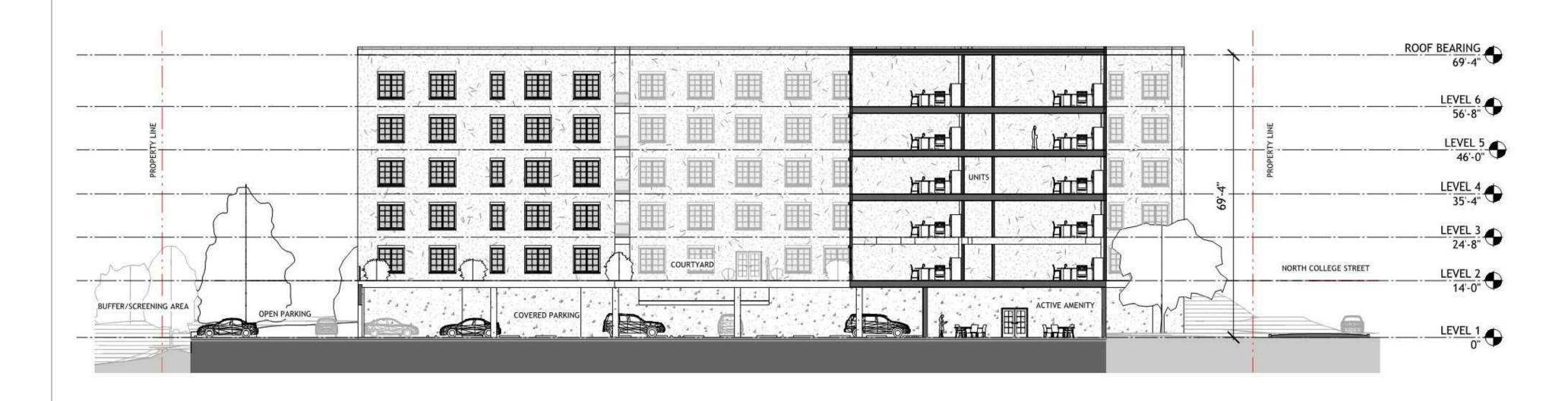
DESIGNED BY: DAW DRAWN BY: SFC CHECKED BY: DAW

VERT: N/A HORZ: N/A

DEVELOPMENT STANDARDS

SITE SECTION 200 WADSWORTH PLACE

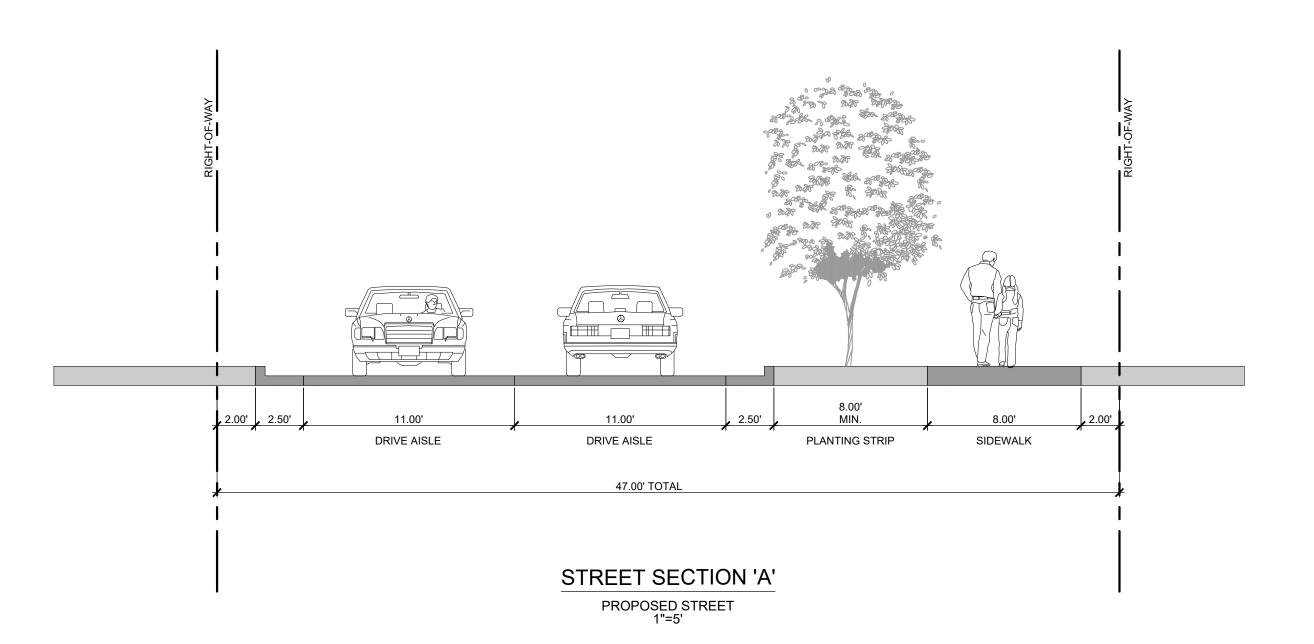




1 SITE SECTION A0.04 3/64" = 1'-0"

JEFFERSON 04/03/20

NILES BOLTON ASSOCIATES



REZONING PETITION NUMBER 2020-034

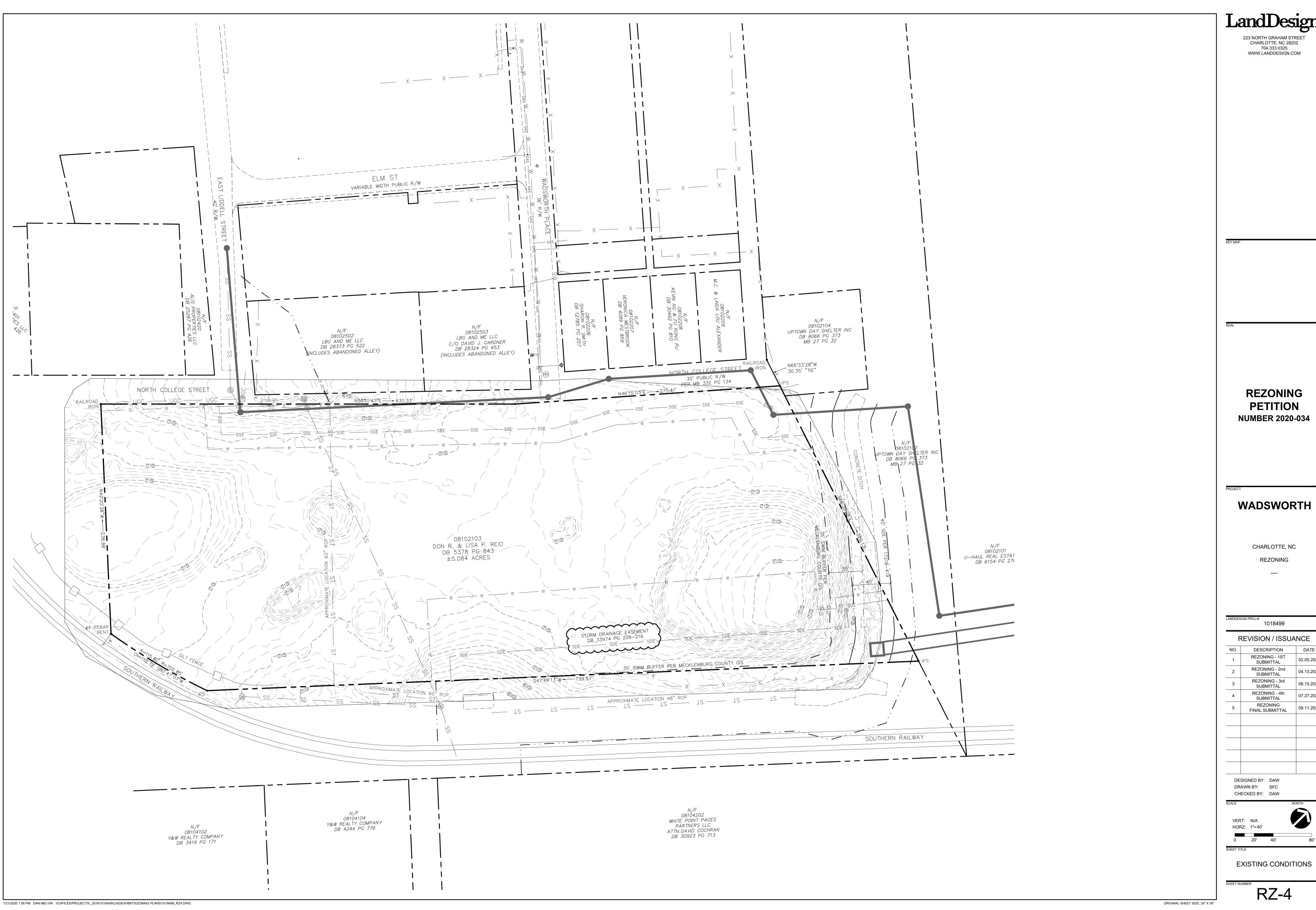
WADSWORTH

CHARLOTTE, NC

REZONING

ANDDES	SIGN PROJ.# 1018499			
REVISION / ISSUANCE				
NO.	DESCRIPTION	DATE		
1	REZONING - 1ST SUBMITTAL	02.05.2020		
2	REZONING - 2nd SUBMITTAL	04.13.2020		
3	REZONING - 3rd SUBMITTAL	06.15.2020		
4	REZONING - 4th SUBMITTAL	07.27.2020		
5	REZONING FINAL SUBMITTAL	09.11.2020		
	SIGNED BY: DAW			
	AWN BY: SFC ECKED BY: DAW			

RZ-3



REZONING PETITION

REVISION / ISSUANCE 02.05.2020 04.13.2020 06.15.2020 07.27.2020 09.11.2020



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 16.File #: 15-14193 Type: Zoning Decision

Rezoning Petition: 2020-039 by Hinshaw Properties, LLC

Location: Approximately 0.44 acres located north of Firefighter Place, east of 7th Street, and west of

Weddington Avenue. (Council District 1 - Egleston)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-039

August 4, 2020

REQUEST Current Zoning: R-22MF (multifamily residential)

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

LOCATION Approximately 0.44 acres located north of Firefighter Place, east

of 7th Street, and west of Weddington Avenue.

(Council District 1 - Egleston)

PETITIONER Hinshaw Properties, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Elizabeth Area Plan,* based on the information from the staff analysis and the public hearing and because:

• The *Elizabeth Area Plan* recommends residential land uses up to 22 units per acre.

However we find this petition to Choose an item. public interest based on information from the staff analysis and the public hearing and because:

- The site is an infill parcel with frontage on 7th Street.
- The proposed density is slightly over the recommended density at 22.61 units per acre.
- The site is generally surrounded by existing attached and multi-family residential developments.
- The plan provides buffer/ screening abutting single family homes.
- The plan limits the height of the buildings to 48 feet which is compatible with surrounding development.
- The request provides a 10-foot vegetated area along the property line abutting the single family residence.
- The plan provides architectural standards related to building materials, limitations on blank walls, and treatment of corner/end units.
- The development enhances walkability via streetscape improvements along abutting frontages.

The approval of this petition will revise the adopted future land use as specified by the *Elizabeth Area Plan*, from residential up to 22 units per acre to residential over 22 units per acre for the site.

Petition 2020-039

(Page 2 of 2)

Zoning Committee Recommendation

Motion/Second: Barbee / Welton

Yeas: Barbee, Blumenthal, Kelly, McMillian, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE

DISCUSSION

Staff provided a summary of the petition and noted that it is

inconsistent with the adopted area plan. There was no discussion

of this petition.

PLANNER Claire Lyte-Graham (704) 336-3782





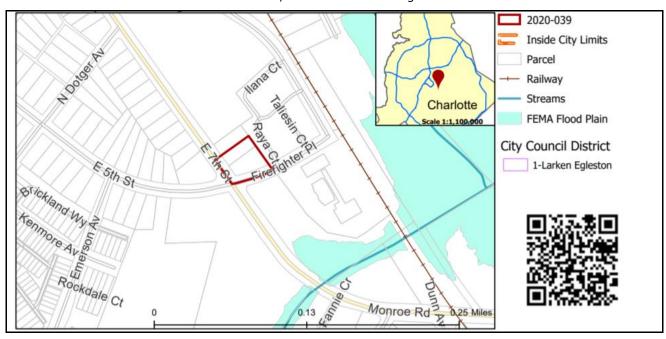
REQUEST

Current Zoning: R-22MF (multifamily residential)

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

LOCATION Approximately 0.44 acres located north of Firefighter Place, east of

7th Street, and west of Weddington Avenue.



SUMMARY OF PETITION

The petition proposes to allow a for-sale 10-unit townhouse development at a density of 22.61 units per acre on a vacant parcel on the northeast corner of East 7th Street and Firefighter Place near Chantilly Neighborhood Park.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

SCG/TBR VENUE OWNER LLC Hinshaw Properties, LLC

Collin Brown and Brittany Lins, Alexander Ricks

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 **consistent** with the *Elizabeth Area Plan (2011)* recommendation for residential land uses, and **inconsistent** with the recommended density for up to 22 units per acre.

Rationale for Recommendation

- The site is an infill parcel with frontage on 7th Street.
- The proposed density is slightly over the recommended density at 22.61 units per acre.
- The site is generally surrounded by existing attached and multifamily residential developments.
- The plan provides buffer/ screening abutting single family homes.
- The plan limits the height of the buildings to 48 feet which is compatible with surrounding development.

- The request provides a 10-foot vegetated area along the property line abutting the single family residence.
- The plan provides architectural standards related to building materials, limitations on blank walls, and treatment of corner/end units.
- The development enhances walkability via streetscape improvements along abutting frontages.

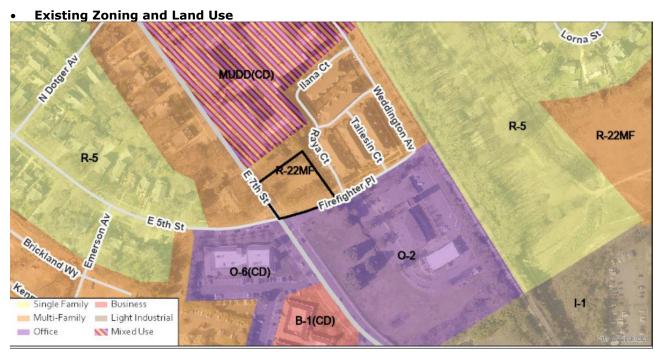
The approval of this petition will revise the adopted future land use as specified by the *Elizabeth Area Plan*, from residential up to 22 units per acre to residential over 22 units per acre for the site.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Limits the number of alley-fed single family attached (townhome) units to 10 for a density of 22.61 units per acre.
- Limits the building height to 48 feet.
- Proposes ingress/egress onto Firefighter Place.
- Provides 8-foot sidewalk and 8-foot planting strip along East 7th Street and Firefighter Place frontages.
- Installs a 6-foot shared sidewalk along easternmost units, to tie into proposed sidewalk along Firefighter Place.
- Proposes architectural and landscaping standards related to exterior building materials, pitched roofs, corner/end units, blank wall provisions, and rooftop terraces.
- Prohibits vinyl siding, excluding vinyl handrails, windows, soffits, doors, garage doors, railings, or trim, and concrete masonry units not architecturally finished.
- Notes the amount of exterior cementitious siding shall not exceed 25% in the aggregate for all buildings on the Site.
- Notes garage doors of Units 5 and 6 will include translucent garage door windows and other projecting architectural elements such as, but not limited to, arbors.
- Provides 10-foot vegetated area and 8-foot high retaining wall along the north property line to be
 planted to Class C buffer standards. Notes vegetated area may be eliminated if abutting parcel
 with existing single family residential home is redeveloped to a use other than single family
 residential.
- Identifies proposed usable open space areas.
- Proposes payment in lieu option for tree save.



The site is currently vacant and is surrounded by a mix of single family neighborhoods, multifamily residential communities, institutional uses, and office uses in various zoning districts.





The site is currently vacant.



East are townhomes and office uses.



Immediately north is a single family house.



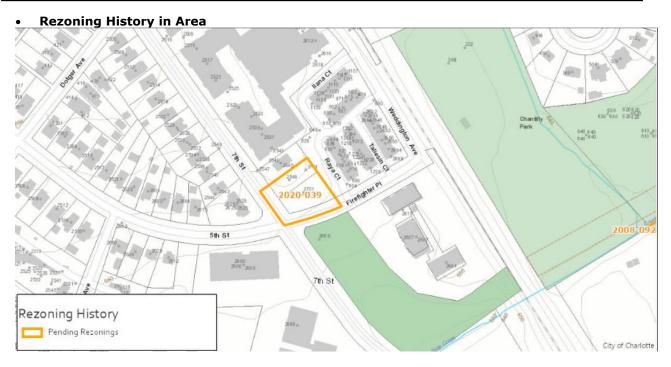
North and west, along E. 7th Street, are apartments and condominiums.



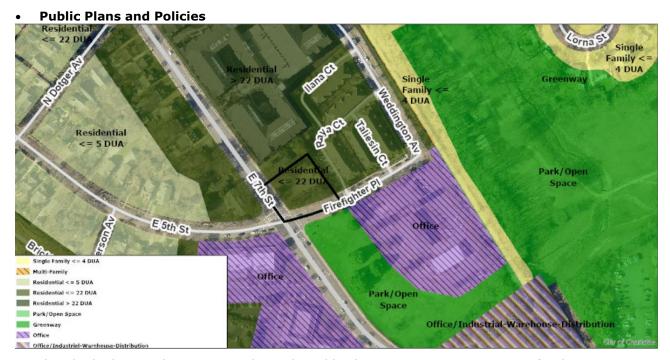
West are single family homes.



South, along E. 7th Street, are office and institutional uses.



There have been no recent rezonings in the immediate area.



• The Elizabeth Area Plan recommends residential land uses up to 22 units per acre for this site.

TRANSPORTATION CONSIDERATIONS

- The site is located on a major thoroughfare road. The site plan commits to an 8-foot planting strip and 8-foot sidewalk along 7th Street and Fireplace Place. CDOT continues to request the construction of the accessible ramps and associated pedestrian signal improvements to meet Charlotte WALKS City policy and accessible ramp requirements to promote walkability to the nearby Briar Creek Greenway.
- Active Projects Near the Site:
 - Briar Creek Greenway, Central Ave. to Monroe Rd. (proposed access across Firefighter Pl. from site)
 - Scope: construct new greenway between Central Ave. and Monroe Rd./7th St.
 - o Current phase: Design

- o PM: Mecklenburg County Park & Rec
- See Outstanding Issues, Notes 1-4-Addressed
- Vehicle Trip Generation:

Current Zoning:

Existing Use: Vacant land

Entitlement: 50 trips per day (9 apartments; based on R-22MF zoning)

Proposed Zoning: 75 trips per day (10 townhomes; site plan).

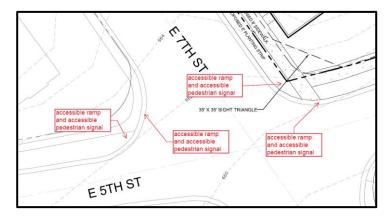
DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate 2 students, while the development allowed under the proposed zoning may produce 1 student.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Eastover Elementary at 98%
 - Sedgefield Middle at 73%
 - Myers Park High at 125%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along E 7th Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along E 7th Street. See advisory comments at www.rezoning.org
- Engineering and Property Management:
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: See advisory comments at www.rezoning.org
 - Urban Forestry: No outstanding issues.
- Mecklenburg County Land Use and Environmental Services Agency: See advisory comments at <u>www.rezoning.org</u>
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

OUTSTANDING ISSUES

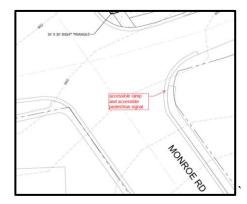
Transportation

1. The petitioner should revise the site plan and conditional note(s) to commit to construct dual ramps at the corner of E 7t Street and E. 5th Street to meet the City's Charlotte WALKS Policy and PROWAG. In addition, the developer should commit to provide accessible push buttons for its corner. The site plan should label and dimension both items from the back of curb and gutter and road centerline. Rescinded



2.—The petitioner should revise the site plan and conditional note(s) to commit to construct dual ramps at the corner of Monroe Road and E. 5th Street to meet City's Charlotte WALKS Policy and

PROWAG. The site plan should label and dimension both items from the back of curb and gutter and road centerline. Rescinded



- 3.—The petitioner should revise the site plan to add a note 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. CDOT requests right of way set at 2' behind back of sidewalk where feasible. Addressed
- 4.—The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Rescinded

Site and Building Design

5.—Specify 10-foot vegetated area will be to Class C buffer standard. Addressed

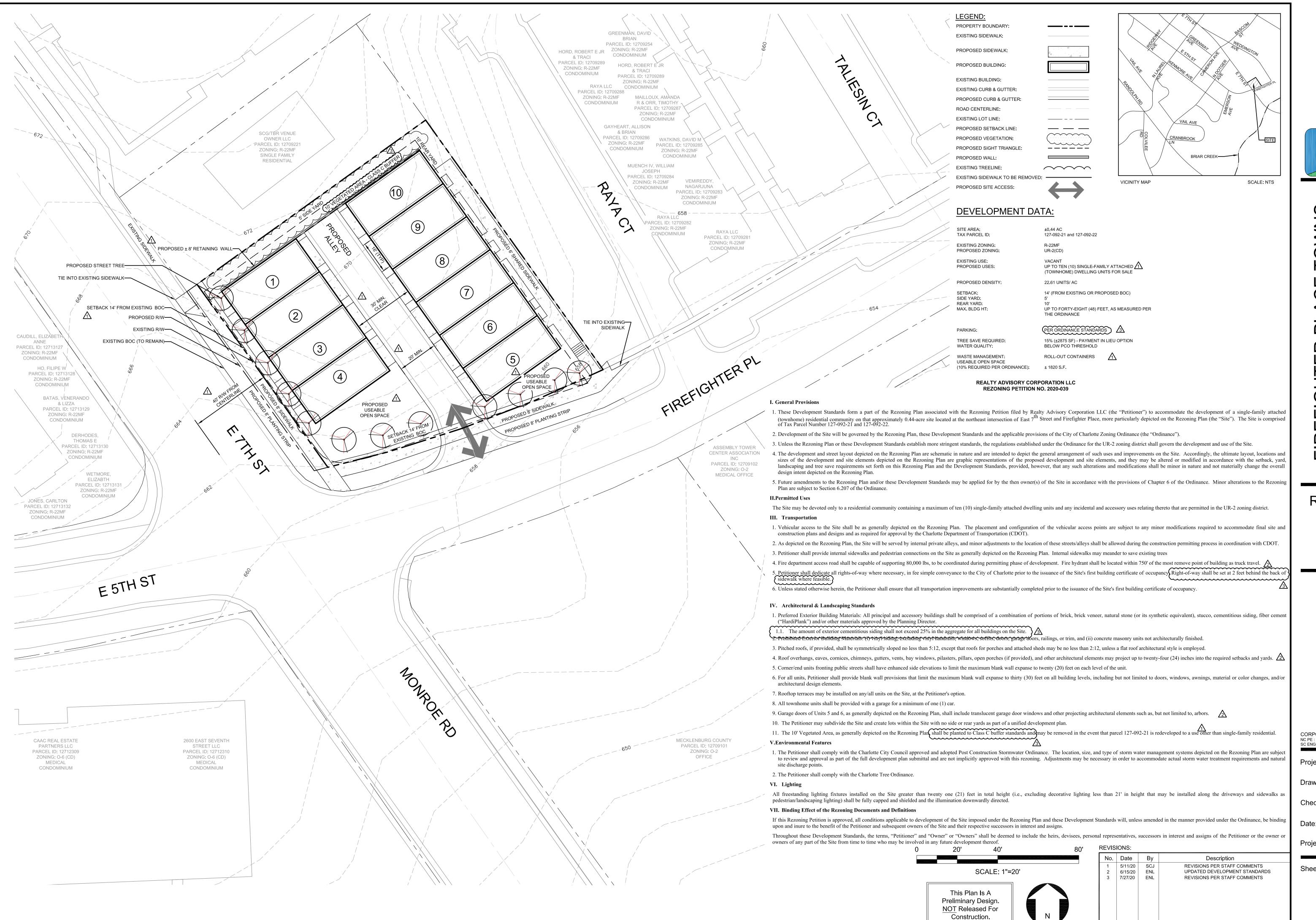
REQUESTED TECHNICAL REVISION

Site and Building Design

6.—Under Development Data either modify language to state parking will meet ordinance requirements or clarify how it will exceed requirements. Addressed

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

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



Land Solite 111 tel: 704-841-1604 fax: 704-841-1604

EFIGHTER PLACE TOWN CHARLOTTE, NC

REZONING SITE PLAN

PLAN
PETITION #
RZP-2020-039

CORPORATE CERTIFICATIONS
NC PE : C-2930 NC LA : C-253

Project Manager:

Drawn By: SC

Checked By: MDL

Date: 07/27/20

Project Number:

Sheet Number:

RZ-1

SHEET#1 OF1



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 17.File #: 15-14194 Type: Zoning Decision

Rezoning Petition: 2020-046 by Take 5 Carolinas

Location: Approximately 1.09 acres located southwest of Whitehall Park Drive, on the north side of

Tryon Street, east of Sandy Porter Road. (Council District 3 - Watlington)

Current Zoning: I-1 (CD) (light industrial, conditional)

Proposed Zoning: I-1 (CD) SPA (light industrial, conditional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-046

August 4, 2020

Zoning Committee

REQUEST Current Zoning: I-1(CD) (light industrial, conditional)

Proposed Zoning: I-1(CD) SPA (light industrial, conditional, site

plan amendment)

LOCATION Approximately 1.09 acres located southwest of Whitehall Park

Drive, on the north side of Tryon Street, east of Sandy Porter

Road

(Council District 3 - Watlington)

PETITIONER Take 5 Carolinas

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Steele Creek Area Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends office/retail uses.

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

- The proposed changes to the site are consistent with the area plan and the only changes were made from the previously approved plan was to the permitted uses to include automobile service stations.
- The site, due to its location on S. Tryon Street and as an outparcel, is a sensible location for the development of an automobile service station within the Whitehall Business Park.
- The proposed site plan amendment maintains the existing site and building design standards as required by the Whitehall Business Park.

Motion/Second: Welton / Barbee

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

(Page 2 of 2) Petition 2020-046 Zoning Committee Recommendation

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

There was no further discussion of this petition.

Lisa Arnold (704) 336-5967 **PLANNER**



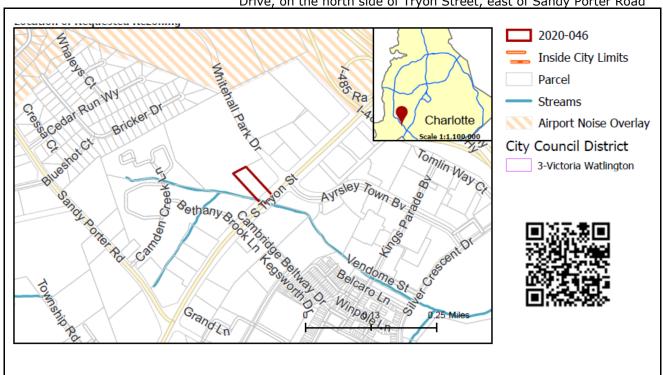


REQUEST Current Zoning: I-1(CD) (light industrial, conditional)

Proposed Zoning: I-1(CD) SPA (light industrial, conditional, site

plan amendment

LOCATIONApproximately 1.09 acres located southwest of Whitehall Park
Drive, on the north side of Tryon Street, east of Sandy Porter Road



SUMMARY OF PETITION

The petition proposes a site plan amendment to the approved I-1(CD) rezoning plan to allow automotive service stations.

PROPERTY OWNER PETITIONER

LCG2R Apple Charlotte, LLC Take 5 Carolinas

AGENT/REPRESENTATIVE Keith MacVean

Keith MacVean, Moore & Van Allen

COMMUNITY MEETING

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

STAFF	
RECOMMENDATION	ı

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Steele Creek Area Plan's* (2012) recommendation for office/retail uses.

Rationale for Recommendation

- The proposed changes to the site are consistent with the area plan and the only changes were made from the previously approved plan was to the permitted uses to include automobile service stations.
- The site, due to its location on S. Tryon Street and as an outparcel, is a sensible location for the development of an automobile service station within the Whitehall Business Park.

 The proposed site plan amendment maintains the existing site and building design standards as required by the Whitehall Business Park.

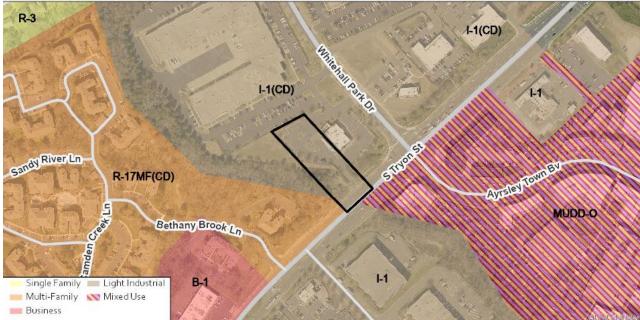
PLANNING STAFF REVIEW

Proposed Request Details

The site plan amendment contains the following changes:

- Maintains the same permitted uses: all permitted and accessory uses in the I-1 district, with the exception of the following uses:
 - Armories for Meetings and Training of Military Organizations;
 - Automotive;
 - Boat and Ship Sales and Repair;
 - Bus and Train Terminals;
 - Car Washes;
 - Farms, Including Retail Sales of Products Grown on Premises;
 - · Manufactured Housing Repair;
 - Manufactured Housing Sales;
 - Restaurants, Drive-In Services;
 - Tire Recapping and Retreading;
 - Adult Care Center;
 - Cemeteries;
 - Demolition Landfills:
 - Jails and Prisons;
 - Medical Waste Disposal Facilities as A Principal Use;
 - Nightclubs, Bars, And Lounges;
 - Outdoor Advertising Signs Other Than Two Such Signs Which May Be Used Exclusively as Project Signs Fore the Whitehall Development;
 - Petroleum Storage Facilities as A Principal Use;
 - Ouarries:
 - Raceways and Dragstrips;
 - Sanitary Landfills, Or
 - Stadiums and Arenas
- Removes automobile service stations from the originally approved list of prohibited uses.
- Carries over the requirement for a 50' setback along S. Tryon Street and design approval from the Whitehall Design Review Committee.
- Commits to providing an 8' planting strip and 6' sidewalk along S. Tryon Street.
- Provides site lighting requirements to require full cut-off fixtures and decorative building lighting that is capped and downwardly directed.

Existing Zoning and Land Use



The site was rezoned in 1999 (petition 1999-030C) as a part of the Whitehall Business Park. The subject property is developed with a parking lot. Surrounding land uses include industrial, office, multi-family, and business uses.



The subject property is developed with parking for the adjacent lot. The site is marked with a red star.



The property to the north is developed with business and office uses.



The properties to the south are developed with business uses.



The property to the east is developed with a vacant former restaurant building.



The property to the west is vacant undeveloped land. The subject property is marked with a red star.



There are no recent pending or approved rezoning in the surrounding area.

Public Plans and Policies



• The Steele Creek Area Plan (adopted 2012) recommends office/retail uses for this site. The site is located within the Whitehall mixed use activity center, as per the Centers, Corridors and Wedges Growth Framework.

TRANSPORTATION SUMMARY

 The site is on South Tryon Street (major thoroughfare, state maintained) and Whitehall Park Drive (minor thoroughfare, city maintained), and is in a wedge outside Route 4. The applicable area plan is the Steele Creek Area Plan.

Active Projects:

- o Whitehall Park Dr. Bike Improvements
 - Scope: add pavement markings and wayfinding to create bike lanes between Tryon St. and Arrowood Rd.
 - Phase: InitiationConstruction: TBD
 - PM: CDOT Design Section, TBD

• Transportation Considerations

No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 65 trips per day (based on 10,900 SF warehouse).

Proposed Zoning: 170 trips per day (based on 2,500 SF Quick Lubrication Vehicle Shop).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No comments submitted.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: No outstanding issues.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- Charlotte Water: No comments submitted.

Engineering and Property Management:

- Arborist: No comments submitted.
- Erosion Control: No outstanding issues.
- Land Development: No outstanding issues.
- Storm Water Services: See advisory comments at www.rezoning.org

- **Urban Forestry:** No outstanding issues.
- Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.
- Mecklenburg County Parks and Recreation Department: No comments submitted.

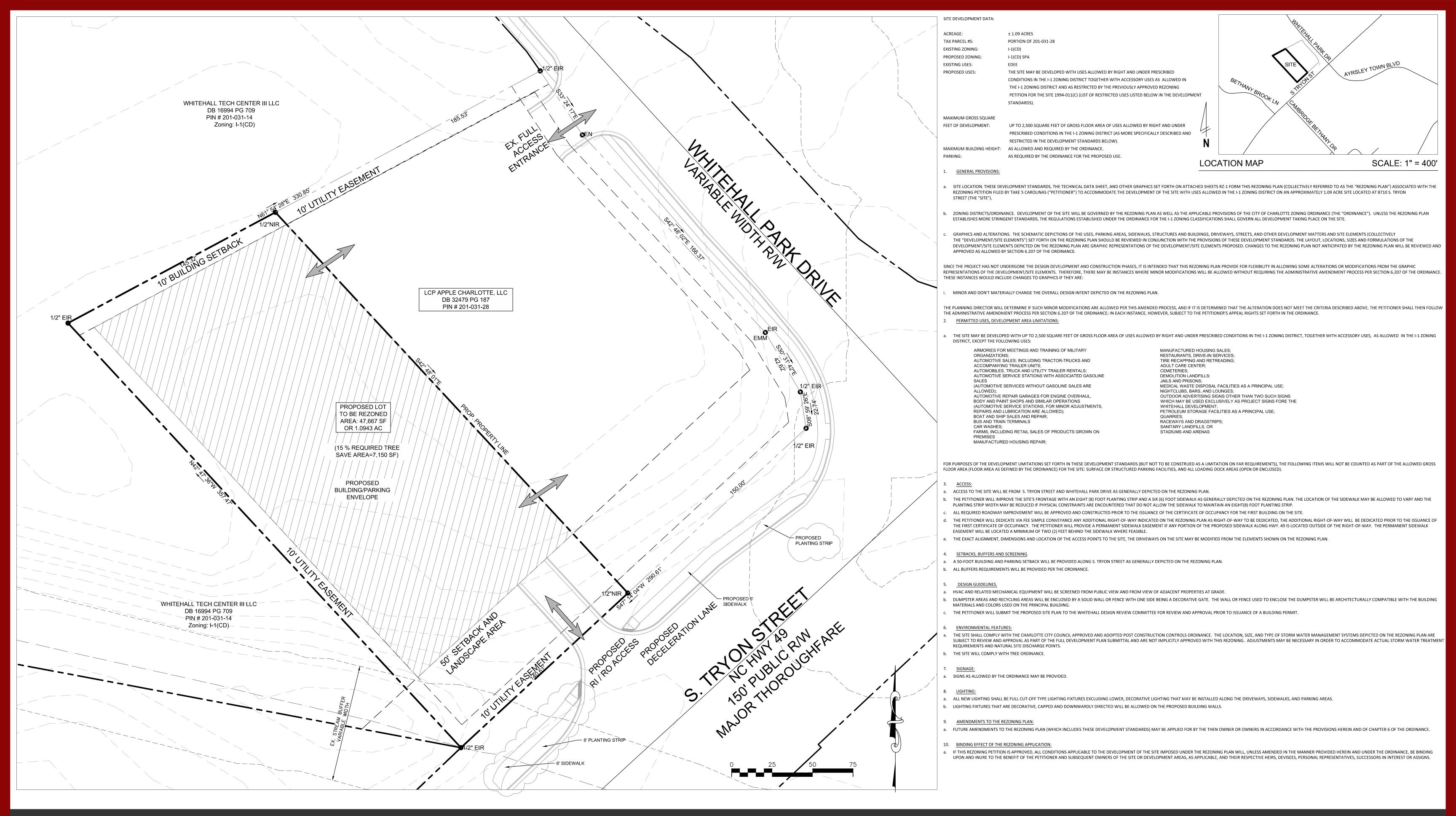
OUTSTANDING ISSUES

Site and Building Design

- 1.—Revise site plan to provide an 8' planting strip along S. Tryon Street. Addressed
- 2.—Clarify under note 2a what type of automotive uses are prohibited. Addressed
- 3.—There is a discrepancy between the maximum square feet of the development. One section states 1,700 and 2.a. states 2,500. Please clarify which number is correct. Addressed

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

Planner: Lisa Arnold (704) 336-5967



Rezoning Site Plan

TAKE 5 CAROLINAS - 8710 S TRYON ST

City of Charlotte, NC

SEPT 4, 2020





City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 18.File #: 15-14195 Type: Zoning Decision

Rezoning Petition: 2020-047 by Pecan Ridge of Charlotte, LLC

Location: Approximately 1.72 acres located on the eastern side of W. T. Harris Boulevard, north of Forest

Drive, and south of Mount Holly-Huntersville Road. (Council District 2 - Graham)

Current Zoning: CC (commercial center)

Proposed Zoning: CC SPA (commercial center, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-047

August 4, 2020

REQUEST Current Zoning: CC (commercial center)

Proposed Zoning: CC SPA (commercial center, site plan

LOCATION Approximately 1.72 acres located on the eastern side of W. T.

