

City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 3.File #: 15-14977 Type: Zoning Decision

Rezoning Petition: 2019-037 by Jay Kamdar

Location: Approximately 3.08 acres located on the west side of Sam Wilson Road, north of Performance Road. (Outside City Limits; Closest to District 3 - Watlington)

Current Zoning: R-17MF LWPA (multi-family residential, Lake Wylie watershed - overlay, protected area)

Proposed Zoning: B-2 LWPA (general business, Lake Wylie watershed - overlay, 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 Statement of Consistency

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2019-037

January 5, 2021

REQUEST Current Zoning: R-17MF LWPA (multifamily residential, Lake Wylie

Protected Area)

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

Lake Wylie Protected Area)

LOCATION Approximately 3.08 acres located on the west side of Sam

Wilson Road, north of Performance Road.

(Outside City Limits)

PETITIONER Jay Kamdar

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 *Catawba Area Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends office/industrial-warehouse-distribution.

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 proposed uses allowed in the B-2 (general business)
 zoning district by this site plan, while technically inconsistent
 with the office/industrial-warehouse distribution land use
 recommendation for this site, are consistent with the nonresidential land use recommendation for the surrounding area.
- The site is within the West Growth Corridor, as per the Centers, Corridors and Wedges Growth Framework. The Framework states that areas within one mile of interstate interchanges are appropriate locations for highway-serving retail (hotels, gas stations, restaurants). The site is within ¼ mile of the Interstate 85 interchange at Sam Wilson Road.
- The petition proposes transportation improvements to mitigate the impact of the project including the addition of right and left turn lanes on Sam Wilson Road as well as a bike lane, planting strip, and sidewalk along the site's public street frontage.
- The petition proposes a buffer and fence to lessen the project's impact on adjacent single family uses.

The approval of this petition will revise the adopted future land use as specified by the *Catawba Area Plan*, from Office/Industrial-Warehouse-Distribution land uses to Retail land uses for the site.

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 inconsistent with the adopted area plan.

One of the committee members had a question on the status proposed traffic light at Performance Drive and Sam Wilson Road. Staff answered that the signal is approved in this location and this contribution from the petitioner would allow NCDOT to install the traffic signal.

There was no further discussion of this petition.

PLANNER

Lisa Arnold (704) 336-5967





REQUEST Current Zoning: R-17MF LWPA (multifamily residential, Lake

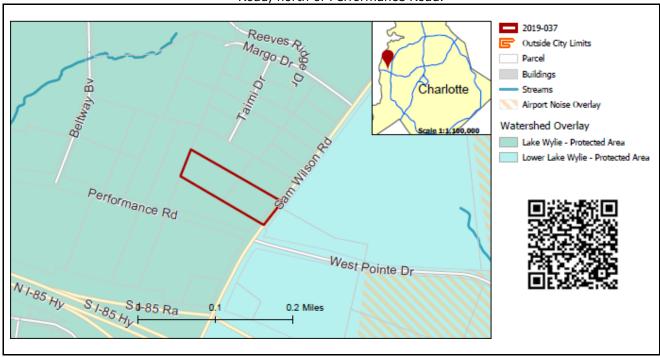
Wylie Protected Area)

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

Lake Wylie Protected Area)

LOCATION Approximately 3.08 acres located on the west side of Sam Wilson

Road, north of Performance Road.



SUMMARY OF PETITION

The petition proposes to redevelop the site to replace one single

family home with uses permitted in the B-2 district.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

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

Aryana Developers LLC

Jay Kamdar Caren Wingate

Number of people attending the Community Meeting: 10

STAFF **RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the office/industrial-warehousedistribution land use recommendation of the Catawba Area Plan.

Rationale for Recommendation

- The proposed uses allowed in the B-2 (general business) zoning district by this site plan, while technically inconsistent with the office/industrial-warehouse distribution land use recommendation for this site, are consistent with the non-residential land use recommendation for the surrounding area.
- The site is within the West Growth Corridor, as per the Centers, Corridors and Wedges Growth Framework. The Framework states that areas within one mile of interstate interchanges are

- appropriate locations for highway-serving retail (hotels, gas stations, restaurants). The site is within ¼ mile of the Interstate 85 interchange at Sam Wilson Road.
- The petition proposes transportation improvements to mitigate the impact of the project including the addition of right and left turn lanes on Sam Wilson Road as well as a bike lane, planting strip, and sidewalk along the site's public street frontage.
- The petition proposes a buffer and fence to lessen the project's impact on adjacent single family uses.

The approval of this petition will revise the adopted future land use as specified by the *Catawba Area Plan*, from Office/Industrial-Warehouse-Distribution land uses to Retail land uses for the site.

PLANNING STAFF REVIEW

Background

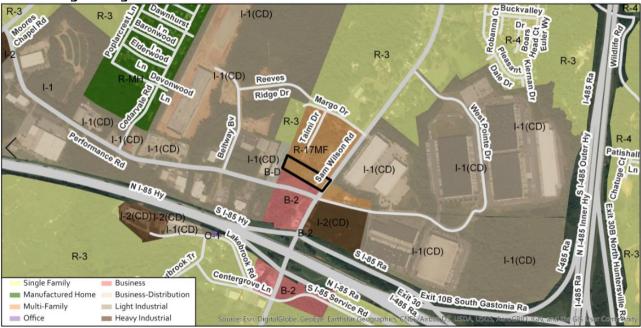
• The petition was originally filed as a conventional request for B-2. The petitioner has since revised the petition to B-2 conditional.