Harris Boulevard, north of Forest Drive, and south of Mount

Holly-Huntersville Road. (Council District 2 - Graham)

PETITIONER Pecan Ridge of Charlotte, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Northlake Area Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends retail uses.

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

- The subject site is located on West W.T. Harris Boulevard and Forest Drive, a primarily residential street. The petition proposes one building up to 10,000 square feet to be used for retail, restaurant, personal service, or office use. The petition also proposes up to one drive-through on the site.
- The site is adjacent to retail uses on the corner of Mt. Holly-Huntersville Road and West W.T. Harris Boulevard, and also adjacent to residential uses on West W.T. Harris Boulevard and Forest Drive. The Northlake Area Plan (2008) calls for the small commercial part of this residential area to contain "neighborhood serving retail."
- This petition's proposal commits to a 42-foot buffer along Forest Drive. 32-feet of this buffer will be undisturbed and will include the preservation of trees of four-inch (4") caliper or greater to support visual screening along Forest Drive. In areas where the existing tree canopy is materially absent, trees of three-inch (3") caliper or greater shall be installed to supplement the existing tree canopy. The remaining 10-feet of the disturbed buffer will include shrubs planted to support

visual screening. In addition to the buffer a 6-foot tall opaque fence will be installed along the internal edge of the buffer.

The petition site plan encourages pedestrian activity by including a 12-foot multi-use path along West W.T. Harris Drive and a 6-foot sidewalk along Forest Drive, as well as a 5foot internal sidewalk leading to the entrance of the establishment.

Motion/Second: Barbee / Kelly

Barbee, Blumenthal, Kelly, McMillan, Nwasike, Yeas:

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

consistent with the adopted area plan.

There was no further discussion of this petition.

Michael Russell (704) 353-0225 **PLANNER**





REQUEST Current Zoning: CC (commercial center)

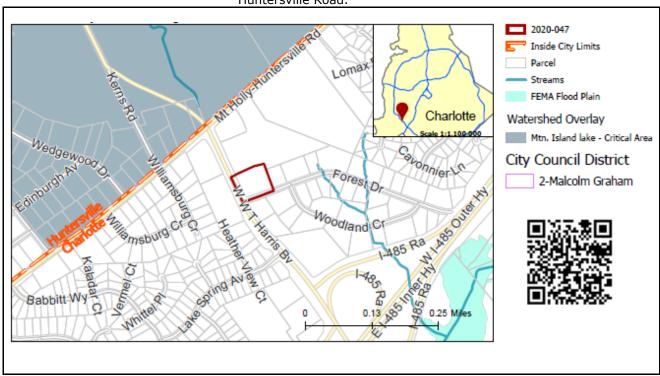
Proposed Zoning: CC SPA (commercial center, site plan

amendment)

LOCATION Approximately 1.72 acres located on the eastern side of W. T.

Harris Boulevard, north of Forest Drive, and south of Mount Holly-

Huntersville Road.



SUMMARY OF PETITION

The petition proposes to allow up to 10,000-square feet of retail, EDEE (Eating, Drinking, Entertainment Establishment), personal services, and office uses. An EDEE with drive-through window facility would be limited to 3,000-square feet. It is an undeveloped outparcel of Pecan Ridge Shopping Center.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

Pecan Ridge of Charlotte, LLC Pecan Ridge of Charlotte, LLC Jeff Brown, Moore & Van Allen

COMMUNITY MEETING

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

SIAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Northlake Area Plan's* (2008) for retail use.

Rationale for Recommendation

• The subject site is located on West W.T. Harris Boulevard and Forest Drive, a primarily residential street. The petition proposes one building up to 10,000 square feet to be used for retail,

- restaurant, personal service, or office use. The petition also proposes up to one drive-through on the site.
- The site is adjacent to retail uses on the corner of Mt. Holly-Huntersville Road and West W.T. Harris Boulevard, and also adjacent to residential uses on West W.T. Harris Boulevard and Forest Drive. The Northlake Area Plan (2008) calls for the small commercial part of this residential area to contain "neighborhood serving retail."
- This petition's proposal commits to a 42-foot buffer along Forest Drive. 32-feet of this buffer will be undisturbed and will include the preservation of trees of four-inch (4") caliper or greater to support visual screening along Forest Drive. In areas where the existing tree canopy is materially absent, trees of three-inch (3") caliper or greater shall be installed to supplement the existing tree canopy. The remaining 10-feet of the disturbed buffer will include shrubs planted to support visual screening. In addition to the buffer a 6-foot tall opaque fence will be installed along the internal edge of the buffer.
- The petition site plan encourages pedestrian activity by including a 12-foot multi-use path along West W.T. Harris Drive and a 6-foot sidewalk along Forest Drive, as well as a 5-foot internal sidewalk leading to the entrance of the establishment.

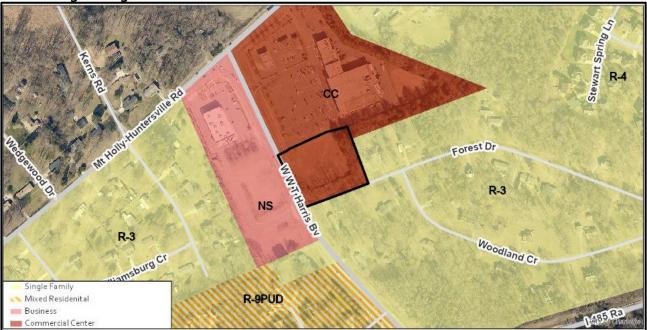
PLANNING STAFF REVIEW

Proposed Request Details

The site plan amendment contains the following changes:

- Allows up to a 3,000-square foot EDEE (Eating, Drinking, Entertainment Establishment) with drive-through window facility.
- Limits the number of principle buildings on the site to one.
- Maintains the prohibition on automotive service stations with or without a convenience store.
- Maintains the existing undisturbed buffers.
- Prohibits the service side of building to be oriented towards West W.T. Harris Boulevard.
- Provides a 35-foot setback along W.T. Harris Boulevard and a 40-foot setback along Forest Drive.
- Provides an 8-foot planting strip and 12-foot wide multi-use path along West W.T. Harris Boulevard.
- Provides an 8-foot planting strip and 6-foot wide sidewalk along Forest Drive.
- Provides a sidewalk network that links the proposed building on the Site to the sidewalk along each of the abutting public streets.
- Building materials will be a combination of the following: brick, stone, precast stone, precast
 concrete, synthetic stone, cementitious siding, stucco, EIFS, decorative block, architectural metal
 panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on
 handrails/railings.

Existing Zoning and Land Use



The site was an outparcel of rezoning petition 1998-014C changing the zoning from R-3 to CC. The site plan for the outparcel calls for low intensity retail development and prohibits a gas station. The surrounding land uses include single-family residential and retail uses.



The subject property (denoted by red star) is vacant.



The property to the south along Forest Drive is developed with single family homes.



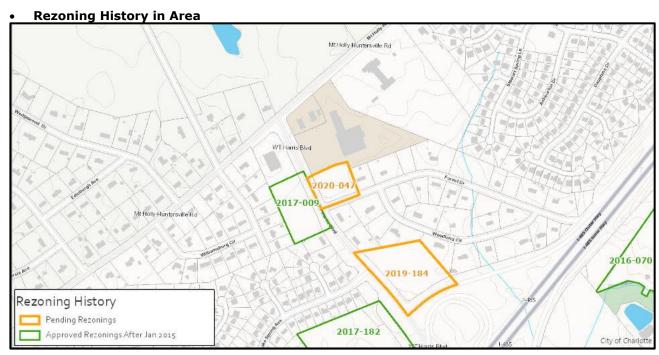
The property to the east along Forest drive is developed with single family homes.



The property to the west along West W.T. Harris Boulevard is currently vacant but was rezoned in 2017 to allow up to 75 age restricted multi-family units.



The property to the north along West W.T. Harris Boulevard is developed with a shopping center.



Petition Number	Summary of Petition	Status
2016-070	Rezoned 17.52 acres to allow up to 300 multi-family units.	Approved
2017-009	Rezoned 2.97 acres to allow up to 75 age restricted multifamily units in a single building.	Approved
2017-182	Rezoned 11.96 acres to allow development of a QuikTrip gas station and other commercial uses including EDEE's, retail, offices, medical offices, indoor pet services, personal services, financial institutions and climate controlled self-storage.	Approved
2019-184	Proposes to rezone 4.2 acres to allow 71 age restricted multi-family units in a single building.	Pending

• Public Plans and Policies



• The Northlake Area Plan (2008) calls for retail uses on this site.

TRANSPORTATION SUMMARY

The site is located on a major thoroughfare road. The petitioner should revise the site plan to meet the ordinance requirements of curb and gutter, sidewalk and bicycle facilities to meet Charlotte WALKS and Charlotte BIKES City policies along W.T. Harris Boulevard and Forest Drive. In addition, the petitioner should commit to the remaining outstanding issues to accommodate the additional proposed traffic in the transportation network.

Active Projects:

- o There are no active projects within the immediate vicinity.
- Transportation Considerations
 - See Outstanding Issues, Notes 1-7 Addressed
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: Too many uses to determine.

Proposed Zoning: 1,415 trips per day (based on 3,000-square foot fast food restaurant with a drive-through.).

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: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Schools: Nonresidential petitions do not impact the number of students generated.
 - Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Forrest Road Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Forrest Road. See advisory comments at www.rezoning.org

Engineering and Property Management:

- Arborist: No comments submitted.
- Erosion Control: No outstanding issues.
- Land Development: No outstanding issues.
- Storm Water Services: See Outstanding Issues, Note 8 Addressed

Petition 2020-047 (Page 7 of 7) Final Staff Analysis

- Urban Forestry: No outstanding issues.
- Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

OUTSTANDING ISSUES

Transportation

- 1.—Per Chapter 19 of the City Code, the future location of curb and gutter should be placed to provide a right turn lane from the future edge of pavement that will be constructed within the recently approved land development Accela Project: LDC-2018-00176 QuikTrip 1087. The roadway plans along this petition's frontage start on sheet PMP-7 of the approved roadway improvement plans. The right turn lane should be reconstructed, from the QT widening edge-of-pavement to fulfill the Northlake Area Plan's cross section. Rescinded by CDOT
- 2.—The site plan should show the curb and gutter labeled and dimensioned from the centerline for each road. Addressed
- 3. Revise note 3.E accordingly to encumber a 12-foot MUP (Charlotte BIKES) and a 20-foot planting strip relative to the Northlake Area Plan's cross section. Addressed
- 4. The petitioner should revise the site plan and conditional note(s) to commit to dedicate right-of-way from the W.T. Harris Boulevard centerline, to accommodate the Northlake Area Plan "Boulevard" cross section as shown. The site plan should label and dimension the right-of-way from the road centerline. Addressed
- 5. Per NCDOT, the petitioner should revise the site plan and conditional note(s) to provide a right turn lane from the future edge of pavement that will be constructed within the recently approved land development Accela Project: LDC-2018-00176 QuikTrip 1087. Rescinded by CDOT
- 6. Note 3.G Dedication of right-of-way is not contingent on a potential delay future road improvement project, please change the language accordingly. Addressed
- 7. The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Addressed

Environment

8. Revise Note-6a to read exactly as follows: The Site shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance. The Site shall not be eligible for any exemptions referenced in Section 18-105 of the Post-Construction Stormwater Ordinance. The petitioner shall analyze the adequacy of the existing storm water conveyance from the site to the Forest Drive public right-of-way. If the existing storm water conveyance is found to be inadequate, the Petitioner shall make a good faith effort to improve the storm water conveyance or mitigate the storm water discharge. Addressed

Land Use

9. Remove the EDEE with a drive-through window facility as a permitted use. Rescinded by staff

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

Planner: Michael Russell (704) 353-0225

TECHNICAL DATA SHEET

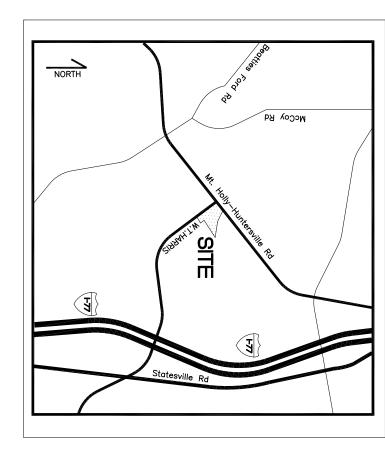
Rezoning Petition RZP-2020-047 Pecan Ridge of Charlotte LLC

Development Standards

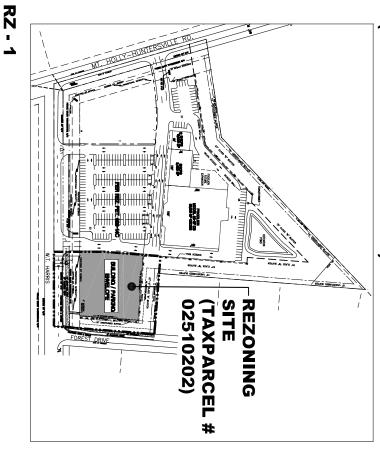
07/31/2020

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LOCATOR AERIAL



ADJACENT SHOPPING CENTER SITE (TAX PARCEL #02510201)



Site Development Data:

–Acreage: ± 1.72 acres -Tax Parcel #: 025-102-02

-Existing Zoning: CC per Rez. Pet. #98-14C \triangleright

> 4TH ROUND OF STAFF COMMENTS. 07/31/20 3RD ROUND OF STAFF COMMENTS. 07/21/20 1ST ROUND OF STAFF COMMENTS. 06/11/20
> 222ND ROUND OF STAFF COMMENTS. 06/11/20

—Proposed Uses: Retail, EDEE (restaurants), personal services, and office uses as permitted by right and under prescribed conditions together with accessory uses, as allowed in the CC zoning district (as more specifically described below in Section 2).

-Existing Uses: Vacant -Proposed Zoning: CC SPA for portion identified

-- Prohibited Uses: The following use is not permitted on the Site: automotive service stations with or without a convenience store. -Maximum Gross Square feet of Development: Up to 10,000 square feet of gross floor area (only 3,000 sf if EDEE with

-Parking: Parking will be provided as required by the Ordinance. -Maximum Building Height: As allowed by the Ordinance.

drive-through accessory use).

HFARE R/W R/₩ 3,600 SF ۵۷, SHOPS 8,400 SF 120 PER REZ. PET. #98-14C 196' t ➾ \$ \leq **BUILDING / PARKING** HARRIS EXISTING 30' SETBACK

EVILLE MAJOR THOROUGHFARE R/W

12' MULTI-USE PATH FFER EN 57' PLANTING STRIP 60' R/W P -0" CLASS 'B' BUFFER EE DEVELOPMENT NOTES OR BUFFER TREATMENTS **EZONING SITE (CC SPA) TELOPE WOODEN FENCE** STALLMENT UNDISTURBED_BUFFER FENCE PROPOSED CURB & GUTTER 42' SETBACK 32' UNDISTURBED BUFFER PROPOSED CURB & GUTTER
FOREST 8' PLANTING STRIP

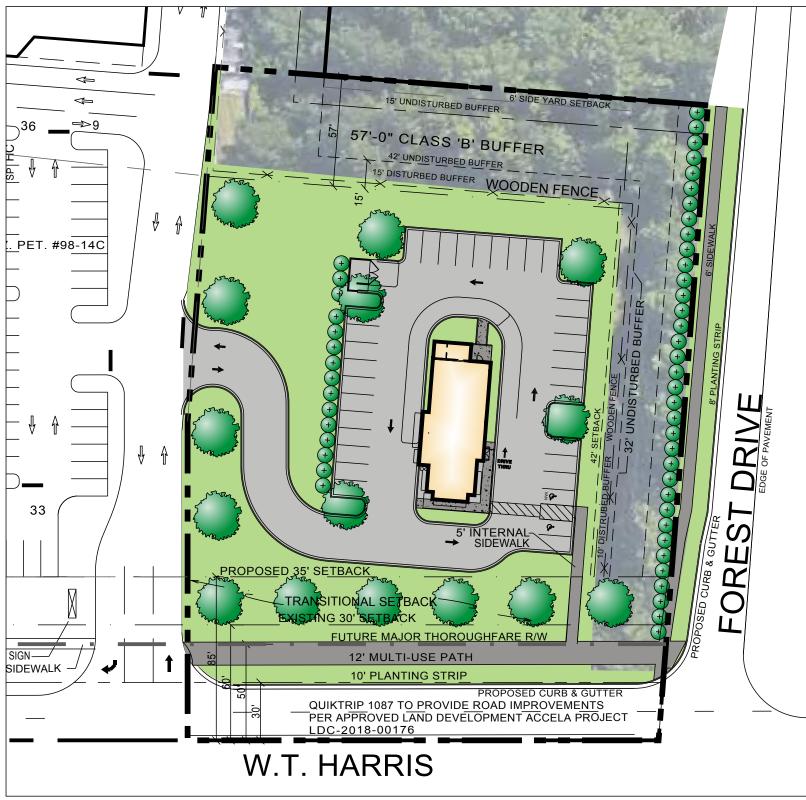
W.T. HARRIS / FOREST DRIVE

CHARLOTTE, NORTH CAROLINA





ALTERNATIVE USE SITE PLAN



W.T. HARRIS / FOREST DRIVE

CHARLOTTE, NORTH CAROLINA

DRAWING PREPARED JULY 31, 2020







General Provisions:

- Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Pecan Ridge of Charlotte LLC ("Petitioner") to accommodate the development of a commercial building with up to 10,000 square feet of gross floor area of uses allowed in the CC zoning district on ±1.72 acre site located at 9523
- 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 CC zoning classification shall govern. This Rezoning Plan supersedes and takes the place of any and all prior rezonings including without limitation Rez. Pet. 98-14C, provided Rez. Pet. 98-14C remains for the adjacent property governed thereby and not identified as the Site on this Rezoning Plan.
- Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, 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, 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.

- d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site shall not exceed one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.
- e. Planned/Unified Development. The Site shall be viewed as a planned/unified development plan as to the Development/Site Elements and portions of the Site generally depicted on the Rezoning Plan and as to the same located on the adjacent Pecan Ridge Shopping Center (Tax Parcel # 025-102-01) (the "Shopping Center"). As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site and the Shopping Center, provided, however, all such separation standards along the exterior boundary of the Site and the Shopping Center, not in common with the Site, as expressly described in the Rezoning Plan shall be adhered to.
- f. Personal Services. The terms "personal service uses" and/or "personal services" (whether capitalized or not) will mean and refer to uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.

2. Permitted Uses & Development Area Limitation:

a. The Site may be developed with up to 10,000 square feet of gross floor area of retail, EDEE (restaurants), personal services, and office uses as permitted by right and under prescribed conditions, together with accessory uses as allowed in the CC zoning district; provided, however, an EDEE with drive-through window facility use shall not exceed 3,000 square feet of gross floor area.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed) and outdoor seating or service areas (parking will provided for outdoor seating areas associated with a restaurant).

- Only one use with an accessory drive-through window will be allowed on the Site.
- The following use is not allowed on the Site: automotive service stations with or without a convenience store.

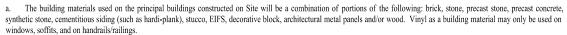
Access and Transportation

- Vehicular access to the Site will be from W.T. Harris Blvd across the Shopping Center in the manner generally depicted on the Rezoning Plan.
- 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 NCDOT and/or CDOT as applicable in accordance with applicable published standards.
- 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 NCDOT and/or CDOT as applicable in accordance with published standards.
- The future location of curb and gutter for the development along the right of way W.T. Harris Boulevard shall be placed in the manner generally depicted on the Technical Data Sheet RZ-1 in coordination with the extension of the existing right turn lane into the first Shopping Center entrance as a through/right turn lane such extension of through/right turn lane being constructed by a third party (i.e. not Petitioner) in connection with approved land development Accela Project LDC-2018-00176- Quicktrip 1087 (Sheet PMP-7) provided, however, subject to CDOT/NCDOT's consent, such cross-section may require consideration of easements for the streetscape improvements along W.T. Harris as described below in subsection 3.e. in order to avoid undue encroachment of the right of way and resulting setbacks for parking/improvements to be developed on the Site. The curb and gutter for such cross-section is labeled and dimensioned from the centerline of each applicable road as generally depicted on the Technical Data Sheet RZ-1.
- e. As referenced in subsection 3.d. above as to the future curb location along W.T. Harris Boulevard, Petitioner will construct a 10 foot planting strip and a 12 foot multi-use path together with curb and gutter along the Site's frontage with W.T. Harris Boulevard for a total pedestrian zone of 22 fleet; as described above, such cross-section may require, with the consent of CDOT/NCDOT, consideration of easements for the streetscape improvements along W.T. Harris as described in this subsection 3.e. in order to avoid undue encroachment of the right of way and resulting setbacks for parking/improvements to be developed on the Site.
- The location of curb and gutter and along Forest Drive shall be placed from the existing edge of pavement and as described below the new 6' foot sidewalk and 8' planting strip. (will be placed within the right of way to the extent sufficient right of way exists and any portion is outside the right of way will be permitted by customary easements.
- Applicable right-of-way reasonably required for any access or transportation improvements specifically required in this Rezoning Plan, as the same may be phased herein, shall be conveyed/dedicated to the City prior to the first certificate of occupancy for the principal building on the Site, subject to any phasing, and such right of way shall be set at 2' behind back of sidewalk where feasible and applicable.
- Roadway and streetscape improvements required to be installed by Petitioner shall be installed and approved prior to the first certificate of occupancy for the first principal building on the Site

Pecan Ridge of Charlotte LLC **Development Standards**

07/31/2020 Rezoning Petition RZP-2020-047

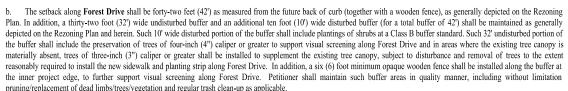
1 2 3 4. Architectural Standards:



- b. The building facade on W.T. Harris Blvd will have building entrance that connects to the sidewalk system along W.T. Harris Blvd and Forest Drive. The entrances to the sidewalks along the abutting streets will be open and operable during the business hours of the associated use.
- The service side of the building shall not be oriented directly toward W.T. Harris Blvd or Forest Drive

5. Streetscape, Buffers, Yards and Landscaping:

a. The setback along W.T. Harris Blvd will be thirty-five feet (35') feet as measured from the future back of curb, as generally depicted on the Rezoning Plan, and as described above as to the provision of easements for streetscape improvements to avoid undue adverse impact from setbacks for parking and improvements



c. A six foot (6') wide side yard, a forty-two foot (42') wide undisturbed buffer and an additional fifteen foot (15') disturbed buffer (for a total buffer wide of 57') shall be maintained along the easterly boundary (rear) of the Site, as generally depicted on the Rezoning Plan and herein. Such 15' wide disturbed portion of the buffer shall include plantings at a Class B buffer standard. Such 42' undisturbed portion of the buffer shall include the preservation of trees of four inch (4") caliper or greater to support visual screening along such boundary of the Site and in areas where the existing tree canopy is materially absent, trees of three-inch (3") caliper or greater shall be installed to supplement the existing tree canopy. In addition, a six (6) foot minimum opaque wooden fence shall be installed along the buffer at the inner project edge, to further support visual screening along this boundary of the Site. Petitioner shall maintain such buffer areas in a quality manner, including without limitation pruning/replacement of dead limbs/trees/vegetation and regular trash clean-up as applicable.

d. As described above, the Petitioner will provide anten (10) foot planting strip and twelve (12) foot multi-use path along the Site's frontage on W.T. Harris Boulevard, and an eight (8) foot planting strip and a six (6) foot sidewalk along Forest Drive (within the right of way as described above), as generally depicted on the Rezoning Plan.

- e. The Petitioner will provide a sidewalk network that links the proposed building on the Site to the sidewalk along each of the abutting public streets in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet
 - f. The Petitioner will provide landscaping to screen parking areas and the proposed drive-through lane(s) along the Site's frontage on W.T. Harris Boulevard as generally depicted on the Rezoning Plan. Screening along the Site's frontage on Forest Drive will be provided in the manner described above as generally depicted on the Rezoning Petition.
 - Above-ground backflow preventers will be screened from public view.
 - h. Dumpster areas and recycling areas will be enclosed by a wooden fence with one side being a decorative gate. The fence used to enclose the dumpster will be architecturally compatible with the colors used on the principal building.
 - i. Buffers shall be provided as described above and as generally depicted on Sheet RZ-2.

6. Environmental Features:

- a. The Site shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance. The Site shall not be eligible for any exemptions referenced in Section 18-105 of the Post-Construction Stormwater Ordinance. Furthermore, Petitioner shall analyze the adequacy of the existing storm water conveyance from the Site to the Forest Drive public right-of-way. If such existing storm water conveyance is found to be inadequate based upon storm water flow from the Site, the Petitioner shall make a good faith effort to improve such storm water conveyance or mitigate the storm water discharge to the extent reasonably needed to address the additional storm water flow from the
- b. The Site will comply with the Tree Ordinance. Where a fence is used to provide screening, the fence will be located outside of any required tree save areas or hand installed within any such required tree save areas

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and
- b. Detached lighting on the Site will be limited to 26 feet in height. No wall pak lighting shall be allowed.

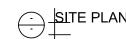
a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

9. 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.



CHARLOTTE, NORTH CAROLINA







3 3RD ROUND OF STAFF COMMENTS. 07/21/20

4TH ROUND OF STAFF COMMENTS, 07/31/20





City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 19.File #: 15-14196 Type: Zoning Decision

Rezoning Petition: 2020-048 by Flournoy Development Group

Location: Approximately 24.605 acres located along the eastern side of John Adams Road, north of Mallard Creek Church Road, and east of Interstate 85. (Council District 4 - Johnson)

Current Zoning: B-1 (CD) (neighborhood business, conditional), O-1 (CD) (office district, conditional)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-048

August 4, 2020

Zoning Committee

REQUEST Current Zoning: B-1(CD) (neighborhood business, conditional), O-

1(CD) (office district, conditional)

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

LOCATION Approximately 24.605 acres located along the eastern side of

John Adams Road, north of Mallard Creek Church Road, and east

of Interstate 85.

(Council District 4 - Johnson)

PETITIONER Flournoy Development Group

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Northeast Area Plan* (2000) based on the information from the staff analysis and the public hearing, and because:

• The plan recommends a mixture of research/office/retail uses.

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

- While the Northeast Area Plan (2000) does not call for residential uses for this site, it does identify this site as a neighborhood center, which can include residential uses.
- The plan recommends higher density residential uses in areas close to a transit corridor. This site's density proposal of 17.15 dwelling units per acre and its proximity to the West Mallard Creek Church Road and Interstate 85 intersection are appropriate for what the plan recommends for areas close to a transit corridor.
- This petition will add to the mixed uses desired in a neighborhood center by providing office and non-office uses in addition to the proposed residential uses.
- The petition commits to an open space amenity that will include hardscape areas, landscaping, lighting, and walkways.

The approval of this petition will revise the adopted future land use as specified by the *Northeast Area Plan* (2000), from

Petition 2020-048 (Page 2 of 2)

research/office/retail uses to residential/office/retail uses for the site.

Motion/Second: Kelly / Blumenthal

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

inconsistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER Michael Russell (704) 353-0225





REQUEST

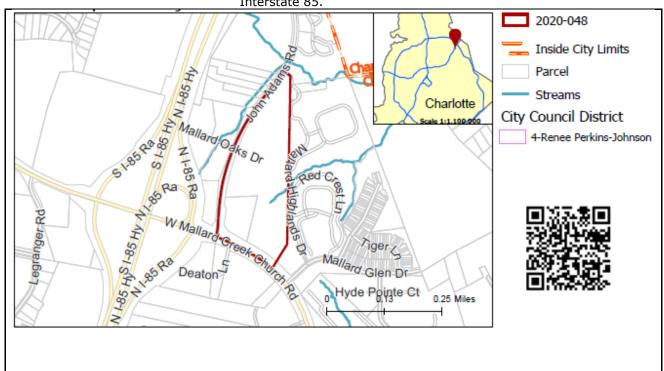
Current Zoning: B-1(CD) (neighborhood business, conditional), O-

1(CD) (office district, conditional)

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

LOCATION

Approximately 24.605 acres located along the eastern side of John Adams Road, north of Mallard Creek Church Road, and east of Interstate 85.



SUMMARY OF PETITION

The petition proposes to allow up to 366 multi-family residential dwelling units, 56 single family attached townhome units, and up to 10,000 square feet of office and non-office commercial uses on vacant land.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

John Wayne Adams

Flournoy Development Group Bridget Grant, Moore & Van Allen

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

SIAFF
RECOMMENDATION

CTACE

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northeast Area Plan (2000)* recommendation for a mixture of research/office/retail land uses on parcel 02965102 and retail uses on parcel 02965101.

Rationale for Recommendation

While the Northeast Area Plan (2000) does not call for residential uses for this site, it does identify this site as a neighborhood center, which can include residential uses.

- The plan recommends higher density residential uses in areas proximate to a transit corroder. This site's density proposal of 17.15 dwelling units per acre and its proximity to the W Mallard Creek Church road and I-85 intersection are in appropriate for what the plan recommends for areas close to a transit corridor.
- This petition will add to the mixed uses desired in a neighborhood center by providing office and non-office uses in addition to the proposed residential uses.
- The petition commits to an open space amenity that will include hardscape areas, landscaping, lighting, and walkways.

The approval of this petition will revise the adopted future land use as specified by the *Northeast Area Plan (2000)*, from research/office/retail and retail uses to residential/office/retail uses for the site.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 366 multi-family residential dwelling units, 56 single family attached townhome units, and up to 10,000 square feet of office and non-office commercial uses on vacant land.
- Limits individual office or commercial space to 2,500-square feet or less.
- Optional Provision: to allow parking and circulation between the buildings and street in Areas A and B.
- Access to the site will be from John Adams Road and West Mallard Creek Church Road.
- Provides a public street to connect to Mallard Highlands Drive.
- Provides and 8-foot planting strip and a 12-foot sidewalk along frontage of West Mallard Creek Church Road.
- Provides an 8-foot planting strip and an 8-foot sidewalk along John Adams Road.
- Provides a 30-foot setback along West Mallard Creek Church Road and a 20-foot setback along John Adams Road.
- Commits to a 15,000-square foot open space amenity area with landscaping, hardscape, walkways, lighting, and seating area.
- Provides internal sidewalk connections between buildings and streets.
- Commits to the following building materials: brick, stone, precast stone, precast concrete, fiber board, stucco, EIFS, and wood.
- Detached lighting shall not exceed 22-feet.

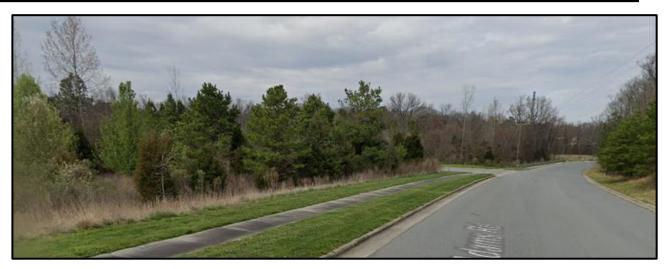
Existing Zoning and Land Use RE-3(CD) R-12MF(CD) R-8MF(CD) **B-1** 0-1 ROSY R-3 0-1(CD) R-12MF(CD) Ale Duck W Mallard Creek Church Rd B-D(CD) B-1(CD) **R-4** RE-3(0) Mallard Glen Dr R-12(CD) R-3 Single Family Deaton Ln Multi-Family Commercial Center R-12MF(CD) R-17MF(CD) Business-Distribution Research **Hyde Pointe Ct** CC B-D(CD) Mixed Use R-43MF

The subject property was rezoned as part of a 9.55-acre development via petition 2012-074 that allowed the existing entitlements to be amended to allow replacement of a proposed 24,000-square foot child care center and 30,000 square feet of restaurants with up to four buildings with uses allowed in the B-1 (neighborhood business) district. Permitted B-1 uses include residential, office, retail, institutional, and civic uses. However, it limited it to no more than one convenience store/automobile service station, and one use that may have a drive-through window.

The subject property is undeveloped. The surrounding land uses include multi-family apartments, single-family homes, retail, and office uses.



The subject property is undeveloped. Denoted by red star.



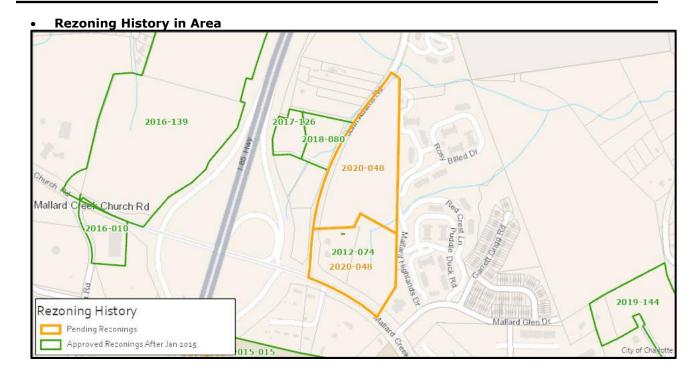
Property to the west along John Adams Road is undeveloped.



Property to the east along Mallard Highlands Drive is developed with apartments.

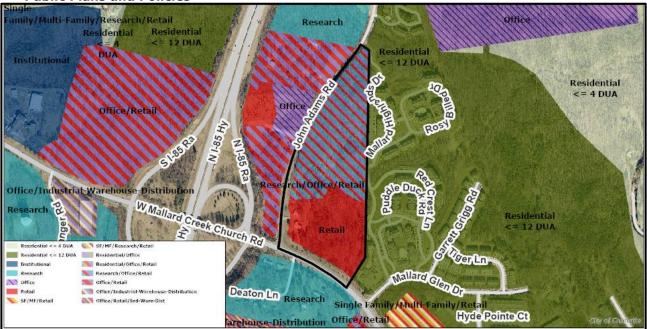


Property to the south across West Mallard Creek Church Road is developed with single-family homes.



Petition Number	Summary of Petition	Status
2012-074	Rezoned 9.55 acres to allow an amendment to existing entitlements for an unbuilt business development in the University City North area to allow 30,000 square feet of uses permitted in the B-1 district. Although other uses may be located on the site, only one convenience store/automobile service station and one use with an accessory drive-through service window will be allowed.	Approved
2015-015	Rezoned 18.03 acres to exchange existing development rights and zoning for a 130,000-square foot self-storage facility with the development rights and zoning for a 258,000-square foot retail/office component.	Approved
2016-010	Rezoned 4.3 acres to allow a maximum 107,000-square feet climate controlled self-storage facility.	Approved
2016-139	Rezoned 65.7 acres to allow up to 395 multi-family residential units and up to 160,000 square feet of uses as allowed in MUDD.	Approved
2017-126	Rezoned 2.5 acres s to allow all uses permitted in the B-1 (neighborhood business) district.	Approved
2018-080	Rezoned 3.22 acres to allow development of the site with all uses permitted in the office district.	Approved
2019-144	Rezoned 23.99 acres to allow up to 194 multi-family dwelling units in no more than 41 principle buildings.	Approved





The plan calls for Research/Office/Retail uses and Retail uses for the site.

TRANSPORTATION SUMMARY

- The site is located along a major thoroughfare. NCDOT and CDOT required and approved a traffic study with recommended transportation improvements to mitigate the trips generated by the development. The site plan commits to providing roadway improvements based on the traffic study. In addition, the site plan commits to providing a road network that meets the City of Charlotte Subdivision Ordinance.
- The petitioner commits to constructing an 8-foot planting strip, and an 8-foot sidewalk to promote a more walkable community in accordance with the City Council Adopted Charlotte Walks Policy. The petitioner also commits to constructing a 12-foot shared-use path along West Mallard Creek Church Road, providing Bicycle facilities in accordance with the City Council Adopted Charlotte Bikes Plan.
- Active Projects:
- Mallard Creek Church Road interchange reconfiguration
- Scope: Not yet identified
- o Phase: Not started
- o ROW year: 2029 or later
- Construction year: 2030 or later
- PM: NCDOT
- o TIP #: I-6017

Transportation Considerations

No Outstanding Issues

Vehicle Trip Generation:

Current Zoning:

Existing Use: 0 trips per day (based on 1 single family house).

Entitlement: 13,570 trips per day (based on 5,000-square foot convenience market with gas pumps and a 15,000-square foot bank with drive-through).

Proposed Zoning: 2,380 trips per day (based on 366 apartments and 56 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: See advisory comments at www.rezoning.org
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 65 students, while the development allowed under the proposed zoning may produce 52

Petition 2020-048 (Page 7 of 7) Final Staff Analysis

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

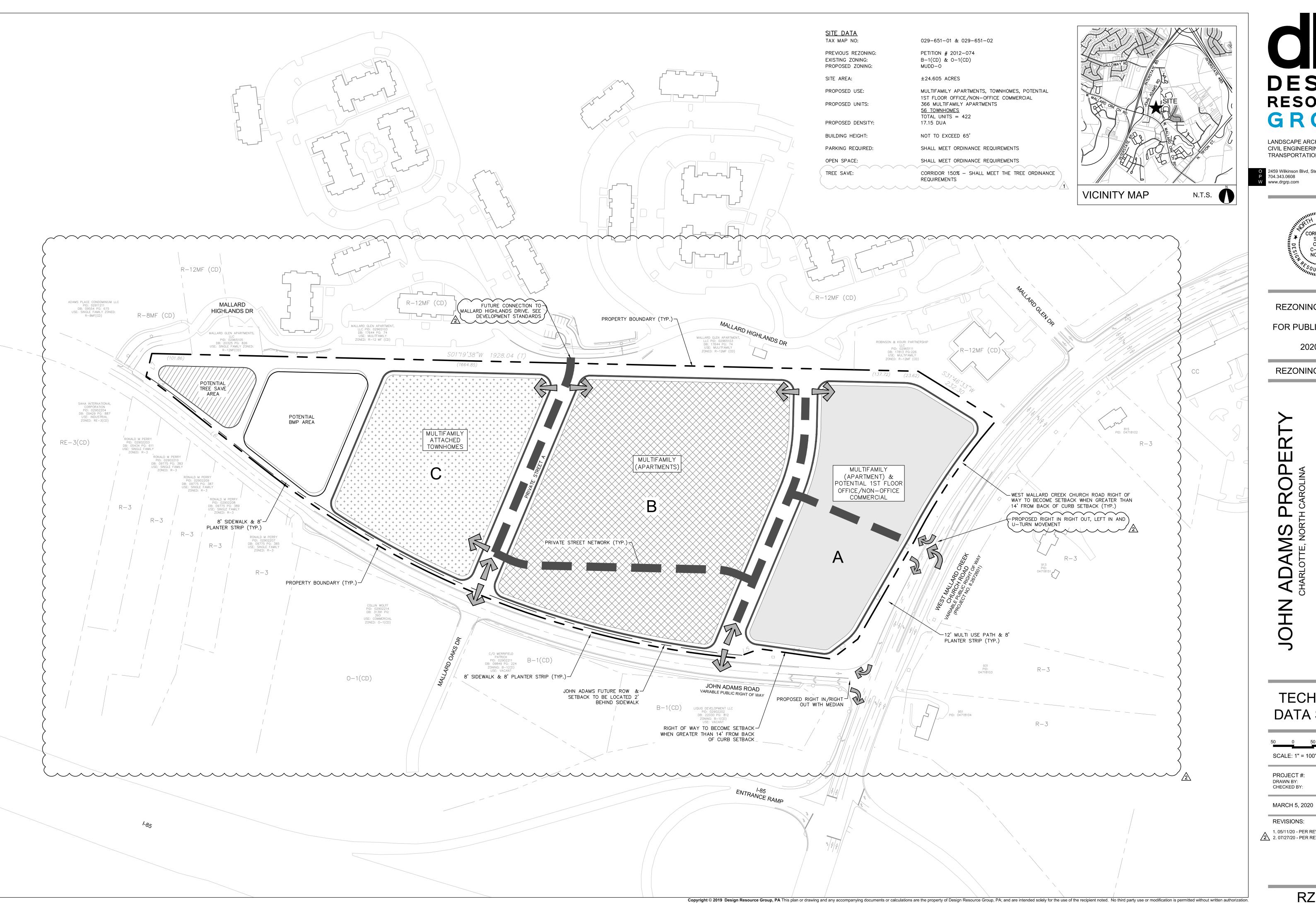
- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Stoney Creek Elementary from 110% to 114%
 - James Martin Middle from 74% to 75%
 - Zebulon Vance High at 129%
- Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along John Adams Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along John Adams Road. See advisory comments at www.rezoning.org
- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: See advisory comments at www.rezoning.org
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues.
 - **Urban Forestry:** 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. REQUESTED TECHNICAL REVISIONS

Site and Building Design

1.—Revised conditional note 3a to state "buildings in Areas A and B". Addressed

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

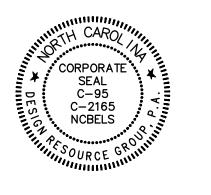
Planner: Michael Russell (704) 353-0225





LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 www.drgrp.com

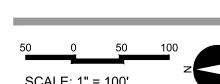


REZONING PETITION FOR PUBLIC HEARING

2020-048

REZONING PETITION

TECHNICAL DATA SHEET

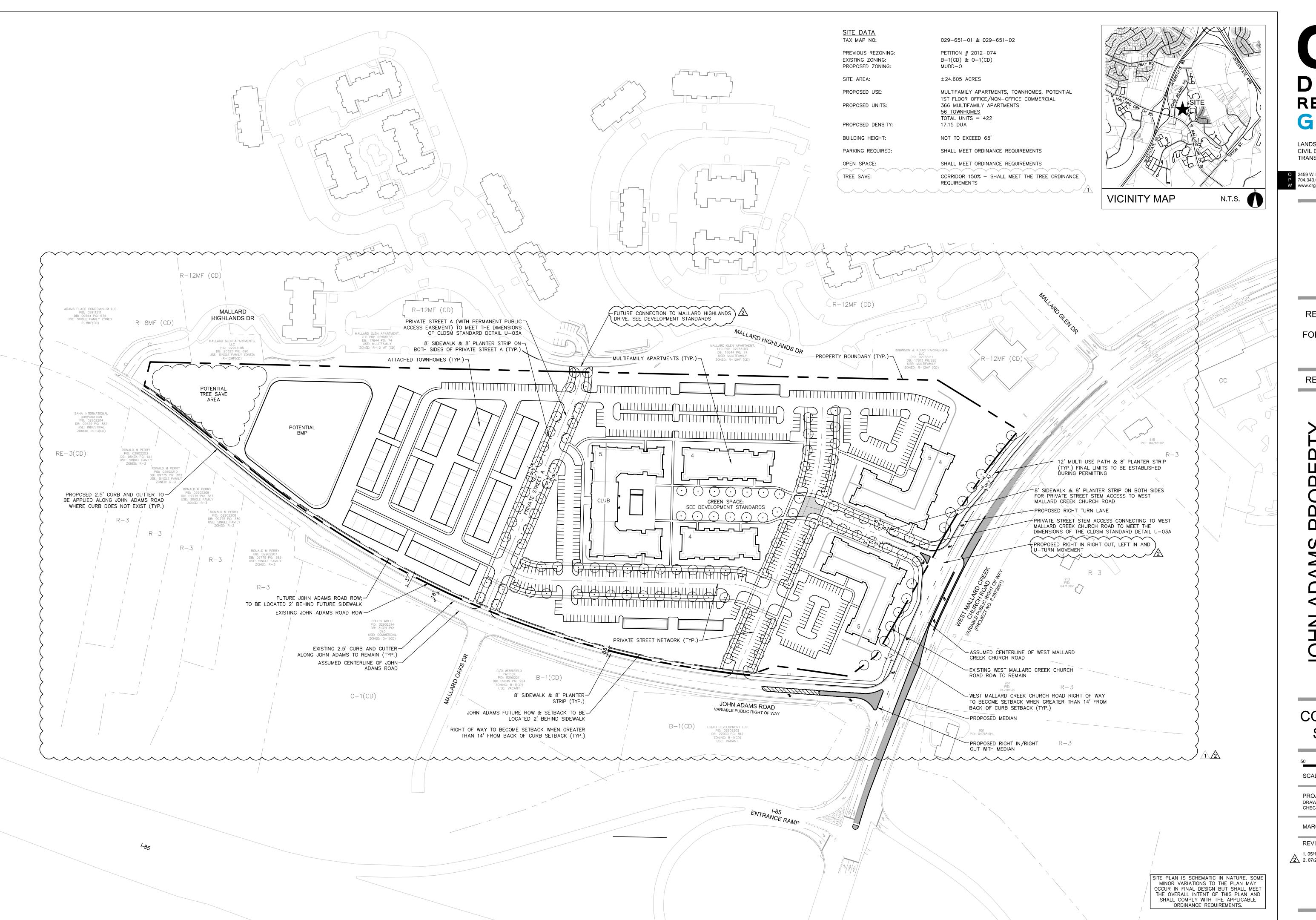


PROJECT #: DRAWN BY:

CHECKED BY:

REVISIONS:

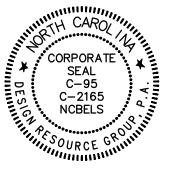
1. 05/11/20 - PER REVIEW COMMENTS 2. 07/27/20 - PER REVIEW COMMENTS





LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 704.343.0608 www.drgrp.com

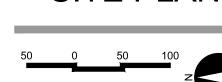


REZONING PETITION FOR PUBLIC HEARING

2020-048

REZONING PETITION

CONCEPTUAL SITE PLAN



PROJECT #: DRAWN BY: CHECKED BY:

MARCH 5, 2020

REVISIONS:

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1. 05/11/20 - PER REVIEW COMMENTS 2. 07/27/20 - PER REVIEW COMMENTS SITE DEVELOPMENT DATA:
--ACREAGE: ± 24.605 ACRES

- --TAX PARCEL #: 029-651-01 AND 029-651-02
- --EXISTING ZONING: B-1(CD) & O-1(CD)
- --PROPOSED ZONING: MUDD-O
 --EXISTING USES: VACANT
- --PROPOSED USES: RESIDENTIAL DWELLINGS UNITS AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, AND UP TO 10,000 SQUARE FEET OF OFFICE AND NON-OFFICE COMMERCIAL USES, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).

 --MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS: UP TO 366 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND FIFTY-SIX (56) ATTACHED (TOWNHOME STYLE) UNITS, EITHER FOR SALE OR FOR RENT, AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT.
- ——MAXIMUM BUILDING HEIGHT: NOT TO EXCEED 65 FEET. HEIGHT TO BE MEASURED PER THE ORDINANCE.
 ——PARKING: AS REQUIRED BY THE ORDINANCE.

GENERAL PROVISIONS:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY FLOURNOY DEVELOPMENT ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A HIGH-QUALITY RESIDENTIAL COMMUNITY WITH GROUND FLOOR OFFICE AND NON-OFFICE COMMERCIAL USES ON AN APPROXIMATELY ±24.605 ACRE SITE LOCATED AT 900 AND 934 W. MALLARD CREEK CHURCH ROAD (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 MUDD ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, BUILDING AND PARKING ENVELOPES 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.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO NINETEEN (19). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.

2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 366 MULTI-FAMILY RESIDENTIAL DWELLINGS UNITS, FIFTY-SIX (56) ATTACHED (TOWNHOME STYLE) UNITS, EITHER FOR SALE OR FOR RENT, AND UP TO 10,000 SQUARE FEET OF OFFICE AND/OR COMMERCIAL USES AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS ABOVE TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT SUBJECT TO THE FOLLOWING:

i. NO SINGLE OFFICE OR COMMERCIAL SPACE SHALL BE GREATER THAN 2,500 SQUARE FEET.

ii. EDEE USES SHALL BE LIMITED TO LIMITED SERVICE RESTAURANTS.

A "LIMITED SERVICE RESTAURANT" SHALL MEAN A RESTAURANT WITH NO MORE THAN 2,000 SQUARE FEET OF GROSS FLOOR AREA SERVING PRIMARILY ITEMS THAT DO NOT REQUIRE

ON-PREMISE COOKING OF FOOD (OTHER THAN HEATING, MICRO-WAVE COOKING OR SIMILAR PROCESS AND THE BAKING OF PREMIXED DOUGH).

3. OPTIONAL PROVISIONS.

a. TO ALLOW PARKING AND CIRCULATION BETWEEN THE BUILDINGS IN DEVELOPMENT AREAS A AND B AND THE STREET AS GENERALLY DEPICTED ON SHEET RZ-02.

4. ACCESS AND TRANSPORTATION IMPROVEMENTS.

a. ACCESS TO THE SITE WILL BE FROM JOHN ADAMS ROAD AND W. MALLARD CREEK CHURCH ROAD AS GENERALLY DEPICTED ON SHEET RZ-01.

b. PRIVATE STREET A SHALL CONNECT TO MALLARD HIGHLANDS DRIVE AS FEASIBLE AND WILL BE CONSTRUCTED TO MEET THE SUBDIVISION REGULATIONS.

c. THE ALIGNMENT OF THE 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 THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AND/OR NCDOT IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.

d. ALL REQUIRED ROADWAY IMPROVEMENT WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE SUBJECT TO THE PETITIONER'S ABILITY TO POST A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

e. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY WHERE ROW DEDICATION IS NOT PROVIDED. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

5. STREETSCAPE, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING:

a. A THIRTY (30) FOOT SETBACK AS MEASURED FROM THE EXISTING AND/OR FUTURE BACK OF CURB ALONG W. MALLARD CREEK CHURCH ROAD WILL BE PROVIDED.

b. A TWENTY (20) FOOT SETBACK AS MEASURED FROM THE EXISTING AND/OR FUTURE BACK OF CURB ALONG JOHN ADAMS ROAD AND PUBLIC STREET A WILL BE PROVIDED.

c. AN EIGHT (8) FOOT PLANTING STRIP AND A TWELVE (12) FOOT SIDEWALK WILL BE PROVIDED ALONG THE SITE'S FRONTAGE ON W. MALLARD CREEK CHURCH ROAD.

d. AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK WILL BE PROVIDED ALONG PUBLIC STREET A AND JOHN ADAMS ROAD AS GENERALLY DEPICTED.

e. THE PETITIONER WILL PROVIDE AN IMPROVED OPEN SPACE AMENITY AREA AS GENERALLY DEPICTED ON THE REZONING PLAN. THE IMPROVED OPEN SPACE AREA WILL CONTAIN A MINIMUM OF 15,000 SQUARE FEET AND WILL BE IMPROVED WITH LANDSCAPING, HARDSCAPE AREAS, WALKWAYS, SEATING AREAS, AND LIGHTING.

f. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.

g. THE PETITIONER MAY CHOOSE TO LOCATE THE REQUIRED DUMPSTER AND RECYCLING CONTAINERS OUTSIDE OF THE BUILDINGS IN DUMPSTERS OR IN A TRASH COMPACTOR. THE FINAL LOCATION OF THE TRASH HANDLING CONTAINERS TO BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS.

6. GENERAL DESIGN GUIDELINES:

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 ("PROFFERED EXTERIOR BUILDING MATERIALS"). VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS. THE PROPOSED BUILDING WILL BE DESIGNED AND CONSTRUCTED SO THAT EACH BUILDING ELEVATION(S) THAT ABUT/FACE AN EXISTING OR PROPOSED PUBLIC OR PRIVATE STREET HAVE AT LEAST 25% MASONRY (INCLUDING BUT NOT LIMITED TO BRICK, STONE, PRECAST BRICK, PRECAST STONE, AND/OR STUCCO) INCLUDING WINDOWS, DOORS AND ROOFS.

b. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 20 FEET IN LENGTH. WHERE BLANK OR UNARTICULATED WALLS 20' OR GREATER CANNOT BE ADDRESSED PRINCIPALLY WITH DOORS OR WINDOWS, THEY SHALL BE TREATED WITH A COMBINATION THE FOLLOWING OPTIONS: (I) A HIGHER LEVEL OF TRANSPARENCY ON THE GROUND FLOOR (EXAGGERATED OR LARGER WINDOWS INDICATIVE OF LIVING AREAS); AND (II) HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES. IF THE FINAL ARCHITECTURAL DESIGN CANNOT MEET THE DESIGN STANDARDS FOR BLANK WALL ARTICULATION, ALTERNATIVE INNOVATIVE DESIGN SOLUTIONS MAY BE CONSIDERED FOR APPROVAL BY THE PLANNING DIRECTOR.

c. WHERE GROUND FLOOR CONNECTION TO UNITS IS NOT POSSIBLE AND A SHARED OR COMMON ENTRY IS USED, TRANSITION FROM THE STREET TO THE ENTRY ITSELF IS PROVIDED TO CREATE A UNIQUE SENSE OF ENTRY FOR PEDESTRIANS. THE GROUND LEVEL TRANSITIONS ARE THOUGHTFULLY DESIGNED AND INCORPORATED INTO THE OVERALL CHARACTER OF THE BUILDING AND INCLUDE ANY / ALL THE FOLLOWING: CHANGES IN GRADE OR SETBACK, STAIRS, LOW MASONRY WALLS, ORNAMENTAL RAILING, CHANGES IN PAVING MATERIAL, ADDITIONAL LANDSCAPING OR OTHER METHODS.

d. BUILDINGS ARE PLACED TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE).

e. BUILDINGS FRONT A MINIMUM OF 50% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS, POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES).

f. PROVIDE USABLE AND ACCESSIBLE OPEN SPACE AT A MINIMUM OF 1 SQUARE FOOT/100 SQUARE FEET GROSS FLOOR AREA OR 1 SQUARE FEET /200 SQUARE FEET LOT AREA, WHICHEVER IS GREATER, INCORPORATING SEATING, PLANTINGS AND/OR OTHER AMENITIES.

g. INTERNAL SIDEWALK CONNECTIONS SHALL BE PROVIDED BETWEEN MULTI—FAMILY BUILDINGS AND FROM MULTI—FAMILY BUILDINGS TO ALL PUBLICLY ACCESSIBLE ON—SITE FACILITIES (PARKING AREAS, BICYCLE FACILITIES, OPEN SPACE, ETC.) AND ANY ABUTTING OR ADJACENT GREENWAYS, BIKEWAYS, TRAILS, DEVELOPMENTS AND TRANSIT STOPS. INTERNAL SIDEWALKS SHALL BE HARD SURFACED AND AT LEAST 5 FEET IN WIDTH UNLESS CONNECTING TO FOUR UNITS OR LESS.

h. FENCES OR WALLS USED FOR SCREENING SHALL BE CONSTRUCTED IN A DURABLE FASHION OF BRICK, STONE, OTHER FINISHED MASONRY MATERIALS, WOOD SPLIT—RAIL, METAL OR OTHER MATERIALS SPECIFICALLY DESIGNED AS FENCING MATERIALS.

i. SERVICE EQUIPMENT SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE ARE SCREENED FROM VIEW FROM PUBLIC STREETS WITH LANDSCAPING AND MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN INCLUDES A MINIMUM 20% PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10 FEET IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

j. ALL ROOFTOP MECHANICAL EQUIPMENT ON BUILDINGS SHALL BE SCREENED FROM THE PUBLIC PRIMARY VIEW FROM BELOW BY INTEGRATING THE EQUIPMENT INTO THE BUILDING AND ROOF DESIGN TO THE MAXIMUM EXTENT FEASIBLE, USING PARAPET WALLS OR SIMILAR ARCHITECTURAL TREATMENTS.

k. VENTILATION GRATES OR EMERGENCY EXIT DOORS LOCATED AT THE FIRST FLOOR LEVEL IN THE BUILDING FACADE ORIENTED TO ANY PUBLIC STREET MUST BE DECORATIVE.

I. FOR PITCHED ROOFS (NOT INCLUDING DETAILS THAT MAY INCLUDE CRICKETS, TOWERS OR OTHER ELEMENTS THAT SLOPE BACK TO THE PRIMARY ROOF) THE MINIMUM (4:12), EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

7. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.

b. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEM 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 PETITION. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

c. THE SITE SHALL COMPLY WITH THE TREE ORDINANCE.

8. <u>LIGHTING:</u>

a. ALL NEW ATTACHED AND DETACHED LIGHTING SHALL BE FULLY SHIELDED DOWNWARDLY DIRECTED AND FULL CUT OFF FIXTURE TYPE LIGHTING EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE, EXCEPT STREETLIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 22 FEET IN HEIGHT.

9. <u>AMENDMENTS TO THE REZONING PLAN:</u>

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 OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

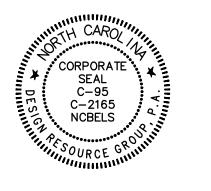
10. BINDING EFFECT OF THE REZONING APPLICATION:

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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

O 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 P 704.343.0608 W www.drgrp.com



REZONING PETITION

FOR PUBLIC HEARING

2020-048

REZONING PETITION

ROPERTY

JRNOY DEVELOPMENT GRO

DEVELOPMENT

501-003

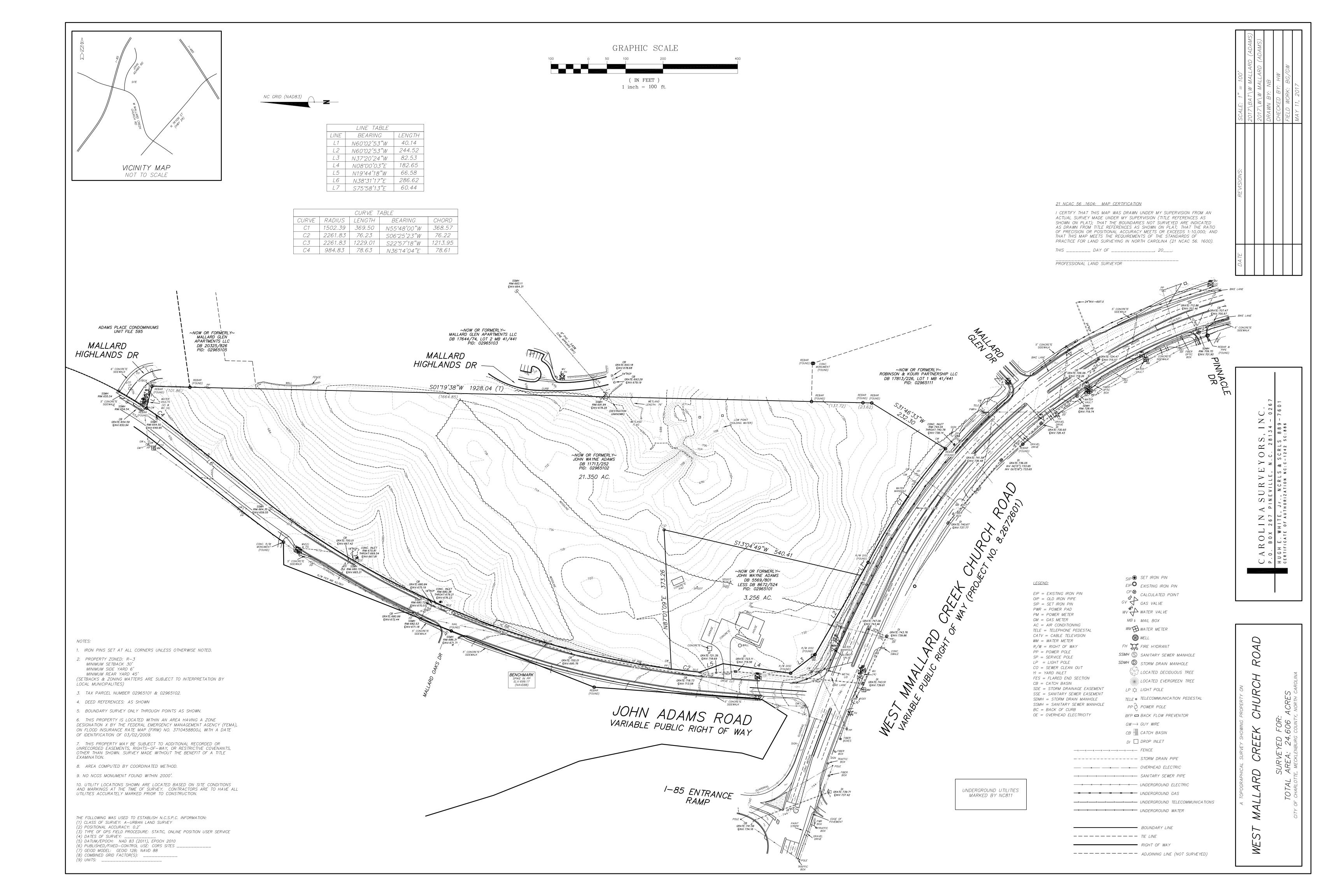
PROJECT #: DRAWN BY: CHECKED BY:

MARCH 5, 2020

REVISIONS:

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1. 05/11/20 - PER REVIEW COMMENTS
2. 07/27/20 - PER REVIEW COMMENTS





City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 20.File #: 15-14197 Type: Zoning Decision

Rezoning Petition: 2020-051 by M/I Homes of Charlotte, LLC

Location: Approximately 21.90 acres located north of Interstate 485, on the south side of Ridge Road, and east of Cooper's Ridge Lane. (Council District 4 - Johnson)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-051

August 4, 2020

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

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

LOCATION Approximately 21.90 acres located north of Interstate 485, on

the south side of Ridge Road, and east of Cooper's Ridge Lane.

(Council District 4 - Johnson)

PETITIONER M/I Homes of Charlotte, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** with the *Prosperity Hucks Area Plan* (2015) recommendation of 4 dwelling units per acre, but **consistent** with the plan's recommendation of residential uses based on the information from the staff analysis and the public hearing, and because:

 The plan recommends residential uses up to 4 dwelling units per acre.

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

- This 21.9-acre site is located off Ridge Road and proposes up to 98 single family attached units.
- The Prosperity Hucks Area Plan (2015) recommends residential uses up to 4 dwelling units per acre (DUA) for this site. At 4.47 DUA, this petition is only slightly above the recommended density.
- This petition commits to furthering connectivity among residential areas in this area by including a street connection to the existing subdivision located on the left of the site, and by including two road stubs on the right side of the site to allow for connectivity with future developments.
- The petition commits to enhancing the pedestrian environment by including front porch stoops on all homes and walkways which will connect all residential entrances to sidewalks along public and private streets.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan* (2015), from

residential uses up to 4 DUA to residential uses up to 5 DUA for the site.

Motion/Second: Blumenthal / Kelly

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

inconsistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER Michael Russell (704) 353-0225



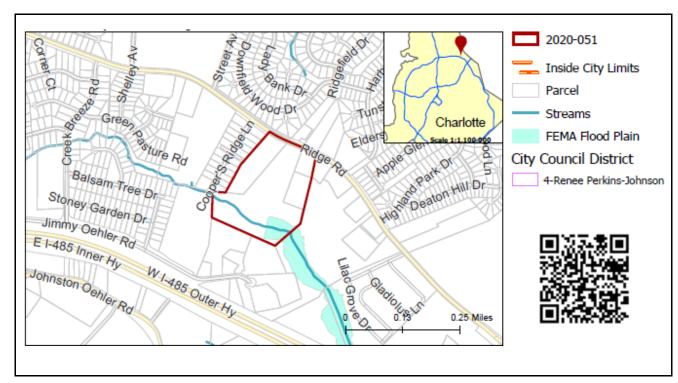


REQUEST Current Zoning: R-3 (single family residential)

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

LOCATION Approximately 21.90 acres located north of Interstate 485, on the

south side of Ridge Road, and east of Cooper's Ridge Lane.



SUMMARY OF PETITION

The petition proposes to allow up to 98 single family attached dwelling units at a density of 4.47 dwelling units per acres. The site is currently developed with single family homes.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

M/I Homes of Charlotte, LLC

Tyler Mitchell Lane et al

John Carmichael, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETINGMeeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 8

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

At 4.47 dwelling units per acre, the petition is **inconsistent** with the *Prosperity Hucks Area Plan (2015)* recommendation of 4 dwelling units per acre, but **consistent** with the plan's recommendation of residential uses.

Rationale for Recommendation

- This 21.9-acre site is located off Ridge Road and proposes up to 98 single family attached units.
- The Prosperity Hucks Area Plan (2015) recommends residential use up to 4 dwelling units per acre (DUA) for this site. At 4.47 DUA, this petition is only slightly above the recommended density.

- This petition commits to furthering connectivity among residential areas in this area by including a street connection to the existing subdivision located on the left of the site, and by including 2 road stubs on the right side of the site to allow for connectivity with future developments.
- The petition commits to enhancing the pedestrian environment by including front porch stoops on all homes and walkways which will connect all residential entrances to sidewalks along public and private streets.

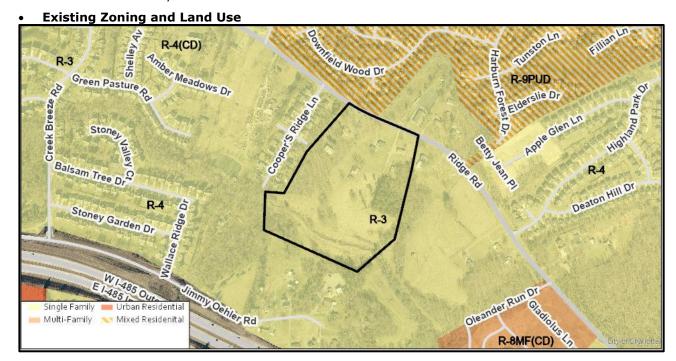
The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan (2015)*, from residential uses up to 4 DUA to residential uses up to 5 DUA for the site.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 98 single family attached dwelling units.
- Access will be provided from Ridge Road.
- Provides connectivity by including a street connection to the existing subdivision and by including two road stubs on the right side of the site for future connectivity.
- Provides an 11-foot wide westbound left turn lane on Ridge Road.
- Dedicates via fee simple conveyance any additional right-of-way.
- Provides internal sidewalks and pedestrian connections.
- Provides an 8-foot wide planting strip and a 12-foot wide multi-use path along Ridge Road frontage.
- Maximum height limited to 48-feet.
- The primary exterior building materials will be a combination of brick veneer, stone, manufactured stone, stucco and cementitious siding.
- Provides a covered front stoop and a garage for each unit.
- Provides walkways to connect entrances to sidewalks along streets.
- Provides a 37.5-foot reduced buffer along the site's western boundary and portions of the site's eastern boundary.





The subject property denoted by the red star is developed with single family homes.



The property to the west along Ridge road is developed with single family homes.

Petition 2020-051 (Page 4 of 7) Final Staff Analysis



The property to the east along Ridge Road is developed with a single-family home and undeveloped land.



The property to the south along Jimmy Oehler Road is developed with single-family homes.



The property to the north along Ridge Road is developed with a religious institution and single-family homes.



Petition Number	Summary of Petition	Status
2017-033	Rezoned 29.01 acres to allow up to 322 multi-family units.	Approved
2017-135	Rezoned 20.54 acres to allow up to 102 multi-family units.	Approved
2019-078	Rezoned 41.91 acres to allow up to 440 total multi-family units with a minimum of 120 senior housing units, and a childcare center.	Approved
2019-151	Rezoned 11.63 acres to allow up to 124 townhomes.	Approved
2019-164	Rezoned 1.1 acres to allow up to 8 townhomes.	Approved
2020-075	Proposes to rezone 19.6 acres to allow up to 139 townhomes.	Pending





• The *Prosperity Hucks Area Plan (2015)* recommends residential uses up to four dwelling units per acre.