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Limits development to the following uses:
 - Health care
 - Institutions
 - Schools
 - Religious institutions
 - Retail (maximum of 10,000 square feet)
 - Car wash
 - Hotels and motels
 - Office (maximum of 40,000 square feet)
 - Banks
 - Daycares
 - Restaurants (including drive thru)
 - Neighborhood food and beverage services
- Proposes a maximum building height of 65' with an increased side yard if the building height exceeds 40'.
- Establishes a 28'6" Class B buffer with 6' high solid fence on the northern property line adjacent to single family residential uses.
- Commits to a range of transportation improvements including:
 - Left and right turn lanes into the site with appropriate tapers.
 - Provides a \$25,000 contribution to NCDOT for a future traffic signal at Sam Wilson Road & Performance Road / West Pointe Drive.
 - Dedicates 35' of right-of-way from the centerline of Sam Wilson Road.
 - Constructs the full cross section for Sam Wilson Road as noted in the Catawba Area Plan including a 7'6" bike lane, 8' planting strip, and 6' sidewalk.
- Provides site lighting standards for freestanding lighting to be fully shielded and downwardly directed.

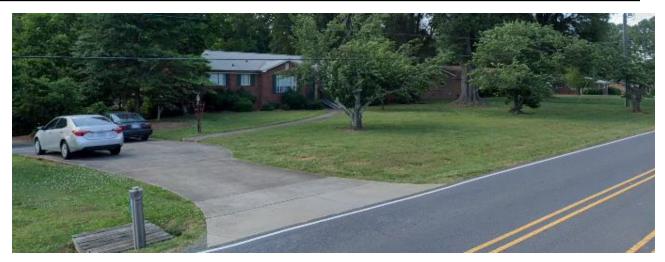
Existing Zoning and Land Use



The site is developed with one single family home. Surrounding land uses include single family residential, business, and industrial uses.



The site is developed with one single family home and is surrounded by single family residential, business, and industrial uses. The site is denoted by a red star.



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



The properties to the east of the site are developed with industrial and single family residential uses.



The property to the south of the site is vacant land.



The properties to the west of the site are developed with business and industrial uses. The site is denoted by a red star.





Petition Number	Summary of Petition	Status
2020-049	Proposed rezoning of 156.32 acres to I-2(CD) to allow up to 1.53 million square feet gross floor area of industrial uses and outdoor storage.	Pending
2019-134	Rezoning of 1.27 acres to I-1 to permit light industrial uses.	Approved
2019-054	Rezoning of 1.93 acres to I-1 to remove conditions from a prior rezoning to I-1(CD).	Approved
2019-033	Rezoning of 9.89 acres to I-2(CD) to allow industrial uses including a contractor's office and associated parking and outdoor storage.	Approved

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2019-027	Rezoning of 20.5 acres to I-2(CD) to allow up to 250,000 square feet gross floor area of industrial uses.	Approved
2017-078	Rezoning of 0.19 acres to 0-1 to allow office uses in a single-family structure.	Approved
2016-049	Rezoning of 10.22 acres to I-2(CD) to permit a truck stop with fuel sales, convenience store, service shop, and fast food restaurant with drive thru.	Approved
2016-020	Rezoning of 1.92 acres to I-1(CD) to permit the display, sale, and service of vehicles, boats, and recreational vehicles.	Approved

Public Plans and Policies



The Catawba Area Plan (adopted 2010) recommends office/industrial/warehouse-distribution land uses for this site and surrounding area.

TRANSPORTATION SUMMARY

This site is located on Sam Wilson Rd., a State-maintained minor thoroughfare, near the cross roads of West Pointe Dr. and Performance Rd. In coordination with NCDOT, the petitioner has agreed to make multiple transportation improvements, both vehicular and pedestrian, including a left and right turn-lane on Sam Wilson Road, and a financial contribution to NCDOT for a traffic signal at the intersection of Sam Wilson Road and West Pointe Dr./Performance Road. In accordance with City Ordinances and the City's WALKS and BIKES Policies, the petitioner has included bicycle and pedestrian improvements in the form of a 7.5-foot bike-lane, 8-foot planting strip, and 6-foot sidewalk along the site's Sam Wilson Road frontage. Site plan revisions are needed for the approval of this petition. These revisions involve labeling, and fully dimensioning the bicycle and pedestrian infrastructure and the curb and gutter.

Active Projects:

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

Transportation Considerations

See Outstanding Issues, Notes 3.

• Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 350 trips per day (based on 52 apartments).

Proposed Zoning: 1,260 trips per day (based on 10,000 square feet of retail).

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DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No comments submitted.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: No comments submitted.
- Charlotte-Douglas International Airport: No comments submitted.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Historic Landmarks: No comments submitted.
- Charlotte-Mecklenburg Police Department: No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- Charlotte Water: Water and sewer 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 comments submitted.
 - Storm Water Services: See advisory comments at www.rezoning.org
 - 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 comments submitted.

OUTSTANDING ISSUES

Land Use

- 1.—Revise list of permitted uses to match names of uses found in the B-2 district of the zoning ordinance. Addressed
- 2. Clarify the distinction of the proposed land uses of institutions versus religious institutions.

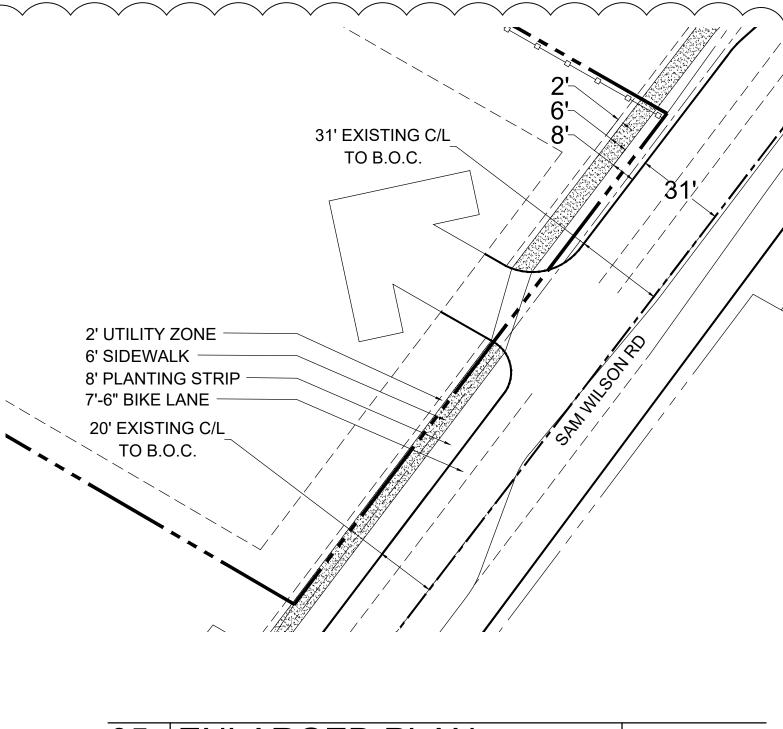
 Addressed

<u>Transportation</u>

- 3. Label and dimension each item from the existing center line of Sam Wilson Road. **Update as a result of 12-29-2020 Site Plan:** Please label and dimension these items from the existing centerline of Sam Wilson. The right-turn lane affects the dimensions shown in Exhibit A (included in the site plan), therefore, the dimensions need to be clearly identified to ensure the infrastructure is constructed in the correct location. Addressed
- 4. Revise the site plan and conditional note(s) to include the construction of the cross section, as noted in the Catawba Area Plan, along the site's frontage on Sam Wilson Road. The bike lane, back of curb, planting strip, and sidewalk need to be labeled and dimensioned from the center line of Sam Wilson Road. Addressed

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

Planner: Joe Mangum (704-353-1908)



Development Summary

ARYANAN DEVELOPERS LLC Owner: 1036 SEMINOLE DR Address:

Tax Parcel ID#: 053-142-21, 053-142-02

Total Site Acreage: 3.08 Acres R-17MF **Existing Zoning:**

B-2 (CD), Lake Wylie PA **Proposed Zoning:** As allowed per zoning ordinance Parking:

Max. Building Height:

(increased side yard if over 40')

03 SITE DATA

scale: NTS



Q5 ENLARGED PLAN scale: 1"=60' 04 VICINITY MAP scale: NTS PARCEL <u>ID 053-142-13</u> TREE SAVE 1.26 ACRES R-17MF PARCEL ID 053-142-15 1.591 ACRES R-17MF PARCEL ID 053-142-25 PARCEL ID 053-142-04 **2.18 ACRES** 1.208 ACRES B-D R-17MF PARCEL ID 053-142-03 1.208 ACRES R-17MF 58'-7"--38' CLASS B BUFFER REDUCED TO 28'-6" WITH 6' HIGH SOLID FENCE - 6' HIGH SOLID FENCE ON PROPERTY LINE TO MAINTAIN BUFFER 7.5-FOOT BIKE-LANE, 8-FOOT PLANTING STRIP, AND 6-FOOT SIDEWALK ALONG THE SITE'S SAM WILSON ROAD FRONTAGE. SEE EXHIBIT A IN DEVELOPMENT STANDARDS -**BUILDING AND PARKING ENVELOPE** RIGHT TURN LANE WITH 100' STORAGE -31' EXŤ. C/Ľ TO B.O.C. PARCEL ID 053-142-01 2.0 ACRES PARCEL ID 055-211-31 B-2 26.131 ACRES I-1(CD) 10' SCREENING-LEFT TURN LANE WITH 50' STORAGE PERFORMANCE RD DÉDICATE 35' OF RIGHT-OF-WAY PARCEL ID 055-211-38 FROM THE SAM WILSON RD CENTERLINE) **2.98 ACRES** R-17MF PARCEL ID 053-141-02 5.477 ACRES [∼]20' EXŤ. C/Ľ TO B.O.C.

DEVELOPMENT STANDARDS

General Standards

- A. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Zoning Ordinance. The development depicted on this 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 Zoning Ordinance as provided by Section 6.207 of the Zoning Ordinance.
- B. The Petitioner acknowledges that other standard development requirements imposed by other Charlotte ordinances, such as those that regulate streets, sidewalks, trees, bicycle parking, and site development may apply to the development of the site. These are not zoning regulations, are not administered by the Zoning Administrator and are not separate zoning conditions imposed by the site plan. Unless specifically noted in the conditions for the site plan, these other standard development requirements will be applied to the development of the site as defined by those other Charlotte
- C. Throughout this site plan, the terms "Owner" or "Petitioner" shall, with respect to the site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the Owner of the site who may be involved in its development from time-to-time.
- D. Alterations to the Conditional Zoning Plan are subject to Section 6.207 of the Zoning Ordinance.

Permitted Uses

A. The petitioner request the following uses to be allowed with the exception of Residential uses: Health, institutions, schools, religious institutions, retail (max 10,000 SF), car wash, hotels and motels, office (max 40,000 SF) banks, daycares, restaurants (including drive thru) and neighborhood food and beverage services.

Transportation

- A. Vehicular access to this site shall be limited to one driveway as
- depicted on the site plan.