TRANSPORTATION SUMMARY

 The site is located on a major thoroughfare road. The petitioner should revise the site plan to meet the outstanding items listed below.

Active Projects:

- o Ridge Rd. Widening (future, unfunded)
- I-485 Northeast Crossing, central leg (future, unfunded)
- Transportation Considerations
 - See Outstanding Issues, Note 3 Addressed
- Vehicle Trip Generation:

Current Zoning:

Existing Use: 54 trips per day (based on 4 single family homes).

Entitlement: 700 trips per day (based on 65 single family homes).

Proposed Zoning: 700 trips per day (based on 98 townhomes).

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: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate 30 students, while the development allowed under the proposed zoning may produce 15 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Parkside Elementary from 64% to 65%
 - Ridge Road Middle at 126%
 - Mallard Creek High at 123%
 - **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Ridge Road.

Petition 2020-051 (Page 7 of 7) Final Staff Analysis

Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Ridge Road. See advisory comments at www.rezoning.org

- Engineering and Property Management:
 - Arborist: No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues.
 - Urban Forestry: 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.

OUTSTANDING ISSUES

Transportation

- 1. The petitioner should revise the site plan and conditional note(s) to commit to alley-fed

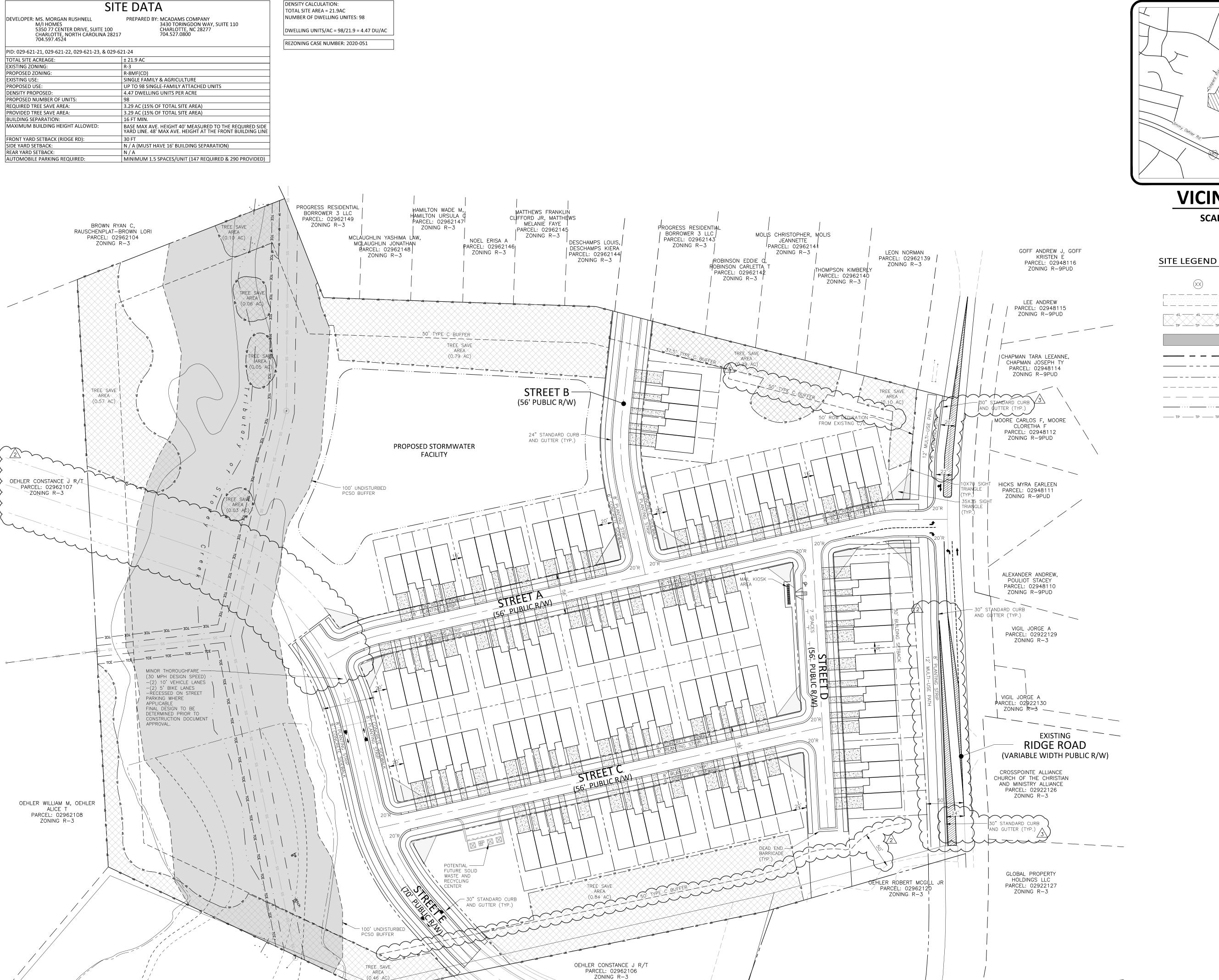
 Townhomes adjacent to but with no direct access to the proposed public street (north-south).

 The reason for alley fed is that the minor thoroughfare alignment will be proposed North-South

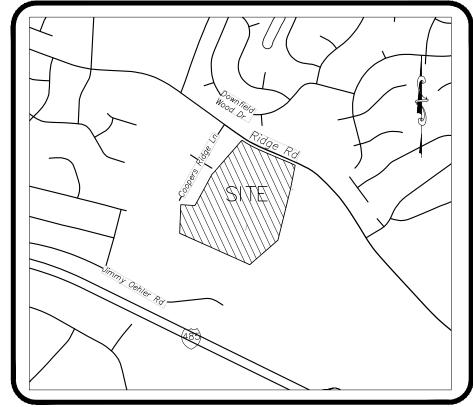
 Street. Addressed
- The petitioner should revise the site plan to invert the orientation of the T-intersection on the south side of the site, so that the main north/south street of the site, and the south leg of the future I-485 Northeast Crossing, are the through movements. The petitioner should contact Walta Blackmon at 704.432.1556 to coordinate the future alignment of I-485 crossing minor thoroughfare. The road should be designed based on AASHTO Guidelines for a minor thoroughfare, urban design and 30 mph design speed. Addressed
- 3.—The curb and gutter needs to be located 19 feet from the centerline. The site plan should label and dimension both items from the back of curb and gutter and road centerline. The location of the curb and gutter along Ridge Road should remain at a constant dimension_along the entire frontage. Addressed

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

Planner: Michael Russell (704) 353-0225



DENSITY CALCULATION:



VICINITY MAP

SCALE: 1" = 1000'

PARKING SPACE COUNT STREAM BUFFER AREA

TP TP TP

WETLANDS PROPERTY LINE RIGHT-OF-WAY LINE LOT LINE

BUFFER LINE SETBACK LINE STORMWATER FACILITY — TP — TP — TP — TREE PROTECTION FENCE

TREE SAVE AREA



The John R. McAdams Company, Inc 3430 Toringdon Way Suite 110 Charlotte, NC 28277

phone 704. 527. 0800 fax 919. 361. 2269 license number: C-0293, C-187

www.mcadamsco.com

CLIENT

704.597.4524

MS. MORGAN RUSHNELL M/I HOMES 5350 77 CENTER DRIVE, SUITE 100 CHARLOTTE, NORTH CAROLINA, 28217



M/I HOMES

BE

REVISIONS

NO. DATE 1 05. 11. 2020 REVISIONS PER CITY COMMENTS 2 07. 27. 2020 REVISIONS PER CITY COMMENTS 3 08. 07. 2020 REVISIONS PER CITY COMMENTS

PLAN INFORMATION

PROJECT NO. MIH-20000 FILENAME MIH20000-RZ CHECKED BY DRAWN BY SCALE 1"=60' DATE 03. 12. 2020

SHEET

REZONING PLAN

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

DEVELOPMENT STANDARDS



A. General Provisions

- 1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by M/I Homes to accommodate the development of a residential community on that approximately 21.90 acre site located on the south side of Ridge Road between Cooper's Ridge Lane and Highland Park Drive, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 029-621-24, 029-621-21, 029-621-22 and 029-621-23.
- The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the R-8 MF zoning district shall govern the development and use of the Site.
- 4. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal public streets and the internal private streets, alleys or drives depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Section 6.207 of the Ordinance.

Permitted Uses/Development Limitations

The Site may be devoted only to a residential community containing a maximum of 98 single family attached dwelling units and to any incidental and accessory uses relating thereto that are allowed in the R-8 MF zoning district.

C. <u>Transportation</u>

- 1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.
- 2. The Site will be served by internal public streets and internal private streets, alleys or drives. Minor adjustments to the locations of the internal public streets and the internal private streets, alleys or drives shall be allowed during the construction permitting
- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing



- 4. Prior to the issuance of the first certificate of occupancy for a new single family attached dwelling unit constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Ridge Road as required to provide right of way measuring 50 feet from the centerline of existing Ridge Road, to the extent that such right of way does not already exist.
 - Petitioner shall install curb and gutter along the Site's frontage on Ridge Road as generally depicted on the Rezoning Plan.
 - Petitioner shall install an 11 foot wide westbound left turn lane on Ridge Road at the vehicular access point into the Site as generally depicted on the Rezoning Plan.
 - All transportation improvements shall be constructed and approved prior to the release of the first certificate of occupancy for the Site. The petitioner may post a bond for any improvements not completed at the time a certificate of occupancy is requested.
 - The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional rightof-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks) located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where)

_____ Architectural Standards

- 1. The maximum height in feet of the single family attached dwelling units to be constructed on the Site shall be 48 feet as measured under the Ordinance.
- 2. The primary exterior building materials for the single family attached dwelling units to be constructed on the Site will be a combination of portions of the following: brick veneer or similar masonry products, stone, manufactured stone, stucco and cementitious siding.
- Vinyl, EIFS or masonite may not be used as an exterior building material on any building to be constructed on the Site. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.

- 4. The actual widths of the single family attached dwelling units to be constructed on the Site may vary from the widths depicted on the Rezoning Plan.
- Pitched roofs, if provided, shall 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.
- Each single family attached dwelling unit shall have a covered front stoop. The front stoop may be covered by an awning, canopy, roof extension or other architectural feature
- All corner or end single family attached dwelling units that face a public or private street shall have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 10 feet on all building levels.
- The entrance into each single family attached dwelling unit shall be located more than 15 feet from the sidewalk located along the relevant lot's frontage on a public or private
- Walkways shall be provided to connect all residential entrances to sidewalks along public and private streets.
- 10. Each single family attached dwelling unit shall have a garage.

11. Garage doors shall contain translucent windows and carriage style hardware. An example of carriage style hardware is set out on Sheet RZ.02 of the Rezoning Plan. 12. Buildings containing single family attached dwelling units fronting public or private network required streets shall be limited to 5 individual units or fewer.

E. <u>Streetscape and Buffers</u>

Petitioner shall install an 8 foot wide planting strip and a 12 foot wide multi-use path along the Site's frontage on Ridge Road as depicted on the Rezoning Plan.

Petitioner shall install planting strips and sidewalks along the Site's internal streets as) depicted on the Rezoning Plan.

A minimum 37.5 foot Class C buffer shall be established along portions of the Site's western boundary line as more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to Section 12.302(8) of the Ordinance, this Class C buffer has been reduced in width by 25% from 50 feet to 37.5 feet as a result of Petitioner's commitment to install a fence that meets the requirements of Section 12.302(8) of the Ordinance in the Class B buffer.

4. A minimum 50 foot Class C buffer shall be established along portions of the Site's western boundary line, along the entirety of the Site's eastern boundary line and along the

entirety of the Site's southern boundary line as more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the

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 set out on the Rezoning Plan accordingly.

Lighting

- All freestanding lighting fixtures installed on the Site (excluding lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- 2. The maximum height of any freestanding lighting fixtures installed on the Site, excluding street lights located along public streets, shall be 21 feet.

G. <u>Environmental</u>

The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

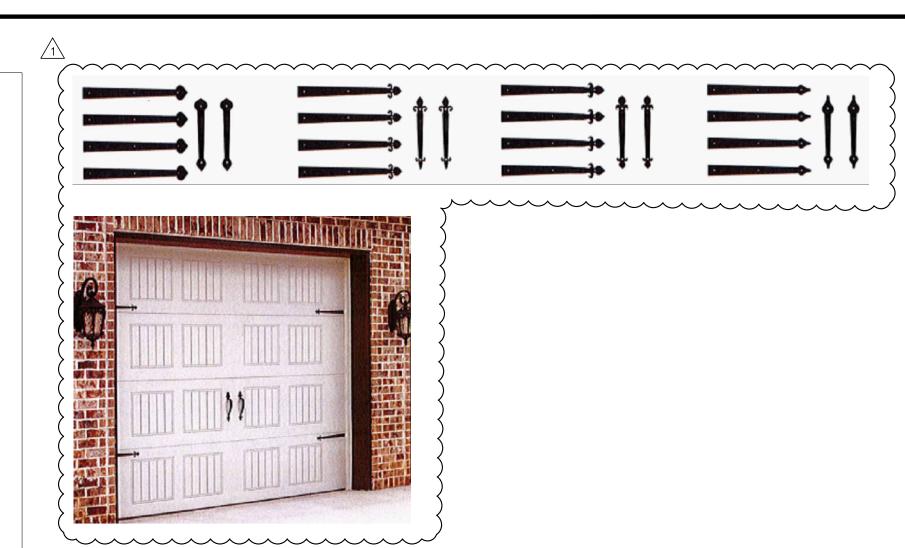


The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural) site discharge points.

3. Development of the Site shall comply with the Tree Ordinance.

Binding Effect of the Rezoning Documents and Definitions

- 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.
- 2. 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.
- 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.





The John R. McAdams Company, Inc

3430 Toringdon Way

Suite 110

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www.mcadamsco.com

license number: C-0293, C-187

CLIENT

MS. MORGAN RUSHNELL M/I HOMES 5350 77 CENTER DRIVE, SUITE 100 CHARLOTTE, NORTH CAROLINA, 28217 704.597.4524



OHU

REVISIONS

NO. DATE 1 05. 11. 2020 REVISIONS PER CITY COMMENTS 2 07. 27. 2020 REVISIONS PER CITY COMMENTS 3 08. 07. 2020 REVISIONS PER CITY COMMENTS

PLAN INFORMATION

PROJECT NO. MIH-20000 FILENAME MIH20000-RZ CHECKED BY DRAWN BY SCALE DATE 03. 12. 2020

SHEET **REZONING PLAN**



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 21.File #: 15-14198 Type: Zoning Decision

Rezoning Petition: 2020-053 by Laurel Oak Farm, LLC

Location: Approximately 1.32 acres located on the south side of Youngblood Road, west of Buckthorne Ridge Lane, and east of McKee Road. (Outside City Limits)

Current Zoning: R-3 (single-family residential) and MUDD-O (mixed use development, optional) **Proposed Zoning:** MUDD-O (mixed use development, optional) and MUDD-O SPA (mixed use development, optional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-053

August 4, 2020

REQUEST

Current Zoning: R-3 (single family residential) and MUDD-O

(mixed use development, optional)

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

amendment)

LOCATION Approximately 1.32 acres located on the south side of

Youngblood Road, west of Buckthorne Ridge Lane, and east of

McKee Road

(Outside City Limits)

PETITIONER Bill Hodges

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent for a portion of the site and consistent for portion of the site with the *Steele Creek Area Plan*, based on the information from the staff analysis and the public hearing and because:

- The plan recommends single family residential up to four dwelling units per acre (DUA); and
- The plan recommends retail.

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

- For a portion of the site the petition is inconsistent with the area plan recommendation; however, it will allow the expansion of an existing adjacent commercial indoor pet center.
- The proposed expansion of the commercial indoor pet center provides a needed service to the surrounding residential neighborhood.
- Adequate fencing, buffering and sound insulation are included as part of the proposed site plan to protect adjacent properties.
- The parcel to the east, adjacent to the proposed expansion of the indoor pet center, is used as the community pool, playground and parking lot for the adjoining residential subdivision.

The approval of this petition will revise the adopted future land use as specified by the *Steele Creek Area Plan,* from residential up to four DUA land use to retail for a portion of the site.

Motion/Second: Barbee / Blumenthal

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent and consistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER Lisa Arnold (704) 336-5967





REQUEST Current Zoning: R-3 (single family residential) and MUDD-O

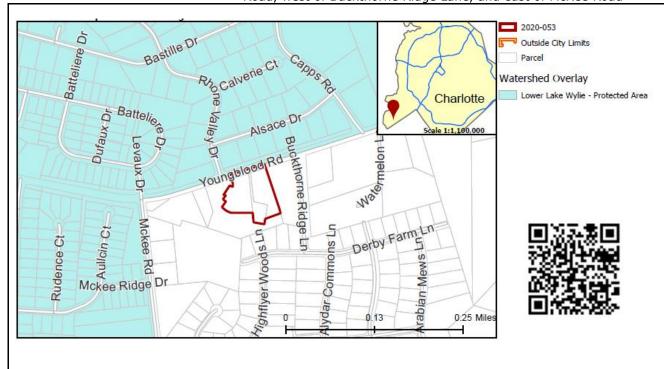
(mixed use development, optional)

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

MUDD-O SPA (mixed use development, optional, site plan

amendment)

LOCATIONApproximately 1.32 acres located on the south side of Youngblood Road, west of Buckthorne Ridge Lane, and east of McKee Road



SUMMARY OF PETITION The petition proposes rezone property to MUDD-O and MUDD-O SPA

to allow up to 6,000 square feet for an indoor pet center with limited

outdoor pet center uses.

William A. Hodges

PROPERTY OWNER

PETITIONER

Bill Hodges

AGENT/REPRESENTATIVE

Keith MacVean, Moore & Van Allen

COMMUNITY MEETINGMeeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 0

STAFF RECOMMENDATION Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Steele Creek Area Plan* (2012) recommendation for single family residential up to four dwelling units per acre (DUA) for a portion of the site and **consistent** with the land use recommendation for retail for a portion of the site.

Rationale for Recommendation

 For a portion of the site the petition is inconsistent with the area plan recommendation; however, it will allow the expansion of an existing adjacent commercial indoor pet center.

- The proposed expansion of the commercial indoor pet center provides a needed service to the surrounding residential neighborhood.
- Adequate fencing, buffering and sound insulation are included as part of the proposed site plan to protect adjacent properties.
- The parcel to the east, adjacent to the proposed expansion of the indoor pet center, is used as the community pool, playground and parking lot for the adjoining residential subdivision.

The approval of this petition will revise the adopted future land use as specified by the *Steele Creek Area Plan*, from residential up to four DUA land use to retail for a portion of the site.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

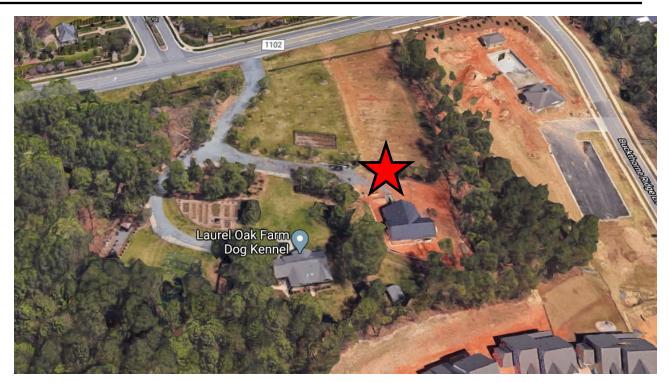
- Allows up to 6,000 SF for an indoor pet center and limited outdoor pet center uses including fenced outdoor walking and exercising for pets.
- Applies the following optional provisions:
 - To allow a fenced area outside of the indoor pet center to be used for walking and exercising of pets that does not meet the 300-foot separation from a lot in a residential zoning district or a residential use as generally depicted on the rezoning plan.
 - To allow parking between the proposed building and Youngblood Road as generally depicted on the rezoning plan.
- Provides an 8' sound wall along the buffer on Youngblood Road to limit noise from pets.
- Limits building height to 40' and the proposed building would be residential in character.
- Requires Class C buffers along residential property lines.
- Restricts site lighting to meet the following conditions: 15' maximum height and full cut-off fixtures for both site lighting and building lighting.

Existing Zoning and Land Use



Part of this site was rezoned in 2014 (petition 2013-093) to allow an indoor pet center. The subject property consists of the existing indoor pet center. The surrounding land uses include single family residential and a community swimming pool.

Petition 2020-053 (Page 3 of 7) Final Staff Analysis

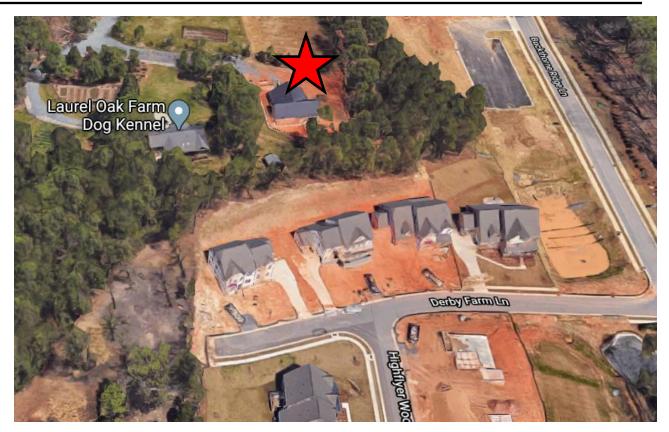


A portion of the subject property is an existing indoor pet center and the rest is undeveloped land. The site is marked with a red star.

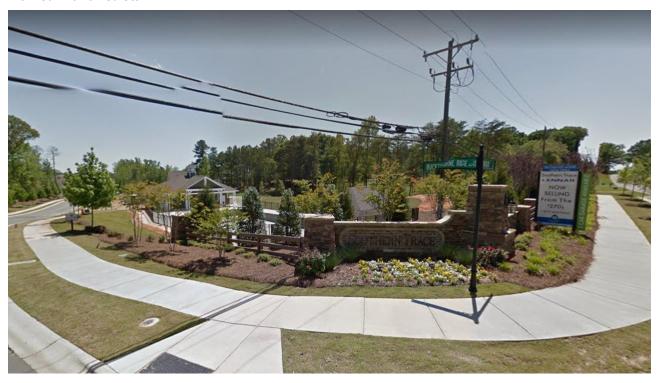


The properties to the north are developed with single family residential houses.

Petition 2020-053 (Page 4 of 7) Final Staff Analysis



The properties to the south are developed with single family residential houses. The subject property is marked with a red star.



The property to the east is developed with a community swimming pool and recreation area.



The properties the west are developed with single family residential houses.



There are no recently pending or approved rezoning petitions within the surrounding area.

Public Plans and Policies



• The Steele Creek Area Plan (adopted 2012) recommends residential uses up to four dwelling units per acre (DUA) for a portion of this site. Portions of the site are recommended for retail land use as per rezoning petition 2013-093.

TRANSPORTATION SUMMARY

- The site is on Youngblood Road (minor thoroughfare, state maintained) and is in a wedge outside Route 4. The site is also located within the extraterritorial jurisdiction (ETJ). The applicable plan is the Steele Creek Area Plan.
- Active Projects:
 - There are no active projects within the immediate vicinity.
- Transportation Considerations
 - See Outstanding Issues, Note 1
- Vehicle Trip Generation:

Current Zoning:

Existing Use: No data for trips per day (based on a pet center). Entitlement: No data for trips per day (based on a pet center). Proposed Zoning: No data for trips per day (based on a pet center).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No comments submitted.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: No outstanding issues.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Schools: Nonresidential petitions do not impact the number of students generated.
- Charlotte Water: No comments submitted.
- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues.
 - Urban Forestry: No outstanding issues.
- Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.

Petition 2020-053 (Page 7 of 7) Final Staff Analysis

• Mecklenburg County Parks and Recreation Department: No comments submitted.

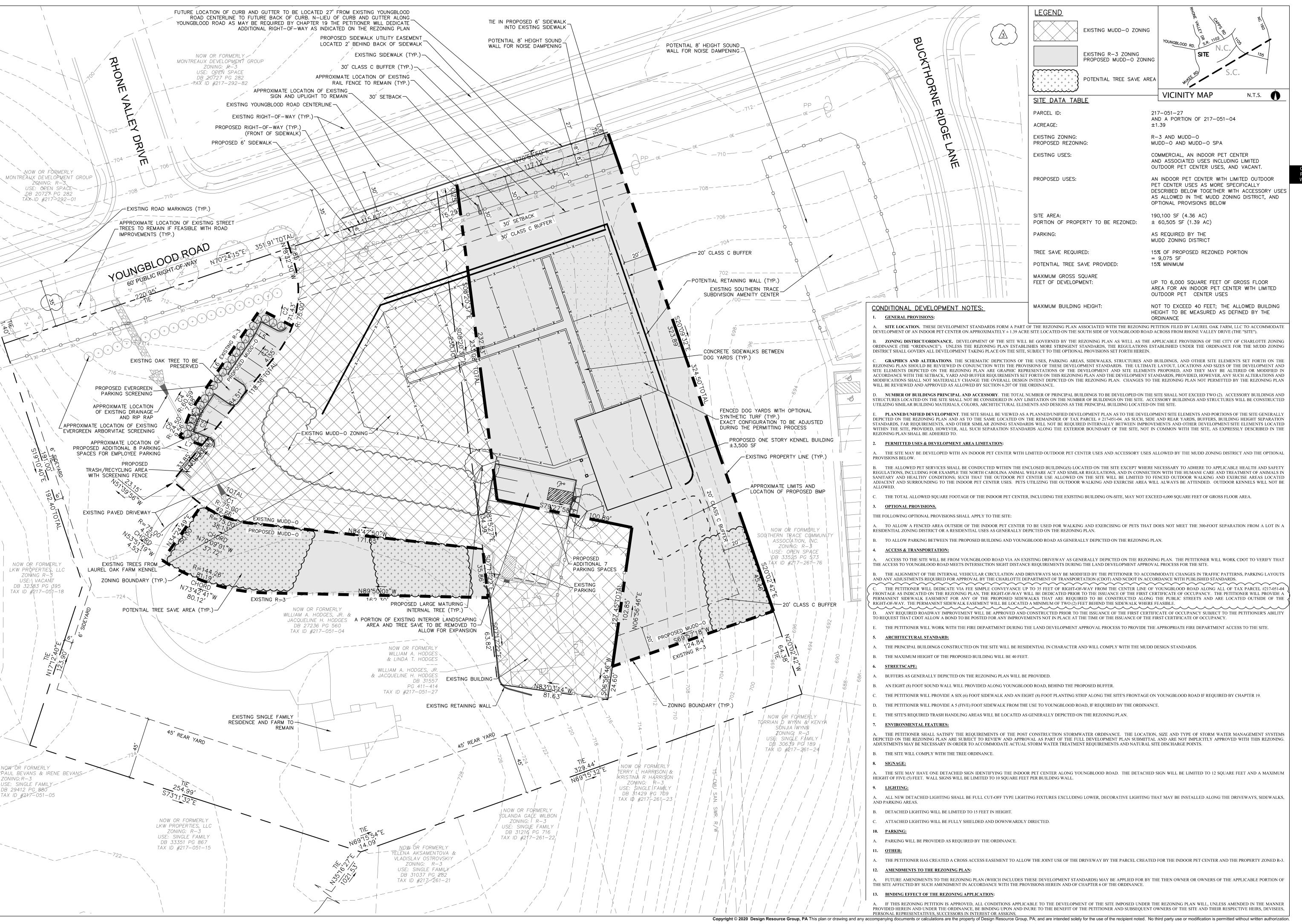
OUTSTANDING ISSUES

<u>Transportation</u>

1.—CDOT requests the petitioner to dedicate right-of-way along the <u>entire</u> frontage of parcel ID# 21705104, so the future curb and gutter may be constructed by others. The current proposed right-of-way dedication dedicates a portion of parcel ID# 21705104. Addressed

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

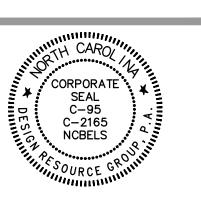
Planner: Lisa Arnold (704) 336-5967





LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING

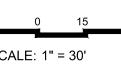
2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 www.drgrp.com



REZONING PETITION 2020-053

REZONING DOCUMENT

REZONING



PROJECT #: DRAWN BY: CHECKED BY

MARCH 09, 2020

REVISIONS:

1. 05.11.2020 - PER CITY STAFF COMMENTS 2. 06.15.2020 - PER CITY STAFF COMMENTS /3\07.27.2020 - PER CITY STAFF COMMENTS



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 22.File #: 15-14199 Type: Zoning Decision

Rezoning Petition: 2020-054 by TriPointe Homes

Location: Approximately 13.27 acres located on the east side of Interstate 77, west of Tryon Street and South of Clanton Road. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-054

August 4, 2020

Zoning Committee

REQUEST Current Zoning: R-8 (single family residential)

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

LOCATION Approximately 13.27 acres located on the east side of Interstate

77, west of Tryon Street and South of Clanton Road.

(Council District 3 - Watlington)

PETITIONER Tripointe Homes

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Scaleybark Transit Station Area Plan,* based on the information from the staff analysis and the public hearing and because:

• The Scaleybark Transit Station Area Plan recommends residential uses up to 8 dwelling units per acre.

Therefore we find this petition to Choose an item. public interest based on information from the staff analysis and the public hearing and because:

- The request is consistent with the adopted plan's recommended density.
- The project provides buffers along all property lines abutting single family homes, and along the property line adjacent I-77.
- A pedestrian network will be provided internal to the site.
- The development provides architectural standards addressing expanses of blank walls, building materials, and corner/end unit articulation.
- The project proposes transportation improvements along Orchard Circle.
- The proposed project yields fewer vehicular trips than development allowed under the existing zoning.
- The proposed project provides multiple points of ingress/egress to the site and creates an interconnected network of public streets and private alleyways.

Motion/Second: Kelly / Barbee

Yeas: Barbee, Blumenthal, Kelly, McMillian, Nwasike,

Samuel, and Welton

Nays: None

Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan. There was no further

discussion of this petition.

PLANNER Claire Lyte-Graham (704) 336-3782



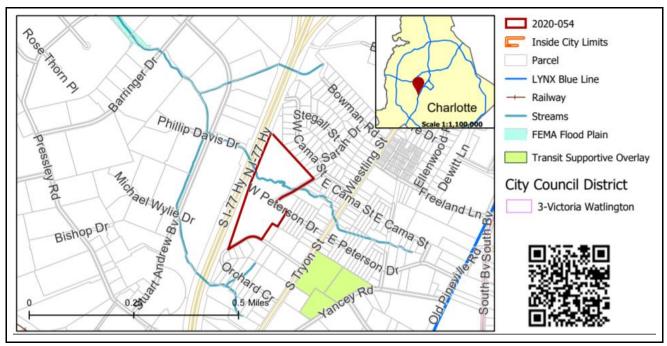


REQUEST Current Zoning: R-8 (single family residential)

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

LOCATION Approximately 13.27 acres located on the east side of Interstate 77,

west of Tryon Street and South of Clanton Road.



SUMMARY OF PETITION

The petition proposes to construct a 94-unit townhouse community on a parcel of land on the east side of Interstate 77 and north of Orchard Circle.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Southend Walk LLC
Tripointe Homes
Collin Brown and Brittany Lins

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

STAFF	
RECOMMENDATION	

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Scaleybark Transit Station Area Plan* for residential uses up to 8 dwelling units per acre.

Rationale for Recommendation

- The request is consistent with the adopted plan's recommended density.
- The project provides buffers along all property lines abutting single family homes, and along the property line adjacent I-77.
- A pedestrian network will be provided internal to the site.
- The development provides architectural standards addressing expanses of blank walls, building materials, and corner/end unit articulation.

•	The project	proposes	transpo	ortation	impro	vements	along Or	chard
	Circle.							

- The proposed project yields fewer vehicular trips than development allowed under the existing zoning.
- The proposed project provides multiple points of ingress/egress to the site and creates an interconnected network of public streets and private alleyways.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 94 single family attached (townhome) units at a density of 7.08 dwelling units per acre.
- Maximum building height of 48 feet.
- Provides a 50-foot Class C buffer along property lines abutting properties zoned R-5 and R-8 (may be reduced by 25% with a fence along portions).
- Proposes a 10-foot wide buffer along the west property line.
- Illustrates common open space areas throughout the site.
- Identifies 35-foot stream buffer crossing the site.
- Identifies location of an existing 128-foot wide Duke Power transmission line traversing the site.
- Establishes an area reserved for future dumpster and recycling enclosure, to be screened per ordinance requirements.
- Proposes to post 25 miles per hour (MPH) speed limit MUTCD signs on new proposed public streets on the site.
- Commits to the following transportation improvements:
 - Proposes access via Orchard Circle, W. Peterson Drive, and Sarah Drive.
 - Creates an internal network of public streets, private alleyways, and sidewalk system.
 - Improves Orchard Circle to a "Local Residential Medium" public road standard.
 - Dedicates right-of-way 28 feet from centerline along Orchard Circle.
 - Illustrates a proposed left turn lane and a proposed right turn lane on Orchard Circle.
 - Identifies right-of-way to be abandoned within the site.
 - Proposes a 6-foot planting strip and 8-foot sidewalk along Orchard Circle and along Sarah Drive.
- Commits to the following architectural standards:
 - Uses a combination of the following building materials: brick, brick veneer, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement (hardiplank) and/or other approved materials.
 - Notes vinyl may only be used handrails, windows, soffits, doors, garage doors, railings, or trim. Prohibits concrete masonry units not architecturally finished.
 - Proposes application of architectural details to corner/end units fronting public streets to limit maximum blank wall expanse to 20 feet on each level of the unit.
 - Allows installation of rooftop terraces.

• Existing Zoning and Land Use





- The site is currently vacant and surrounded by single family neighborhoods, retail, and office/warehouse/distribution uses.
- The site is part of approximately 24.55 acres rezoned from R-22MF to R-8 via petition 2010-004.



The subject property is vacant.



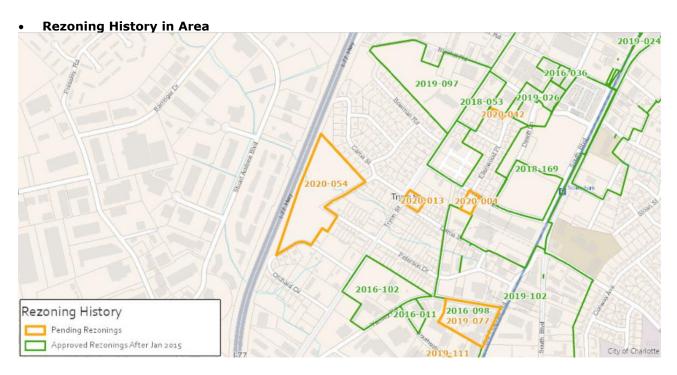
East are single family homes.



Along Orchard Drive are single family homes.



Along Tryon Street are a mix of residential and non-residential uses.