 A left-turn lane, into the site, with a 50-foot taper between the site's left-turn lane and the southbound left-turn lane to turn onto West Pointe Drive.
- C. A right-turn lane into the site with 100-feet of storage and an
- D. Provide a \$25,000 contribution to NCDOT for the future traffic signal at 5 Sam Wilson Rd. and Performance Rd./West Pointe Dr.
- E. Dedicate 35-feet of right-of-way from the Sam Wilson Road centerline. F. Construct an 8-foot planting strip and 6-foot sidewalk along Sam Wilson Road per Chapter 19 of the City Code.
- G. Include the construction of the cross section, as noted in the Catawba Area Plan, along the site's frontage on Sam Wilson Road. The bike lane, back-of-curb, planting strip, and sidewalk will be labeled and dimensioned from the center line of Sam Wilson Road. See
- Exhibit A below. H. Dedication and fee simple conveyance of all rights of way to the NCDOT before the site's first building certificate of occupancy is issued. CDOT requests right of way set at 2' behind back of sidewalk
- All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.

Architectural Standards

A. Reserved

A. Parking areas are generally depicted on this site plan.

Environmental Standards

- A. All requirements of the City of Charlotte Tree Ordinance shall be met with this development.
- B. All requirements of the City of Charlotte Post Construction Stormwater Ordinance (PSCO) shall be met with this development.

Streetscape/Landscaping

- A. All buffers shall meet minimum requirements.
- B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the site, the Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas set out on this site plan accordingly.

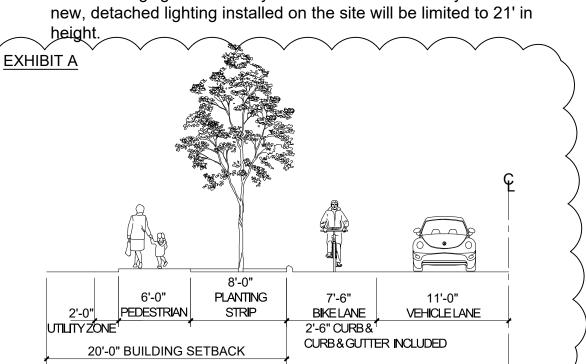
Parks, Greenways, and Open Space

Reserved

Fire Protection Reserved

scale: 1"=40'

A. Freestanding light will be fully shielded and downwardly directed. All new, detached lighting installed on the site will be limited to 21' in





2010 south tryon st., suite 1a charlotte, nc 28203 704.332.1615 www.oda.us.com

FOR REZONING

2528 SAM WILSON RD

CHARLOTTE, NORTH CAROLINA

ODA Project No. 203486

PETITION NO. 2019-037

06 15 2020

	00.15.2020	
	REVISIONS	
No.	Description	Date
1	ZONING COMMENTS	10/2/20
3	ZONING COMMENTS ZONING COMMENTS	10/19/20
3	ZONING COMMENTS	1/7/21

SITE PLAN

02 DEVELOPMENT STANDARDS



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 4.File #: 15-14978 Type: Zoning Decision

Rezoning Petition: 2019-089 by Alpa Parmar

Location: Approximately 16.7 acres located on the north side of Queen City Drive, east of Little Rock Road, south of Tuckaseegee Road, north of I-85. (Council District 3 - Watlington)

Current Zoning: R-17 MF AIR (multi-family residential, airport noise overlay)

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

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 2019-089

January 5, 2021

REQUEST Current Zoning: R-17MF AIR (multifamily residential, airport noise

overlay)

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

airport noise overlay)

LOCATION Approximately 16.7 acres located on the north side of Queen

City Drive, east of Little Rock Road, south of Tuckaseegee Road,

north of I-85.

(Council District 3 - Watlington)

PETITIONER Alpa Parmar

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 *Westside Strategic Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends office/business park land 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 proposed site plan is inconsistent with the office/business park land uses recommended for this site, but the retail, restaurant, and hotel uses proposed are compatible with surrounding land uses.
- The site is located along a frontage road to Interstate 85, just north of Charlotte-Douglas International Airport, where retail and hotel uses are appropriate.
- The proposed uses compliment recent hotel developments in the area.
- A 56.25' Class B buffer with 6' solid fence around the perimeter of the site will provide screening of the project from adjacent properties, including single family homes to the northwest of the site.

The approval of this petition will revise the adopted future land use as specified by the *Westside Strategic Plan*, from office/business park land uses to retail land uses for the site.

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

Choose an item. with the adopted area plan.

One of the committee members asked about whether or not the outstanding item from Urban Forestry was a technical revision. Staff responded that the plan is compliant however a note needs to be added stating the site will comply with the Tree Ordinance.

There was no further discussion of this petition.

PLANNER Lisa Arnold (704) 336-5967





REQUEST Current Zoning: R-17MF AIR (multifamily residential, airport noise

overlay)

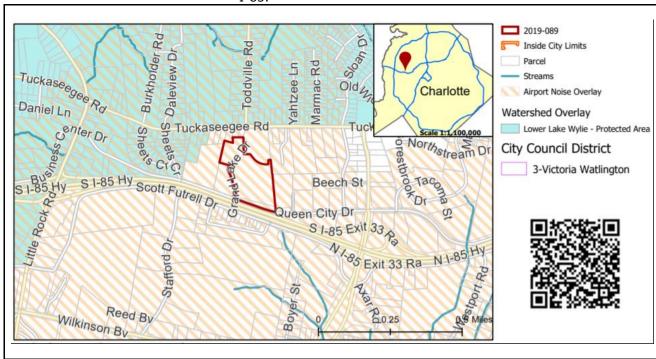
Proposed Zoning: B-2(CD) AIR (general business, conditional,

airport noise overlay)

LOCATION Approximately 16.7 acres located on the north side of Queen City

Drive, east of Little Rock Road, south of Tuckaseegee Road, north of

I-85.



SUMMARY OF PETITION

The petition proposes all uses permitted in the B-2 zoning district, including retail, hotels and restaurants on a vacant parcel of land.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

Alpa Parmar Caren Wingate

Royal Panthera LLC

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 **inconsistent** with the office/business park land uses recommended for this site, as per the *Westside Strategic Plan*.

Rationale for Recommendation

 The proposed site plan is inconsistent with the office/business park land uses recommended for this site, but the retail, restaurant, and hotel uses proposed are compatible with surrounding land uses. Petition 2019-089 (Page 2 of 8) Final Staff Analysis

- The site is located along a frontage road to Interstate 85, just north of Charlotte-Douglas International Airport, where retail and hotel uses are appropriate.
- The proposed uses compliment recent hotel developments in the area.
- A 56.25' Class B buffer with 6' solid fence around the perimeter of the site will provide screening of the project from adjacent properties, including single family homes to the northwest of the site.

The approval of this petition will revise the adopted future land use as specified by the *Westside Strategic Plan*, from office/business park land uses to retail land uses for the site.

PLANNING STAFF REVIEW

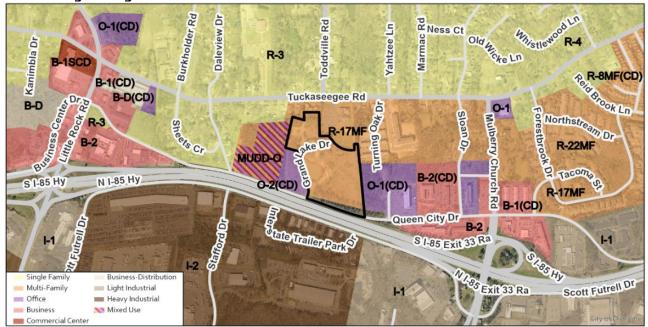
Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 25,000 square feet of uses permitted in the B-2 district.
- Permits up to 450 hotel rooms or 450,000 square feet of hotel uses.
- Establishes architectural guidelines including building materials, blank wall limitations, and minimum transparency requirements.
- Requires a lighting plan for public and private streets and specifies that all lighting will contain shut-off shields.
- Requires a master landscaping plan for the site.
- Provides a 56.25' Class B buffer with 6' high solid fence around the perimeter of the site.
- Proposes the following transportation improvements:
 - 8' planting strip and 5' sidewalk on all internal public and private streets.
 - Relocates the curb and gutter on Queen City Drive to be 19' from the street's existing centerline to accommodate three 11' travel lanes.
 - Dedicate 36' of right of way from Oueen City Drive centerline.
 - Install 8' planting strip and 6' sidewalk on Queen City Drive.
 - Provide future connectivity to Tuckaseegee Road and to the parcels east and west of the site.
 - Implement a NB Queen City Drive left turn lane with 150' of storage.
 - Implement Grand Lake Drive approach at Queen City Drive that includes 3 travel lanes (13' receiving lane, 11' right turn lane, and 11' left turn lane).
 - Provide a 100' minimum driveway stem before first internal driveway on Grand Lake Drive from Queen City Drive.
 - Construct Grand Lake Drive and connector streets to adjacent parcels to local office/commercial narrow street standards.
 - Complete improvements outlined in the Traffic Impact Study at Little Rock Road & Queen City Drive, Mulberry Church Road & Queen City Drive, Billy Graham Parkway & I-85 NB Ramps, Queen City Drive & Grand Lake Drive, Queen City Drive & Access B.
 - Complete all transportation improvements and dedicate and convey rights of way to the City prior to the site first building certificate of occupancy.

Petition 2019-089 (Page 3 of 8) Final Staff Analysis

Existing Zoning and Land Use



The subject site is vacant land and is surrounded by vacant land, single family homes, apartments, a church, and a hotel.



The subject parcel is denoted by a red star.

Petition 2019-089 (Page 4 of 8) Final Staff Analysis



The subject parcel is vacant land containing a pond.



The properties to the north along Tuckaseegee Road are developed with single family homes and a church.



The properties to the east of the site are developed with a hotel and apartments.

Petition 2019-089 (Page 5 of 8) Final Staff Analysis



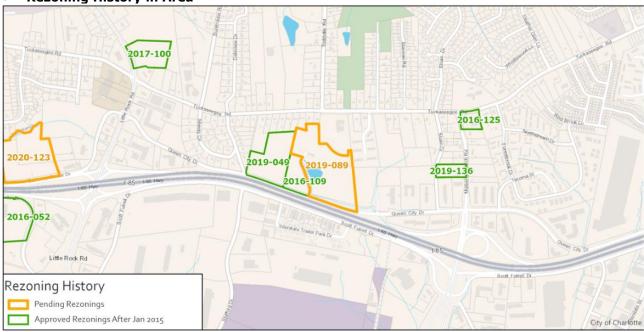
The property to the south of the site is developed with Interstate 85.



The property to the west of the site is wooded, undeveloped land.