Petition Number	Summary of Petition	Status
2020-042	Rezone 0.236 acres from R-5 to TOD-TR.	Pending
2020-013	Rezone 0.613 acres from R-8 to UR-2(CD) to allow all uses Pending in the UR-2 district.	
2020-004	Rezone 0.76 acres from R-8 to TOD-TR.	Pending
2019-111	Rezone 2.229 acres from I-2 to TOD-TR.	Pending
2019-097	Rezone 17.02 acres from I-1 and I-1(CD) to TOD-TR.	Approved
2019-026	Rezone 3.0 acres from I-1 and I-2 to TOD-CC and TOD-TR.	Approved
2019-024	Rezone 1.74 acres from I-1 and I-2 to TOD-CC	Approved
2019-084	Rezone 0.18 acres from R-4 to UR-1(CD) to allow 1 duplex or 1 two-unit townhome.	Approved
2018-169	Amendment to the Zoning Ordinance to replace 3 existing transit-oriented development districts with 4 new transit oriented development districts and regulations. These 4 new districts are the first phase of the City's Unified Development Ordinance (UDO).	Approved

2018-053	Rezone 3.17 acres from R-5, B-1, I-1, and I-2 to TOD-M(CD) to allow all uses in the TOD-M.	Approved
2016-011	Rezone 1.73 acres from I-2 to MUDD-O to reuse an existing building for all uses in MUDD.	Approved
2016-102	Rezone 9.52 acres from I-2 to I-2 TS-O to allow the expansion of the existing uses associated with the Olde Mecklenburg Brewery.	Approved
2016-036	Rezone 0.45 acres from I-2 to TOD-M to allow all transit supportive uses per conventional TOD-M.	Approved



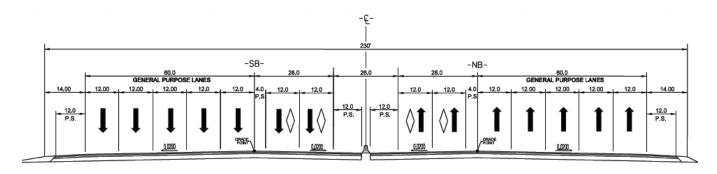


The Scaleybark Area Plan (2008) recommends residential up to 8 dwelling units per acre.

TRANSPORTATION CONSIDERATIONS

- The site is located on I-77 (state-maintained) and existing local roads (city-maintained). The petitioner should commit to installing 6' sidewalks and an 8' planting strip throughout the property and the property's frontage in accordance with city standards. The petitioner should commit to additional connectivity, both vehicular and pedestrian, at W. Peterson Drive, Sarah Drive, and Orchard Circle.
- Active Projects Near the Site:
 - I-77 Managed Lanes (TIP# I-5718A)
 - Widen existing freeway to ten lanes by constructing four managed lanes (two in each direction) - and rebuild the I-277 (Belk Frwy) interchange.
 - ROW in 2025 and Construction in 2029 (Subject to change due to NCDOT funding issues)
 - 2016 feasibility study (TIP #FS-0810A) shows additional ROW needed:





I-77 TYPICAL SECTION

See Outstanding Issues, Notes 1-2. Addressed

• Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 1,000 trips per day (based on 106 single family homes). Proposed Zoning: 700 670 trips per day (based on 96 94 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: There is an estimated need for approximately 24,000 affordable housing units in the City of Charlotte. To increase the supply, developers are encouraged to assist in providing homes at diverse price points to meet increased housing demand.
- Charlotte Fire Department: See advisory comments at www.rezoning.org.
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning would generate 57 students, while the development allowed under the proposed zoning will add an additional 7 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Dilworth (Sedgefield) Campus K-2 remains at 66%
 - Dilworth (Latta) Campus 3-5 remains at 64%
 - Sedgefield Middle remains at 73%
 - Myers Park High remains at 132%.
 - See advisory comments at www.rezoning.org.
- **Charlotte Water:** 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. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along West Peterson Drive.

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 Scaleybark 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.

- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues. See advisory comments at www.rezoning.org.
 - Urban Forestry: No outstanding issues.
- Mecklenburg County Land Use and Environmental Services Agency: See advisory comments at <u>www.rezoning.org</u> relating to air quality and ground water services.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

Transportation

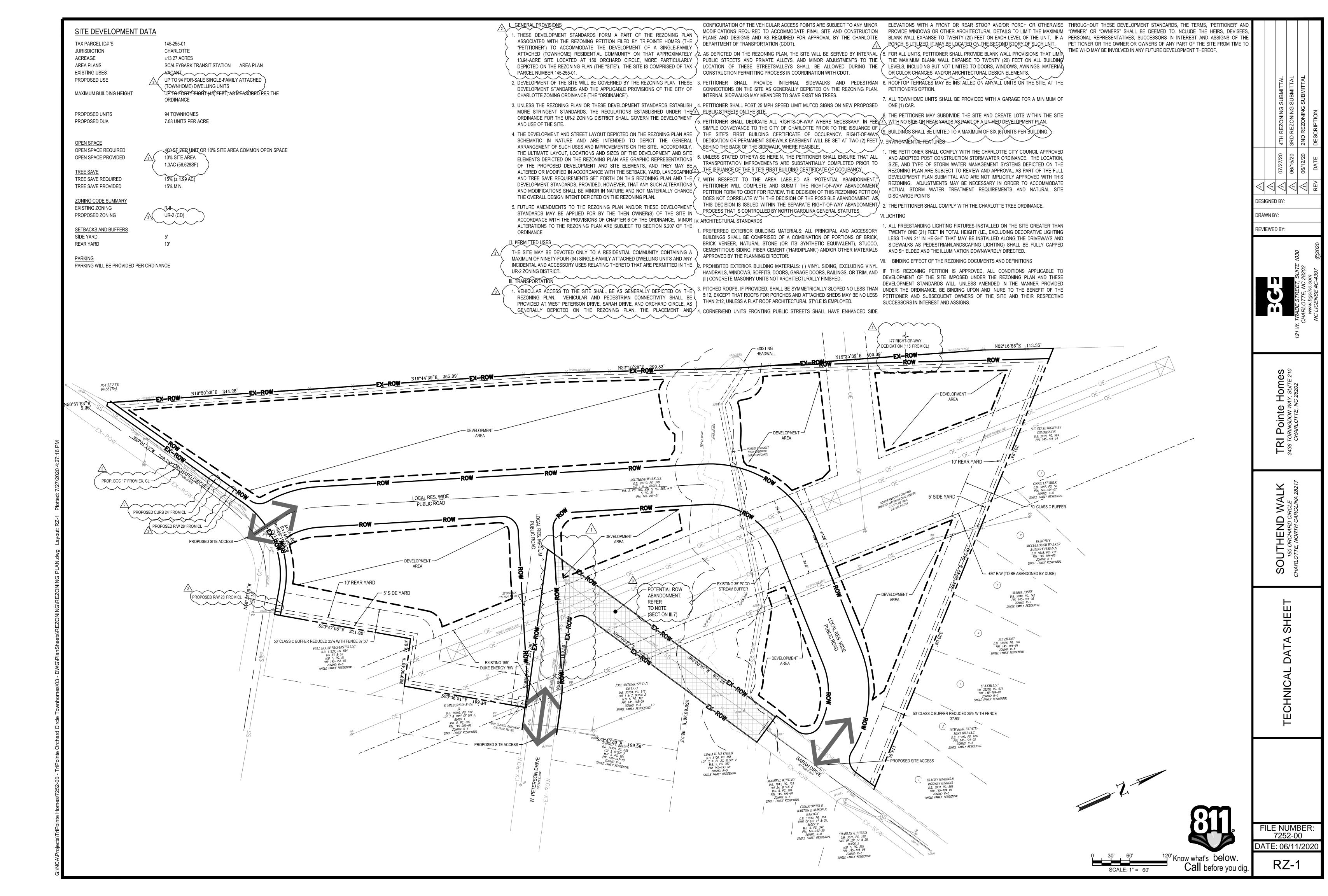
- 1.—The site plan abandonment call out should be revised to "Potential Abandonment". Refer to conditional note (Section III.6). Addressed
- 2. CDOT requests right-of-way or a permanent sidewalk easement should be set at 2' behind back-of-sidewalk where feasible. Addressed

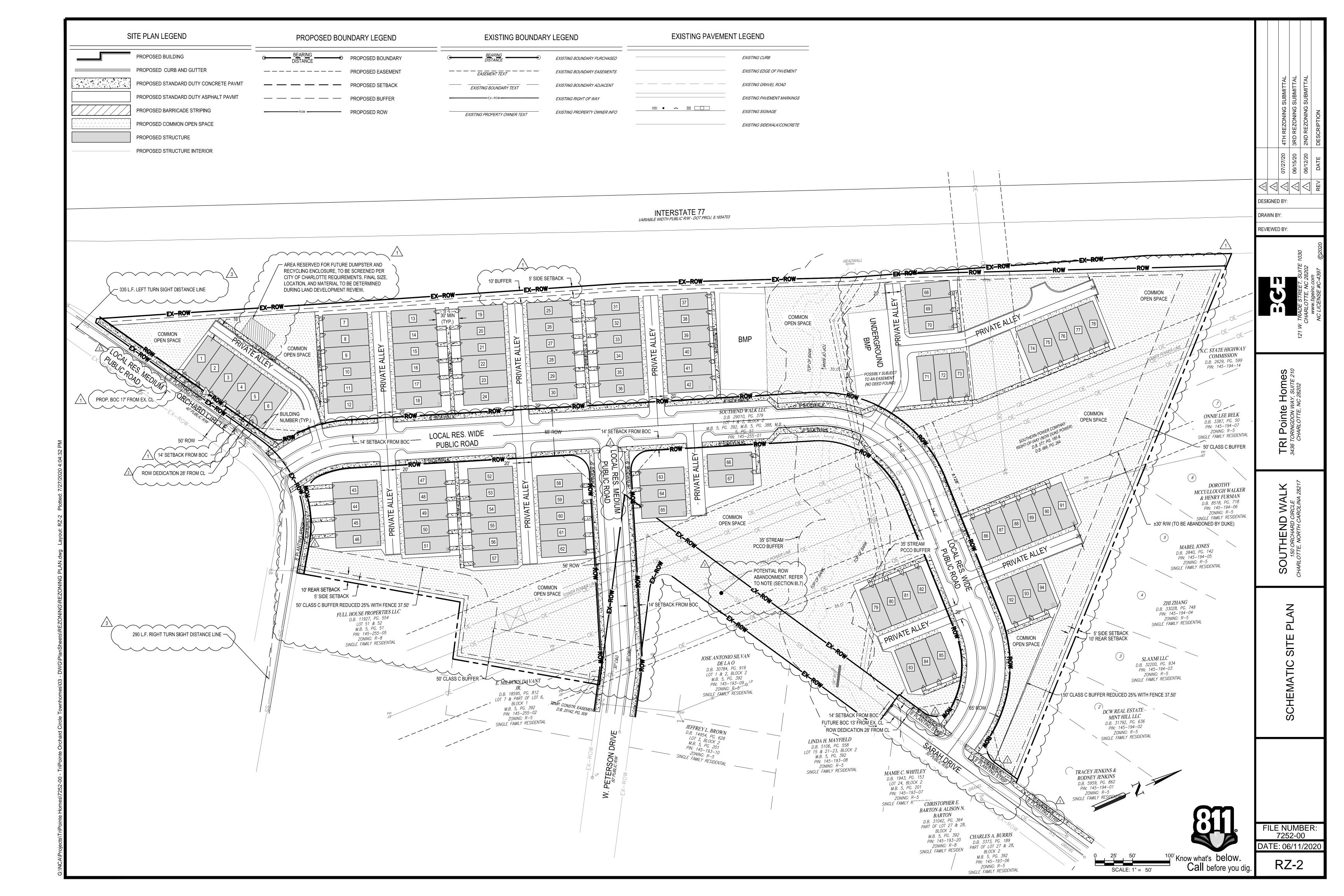
Site and Building Design

3.—Add a note limiting the number of units in a building to 6. Addressed

Attachments Online at www.rezoning.org

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







City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 23.File #: 15-14200 Type: Zoning Decision

Rezoning Petition: 2020-058 by Novant Health, Inc.

Location: Approximately 38.0 acres located at the southeast intersection of Johnston Road and

Providence Road West. (Council District 7 - Driggs)

Current Zoning: INST (CD) (institutional conditional)

Proposed Zoning: INST (CD) SPA (institutional, conditional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-058
August 4, 2020

Zoning Committee

REQUEST Current Zoning: INST (CD) (institutional, conditional)

Proposed Zoning: INST (CD) SPA (institutional, conditional, site

plan amendment)

LOCATION Approximately 38.0 acres located at the southeast intersection

of Johnston Road and Providence Road West

(Council District 7 - Driggs)

PETITIONER Novant Health, Inc.

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *South District Plan* based on the information from the staff analysis and the public hearing and because:

• The plan recommends institutional use for the site.

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

- The plan proposal is for the same use as the recently approved rezoning petition.
- The proposal is for a minor increase in the allowed square footage.
- The site plan amendment does not make any changes to the previously approved building heights, setbacks, or buffers.
- The amendment adjusts the transportation improvements to mitigate the increase in square footage.

Motion/Second: Welton / Barbee

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER John Kinley (704) 336-8311



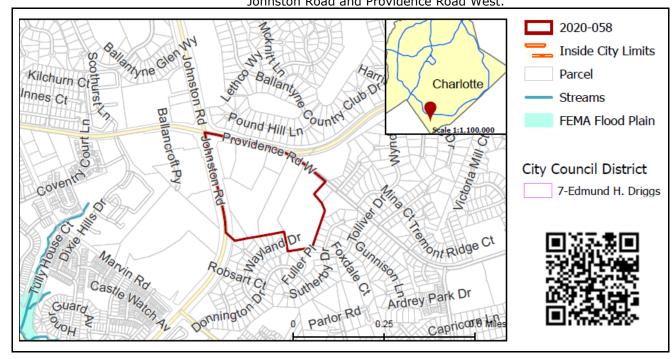


REQUEST Current Zoning: INST (CD) (institutional, conditional)

Proposed Zoning: INST (CD) SPA (institutional, conditional, site

plan amendment)

LOCATION Approximately 38.0 acres located at the southeast intersection of Johnston Road and Providence Road West.



SUMMARY OF PETITION

The petition proposes a minor increase to the allowed square footage from 223,000 to 262,000 and amendments of several associated traffic improvements for the previously approved medical facility.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Novant Health, Inc. Novant Health, Inc.

Susan Todd & William Isenhour (Johnston, Allison & Hord)

COMMUNITY MEETINGMeeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 10 via WebEx meeting.

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *South District Plan* recommendation for Institutional land uses on this site.

Rationale for Recommendation

- The plan proposal is for the same use as the recently approved rezoning petition.
- The proposal is for a minor increase in the allowed square footage.
- The site plan amendment does not make any changes to the previously approved building heights, setbacks, or buffers.
- The amendment adjusts the transportation improvements to mitigate the increase in square footage.

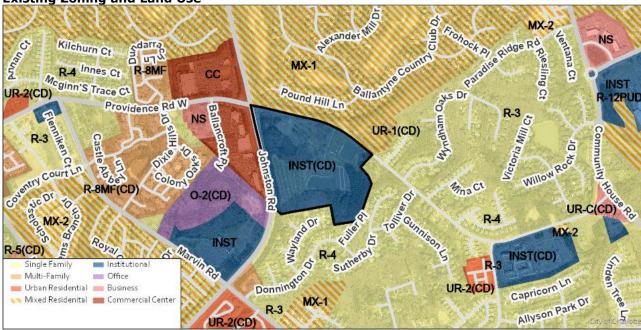
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan amendment contains the following changes:

- Increases the allowed square footage from 223,000 square feet to 262,000 square feet, a difference of 39,000 square feet.
- Added two transportation improvements at the intersection of Johnston Road and Providence Road West and the site's right in/out access driveway. The improvements include an additional southbound left turn lane on Johnston Road and an eastbound receiving land that drops as a turn lane at the site's right in/right out driveway along Providence Road West.
- Amended the stormwater note at staff's request to provide additional clarity.
- Amends streetscape note for Providence Road West to say the petitioner may either provide a 5' bike lane, 6' sidewalk and 8' planting strip or a 8' planting strip and 12' multi-use path
- No other changes were made to the plan.

Existing Zoning and Land Use



The site was rezoned to INST(CD) to allow a hospital and medical uses under petition 2019-035 that was approved in January 2020.

There is a mix of uses in the area. There are single family residential uses to the north, south and east of the site along Providence Road West. West of the site across and along Johnston Road are religious institution, hospitality, retail, and EDEE (eating/drinking/entertainment establishments). Further west along Providence Road West are multi-family and single family attached residential uses.



The site is currently used as a farm.



South and east of the site are single family homes.

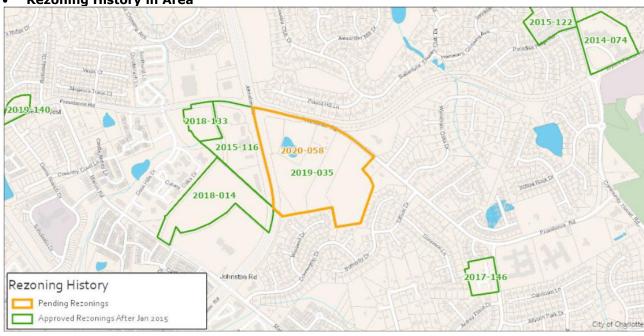


North of the site across Providence Road West are single family homes fronting Pound Hill Lane.



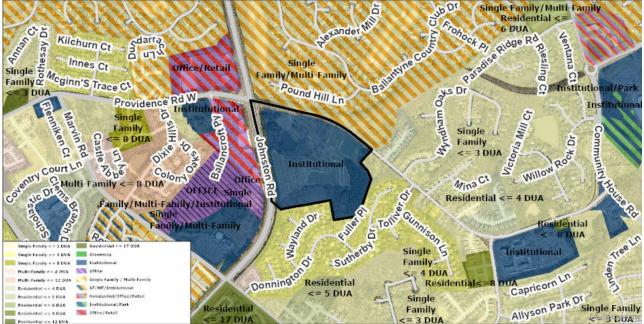
West of the site across Johnston Road are commercial uses and a hotel.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2014-074	10.0 acres northeast of the site, located at the intersection of North Community House Road and Bryant Farms Road to NS to allow a mix of non-residential uses and multi-family dwellings	Approved
2015-116	13.22 acres west of the site to CC to allow a bank, retail, EDEE and office uses and a hotel	Approved
2015-122	15.2 acres northeast of the site on the west side of N. Community House Rd to MX-2 to allow a mix of single family attached and detached dwellings	Approved
2017-146	4.35 acres east of the site on Old Ardrey Kell Road to UR-2(CD) to allow up to 35 townhomes	Approved
2018-014	18.95 acres west of the site on Johnston Road and Ballancroft Parkway to INST(CD) to allow 100,000 square feet of medical offices plus a health institution with up to 50 beds	Approved
2018-133	4.28 acres west of the site along Providence Road West and Ballancroft Parkway to NS to allow a police station	Approved
2019-035	38 acres (the subject site) to INST(CD) for a hospital and medical office use	Approved
2019-140	2.22 acres west of the site on Providence Road West to UR-2(CD) to townhomes.	Approved

Public Plans and Policies



• The South District Plan recommends Institutional land uses for this site.

TRANSPORTATION SUMMARY

 The site is at the signalized intersection of Johnston Road (Class 2 major thoroughfare) and Providence Road West (major collector). The site is located in a wedge outside Route 4.

Active Projects:

- o I-485 NCDOT Project
 - Widening including managed lanes and rapid transit.
- US-521/Johnston Rd
 - Feasibility study to determine needed improvements.

• Transportation Considerations

The petitioner has committed to improving the streetscape along with implementing transportation mitigations with off-site improvements. The petitioner has committed to the construction of a 12-foot multi-use path along Johnston Road and a bike lane, planting strip and sidewalk along Providence Road West. CDOT and NCDOT will continue coordination with the petitioner and developer to solidify off-site improvements before construction permitting.

See Outstanding Issues, Note 1-2

Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 5,770 trips per day (based on 163,000 square foot hospital and 60,000 square

feet of medical office).

Proposed Zoning: 6,000 trips per day (based on 203,000 square foot hospital and 59,000

square feet of medical office).

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:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Providence Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Johnston Road. No outstanding issues.
- Engineering and Property Management:

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

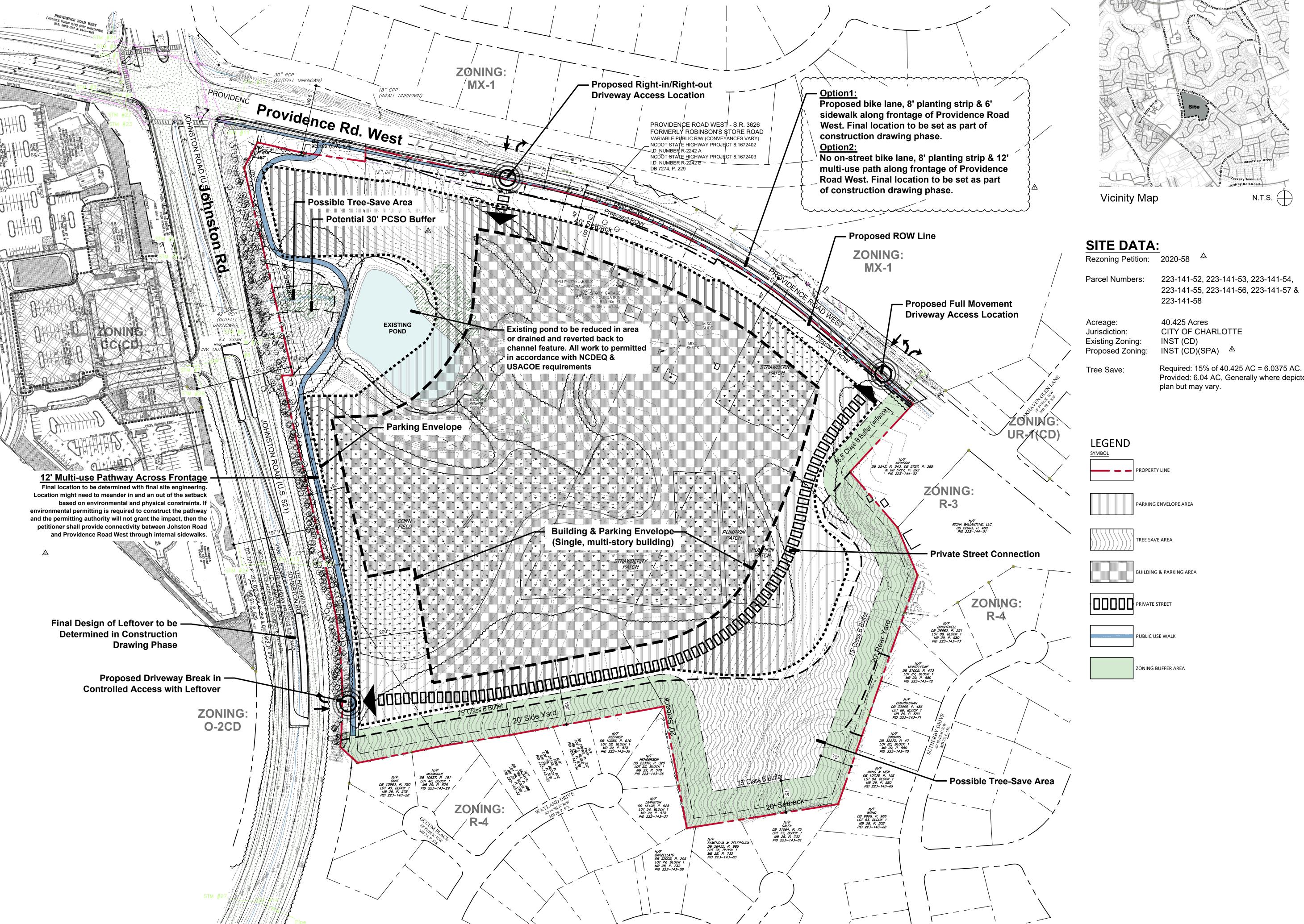
OUTSTANDING ISSUES

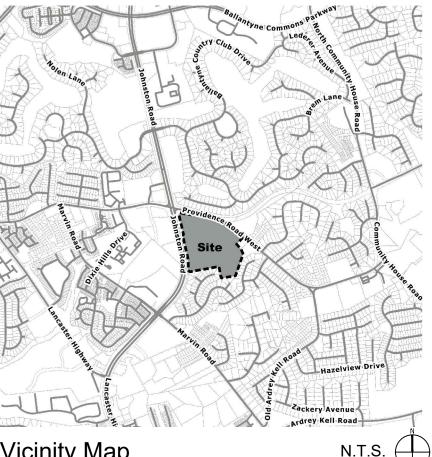
Transportation

- 1. Per the City of Charlotte's Chapter 20 Subdivision Ordinance, the portion of Providence Road West designated as collector should follow the CLDSM Collector Cross Section (U-07) by placing the back of curb 17.5' from the road centerline. The curb and gutter location based on U-07 is a minimum, as there are other associated roadway improvements on Providence Road West that may require a wider section based on the approved traffic impact study. Add a note to the site plan stating the petitioner will provide curb and gutter a minimum 17.5 feet from the center line along Providence Road West in addition to the right-of-way dedication. Rescinded
- 2. Revise the site plan and conditional note(s) to replace the proposed 5' bike lane, 8' planting strip and 6' sidewalk with 8' planting strip and 12' multi-use path on Providence Rd West to meet the City Charlotte BIKE Policy. Addressed, as agreed upon with CDOT, the petitioner added a note that the petitioner may either provide a 5' bike lane, 6' sidewalk and 8' planting strip or an 8' planting strip and 12' multi-use path.

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

Planner: John Kinley (704) 336-8311





Provided: 6.04 AC, Generally where depicted on

Petition No: 2020-58 Project no: 17000124.07 Date: 02.22.19

Providence Charlotte, No

Seals:

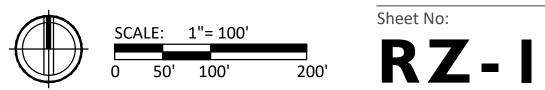
Corp. NC license: F-1320

Revisions: 2019-12-19

2020-03-05 2020-06-12 STAFF COMMENTS

Sheet Title:

Rezoning Site Plan



Novant Health, Inc.

Rezoning Petition #2020-058 🛕

Development Standards

Site Development Data:

--Acreage: ± 40.425 acres --Tax Parcel #s: 223-141-52, 223-141-53, 223-141-54, 223-141-55, 223-141-56,

223-141-57 & 223-141-58

--Existing Zoning: INST(CD)

--Proposed Zoning: INST(CD)(SPA)

--Existing Uses: Agriculture/ Residential/Vacant

--Proposed Uses: Clinics and offices, medical, dental, and optical, and a health institution as permitted by right and under prescribed conditions together with accessory uses, including a helicopter landing pad as allowed in the INST zoning district (as more specifically described and restricted below in Section 2).

--Maximum Gross Square feet of Development: Up to 262,000 square feet of gross floor area for clinics and offices, medical, dental, and optical, and a health institution with up to 48 licensed patient bedrooms

--Maximum Building Height: Up to five (5) stories and not to exceed 75 feet. Height to be measured as required by the Ordinance.

--Parking: Parking will be provided as required by the Ordinance. 1. General Provisions:

- a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Novant Health, Inc. ("Petitioner") to accommodate the development of a medical office and health institution building with a variety of medical uses as allowed in the INST zoning district on approximately 40.425 acre site located at the southeast intersection of Providence Road West and Johnston Road (HWY 521) (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 INST zoning classification shall govern.
- c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, 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 as a single, multi-story medical office and health institution building to include up to 59,000 square feet of gross floor area of clinics and offices, medical, dental and optical, and up to 203,000 square feet of health institution with up to 48 licensed patient bedrooms, together with accessory uses, including a helicopter landing pad, as allowed in the INST zoning district.
 - For purposes of the development limitations set forth in these Development Standards for this Petition (but not to be construed as a limitation on FAR requirements or definition set by the Ordinance), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, helicopter landing pad, and all loading dock areas (open or enclosed).
 - **b.** The setbacks along the frontages of Johnston Road and Providence Road West will be 40 feet as measured from the existing right-of-way lines or proposed right of way, whichever is greater. The side yard(s) and rear yard shall be twenty (20) feet as measured from the property line.
 - The helipad shall be set back a minimum of 75 feet from adjacent single family residential property lines, and a minimum of 80 feet from adjacent proposed or existing right of way line, whichever is greater.

3. Transportation Improvements:

Proposed Improvements:

The Petitioner plans to provide, or will cause to be provided, on its own, or in cooperation with other parties who may implement portions of the improvements, the improvements set forth to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions.

The following Transportation Improvements are also illustrated on Figure 9 of the Rezoning Plan, said illustrations to be used in conjunction with the following notes to establish the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds with the number or letter found on Figure 9 for the proposed improvement.)

The following roadway improvements will be made by the Petitioner as part of the development of the Site as proposed by the Rezoning Plan:

1. Johnston Road (US 521) & Ballantyne Crossing Avenue No suggested improvements.

2. Johnston Road (US 521) & Providence Road West

Under Scenario 1 Conditions:

- Construct dual westbound left turn lanes with 350 feet of storage each on Providence Road West
- Extend the westbound right turn lane from 250 feet to 400 feet storage on Providence Road West
- Optimize existing signal splits and offsets to allow for movements with heavier volume to run more efficiently Construct an additional southbound left turn lane with 300 feet of storage on Johnston Road (US 521)
- Construct a 2nd eastbound receiving lane on Providence Road W that drops as a right turn lane at proposed RI/RO Access "<u>B</u>

Under Scenario 2 Conditions:

- Construct dual westbound left turn lanes with 350 feet of storage each on Providence Road West
- Extend the westbound right turn lane from 250 feet to 400 feet storage on Providence Road West
- Optimize existing signal splits and offsets to allow for movements with heavier volume to run more efficiently Construct an additional southbound left turn lane with 300 feet of storage on Johnston Road (US 521)
- Construct a 2nd eastbound receiving lane on Providence Road W that drops as a right turn lane at proposed RI/RO Access "B"

3. Johnston Road (US 521) & Marvin Road

- Extend the southbound left turn lane from 400 feet to 700 feet on US 521
- Potential pedestrian improvements including ADA push buttons, ramp upgrades etc. to existing crossings

4. Providence Road West & Old Ardrey Kell Road

- Install a traffic signal
- Extend westbound left turn lane from 150 feet to 225 feet on Providence Rd W
- Extend northbound left turn lane from 150 feet to 250 feet on Old Ardrey Kell Rd

5. <u>Providence Road West & Community House Road</u>

• Potential pedestrian improvements including ADA push buttons, ramp upgrades etc.

6. Johnston Road (US 521) & Proposed X-Over Access "A"

Under Scenario 1 Conditions the following intersection configuration is proposed:

- One ingress lane and one egress lane (a westbound right lane on Proposed Access "A")
- A southbound channelized left turn lane with 200' storage on US 521 A northbound right turn lane with 100 feet of storage
- 200-foot minimum internal protected stem

7. Providence Road West & Proposed RI/RO Access "B"

The following intersection configuration is proposed:

- One ingress lane and one egress lane (a northbound right lane on Proposed Access "B")
- 100-foot minimum internal protected stem
- Construct a 2nd eastbound receiving lane on Providence Road W that drops as a right turn lane at proposed RI/RO Access "B" 🛕

8. <u>Providence Road West & Proposed Full Movement Access "C"</u>

The following intersection configuration is proposed:

- One ingress lane and two egress lane (a northbound left lane with 100 feet of storage and right lane on Proposed Access "C")
- Westbound left turn lane with 100' of storage on Providence Road Internal protected stem of 125'

4. Access and Transportation

- a. Access to the Site will be from Johnston Road and Providence Road West in the manner generally depicted on the Rezoning
- **b.** The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
- c. The petitioner will construct a public/private street through its Site between Providence Road West and Johnston Road as generally depicted on the Rezoning Plan to satisfy connectivity requirements should future development on the Site trigger Subdivision Ordinance compliance.
- d. Along a portion of the Site's Providence Road West frontage, Petitioner will dedicate and convey in fee simple, fifty four (54) feet of right of way as graphically depicted on the Rezoning Plan. Along the remainder of the Site's Providence Road West frontage, Petitioner will dedicate and convey forty (40) feet of right of way, also as depicted on the Rezoning Plan. All right of way to be dedicated shall be measured from the existing centerline of Providence Road West.
- e. The Petitioner will dedicate and convey via a fee simple deed any additional right-of-way indicated on the proposed Rezoning Plan prior to the issuance of the first certificate of occupancy.
- Any required roadway improvement will be approved and constructed prior to the issuance of the first certificate of occupancy subject to the petitioner ability to post a bond for any improvements not in place at the time of the issuance of the
- g. 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 and/or NCDOT in accordance with
- h. The Petitioner will dedicate and convey an easement for the public use and maintenance of the twelve (12) foot multi-use path along the Site's frontage on Johnston Road prior to the issuance of the first certificate of occupancy. Post-construction of the multi-use path(s), Petitioner shall have no obligation to maintain, repair or replace said multi-use path(s).
- i. In connection with the construction of the traffic improvements described herein, subject to receiving all necessary approvals, and provided it is not required to secure any additional right of way or permanent easements, Petitioner will construct a left turn lane within the existing right of way of Providence Road West for ingress onto Wyndham Oaks Drive. These improvements shall not be required to be completed in order to receive a certificate of occupancy.

5. Streetscape, Buffers, Yards and Landscaping:

- a. Along the Site's frontage on Johnston Road the Petitioner will construct a twelve (12) foot multi-use path as generally depicted on the Rezoning Plan. The multi-use path will be located outside of the right of way in an easement a minimum of sixty six (66) feet from the existing centerline of Johnston Road. Petitioner reserves the right to install the multi-use path within the 40 foot setback and in a manner designed to avoid physical and environmental constraints.
- Along the Site's frontage on Providence Road West, the Petitioner shall have the option to construct a five (5) foot bike lane, an eight (8) foot planting strip, and a six (6) foot sidewalk OR an eight (8) foot planting strip and a 12 multi-use path as generally
- depicted on the Rezoning Plan. c. Petitioner will provide a 75 foot wide Class B Buffer against adjacent residential development as generally depicted ion the

Rezoning Plan. Petitioner reserves the right to use existing vegetation to meet the intent of the Ordinance buffer yard

- **d.** Petitioner shall have the option to reduce only the portion of the Buffer adjacent to 22314402 which may be reduced in width
- by 25% through the provision of a wall, fence or berm that meets Ordinance standards. Petitioner reserves the right to postpone installation of any streetscaping, sidewalks and lighting associated with the private
- street identified on the Rezoning Plan until such time as future development triggers the requirement to construct same. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- g. Dumpster areas and recycling areas will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

Architectural Standards:

- 1. Direct pedestrian connections shall be provided between street facing doors and corner entrance features to sidewalks on
- a. Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation transparent glass between 2' feet and 10' feet on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" foot clear depth between window and rear wall. Windows within this zone shall not be screened with film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" feet above adjacent street sidewalk.
- c. The facades of first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry material such as
- d. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank
- e. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall off-sets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
- f. Building should be a minimum height of 22 feet.
- g. Multi-story building should have a minimum of 20% transparency on upper stories.