Petition 2019-089 (Page 6 of 8) Final Staff Analysis

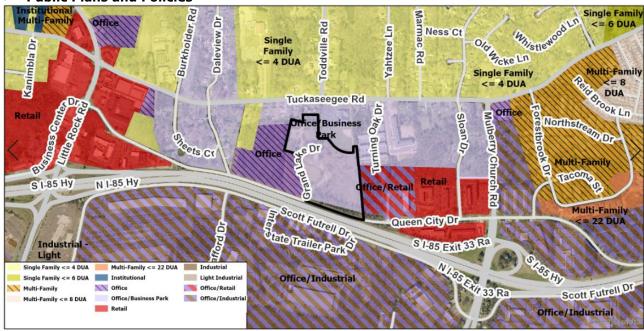




Petition Number	Summary of Petition	Status	
2020-123	The petition seeks to rezone 13.22 acres to I-1(CD) to permit a 175,000 square foot building housing light industrial uses.	Pending	
2019-136	The petition rezoned 1.89 acres to O-1(CD) SPA to allow the development of a hotel.	Approved	
2019-049	The petition rezoned 9 acres to MUDD-O to allow the development of a hotel.	Approved	
2017-100	The petition rezoned 5.4 acres to O-1(CD) to permit the development of two hotels.	Approved	
2016-125	The petition rezoned 1.8 acres to O-1 to allow all uses permitted in the O-1 district.	Approved	
2016-109	The petition rezoned 3.3 acres to O-2(CD) to permit development of a hotel.	Approved	
2016-052	The petition rezoned 8.32 acres to I-1 to allow all uses permitted in the I-1 district.	Approved	

Petition 2019-089 (Page 7 of 8) Final Staff Analysis

• Public Plans and Policies



The Westside Strategic Plan (adopted 2000) recommends office/business park land uses for this site, as it's located just north of Interstate 85 and Charlotte Douglas International Airport.

TRANSPORTATION CONSIDERATIONS

- The 20-acre site is located on Queens City Drive, a major collector, State-maintained road. The Traffic Impact Study (TIS) was approved on August 18, 2020. As a result of the TIS, transportation improvements will occur on the following streets and at multiple intersections along Little Rock Road, Queen City Drive, and Billy Graham Parkway, and the I-85 Northbound and Southbound Ramps. Additionally, the petitioner will construct street stubs for future connectivity and will provide an internal and external pedestrian network. There are no outstanding CDOT issues.
- No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 2,540 trips per day (based on 341 apartments).

Proposed Zoning: 6,605 trips per day (based on 25,000 square feet of restaurant uses and 450 hotel rooms).

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 comments submitted.
- Charlotte-Douglas International Airport: No comments submitted.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Historic Landmarks: No comments submitted.
- Charlotte-Mecklenburg Police Department: No comments submitted.
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate 161 students, while the development allowed under the proposed zoning may produce 209 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 48 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Example Elementary from 114% to 130%
 - Example Middle from 82% to 86%
 - Example High from 83% to 86%.

Petition 2019-089 (Page 8 of 8) 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 CLTWATER to serve this parcel. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections. Sewer is accessible for this rezoning boundary. See advisory comments at www.rezoning.org

Engineering and Property Management:

- Arborist: No comments submitted.
- Erosion Control: No comments submitted.
- Land Development: See Requested Technical Revisions, Note 1.
- Storm Water Services: See advisory comments at www.rezoning.org
- Urban Forestry: No comments submitted.
- Mecklenburg County Land Use and Environmental Services Agency: No comments submitted.
- Mecklenburg County Parks and Recreation Department: No comments submitted.

REQUESTED TECHNICAL REVISIONS

Environment

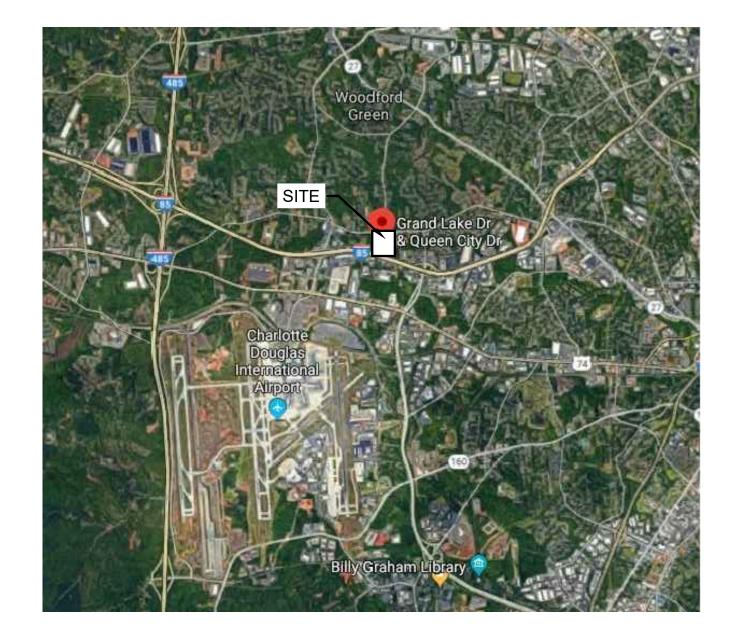
- 1.—Please add the following note under an Environmental Features heading: "Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions." Addressed
- 2.—Urban Forestry needs to have the note: "Site will comply with the City of Charlotte's Chapter 21— Tree Ordinance." Added to the plans. Addressed

Land Use

3. Match proposed permitted uses to uses specifically mentioned in the zoning ordinance. Addressed

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

Planner: Joe Mangum (704) 353-1908



DEVELOPMENT DATA

TAX PARCEL NUMBER: 06125112

ACRES: +/- 20.090 Minus +/- 3.39 Acres (Previously Rezoned) = +/- 16.7 ACRES

EXISTING ZONING: R-17 MF

PROPOSED ZONING: B-2 (CD)

PROPOSED USE: Hotels, Restaurants and any uses permitted in B-2

Proposed Building A: 6,250 SF Maximum

Proposed Building B: 6,250 SF Maximum

Proposed Building C: 150 GUESTROOMS / 150,000 SF Maximum Proposed Building D: 6,250 SF Maximum

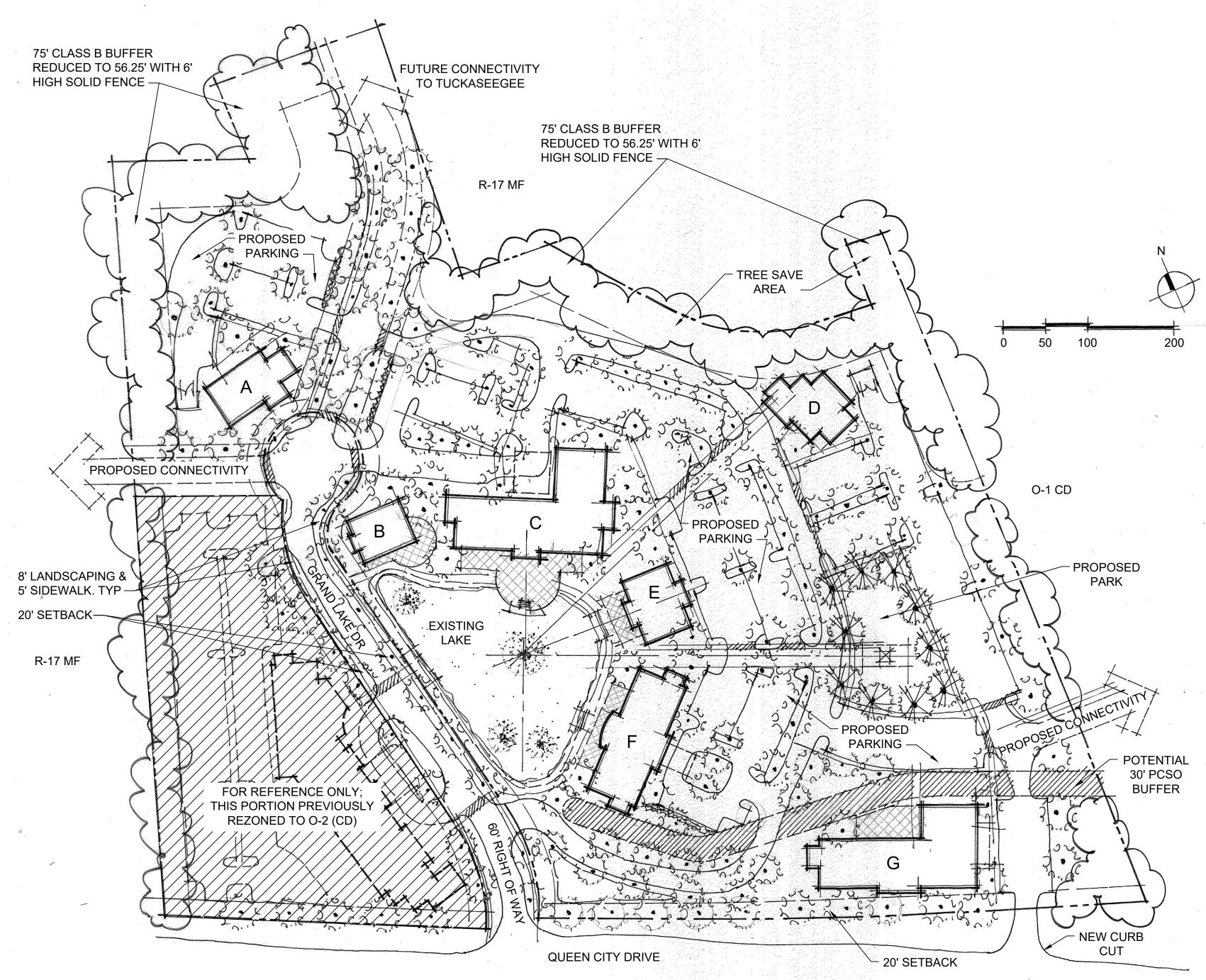
Proposed Building E: 6,250 SF Maximum

Proposed Building F: 150 GUESTROOMS / 150,000 SF Maximum Proposed Building G: 150 GUESTROOMS / 150,000 SF Maximum

NOTE: The areas of the hotels and restaurants, can be shifted between the various buildings, as long as the total of restaurant / retail does not exceed 25,000 sf. and the total of hotels does not exceed 450 hotel rooms or 450,000 sf.

04 VICINITY MAP

03 | DEVELOPMENT DATA



01 | SITE PLAN scale: 1"=40'

GENERAL PROVISIONS

- 1. 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) those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes Chapter 6, 9, 12, 20, 21, of the City Code Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where specified conditions on this plan differ from ordinances, standards, policies and approaches in existence at the time of formal engineering plan review submission, the conditional notes on this plan shall apply.
- 2. The Site Plan is schematic in nature and represents a firm concept of development with regard to the arrangement of the buildings, parking areas, and circulation patterns. In order to meet the specific needs of future tenants and users, minor changes of detail which do not alter the basic layout and relationships to abutting sites are permitted as a matter of right for the petitioner / developer and shall be handled in accordance to the Zoning Ordinance, Section 6.207. This includes alterations to building locations, parking arrangements, vehicular drives and curb cuts, as long as the intent of the Unified Master Plan is met.
- 3. As a Unified Master Plan overall parking requirements will be met for specific tenants, with potential cross easements allowed.
- 4. The Petitioner will provide a stub road on the north side of the property (as depicted on the Illustrative Plan) in order to provide future connectivity to Tuckaseegee Road.