7. Environmental Features:

- **a.** The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm 6 Water Services and mitigated if required by City ordinance. 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. If required by City ordinance, the existing pond on site may require a buffer depending on results of the delineation report.
- **b.** The Site will comply with the Tree Ordinance.

8. <u>Lighting</u>:

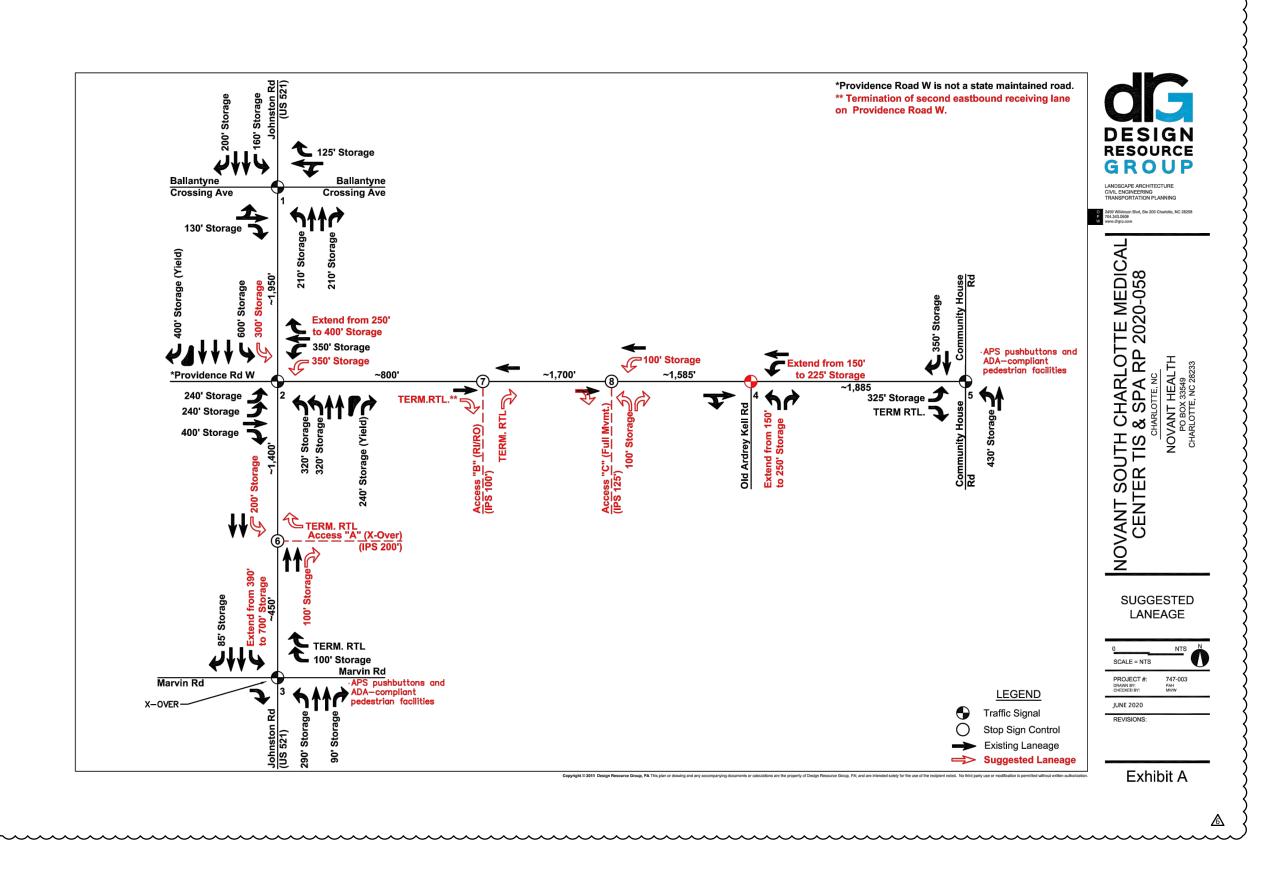
- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- **b.** Detached lighting on the Site will be limited to 31 feet in height.

9. 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 portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the

10. 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.





Seals:

Corp. NC license: F-1320

Petition No: 2020-58

Project no: 17000124.07 Date: 02.22.19

Revisions:

1 2019-05-13 STAFF COMMENTS 2019-10-04 2019-11-05 2019-12-19 2020-03-05 2020-06-12 STAFF COMMENTS 2020-07-24

Sheet Title:

Rezoning Notes



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 24.File #: 15-14201 Type: Zoning Decision

Rezoning Petition: 2020-061 by White Point Partners, LLC

Location: Approximately 2.5 acres located along Brevard Street at its intersection with Belmont Avenue near the Optimist Hall development. (Council District 1 - Egleston)

Current Zoning: TOD-M (O) & I-2 (transit-oriented development, optional and heavy industrial)

Proposed Zoning: TOD-UC (transit-oriented development, urban center)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-061

August 4, 2020

REQUEST Current Zoning: TOD-M(0) (tra

Current Zoning: TOD-M(O) (transit-oriented development –

mixed, optional) & I-2 (heavy industrial)

Proposed Zoning: TOD-UC (transit urban center)

LOCATION Approximately 5.2acres located along Brevard Street at its

intersection with Belmont Avenue near the Optimist Hall

development.

(Council District 1 - Egleston)

PETITIONER White Point Paces Partners, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **inconsistent** and **consistent** with the *Parkwood Transit Station Area Plan,* based on the information from the staff analysis and the public hearing and because:

• The plan recommends both office/retail/industrial and transitoriented uses for the site.

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

- As a portion of the site is currently zoned a legacy TOD district (TOD-M(O)), this rezoning will allow the whole site to obtain updated TOD zoning which will allow for a unified development with shared design standards.
- As written, the TOD-UC district may be applied to parcels within $\frac{1}{2}$ mile of a transit station. The site is within a $\frac{1}{2}$ walk of the Blue Line's 9th Street Transit Station.
- Use of conventional TOD zoning districts applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

The approval of this petition will revise the adopted future land use as specified by the *Parkwood Transit Station Area Plan*, from office/ retail/industrial to transit oriented - mixed for the western portion of the site.

Motion/Second: Blumenthal / McMillan

Petition 2020-061 (Page 2 of 2)

Zoning Committee Recommendation

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is both

inconsistent and consistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER William Linville (704) 336-4090





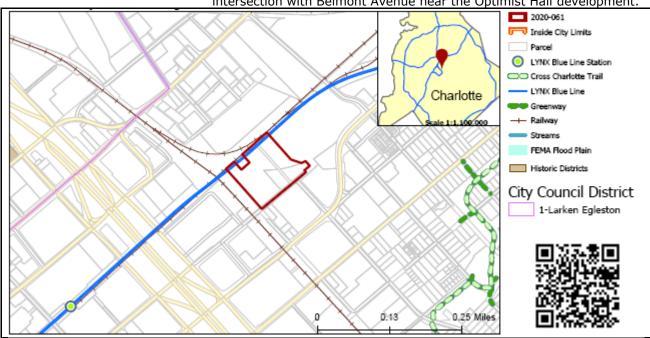
REQUEST Current Zoning: TOD-M(O) (transit oriented developed - mixed,

optional) & I-2 (heavy industrial)

Proposed Zoning: TOD-UC (transit urban center)

LOCATION Approximately 5.2 acres located along Brevard Street at its

intersection with Belmont Avenue near the Optimist Hall development.



SUMMARY OF PETITION

The petition proposes to rezone a four-parcel assemblage to allow all uses permitted by-right or under prescribed conditions in the TOD-UR

district.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

White Point Paces Partners, LLC

Erik Johnson, White Point Paces Partners, LLC

John Carmichael, Robinson Bradshaw

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

Number of people attending the Community Meeting:

STAFF **RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Parkwood Transit Station Area* Plan's (2013) recommendation for the western portion of the site for office/retail/industrial uses but is consistent with the Plan's recommendation for transit oriented - mixed for the eastern portion of the site.

Rationale for Recommendation

As a portion of the site is currently zoned a legacy TOD district (TOD-M(O)), this rezoning will allow the whole site to obtain updated TOD zoning which will allow for a unified development with shared design standards.

- As written, the TOD-UC district may be applied to parcels within ½ mile of a transit station. The site is within a ½ walk of the Blue Line's 9th Street Transit Station.
- Use of conventional TOD zoning districts applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

The approval of this petition will revise the adopted future land use as specified by the Parkwood Transit Station Area Plan, from office/retail/industrial to transit oriented - mixed for the western portion of the site.

PLANNING STAFF REVIEW

Proposed Request Details

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

Existing Zoning and Land Use

TOD-RO

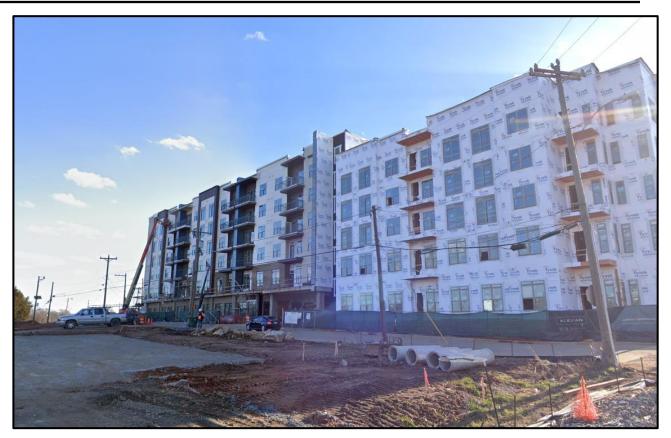
There has been one historic rezoning within the subject property. 2016-029 rezoned the northeastern portion of the assemblage from I-2 to TOD-M(O). The subject property is surrounded to the east and south by TOD-zoned parcels which include an adaptive reuse of an old mill (Optimist Hall) and multiple housing types of varying density. North of the subject property (along the N. Tryon Street corridor) is largely industrial land containing various uses, while west of the subject property (going towards uptown) is largely multi-family residential.



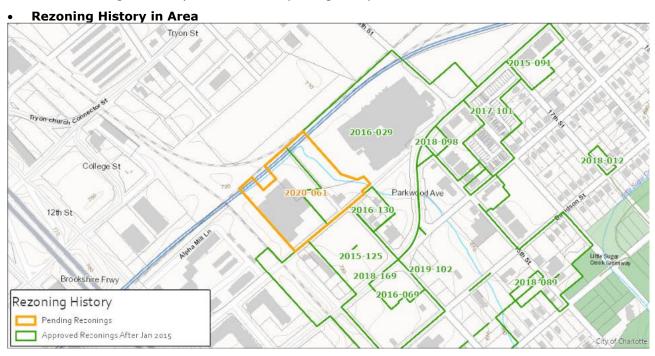
General location of site denoted by red star.



Streetview from N. Brevard Street looking north toward subject property (currently a supply/distribution business).



Streetview from N. Brevard Street looking south toward recent multi-family development. The property to the left of the image currently acts as surface parking for Optimist Hall.



Petition Number	Summary of Petition	Status
2019-126	Petition to permit 16-unit multi-family development	Approved
2019-102	City-sponsored petition to rezone multiple parcels along the City's Blue Line to TOD zoning districts.	Approved
2018-169	City-sponsored text amendment to modify TOD requirements.	Approved
2018-098	Petition to rezone property to conventional TOD district.	Approved

2018-089	Petition to redevelop site to an urban residential district. Approved	
2018-012	Petition to permit 5-unit multi-family development. Approved	
2017-101	Petition to redevelop site in Optimist Park to accommodate Approved	
	59 for sale single family attached units.	
2016-130	Petition to rezone property to conditional TOD district.	Approved
2016-069	Petition to rezone property to conventional TOD district.	Approved
2016-029	Petition to rezone property to conditional TOD district.	Approved
2015-091	Petition to rezone property to conditional TOD district.	Approved





• The Parkwood Transit Station Area Plan (2013) recommends office/ retail/ industrial uses for a portion of the site and transit-oriented development-mixed for the remainder of the site

TRANSPORTATION SUMMARY

The site is within 1/2 mile of both the 9th Street Transit Station and the Parkwood Transit Station. There is partial sub-standard existing curb and gutter on N Brevard Street, but no sidewalk. CDOT will work with the petitioner during the permitting to upgrade the streetscape in accordance with city ordinances and to develop a street network to serve the TOD zoning requested.

• Active Projects:

- Brevard St. Bike Boulevard
 - Scope: add pavement markings and wayfinding signage to Brevard St. and Belmont Ave.
 - Limits: 12th St. to Little Sugar Creek/XCLT
 - Phase: Construction
 - PM: Sila Vlachou
 - avlachou@charlottenc.gov
 - 980-214-8022
- Parkwood Ave. Streetscape
 - Scope: 4-to-3 road diet of Caldwell St. and Parkwood Ave., with new traffic signals at Belmont Ave. and 16th St., pedestrian lighting, and separated bike lanes and multi-use path along Parkwood Ave.
 - Limits: Caldwell St./CSX Railroad bridge to Parkwood Ave./Davidson St. intersection
 - Phase: Real Estate
 - PM: Sharon Buchanan
 - sdbuchanan@charlottenc.gov
 - 980-714-7229
- 16th St. Streetscape
 - Scope: Add sidewalks, pedestrian lighting to 16th St. between Tryon St. and Parkwood Ave.
 - Phase: Construction (incorporated into a Charlotte Water sewer project managed by Matthew Bedford at CW)

- PM: Leslie Bing
 - Ibing@charlottenc.gov
 - 704-577-8609
- Transportation Considerations
 - No outstanding issues.
 - Vehicle Trip Generation:

Current Zoning:

Existing Use: 890 trips per day (based on 69,100 SF of warehouse/office uses).

Entitlement: too many uses to determine (based on 2.51 acres of TOD-M(O) and remainder

I-2 uses).

Proposed Zoning: Too many uses to determine (based on 5.2 acres of TOD-UC).

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: 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: Water and sewer service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along N Brevard Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along the center of the parcel. See advisory comments at www.rezoning.org
- Engineering and Property Management:
 - Arborist: No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: See advisory comments at www.rezoning.org
 - **Urban Forestry:** 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.

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

Planner: Will Linville (704) 336-4090



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 25.File #: 15-14202 Type: Zoning Decision

Rezoning Petition: 2020-063 by Kappa Foundation of Charlotte

Location: Approximately 3.48 acres located at the west side of Beatties Ford Road, south of Pauline Lane, and north of Sunset Road. (Council District 2 - Graham)

Current Zoning: R-9 MF (CD) (multi-family residential, conditional), R-4 (single-family residential)

Proposed Zoning: INST (institutional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-063

August 4, 2020

Zoning Committee

REQUEST Current Zoning: R-9MF (CD) (multi-family residential, conditional)

and R-4 (single-family residential)
Proposed Zoning: INST (institutional)

LOCATION Approximately 3.48 acres located on the west side of Beatties

Ford Road, south of Pauline Lane, and north of Sunset Road.

(Council District 2 - Graham)

PETITIONER Kappa Foundation of Charlotte, Inc.

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Northwest Area Plan*, based on the information from the staff analysis and the public hearing and because:

 The plan recommends multi-family uses for the northern portion of the site and single-family uses for the southern part of the site.

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

- The Northwest Area Plan's (1990) goals include preserving, protecting, and enhancing the character of existing neighborhoods, as well as establishing a balanced land use pattern.
- This petition's request for an Institutional rezoning will continue to support the current use of this site, which has been occupied by the Kappa Foundation of Charlotte for over 30 years.
- Area plans do not typically recommend locations for future institutional uses.
- Institutional uses are considered compatible with residential uses.

The approval of this petition will revise the adopted future land use as specified by the *Northwest Area Plan* (1990), from multifamily and single-family to institutional for both parcels.

Motion/Second: Welton / Barbee

Petition 2020-063 (Page 2 of 2) Zoning Committee Recommendation

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

inconsistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER Michael Russell (704) 353-0225





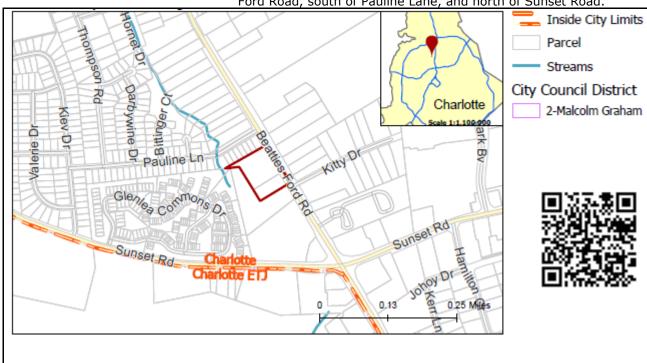
REQUEST Current Zoning: R-9MF (CD) (multi-family residential,

conditional) and R-4 (single-family residential)

Proposed Zoning: INST (institutional)

LOCATION

Approximately 3.48 acres located on the west side of Beatties Ford Road, south of Pauline Lane, and north of Sunset Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the INST zoning district on two parcels fronting Beatties Ford Road. One parcel is currently occupied by a fraternal organization and the other by a single-family residence.

PROPERTY OWNER PETITIONER

Kappa Foundation of Charlotte, Inc.

Kappa Foundation of Charlotte, Inc.

AGENT/REPRESENTATIVE

None

COMMUNITY MEETING

Meeting is not required.

STAFF	
RECOMMENDATION	١

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northwest Area Plan (1990)* recommendation of multi-family uses for the northern portion of the site, and **inconsistent** with the plan's recommendation of single family uses for the southern part of the site.

Rationale for Recommendation

• The Northwest Area Plan's (1990) goals include preserving, protecting, and enhancing the character of existing neighborhoods, as well as establishing a balanced land use pattern.

- This petition's request for an Institutional rezoning will continue to support the current use of this site, which has been occupied by the Kappa Foundation of Charlotte for over 30 years.
- Area plans do not typically recommend locations for future institutional uses.
- Institutional uses are considered compatible with residential uses.

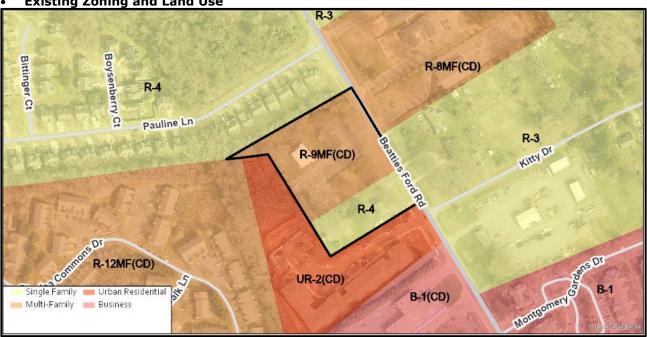
The approval of this petition will revise the adopted future land use as specified by the *Northwest Area Plan (1990)*, from multi-family and single-family to institutional for both parcels.

PLANNING STAFF REVIEW

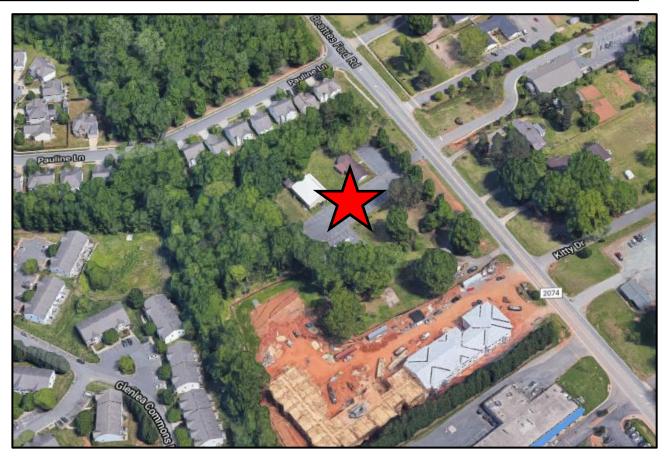
Proposed Request Details

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

Existing Zoning and Land Use



The site is developed with two single family homes and a warehouse that is home to a fraternal organization. Parcel 03711206 was rezoned by petition 1990-028(C) to R-9MF(CD) to allow for the addition of the warehouse. Surrounding land uses include apartments, townhomes, and single-family homes.



The site (marked with a red star) is developed with two single family homes and a warehouse used by a fraternal organization. Surrounding land uses include apartments, townhomes, and single-family homes.



The subject property is developed with two single family homes and a warehouse used by a fraternal organization.



The property to the north is developed with single family homes.



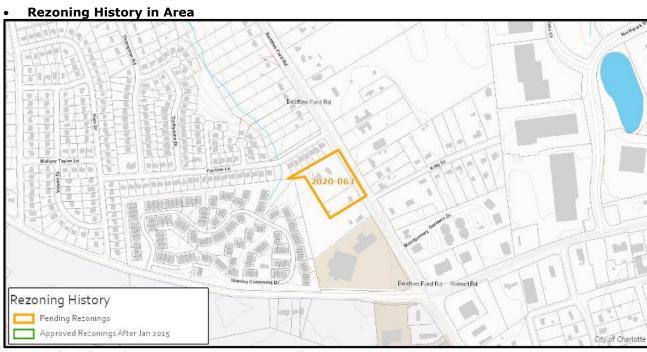
The property to the south is developed with apartments.



The property to the east is developed with single family homes.

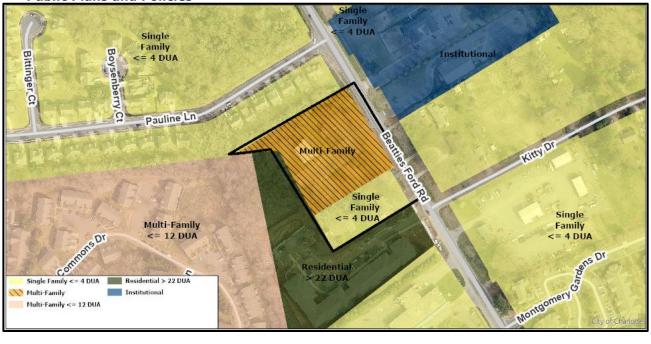


The property to the west is developed with townhomes.



• There have been no recent rezonings in the area.





• The Northwest Area Plan (1990) calls for multi-family uses and single family uses for the subject parcels in this rezoning.

TRANSPORTATION SUMMARY

- This site is on Beatties Ford Road (major thoroughfare, city maintained) and is in a Wedge outside Route 4. This site is within the limits of the Westside Strategy Plan Study Area.
- Active Projects:
- Beatties Ford Road Widening Project
 - Scope: Widen Beatties Ford Rd. to 4-lane divided from Capps Hill Mine Rd. to north of Pauline Ln.
 - Phase: Construction

Transportation Considerations

No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

Existing Use: 160 trips per day (based on 5,200 SF recreational community center and 1 single family dwelling).

Entitlement: 180 trips per day (based on 5,200 SF recreational community center and 3 single family dwellings).

Proposed Zoning: 1,920 trips per day (based on 63,390 SF recreational community center).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The 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 six-inch water distribution main located along Kitty Drive.
- Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along Beatties Ford Road.
- See advisory comments at www.rezoning.org

Engineering and Property Management:

• Arborist: No comments submitted.

- **Erosion Control:** No comments submitted.
- Land Development: No outstanding issues.
- Storm Water Services: No outstanding issues.
- Urban Forestry: 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.

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

Planner: Michael Russell (704) 353-0225



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 26.File #: 15-14203 Type: Zoning Decision

Rezoning Petition: 2020-065 by Herman E. Ratchford

Location: Approximately 15.84 acres located on the south side of Albemarle Road, west of Regal Oaks

Drive, and east of Farm Pond Lane. - (Council District 5 - Newton)

Current Zoning: O-1 (office)

Proposed Zoning: R-17 MF (multi-family residential)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-065
August 4, 2020

REQUEST Current Zoning: O-1 (office)

Proposed Zoning: R-17MF (multi-family residential)

LOCATION Approximately 15.84 acres located on the south side of

Albemarle Road, west of Regal Oaks Drive, and east of Farm

Pond.

(Council District 5 - Newton)

PETITIONER Herman E. Ratchford

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Eastland Area Plan* and the *General Development Policies* based on the information from the staff analysis and the public hearing and because:

- The plan recommends Single Family/Multi-Family/Office/Retail for this site.
- The *General Development Policies* guidelines support up to 17 DUA for the site.

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

- The site is currently developed with multi-family residential.
- The site is adjacent to other multi-family residential use in R-17MF zoning districts.
- The density increase from 12 DUA in O-1 to 17 DUA in R-17MF is consistent with other multi-family developments in the broader area zoned R-17MF. In addition, multi-family up to 22 dwelling units per acre would be allowed in the surrounding B-2 zoned areas.
- The proposed zoning would allow up to 17 units per acre, as supported by the General Development Policies.
- The site is located in an area with a mix of uses appropriate for moderate density multi-family use.

Motion/Second: Barbee / Blumenthal

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None

Petition 2020-065 (Page 2 of 2) Zoning Committee Recommendation

Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

consistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER John Kinley (704) 336-8311





REQUEST Current Zoning: O-1 (office)

Proposed Zoning: R-17MF (multi-family residential)

LOCATION Approximately 15.84 acres located on the south side of Albemarle Road, west of Regal Oaks Drive, and east of Farm Pond.

Bonnybrook Ln Inside City Limits Four Winds Drugs Is Ln Oaks Dr Wholing Co Parcel Four Seasons Ln Streams Regal AaaDr FEMA Flood Plain Charlotte Albemarie Rd Ola Lawyers Rd Albemarle Rd Albemarle Rd City Council District 5-Matt Newton acy Dr Woodbend Dr Doomsele Recutive Center Dr Bonlyn Dr Riding Trail Rd Baraway D Rambling Rose Dr Fox Hunt Rd

SUMMARY OF PETITION

The petition proposes to allow all uses in the R-17MF district. It is a conventional petition.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Triangle Woodbridge Inc. Herman E. Ratchford

Donald D. Smith, Robinson & Sawyer, Inc.

COMMUNITY MEETING Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Eastland Area Plan (2003)* recommendation for Single Family/Multi-Family/Office/Retail for this site. The *General Development Policies* guidelines support up to 17 DUA for the site.

Rationale for Recommendation

- The site is currently developed with multi-family residential.
- The site is adjacent to other multi-family residential use in R-17MF zoning districts.
- The density increase from 12 DUA in O-1 to 17 DUA in R-17MF is consistent with other multi-family developments in the broader area zoned R-17MF. In addition multi-family up to 22 dwelling units per acre would be allowed in the surrounding B-2 zoned areas.
- The proposed zoning would allow up to 17 units per acre, as supported by the *General Development Policies*.

The site is located in an area with a mix of uses appropriate for moderate density multi-family use.

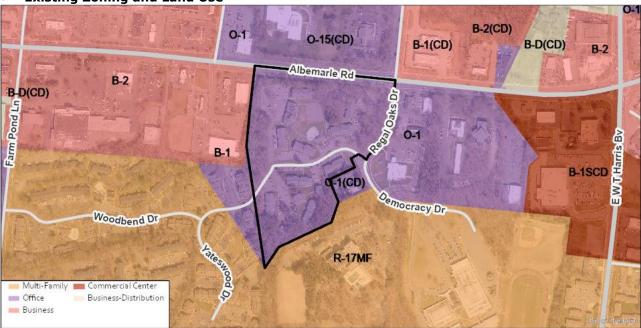
PLANNING STAFF REVIEW

Proposed Request Details

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

 Allows all uses permitted in the R-17MF zoning district, which is a multi-family residential zoning district.

Existing Zoning and Land Use



The area is developed with a mix of uses including commercial, office, institutional and multi-family residential. The site, indicated by the red star, is adjacent to other multi-family development in R-17MF zoning to the southwest.





North of the site, across Albemarle Road is an office and financial institutional use.



East of the site, across Royal Oaks Drive are medical office uses.



South of the site is Simmons YMCA.



Also south of the site along Yateswood and Bentwood Drives is multi-family use.



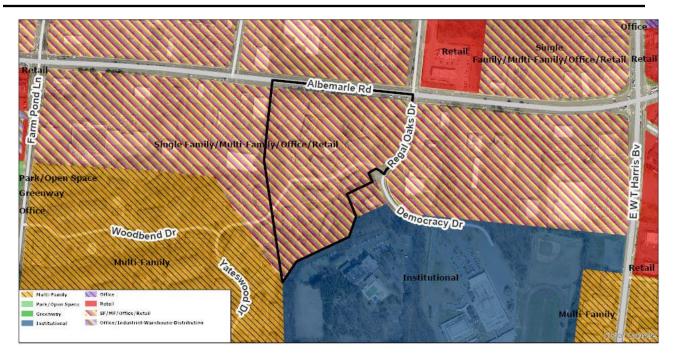
West of the site along Albemarle Road are commercial uses.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2014-108	1.4 acres west of site on Farm Pond Lane to B-D(CD) to allow self storage use.	Approved
2016-096	1.5 acres northeast of the site on Lawyers Road to O-2.	Approved
2017-206	3.3 acres northeast of the site on Lawyers Road to B-2(CD) to allow commercial uses including a car wash and uses with accessory drive-thru service window.	Approved

• Public Plans and Policies



- The Eastland Area Plan recommends Single Family/Multi-Family/Office/Retail for this site.
- The General Development Policies (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the General Development Policies locational criteria for consideration of up to 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 17 dua
Meeting with Staff	1
Sewer and Water Availability	3
Land Use Accessibility	3
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 13

TRANSPORTATION SUMMARY

The petition is located on the southwest corner of the intersection of Albemarle Rd. (a commercial thoroughfare) and Regal Oaks Dr. (a collector street). Yateswood Dr. bisects the site. Albemarle Rd. is maintained by NCDOT, Regal Oaks Dr. is maintained by the City of Charlotte, and Yateswood Dr. is currently a private street, but would be a collector street if it were public. The petition is located in a designated Wedge outside Route 4. Regal Oaks Dr. connects to Democracy Dr., which currently dead-ends into Albemarle Road Middle School but is set up to be extended to Harris Boulevard. The site is located on a commercial thoroughfare and two collector streets. Albemarle Road and Regal Oaks has sidewalk at the back of curb. CDOT will work with the petitioner during the permitting to meet the required ordinance for multi-family land use by the Subdivision ordinance.

Active Projects:

o NA

Petition 2020-065

• Transportation Considerations

No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

Existing Use: 1410 trips per day (based on 192 apartment dwellings). Entitlement: 1660 trips per day (based on 158,400 square feet of office). Proposed Zoning: 1990 trips per day (based on 269 apartment 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: See advisory comments at www.rezoning.org
- Charlotte Fire Department: No outstanding issues.
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate 48 students, while the development allowed under the proposed zoning may produce 68 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 20 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Albemarle Road Elementary from 120% to 125%
 - Albemarle Road Middle from 125% to 127%
 - Independence High from 121% to 122%.
 - Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Democracy Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Democracy Drive. Insert location information from memo. No outstanding issues.
- Engineering and Property Management:
 - Arborist: No outstanding issues.
 - Erosion Control: No outstanding issues.
 - Land Development: No outstanding issues.
 - Storm Water Services: No outstanding issues.
 - Urban Forestry: 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.

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

Planner: John Kinley (704) 336-8311



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 27.File #: 15-14204 Type: Zoning Decision

Rezoning Petition: 2020-070 by Elmington Capital Group

Location: Approximately 5.8 acres located on the south side of Bullard Street, the north side of Joy

Street, and west of Ashley Road. (Council District 3 - Watlington)

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

Proposed Zoning: UR-2 (CD) SPA (urban residential, conditional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of technical revisions related to environment.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZC

Rezoning Petition 2020-070

August 4, 2020

Zoning Committee

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

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

site plan amendment)

LOCATION Approximately 5.8 acres located on the south side of Bullard

Street, the north side of Joy Street, and west of Ashley Road

(Council District 3 - Watlington)

PETITIONER Elmington Capital Group

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Central District Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends multi-family residential uses.

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

- The petition is consistent with the multi-family land use recommendation for the site.
- The site is already zoned for multi-family development, as per rezoning petition 2016-134.
- The proposed plan helps to expand housing options within the neighborhood by providing income restricted multifamily units.
- The plan addresses compatibility with single family residential by providing additional buffers and architectural standards.

Motion/Second: Nwasike / Welton

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

One of the committee members asked whether this project was age restricted or affordable. Staff stated that the approved rezoning plan was for age restricted but now the petitioner is committing to building affordable units

One of the committee members asked if there was a change in the number of units from the public hearing to the Zoning Committee meeting. Staff confirmed that there was no change in the number of units from public hearing to the current plan. The proposed plan did increase the number of units from what was approved in the original rezoning.

There was no further discussion of this petition.

PLANNER

Lisa Arnold (704) 336-5967





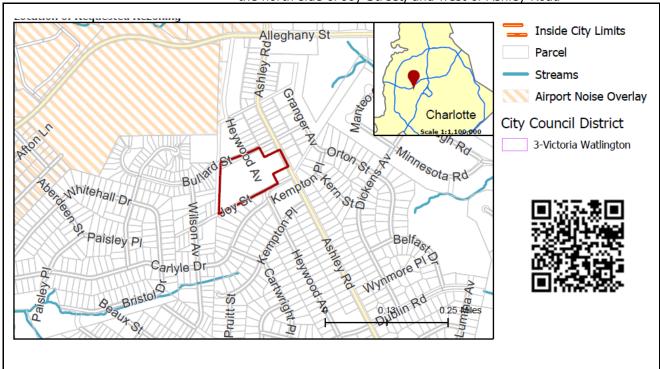
REQUEST Current Zoning: UR-2(CD) (urban residential, conditional)

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

site plan amendment)

LOCATION Approximately 5.8 acres located on the south side of Bullard Street,

the north side of Joy Street, and west of Ashley Road



SUMMARY OF PETITION

The petition proposes a site plan amendment for UR-2(CD) SPA to allow the construction of 150 dwelling units with a density of 26 dwelling units per acre.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

Ashley Road Holdings, LLC Elmington Capital Group

Collin Brown and Brittany Lins, Alexander Ricks

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to technical revisions related to environment.

Plan Consistency

The petition is **consistent** with the *Central District Plan's* (1993) recommendation for multi-family residential uses.

Rationale for Recommendation

- The petition is consistent with the multi-family land use recommendation for the site.
- The site is already zoned for multi-family development, as per rezoning petition 2016-134.

- The proposed plan helps to expand housing options within the neighborhood by providing income restricted multifamily units.
- The plan addresses compatibility with single family residential by providing additional buffers and architectural standards.

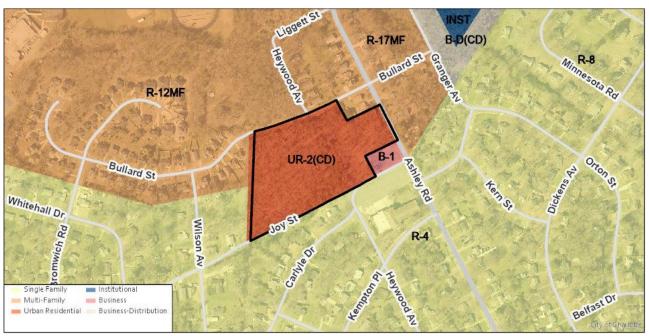
PLANNING STAFF REVIEW

Proposed Request Details

The site plan amendment contains the following changes:

- Increases the total number of units from 108 multi-family dwellings to 150 multi-family dwellings.
- Changes the type of housing product from a mix of age restricted and non-age restricted to all income restricted units. The units will be restricted to households that earn 30-80% area median income (AMI) for a period of fifteen (15) years.
- Requests to abandon a portion of Joy Street.
- Provides an 8' planting strip and 8' sidewalk along public street frontages.
- Maintains the requirement for architectural standards that include building materials, building massing and height, elevation design, and roof form and articulation.
- Requires site lighting to be less than 21' in height and full cut off fixtures.
- Commits to constructing a new public street connecting Bullard and Joy Street.

Existing Zoning and Land Use

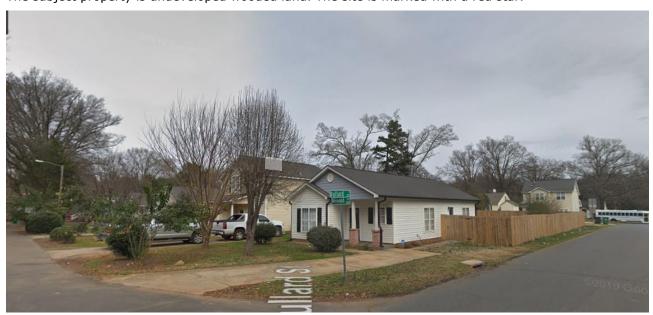


The site was rezoned in 2017 under petition 2016-134 from R-12MF to UR-2(CD) to allow 108 multi-family dwelling units. The surrounding land uses include single family residential and institutional uses.

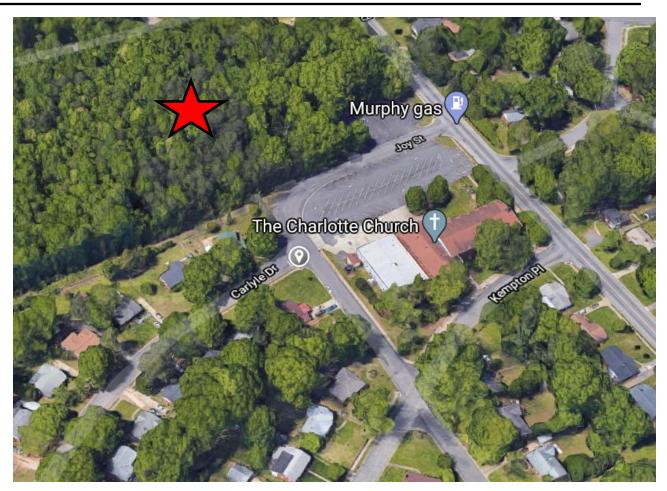
Petition 2020-070 (Page 3 of 7) Final Staff Analysis



The subject property is undeveloped wooded land. The site is marked with a red star.



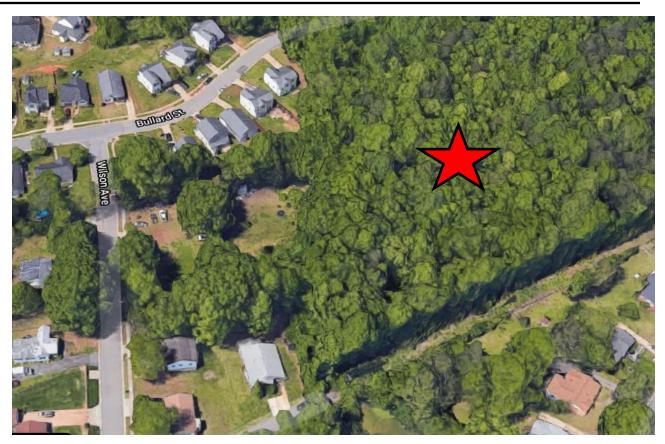
The properties to the north are developed with single family houses.



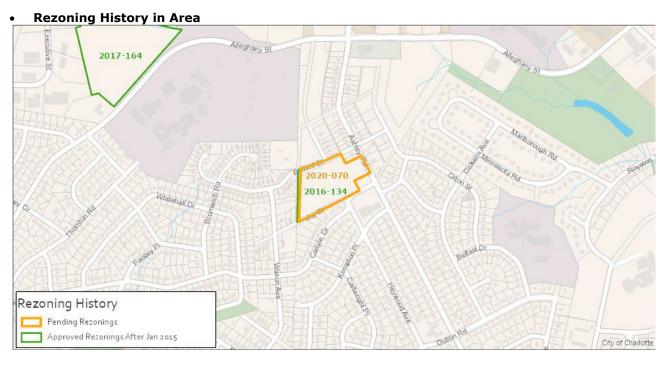
The properties to the south are developed with single family houses and a religious institution. The subject property is marked with a red star.



The properties to the east are developed with single family residences.



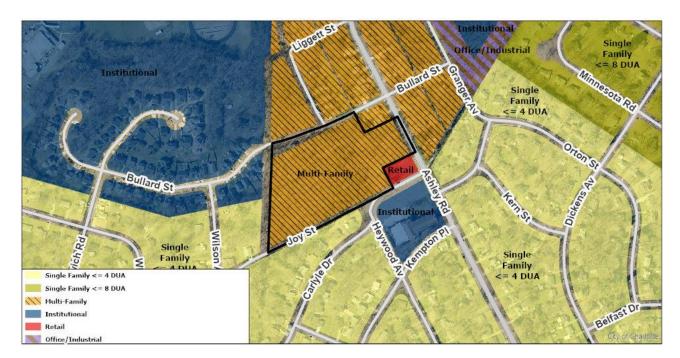
The properties to the west are developed with single family residential houses. The subject property is marked with a red star.



Petition Number	Summary of Petition	Status
2016-134	The petition rezoned property to UR-2 (CD) to allow the development of a 108 unit multi-family development.	Approved
2017-164	The petition rezoned property to R-12MF(CD) AIR (multifamily residential, conditional, airport noise overlay) to allow the development of a multi-family housing development.	Approved

Petition 2020-070 (Page 6 of 7) Final Staff Analysis

• Public Plans and Policies



• The Central District Plan recommends multi-family residential development for this site, as a result of rezoning petition 2016-134.

TRANSPORTATION SUMMARY

The site is located on Ashley Road (minor thoroughfare, city maintained) and Joy Street (local street, city maintained). The petition is in a Corridor and is inside Route 4. The applicable plan for the area is the Westside Strategy Plan.

• Active Projects:

- o Ashley Road Sidewalk
 - Scope: Install sidewalk on east side of Ashley Road between Greenland Avenue and Alleghany Street
 - Phase: Construction
 - PM: Chandler Crofts
 - ccrofts@charlottenc.gov
 - 980-214-7291

Transportation Considerations

See Outstanding Issues, Notes 1-6

Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 770 trips per day (based on 72 apartments and 60 senior apartments).

Proposed Zoning: 1,100 trips per day (based on 150 apartments).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 14 students, while the development allowed under the proposed zoning may produce 30 students. Therefore, the net increase in the number of students generated from existing zoning to proposed
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:

Petition 2020-070 (Page 7 of 7) Final Staff Analysis

- Westerly Hills Elementary from 103% to 106%
- Wilson Middle from 90% to 92%
- Harding University High from 132% to 132%.
- Charlotte Water: No comments submitted.
- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: See Requested Technical Revisions, Note 8
 - Storm Water Services: See Requested Technical Revisions, Note 8
 - Urban Forestry: 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 comments submitted.

OUTSTANDING ISSUES

Transportation

- 1. Curbline The proposed zoning district has a setback measured from back of the existing or proposed future curbline.
 - a. Ashley Road: The typical future location of curb and gutter is 21.5 feet from road center line to accommodate for one thru lane and a buffered bike lane, in accordance with the Charlotte BIKES council-adopted policy. As discussed from the 06/22/2020 meeting please show the future and existing curb lines for reference and confirm that setback is from existing road centerline-Addressed
- 2.—As discussed from the 06/22/2020 meeting please add dimension from road centerline to proposed back of curb for a local residential medium section per USDG. The site plan should show the curb and gutter labeled and dimensioned from the centerline for each road. Addressed
- 3. Outstanding with additional clarifying comments: The petitioner should revise the site plan and conditional note(s) to revise all references to right-of-way abandonment to "potential abandonment." A conditional note within Section III should include "The petitioner should complete and submit the Right of way Abandonment Petition form to CDOT for review. The decision of this rezoning petition does not correlate with the decision of the possible abandonment, as this decision is issued within the separate Right of Way Abandonment process that is controlled by North Carolina General Statutes." Please add the aforementioned statement to the conditional notes and highlight specific limits of requested right-of-way abandonment.
- 4. Right of way should be set at 2' behind back of sidewalk where feasible. Addressed
- New Comment from 06/22/2020 meeting: Should be included in conditional notes, Section III,
 "Additional residential amenities, such as bus passes, that will further encourage use of the Public
 Transportation System, should be pursued and provided by the Petitioner if and when feasible."
 Addressed
- 6.—To conditional Note III.8, please add language demonstrating that the constructed crosswalk will be a HAWK Signal. This was due to the speeds on Ashley Road. Addressed

Site and Building Design

7.—Provide some vegetation as a buffer along property line if Joy Street ROW is abandoned. Please note on plan. Original submittal committed to a buffer in this location (34' Class C), a continuous row of shrubs is not sufficient. Addressed

REQUESTED TECHNICAL REVISIONS

Environment

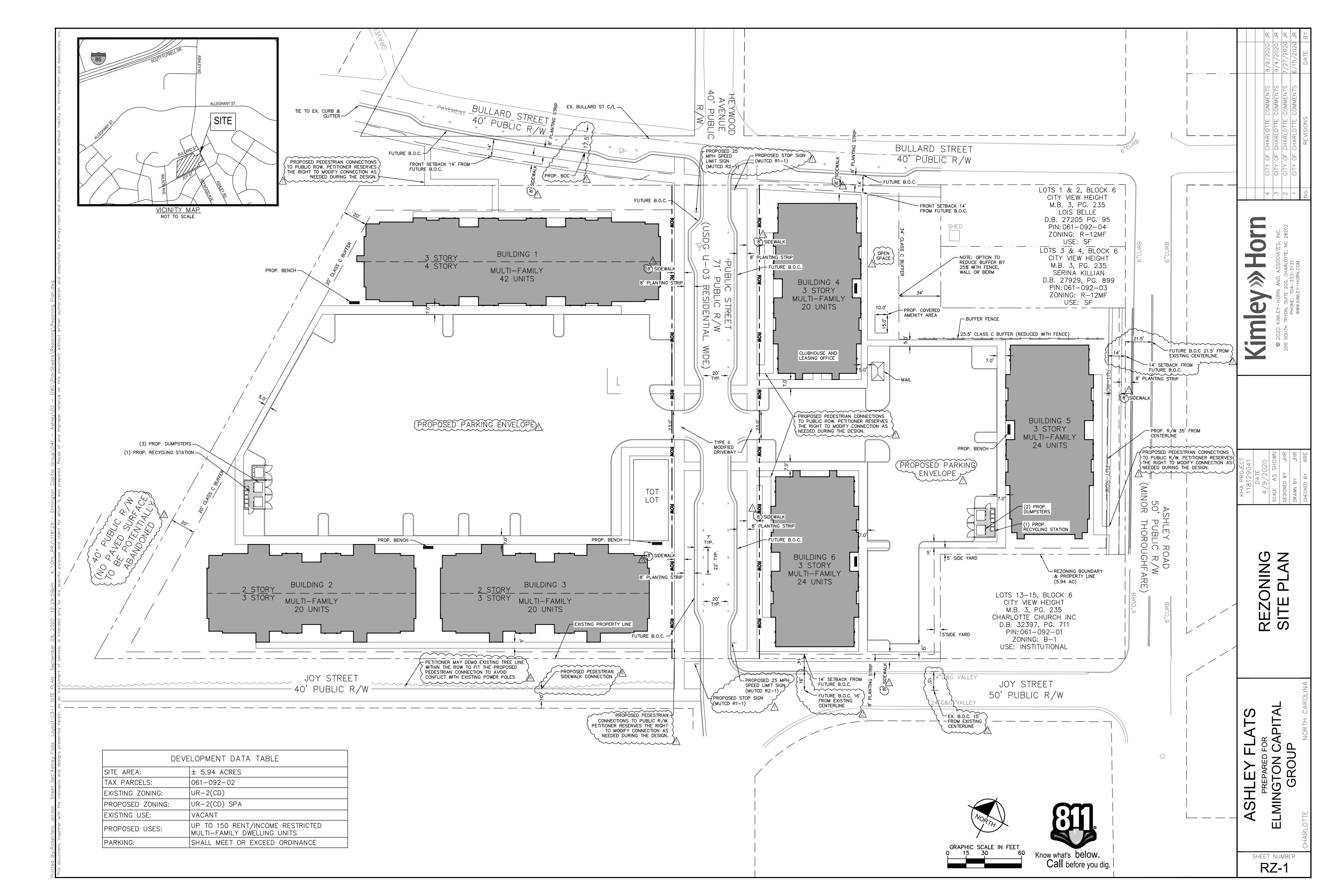
8. Add the following note under the Environmental Features heading: For adjoining parcels receiving storm water discharge the petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to the nearest improved public R/W (downstream of Joy Street). If the existing storm water conveyance on the adjoining parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.

Site and Building Design

9. Clarify on plan the section of Joy Street for which abandonment will be requested. Addressed

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

Planner: Lisa Arnold (704) 336-5967



GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE SITE PLAN AMENDMENT ASSOCIATED WITH THE REZONING PETITION FILED BY ELMINGTON CAPITAL GROUP (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RENT/INCOME RESTRICTED RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 5.94-ACRE SITE LOCATED ON THE WEST SIDE OF ASHLEY ROAD, NORTH OF JOY STREET, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF A PORTION OF TAX PARCEL NUMBER 061-092-02.

2. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").

3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.

4. FUTURE AMENDMENTS OR MODIFICATIONS 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 OR MODIFICATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

5. THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

6. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, STANDARDS, POLICIES, AND APPROPRIATE DESIGN MANUALS WILL EXIST. THOSE CRITERIA (FOR EXAMPLE, ONES THAT REQUIRE BUFFERS, REGULATE STREETS, SIDEWALKS, TREES, STORMWATER, AND SITE DEVELOPMENT ETC.) WILL APPLY TO THE DEVELOPMENT SITE. CONDITIONS OUTLINED IN THE PETITION ARE SUPPLEMENTAL REQUIREMENTS IMPOSED ON THE DEVELOPMENT IN ADDITION TO THE OTHER STANDARDS. WHERE CONDITIONS ON THIS PLAN DIFFER FROM ORDINANCES, STANDARDS, POLICIES, AND APPROACHES IN EXISTENCE AT THE TIME OF FORMAL ENGINEERING PLAN REVIEW SUBMISSIONS, THE STRICTER CONDITION OR EXISTING REQUIREMENTS SHALL APPLY.

7. 100% OF THE TOTAL NUMBER OF MULTI-FAMILY DWELLING UNITS ACTUALLY CONSTRUCTED ON THE SITE SHALL MAINTAIN MONTHLY RENTS THAT ARE INCOME RESTRICTED FOR HOUSEHOLDS EARNING A RANGE FROM 30% TO 80% OF THE AREA MEDIA INCOME (AMI) FOR A PERIOD OF NOT LESS THAN FIFTEEN (15) YEARS FROM THE DATE OF ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE FIRST BUILDING TO BE

CONSTRUCTED ON THE SITE.

II. PERMITTED USES

THE SITE MAY BE DEVOTED ONLY TO A RENT/INCOME RESTRICTED RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF ONE HUNDRED FIFTY (150) MULTI-FAMILY DWELLING UNITS AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE PERMITTED IN THE UR-2 ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, AMENITIES FOR THE RESIDENTS, SUCH AS BUT NOT LIMITED TO A CLUBHOUSE, PLAYGROUND, TOT-LOT, PICNIC AREA AND/OR FITNESS CENTER.

III. TRANSPORTATION

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND AS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT).

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

3. BULLARD STREET TO BE BUILT TO "LOCAL RESIDENTIAL WIDE" STANDARD HALF-SECTION ALONG THE SITE FRONTAGE.

4. PETITIONER SHALL CONSTRUCT THE EXTENSION OF HEYWOOD AVENUE THROUGH THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS LOCAL PUBLIC STREET SHALL BE BUILT TO THE LOCAL RESIDENTIAL WIDE TYPICAL STREET SECTION AS SPECIFIED IN THE CHARLOTTE LAND DEVELOPMENT STANDARDS. MINOR ADJUSTMENTS TO THE LOCATION OF THE INTERNAL STREET SHALL BE ALLOWED DURING THE CONSTRUCTION

PERMITING PROCESS IN COORDINATION WITH CDOT 5. PETITIONER SHALL PROVIDE MUTCD STOP SIGNS AT ALL PUBLIC STREET INTERSECTIONS WITHIN THE SITE.

6. PETITIONER SHALL PROVIDE MUTCD 25 MPH SPEED LIMITS SIGNS ON THE PROPOSED PUBLIC STREET THROUGH THE SITE.

PETITIONER SHALL RECONSTRUCT A NEW ADA COMPLIANT BUS WAITING PAD AND SHELTER PER LAND DEVELOPMENT STANDARD #60.03A ALONG THE SITE'S FRONTAGE OF ASHLEY ROAD. FINAL LOCATION OF THE BUS WAITING PAD SHALL BE COORDINATED WITH CATS DURING THE PERMITTING PROCESS.

PETITIONER COMMITS TO WORK WITH CDOT TO EVALUATE THE FEASIBILITY OF A HAWK SIGNAL PEDESTRIAN CROSSING OVER ASHLEY ROAD. IF APPROVED, PETITIONER SHALL CONSTRUCT THE CROSSWALK TO SPECIFICATIONS AS COORDINATED WITH CDOT DURING THE PERMITTING

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

10. ADDITIONAL RESIDENTIAL AMENITIES, SUCH AS BUS PASSES, THAT WILL FURTHER ENCOURAGE USE OF THE PUBLIC TRANSPORATION SYSTEM, SHOULD BE PURSUED AND PROVIDED BY THE PETITIONER IF AND WHEN

11. UNLESS STATED OTHERWISE HEREIN, THE PETITIONER SHALL ENSURE THAT ALL TRANSPORTATION IMPROVEMENTS ARE SUBSTANTIALLY COMPLETED AND ALL RIGHTS-OF-WAY DEDICATED IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY.

IV. ARCHITECTURAL STANDARDS

1. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS SHALL BE COMPRISED OF A COMBINATION OF PORTIONS OF BRICK, BRICK VENEER, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, CEMENTITIOUS SIDING, FIBER CEMENT ("HARDIPLANK") AND OR OTHER MATERIALS APPROVED BY THE PLANNING DIRECTOR.

2. PROHIBITED EXTERIOR BUILDING MATERIALS: (I) VINYL SIDING, EXCLUDING VINYL HANDRAILS, WINDOWS, SOFFITS, DOORS, GARAGE DOORS, RAILINGS, OR TRIM, AND (II) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.

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

a. BUILDING STREET FRONTAGE: WITH THE EXCEPTION OF BUILDING 2 AS GENERALLY LABELED ON THE REZONING PLAN, BUILDINGS SHALL BE ARRANGED AND ORIENTED TO FRONT ALONG ASHLEY ROAD, HEYWOOD AVENUE EXTENSION, AND BULLARD STREET

b. DRIVEWAYS FOR PRIVATE RESIDENTIAL GARAGES AND/OR PARKING SHALL BE PROHIBITED ON ALL NETWORK-REQUIRED STREETS.

c. BUILDING ENTRANCES SHALL BE AT OR SLIGHTLY (1'OR MORE) ABOVE GRADE AND SHALL BE HIGHLY VISIBLE AND ARCHITECTURALLY TREATED AS PROMINENT PEDESTRIAN ENTRANCES THROUGH A COMBINATION OF AT LEAST THREE (3) OF THE FOLLOWING FEATURES: (I) DECORATIVE PEDESTRIAN LIGHTING SCONCES; (II) ARCHITECTURAL DETAILS CARRIED ABOVE THE GROUND FLOOR; (III) COVERED PORCHES, CANOPIES, AWNINGS OR SUNSHADES; (IV) ARCHWAYS; (V) TRANSOM WINDOWS; (VI) TERRACED OR RAISED PLANTERS THAT CAN BE UTILIZED AS SEAT WALLS: (VII) COMMON OUTDOOR SEATING ENHANCED WITH SPECIALTY DETAILS, PAVING, LANDSCAPING OR WATER FEATURES; (VIII) DOUBLE DOORS; (IX) STOOPS OR STAIRS; AND/OR (X) CONTRASTING PAVEMENT FROM PRIMARY SIDEWALK.

d. BUILDINGS SHALL HAVE A MINIMUM TEN (10) FOOT SEPARATION FROM EACH OTHER.

4. BUILDING MASSING AND HEIGHT: BUILDING MASSING SHALL BE DESIGNED TO BREAK UP LONG, MONOLITHIC BUILDING FORMS THROUGH THE

FOLLOWING STANDARDS: a. BUILDING MASSING: BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (RECESS, PROJECTION, ARCHITECTURAL TREATMENT, ETC.). MODULATIONS SHALL BE A MINIMUM OF FIFTY (50) FEET WIDE AND SHALL EXTEND OR RECESS A MINIMUM OF FIVE (5) FEET, EXTENDING THROUGH ALL FLOORS. MODULATIONS SHALL OCCUR EVERY FIFTY (50) FEET, IF PROVIDED.

b. BUILDING HEIGHT: THE MAXIMUM HEIGHT IN FEET OF EACH BUILDING SHALL BE THREE STORIES OR 3/4-SPLIT, WHERE GENERALLY DEPICTED ON THE REZONING PLAN. AT NO POINT SHALL THE BUILDINGS EXCEED FOUR (4) STORIES.

5. ARCHITECTURAL ELEVATION DESIGN: ARCHITECTURAL ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST THROUGH THE FOLLOWING

a. VERTICAL MODULATIONS AND RHYTHM: BUILDING ELEVATIONS SHALL BE DESIGNED WITH RECOGNIZABLE VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES. THE BAYS AND FEATURES MAY INCLUDE, BUT NO LIMITED TO, A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, AND/OR RECESSES, PILASTERS, AND/OR CHANGE IN MATERIALS.

b. BUILDING BASE: BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE BASE. A MINIMUM OF THREE (3) ELEVATIONS OF EACH BUILDING SHALL BE ARTICULATED WITH A WAINSCOT OF PREFERRED EXTERIOR BUILDING MATERIALS LISTED ABOVE OF A MINIMUM OF THREE (3) FEET IN HEIGHT.

c. BLANK WALLS: BUILDING ELEVATIONS FACING ASHLEY ROAD, HEYWOOD AVENUE EXTENSION AND BULLARD STREET SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN TWENTY (20) FEET.

d. ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO, BANDING, MEDALLIONS, BUILDING ARTICULATION, AND/OR CHANGE IN MATERIALS WILL BE PROVIDED TO AVOID UNARTICULATED BLANK

6. ROOF FORM AND ARTICULATION: ROOF FORM AND ROOFLINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE THROUGH THE FOLLOWING STANDARDS:

a. LONG ROOFLINES (PITCHED OR FLAT) SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT

AND/OR ROOF FORM (E.G., DORMERS, GABLES, ETC.). b. FOR PITCHED ROOFS, IF PROVIDED, THE ALLOWED MINIMUM PITCH SHALL BE 5:12 (FIVE FEET IN VERTICAL HEIGHT FOR EVERY TWELVE IN HORIZONTAL LENGTH), EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.

c. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET AND FROM THE NEAREST SINGLE-FAMILY STRUCTURE.

7. SERVICE AREA SCREENING: SITE SERVICE AREAS (DUMPSTERS, REFUSE AREAS, RECYCLING, STORAGE) SHALL BE SCREENED FROM VIEW THROUGH THE FOLLOWING STANDARDS:

a. SERVICE AREAS WILL BE SCREENED VIA OPAQUE FENCES, WALLS AND/OR EVERGREEN SHRUBBERY.

b. UTILITY STRUCTURES NEED TO BE SCREENED ARCHITECTURALLY OR WITH EVERGREEN PLANT MATERIAL c. WALLS SHALL BE DESIGNED TO MATCH AND COMPLEMENT THE

BUILDING ARCHITECTURE OF THE RESIDENTIAL BUILDINGS OF THE

d. ALL DUMPSTERS WILL BE SCREENED WITH SOLID ENCLOSURES AND GATES. PETITIONER AGREES TO MEET ALL REQUIREMENTS AS STATED IN CHAPTER 9 AND 12 OF THE CHARLOTTE CITY CODE REGARDING SOLID WASTE, COMPACTOR AND RECYCLING AREAS.

STREETSCAPE/LANDSCAPING & AMENITIES

1. A MINIMUM EIGHT (8) FOOT WIDE PLANTING STRIP AND EIGHT (8) FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE WEST SIDE OF ASHLEY ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

2. CURB AND GUTTER ALONG WITH A MINIMUM EIGHT (8) FOOT WIDE PLANTING STRIP AND SIX (6) FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGÉ OF BULLARD STREET AS GENERALLY DEPICTED ON THE REZONING PLAN. EXACT ALIGNMENT OF THESE IMPROVEMENTS TO BE DETERMINED UPON CONFIRMATION OF CITY

RIGHT-OF-WAY CONVEYANCE FROM ADJACENT OWNER(S) 3. INTERNAL SIDEWALK CONNECTIONS ARE GENERALLY DEPICTED ON THE REZONING PLAN. THE LOCATION AND ORIENTATION OF THE SIDEWALK CONNECTIONS MAY BE ADJUSTED DUE TO DESIGN, GRADE, AND FEASIBILITY DURING THE PERMITTING PHASE OF DEVELOPMENT.

4. THE PETITIONER SHALL PROVIDE A MINIMUM OF FOUR (4) OF THE

FOLLOWING AMENITIES ON THE SITE: a. COMMUNITY ROOM

b. COMPUTER/BUSINESS CENTER

c. EXERCISE ROOM d. PICNIC AREA

e. OUTDOOR SEATING AREAS; AND/OR

- ERLAYGRQUND/TOT-LOT 5. THE PETITIONER SHALL PROVIDE A MINIMUM TEN (10) FOOT WIDE PEDESTRIAN PATH THROUGH THE EXISTING JOY STREET RIGHT-OF-WAY AREA FRONTING THE SITE, AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER SHALL MAINTAIN THE PATH THROUGH AN EASEMENT AGREEMENT OR OTHER MECHANISM TO ALLOW FOR LANDSCAPING MANAGEMENT, MOWING, AND SIMILAR MAINTENANCE

LOCAL ART ON THE SITE, TO BE COORDINATED DURING THE DESIGN PHASE OF DEVELOPMENT.

VI. ENVIRONMENTAL FEATURES

DEVELOPMENT THEREOF.

1. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. 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

2. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT UNREASONABLY EXTEND PAST ANY PROPERTY LINE OF THE SITE.

2. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN-SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE SHALL NOT EXCEED TWENTY-ONE (21) FEET.

3. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDINGS TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

VIII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS 1. 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

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

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> SHEET NUMBER RZ-2



City of Charlotte

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

Agenda Date: 9/21/2020

Agenda #: 28.File #: 15-14205 Type: Zoning Decision

Rezoning Petition: 2020-092 by K Sade Ventures, Inc.

Location: Approximately 93.86 acres located on the north side of University City Boulevard at the

Mecklenburg County/Cabarrus County line. (Outside City Limits)

Current Zoning: MX-1 (mixed residential) **Proposed Zoning:** MX-2 (mixed residential)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation Final Staff Analysis Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-092
August 4, 2020

REQUEST Current Zoning: MX-1 (mixed residential)

Proposed Zoning: MX-2 (mixed residential)

LOCATION Approximately 93.86 acres located on the north side of

University City Boulevard at the Mecklenburg County/Cabarrus

County line.

(Outside City Limits)

PETITIONER K Sade Ventures, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Northeast District Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends residential uses up to six DUA.

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

- The request to modify the zoning district does not change any prior entitlements from the approval of rezoning petition number 2018-160
- The request for the rezoning addresses a note in the approved plan that incorrectly indicates that more than 50 percent of the dwelling units within the MX-1 district could be multifamily dwelling units. MX-2 allows the proposed unit mixture (250 single family detached and 288 multi-family dwelling units), while the previously approved MX-1 does not.

Motion/Second: Barbee / Welton

Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,

Samuel, and Welton

Nays: None Absent: None Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is

consistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER William Linville (704) 336-4090

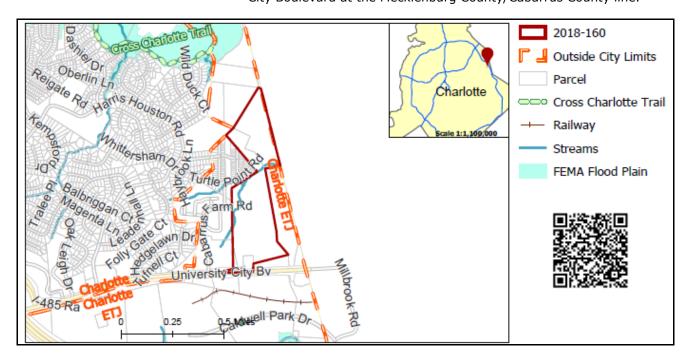




REQUEST Current Zoning: MX-1 (mixed residential)

Proposed Zoning: MX-2 (mixed residential)

LOCATION Approximately 93.86 acres located on the north side of University City Boulevard at the Mecklenburg County/Cabarrus County line.



SUMMARY OF PETITION

The petition is requesting to rezone approximately 93.86 acres in the NE portion of the County to allow for the construction of a residential community in northeast Charlotte consisting of single family detached, and multi-family development at a density of up to 6 dwelling units per acre (DUA).

PROPERTY OWNER

Samuel C. and James C. Johnson, Johnson Farming Limited

Partnership

PETITIONER

Keith Saieed, K Sade Ventures

AGENT/REPRESENTATIVE

John Carmichael, Ty Shaffer; Robin Bradshaw

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

SIAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Northeast District Plan* recommendation (as amended by petition 2018-160) for residential uses up to six DUA.

Rationale for Recommendation

- The request to modify the zoning district does not change any prior entitlements from the approval of rezoning petition number 2018-160
- The request for the rezoning addresses a note in the approved plan that incorrectly indicates that more than 50 percent of the

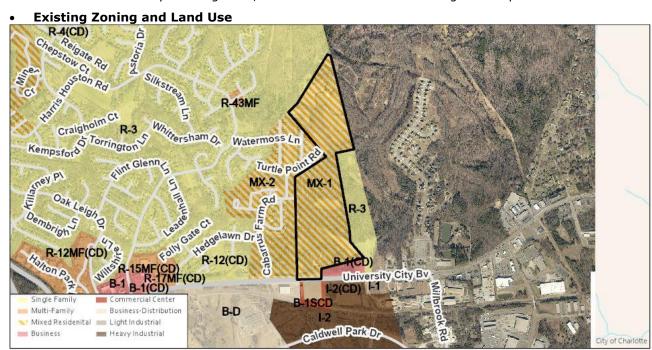
dwelling units within the MX-1 district could be multi-family dwelling units. MX-2 allows the proposed unit mixture (250 single family detached and 288 multi-family dwelling units), while the previously approved MX-1 does not.

PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

• A rezoning of the subject property MX-1 to MX-2 to permit more than 50 percent of dwelling units to be multi-family dwelling units; all entitlements remain unchanged from petition 2018-160.



• The site is bounded by a mixed residential development immediately east and by other single family residential developments. The land uses along this portion of University City Boulevard consist of a mixture of commercial and light industrial development. These land uses continue into Cabarrus County. The rest of the site is bounded by the Cabarrus County line and a mixture of forested and farmed land.



Aerial map of general site boundary delineated by red lines.



• The subject property is shown above with the red star. The site south of the subject across University City Boulevard has been partially developed with self-storage units.



 Looking south across US 49 from subject property. Self-storage site is located to the far right of the image.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2020-074	Petition to permit the construction of age restricted rental units.	Pending
2018-160	Petition to permit a mixture of up to 538 single and multifamily housing units.	Approved
2018-035	Petition to permit up to 120,000 square feet of uses permitted in the I-1 (light industrial) district that are also allowed in the I-2 (general industrial) district, plus certain additional uses permitted in the I-2 district; and 5,000 square feet of retail, personal service, and EDEE (eating/drinking/entertainment) uses, with or without an accessory drive through window.	Approved
2018-124	Conventional rezoning to allow development of all uses permitted in the I-1 (light industrial) district.	Approved

Public Plans and Policies



• The site is within the *Northeast District Plan* (1996) and recommended for residential uses up to six DUA.

TRANSPORTATION SUMMARY

This site is located along a Major Thoroughfare. This petition changes the rezoning district that will not impact any of the transportation improvements required under the previously approved Rezoning Petition #:2018-160. The petitioner has committed to upgrading streetscape to 8' planting strip and 12' Multi-Use path as prescribed for this area on University City Boulevard. Additionally, under Rezoning Petition #:2018-160, the petitioner submitted a Traffic Impact Study that was approved by both CDOT and NCDOT. The TIS recommendations are included in conditional notes for Rezoning Petition # 2018-160.

• Active Projects:

- N/A
- Transportation Considerations
 - No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 2,690 trips per day (based on 281 single family dwellings).

Proposed Zoning: 4,550 trips per day (based on 250 single family dwellings and 288 multi-family units).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: See advisory comments at www.rezoning.org.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org.
- Charlotte Fire Department: See advisory comments at www.rezoning.org.
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning would generate approximately 171 students, while the development allowed under the proposed zoning will generate approximately 326 students. Therefore, the net increase in the number of students is 155 students.
 - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Stoney Creek Elementary from 110% to 129%
 - James Martin Middle from 78% to 85%
 - Zebulon Vance High from 119% to 125%

Petition 2020-092 (Page 6 of 6) Final Staff Analysis

• 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 Charlotte Water to serve this parcel. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. Charlotte Water cannot provide concurrence for this rezoning boundary at this time. See remaining comments at www.rezoning.org.

Engineering and Property Management:

- Arborist: No comments submitted.
- Erosion Control: No comments submitted.
- Land Development: See advisory comments at www.rezoning.org.
- Storm Water Services: No outstanding issues.
- Urban Forestry: See Outstanding Issues, Note 3.
- Mecklenburg County Land Use and Environmental Services Agency:
- Mecklenburg County Parks and Recreation Department: See advisory comments at www.rezoning.com.

OUTSTANDING ISSUES

Site and Building Design

1.—Remove optional provisions (items 8, 9, and 10) as this district does not have optional provisions available. ADDRESSED

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

Planner: Will Linville (704) 336-4090

UNIVERSITY CITY BOULEVARD DEVELOPMENT STANDARDS

GENERAL PROVISIONS:

- a. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS TECHNICAL DATA SHEET (SITE PLAN) AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS SITE PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6.2 OF THE ZONING ORDINANCE.
- b. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, BICYCLE PARKING, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
- c. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

PURPOSE:

THE PURPOSE OF THIS PETITION IS TO PROVIDE FOR THE DEVELOPMENT OF A MIXED RESIDENTIAL COMMUNITY. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS TO REZONE THE SITE TO THE MX-2 CLASSIFICATION..

PERMITTED USE

THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 250 SINGLE FAMILY DETACHED DWELLING UNITS AND A MAXIMUM OF 288 MULTI-FAMILY DWELLING UNITS AND TO ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MX-2 ZONING DISTRICT.

RANSPORTATIO

- 1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- 2. THE ACTUAL LOCATION OF THE VEHICULAR ACCESS POINT ON UNIVERSITY CITY BOULEVARD SHALL BE DETERMINED DURING THE PERMITTING PROCESS.
- 3. THE SITE WILL BE SERVED BY INTERNAL PUBLIC STREETS AND INTERNAL PRIVATE DRIVES AND MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREETS AND THE INTERNAL PRIVATE DRIVES SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- 4. PETITIONER HAS FILED WITH THE PLANNING DEPARTMENT AN APPLICATION FOR AN EXCEPTION OR WAIVER TO ELIMINATE TWO STREET CONNECTIONS TO THE PARCELS OF LAND LOCATED TO THE WEST OF THE SITE. THESE TWO STREET CONNECTIONS ARE DESIGNATED ON THE SITE PLAN. IF THE EXCEPTION OR WAIVER IS GRANTED, PETITIONER SHALL NOT BE REQUIRED TO CONSTRUCT THESE TWO VEHICULAR CONNECTIONS.
- 5. PETITIONER SHALL INSTALL AN 8 FOOT WIDE PLANTING STRIP AND A 12 FOOT WIDE MULTI-USE PATH ALONG THE SITE'S FRONTAGE ON UNIVERSITY CITY BOULEVARD.
- 6. PETITIONER SHALL INSTALL 25 MILE PER HOUR SPEED LIMIT SIGNS ON THE PUBLIC STREETS LOCATED WITHIN THE SITE.
- 7. PETITIONER SHALL DEDICATE AND CONVEY ALL RELEVANT RIGHT OF WAY TO THE CITY OF CHARLOTTE OR TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AS APPLICABLE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE. THE RIGHT OF WAY SHALL BE SETBACK 2 FEET BEHIND THE BACK OF SIDEWALK WHERE FEASIBLE. IF IT IS NOT FEASIBLE, THE SIDEWALKS, OR PORTIONS THEREOF, MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- 8. ANY REFERENCE TO THE TERM "SUBSTANTIALLY COMPLETE" IN THIS SECTION OF THE DEVELOPMENT STANDARDS SHALL MEAN A DETERMINATION BY CDOT AND/OR NCDOT THAT THE APPLICABLE ROADWAY IMPROVEMENTS ARE DEEMED "SUBSTANTIALLY COMPLETE" FOR THE PURPOSE OF THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR BUILDING(S) ON THE SITE. HOWEVER, IN THE EVENT THAT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT PETITIONER MAY BE REQUIRED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH CERTIFICATES OF OCCUPANCY ARE ISSUED TO SECURE THE COMPLETION OF THE RELEVANT IMPROVEMENTS.
- 9. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL SUBSTANTIALLY COMPLETE THE TRANSPORTATION IMPROVEMENTS AND ITEMS SET OUT BELOW.

(A) NC 49 (UNIVERSITY CITY BOULEVARD) AND HARRIS HOUSTON ROAD/OAK LEIGH DRIVE

1. CONVERT INTERSECTION TO A SIGNALIZED LEFT-OVER.

- 2. PAY TO CDOT, PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, THE FULL COST OF A TRAFFIC SIGNAL TO BE INSTALLED BY OTHERS AT THIS INTERSECTION
- 3. STRIPE SOUTHBOUND HARRIS HOUSTON ROAD WITH A TWO-LANE CROSS-SECTION (ONE INGRESS AND ONE EGRESS). THE EGRESS WILL BE A RIGHT TURN.
- 4. MODIFY THE INTERSECTION OF NC 49 (UNIVERSITY CITY BOULEVARD) AND OAK LEIGH DRIVE TO ACCOMMODATE THE U-TURN OF TRUCKS.

(A) NC 49 (UNIVERSITY CITY BOULEVARD) AND CABARRUS FARM ROAD

- (1) CONVERT THE INTERSECTION TO A LEFT-OVER.
- (2) STRIPE SOUTHBOUND CABARRUS FARM ROAD WITH A TWO-LANE CROSS-SECTION (ONE INGRESS AND ONE EGRESS). THE EGRESS WILL BE A RIGHT TURN.

(B) NC 49 (UNIVERSITY CITY BOULEVARD) AND ACCESS A/EXTRA SPACE STORAGE DRIVEWAY

- (1) CONVERT INTERSECTION TO A DOUBLE LEFT-OVER.
- (2) STRIPE SOUTHBOUND ACCESS A WITH A TWO-LANE CROSS-SECTION (ONE INGRESS AND ONE EGRESS). THE EGRESS WILL BE A RIGHT TURN.

SOLID WASTE:

a. ALL SOLID WASTE AND RECYCLING SERVICES WILL BE PROVIDED IN ACCORDANCE WITH SECTION 12.403 OF THE ORDINANCE

MULTI-FAMILY BUILDINGS

ARCHITECTURAL AND SITE DESIGN STANDARDS

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

2. PROHIBITED EXTERIOR BUILDING MATERIALS:

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

b. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED

- 3. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:
- a. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE)
- b. BUILDINGS SHALL FRONT A MINIMUM OF 50% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS, POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS AND STORM WATER FACILITIES)
- PRIVATE STREET

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

c. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR

- 4. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS:a. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FACADE
- PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF 6 FEET EXTENDING THROUGH THE BUILDING.

 5. ARCHITECTURAL ELEVATION DESIGN ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS
- FOLLOWS:
- a. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS
- b. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING

- NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES
- C. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS
- 6. ROOF FORM AND ARTICULATION ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:
- a. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS
- b. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS
- c. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET
- 7. SERVICE AREA SCREENING SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20 PERCENT PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

STREETSCAPE AND LANDSCAPING: RESERVED

ENVIRONMENTAL FEATURES:

- a. THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE
- b. THE PETITIONER SHALL COMPLY WITH CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.

ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

- c. DEVELOPMENT WITHIN THE PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE
- d. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE

CHARLOTTE AREA TRANSIT SYSTEM

PARKS, GREENWAYS, AND OPEN SPACE:

RESERVED

RESERVED

FIRE PROTECTION:

RESERVED

SIGNAGE:

RESERVED

LIGHTING:

FREESTANDING LIGHTING ON THE SITE WILL UTILIZE FULL CUT-OFF LUMINARIES.

PHASING: RESERVED

BUFFERS:

SITE DEVELOPMENT SHALL COMPLY WITH THE TREE ORDINANCE; INCLUDING PROVIDING 10% TREE SAVE AREA BASED ON GROSS ACREAGE. REFER TO PLAN FOR APPROXIMATE LOCATIONS OF TREE SAVE AREAS.

GROSS SITE AREA - ±90.31 AC TREE SAVE AREA TO BE PROVIDED - ±9.03 AC

DEVELOPMENT DATA TABLE Site Acreage ± 90.31 AC Tax Parcels included in Rezoning 05111103 05111104 05122178 05111109 05111114 05111199

a. Existing Zoning:

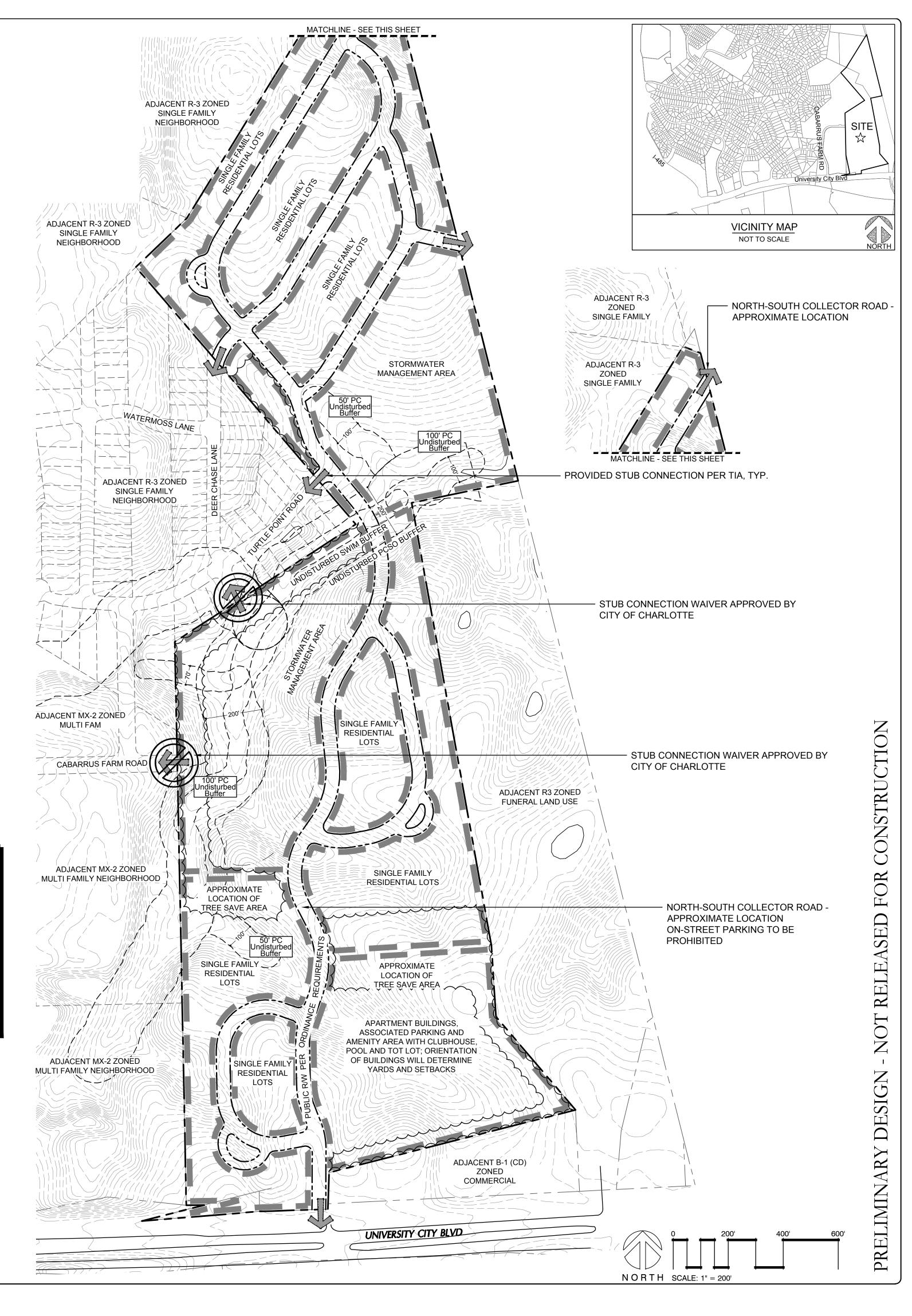
MX-1 (Rezoning Petition No. 2018-160)

MX-2

c. Number of Residential Units
d. Residential Density
5.73 Units/Acre
401. 3 stories mos

e. Maximum Building Heightf. Number and/or Ratio of Parking Spacesdudy 40', 3 stories max.To Meet Ordinance Requirements

g. Amount of Open Space To Meet Ordinance Requirements



PEI JOB#: 18389.PE



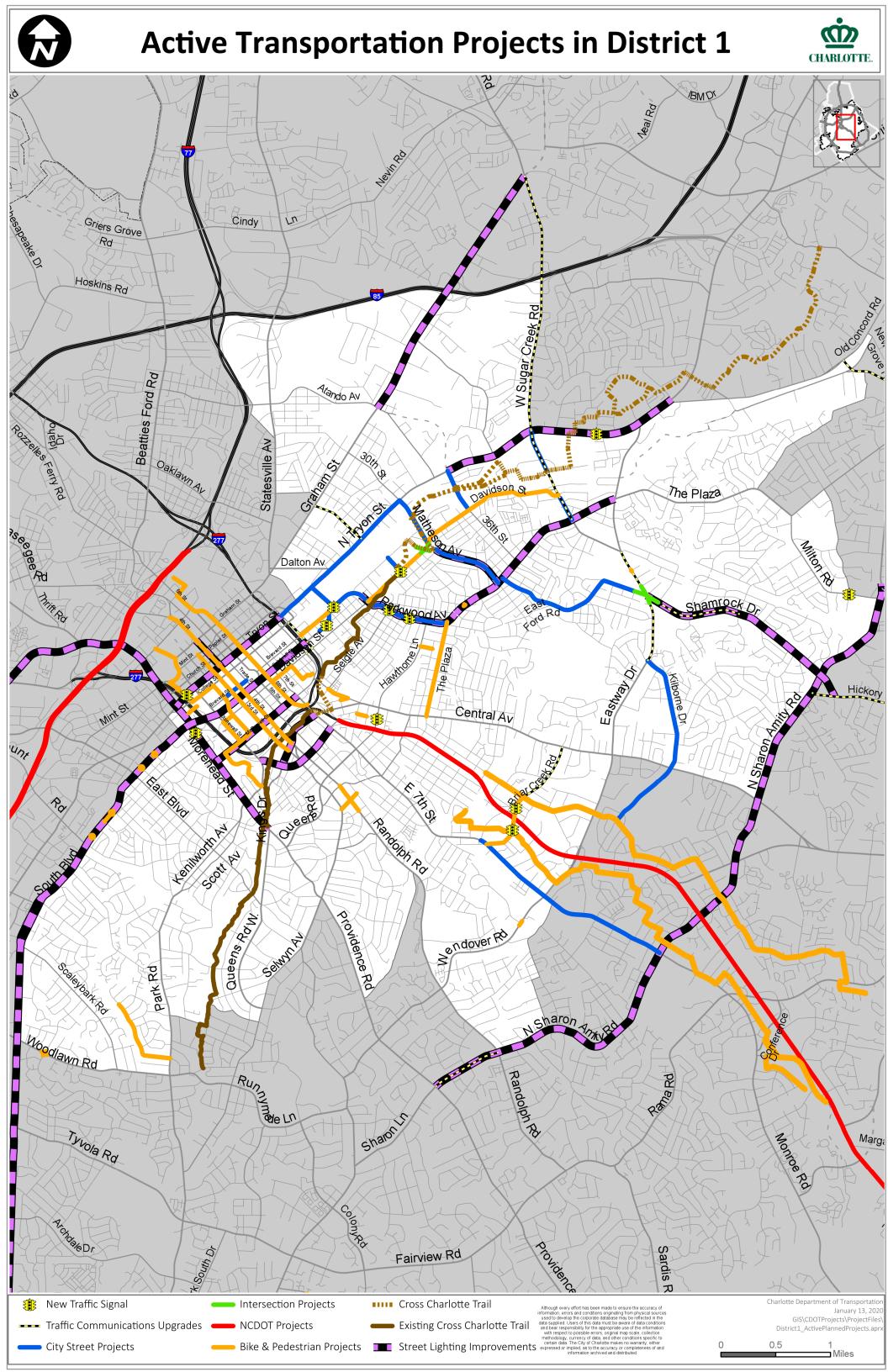
City of Charlotte

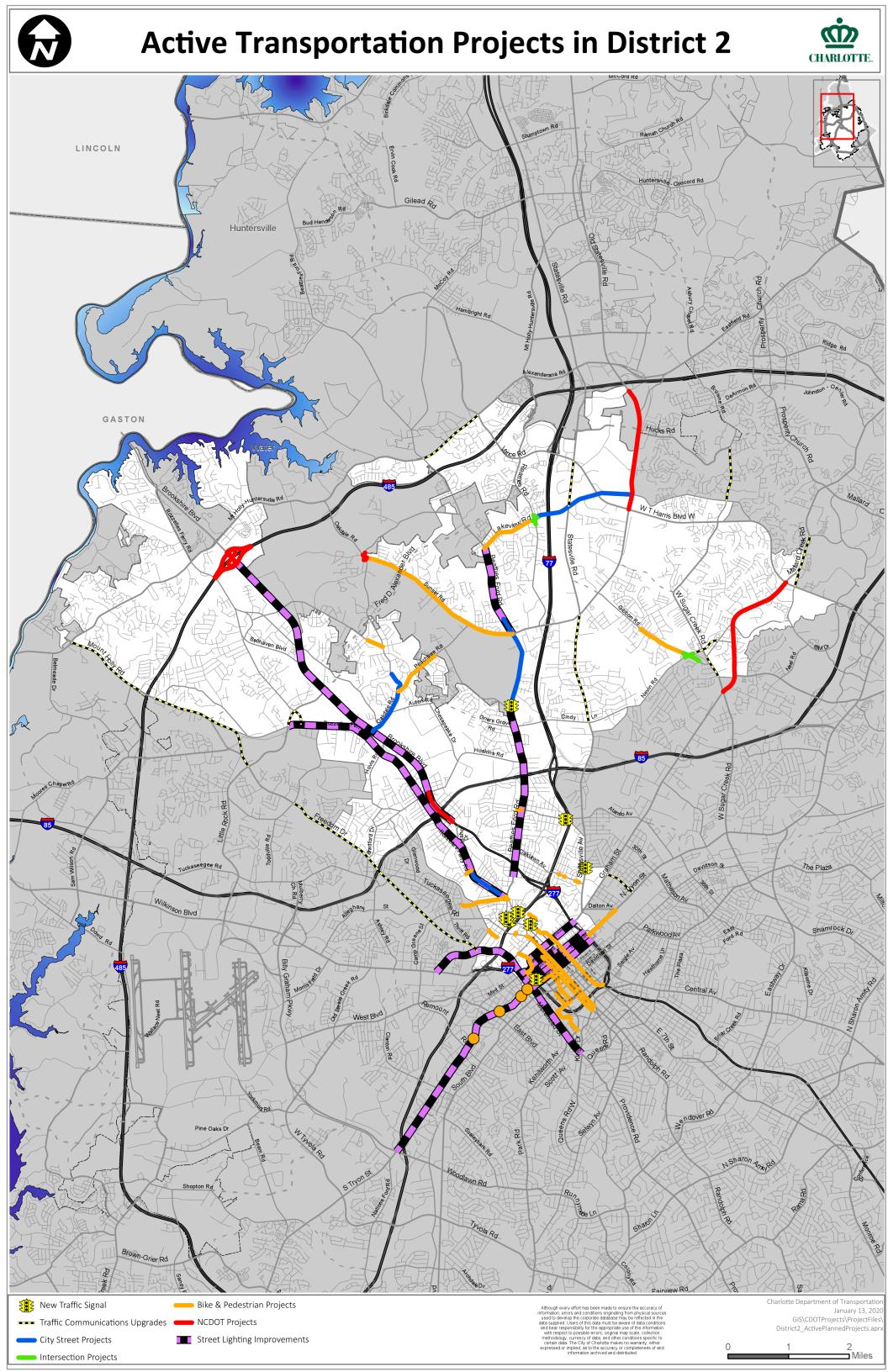
Charlotte-Mecklenburg Government Center 600 East 4th Street Charlotte, NC 28202

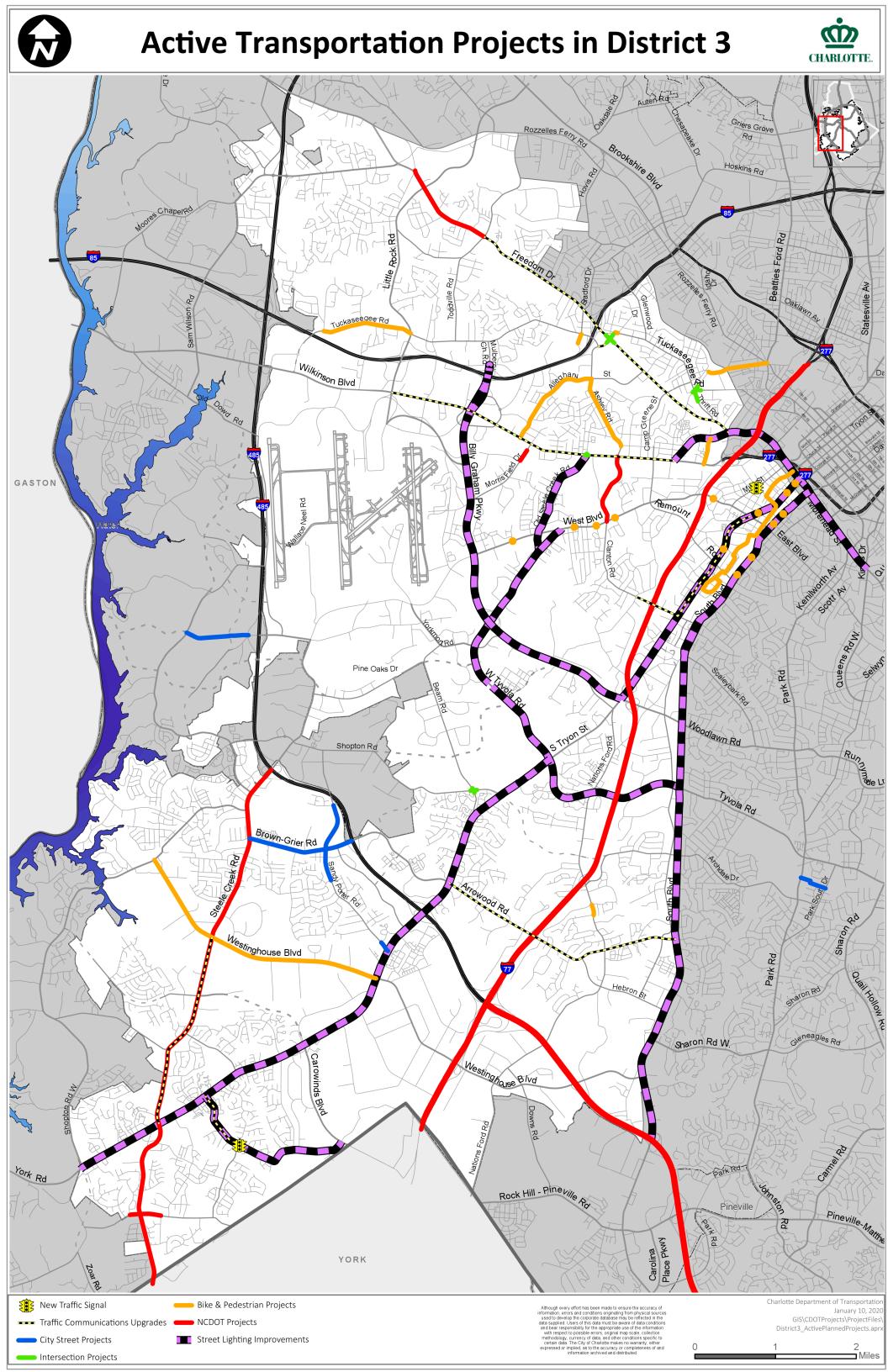
Agenda Date: 9/21/2020

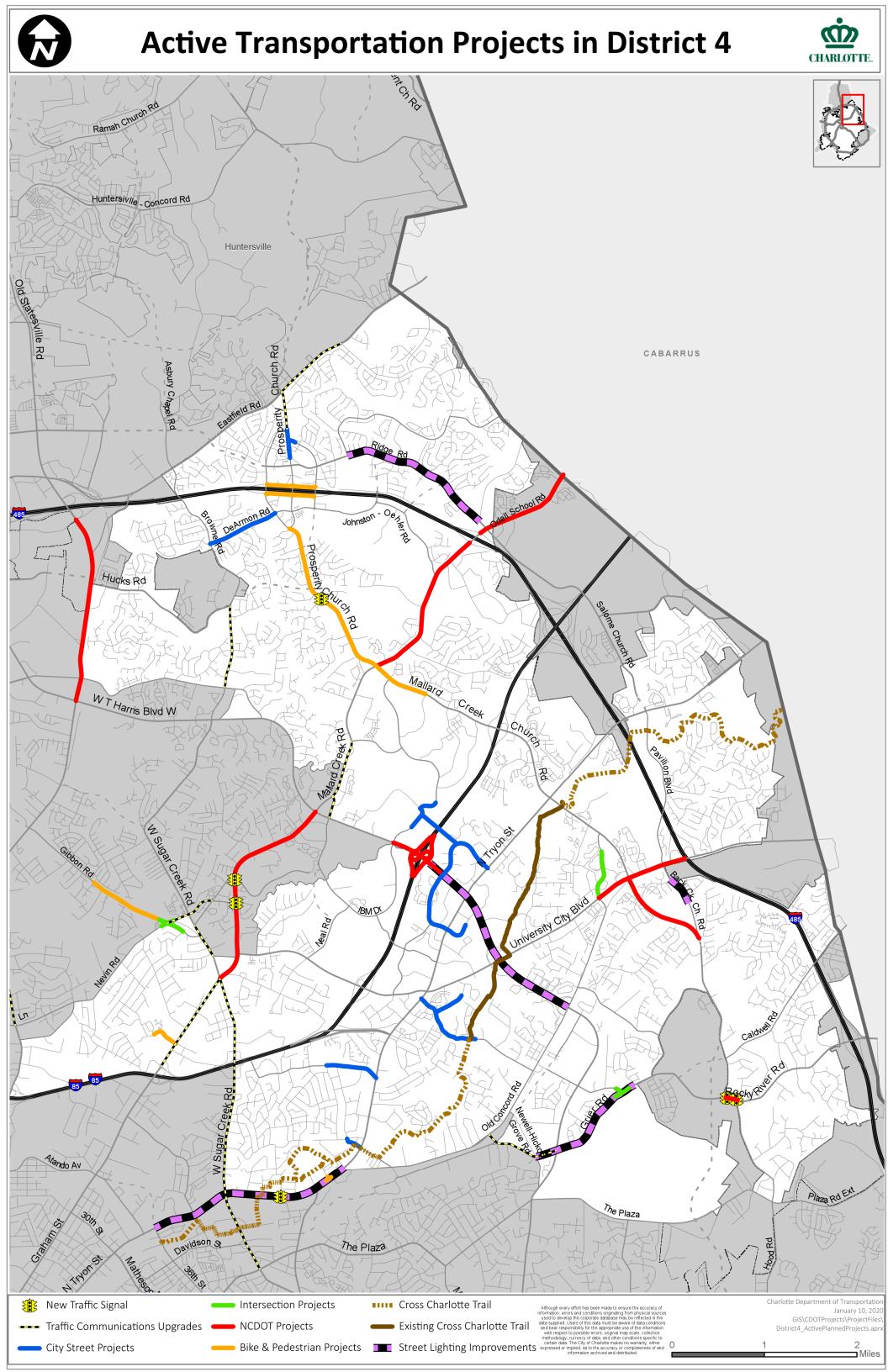
Agenda #: 29.File #: 15-14177 Type: Zoning Item

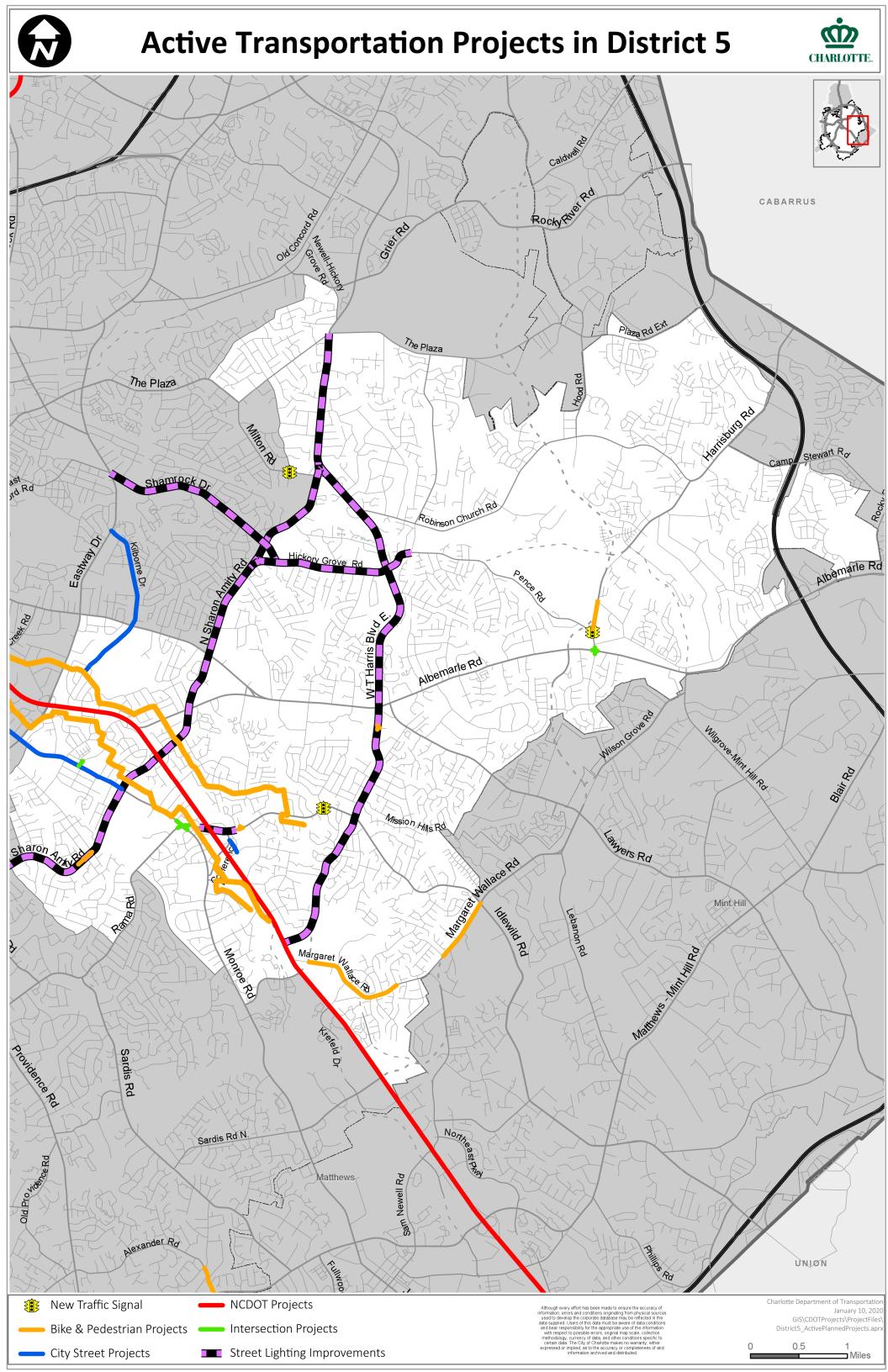
Active Transportation Projects





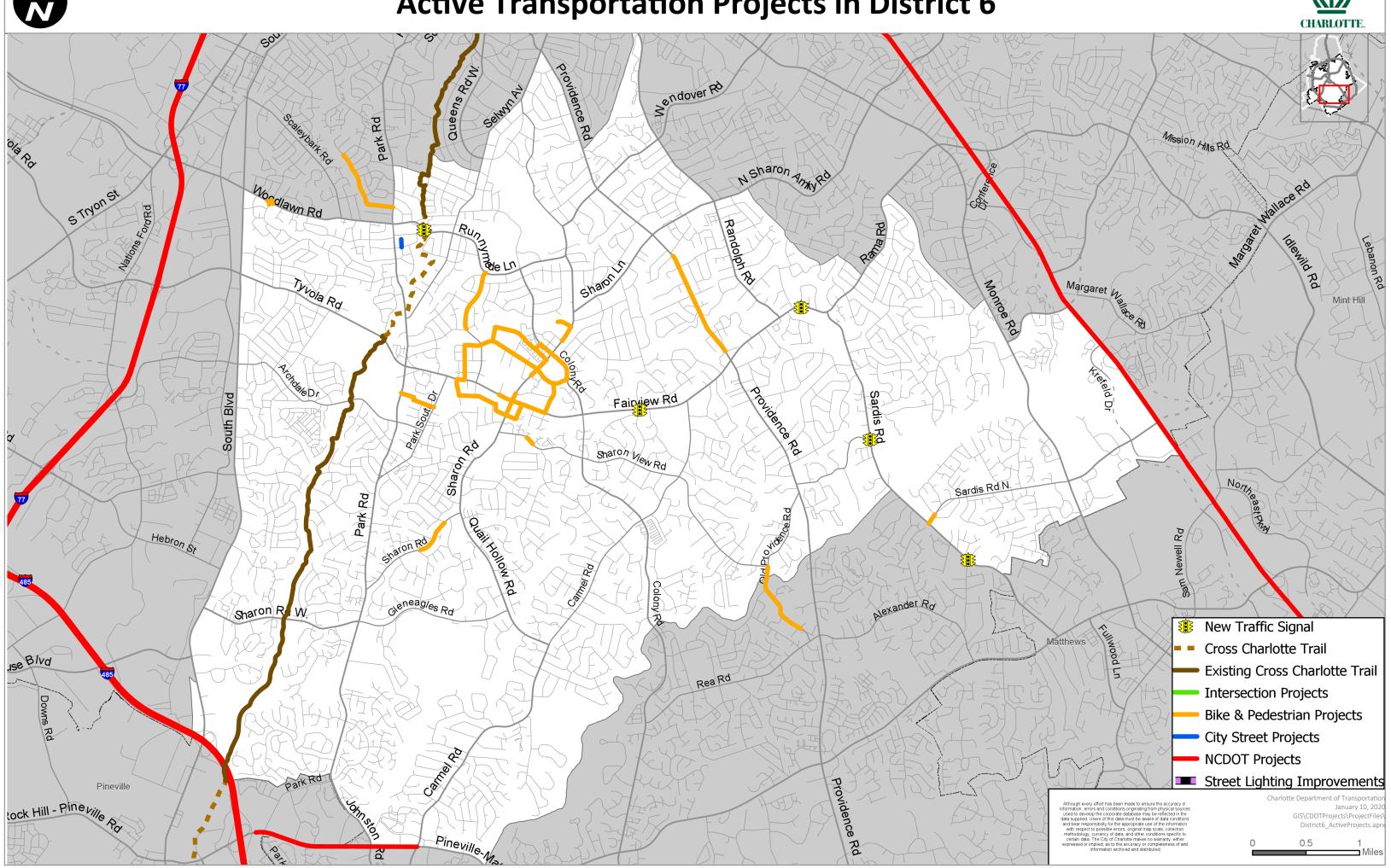






Active Transportation Projects in District 6







Active Transportation Projects in District 7