Permitted Uses

5. The petitioner will be permitted to integrate any Uses allowed in the B-2 Zone, including but not limited to: Dwellings attached (duplex, triplex, quadraplex); dwellings detached; dwellings, duplex, triplex and quadraplex; dwellings, multifamily and attached, up to 12 in a building; armories; civic, social service and fraternal facilities, cultural facilities, elementary and secondary schools; Government buildings, up to 300,000 square feet; group homes, up to 10 residents; health institutions; recreation centers, up to 30,000 square feet; religious institution; universities, colleges and junior colleges; vocational schools, within an enclosed building; amusement, commercial, outdoor; auction sales; automobile service stations, including minor adjustments, repair and lubrication; automobiles, truck and utility trailer rental; automotive repair garages, including engine overhaul, body, and paint shops, and similar operations; automotive sales and repairs, including tractor-trucks, but not accompanying trailer units; bakeries, retail, including manufacture of goods for sale on premises; bakeries, wholesale, including manufacturing of goods on premise, up to 5,000 square feet; barber and beauty shops; boat and ship sales, and repairs; building maintenance services; car washes; catalog and mail order houses; clinics, medical, dental and optical; clinics, veterinary; contractor offices and accessory storage, excluding storage of construction equipment and vehicles; dry cleaning and laundry establishments, up to 10,000 square feet; eating, drinking and entertainment establishes (Type 1), engraving establishments; equipment rental and leasing establishments; equipment rental and leasing establishments, within an enclosed building; fabric sample assembly establishments; fences and fence materials, retail sales; fences and fence material, retail sales within an enclosed building; financial institutions up to 300,000 square feet; florists, retail; florists, wholesale; funeral homes and embalming; hotels and motels, jewelers, retail; jewelers, wholesale; kitchen, commercial; laboratories, applied and basic research, within an enclosed building; laboratories, optical, medical and dental; locksmiths and gunsmiths; manufactured housing sales and repair; neighborhood food and beverage services; nurseries and greenhouses, retail and wholesale; offices, up to 300,000 square feet; pest control and

Architectural Guidelines

6. The Buildings will have a unified architectural character and will be constructed of brick, stone, stucco, cementitious siding, or architectural metal panels. Minimum masonry requirement will be 20%, cumulative of all sides. Any decorative masonry site walls adjacent to the buildings will count toward this minimum. Any sloping metal roofs will be standing seam metal, terra cotta tiles or synthetic terra cotta tiles.

- 7. No solid walls facing a public street will be longer than 20' without an offset in the building or articulation, either horizontal or vertical.
- 8. The heights of the buildings will be as allowed in B-2 Zones, including any height increases.
- 9. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions. 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. Building bays will 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 or recesses), columns, pilasters, change in materials or colors. awnings, arcades or other architectural features. Multi-story buildings should have a minimum of 20% transparency on all upper stories.

Facades facing Grand Lake Drive, including properties across the Lake shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 20% of the requirement may be comprised of display windows. These display windows must maintain a minimum of 3' clear depth between the window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.

- 10. The maximum height of any freestanding fixture shall not exceed 25' including its bases.
- 11. The petitioner will provide a Unified Lighting Plan for all Public and Private Streets, including similar light and light poles throughout the development.
- 12. All lighting will contain shut-off shields so that no exterior lighting will shine onto adjacent properties.

Streetscape & Landscaping

- 13. Petitioner will provide a Unified Master Landscaping Plan, including required street trees and parking lot landscaping as per the Ordinance.
- 14. Petitioner agrees to provide an 8' planting strip and 5' wide sidewalk along all proposed Public or Private Streets. Streetscape improvements are allowed to be phased and implemented as future buildings are developed.

Environmental Features

- 15. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions,
- 16. Site will comply with the City of Charlotte's Chapter 21--Tree Ordinance

Sub-phases & Completion of Improvements Prior to Certificates of Occupancy (CO):

The development of the site and their associated transportation improvements required for the Rezoning Site may be accomplished in phases. Adjustments, however, to the mix and amount of such development levels and the accompanying roadway improvements associated with development for any sub-phases may be permitted adjustments shall be allowed administratively subject to the reasonable review and approval by CDOT (and/or as applicable NCDOT). The petitioner needs the flexibility to develop and receive certificates of occupancy (CO) for an initial sub-phase without the larger burden of off-site roadway improvements. Options for an initial sub-phase that would not be tied to any of the off-site improvements could be as follows: Option 1: One hotel (not to exceed 150 rooms) and two high-turnover/sit-down restaurants (not to exceed 6,250 SF each) or Option 2: Two hotels (not to exceed 150 rooms each).

Little Rock Road & Tuckaseegee Road (Signalized)

- No suggested improvements.
- 2. Little Rock Road & Business Center Drive-Queen City Drive (Unsignalized)
- Extend westbound left turn lane from 50 feet of storage to 175 feet of storage on Queen City Drive.
- Little Rock Road & I-85 Ramps (Signalized)
- No suggested improvements.
- Mulberry Church Road & Queen City Drive (Signalized)
- Remark southbound thru-left lane to a left-turn lane with 100 feet of storage of Mulberry Church Road
- Remark northbound approach to a left turn lane with 150 feet of storage and a thru-right lane on Billy Graham Parkway
- Construct a westbound left turn lane with 100 feet of storage on Queen City Drive
- Construct a channelized eastbound right turn lane with 150 feet of storage on Queen City Drive Billy Graham Parkway & I-85 Southbound Ramps (Signalized)
- No suggested improvements.
- 6. Billy Graham Parkway & I-85 Northbound Ramps (Signalized)
- Construct an additional southbound left turn lane with a maximum storage of 100 feet on Billy Graham Parkway and the coinciding receiving lane on the I-85 northbound on-ramp (this may be possible with remark of the existing pavement). See concept in Appendix.

Queen City Drive & Grand Lake Drive/Access "A" (Unsignalized)

- One ingress lane and two egress lanes (a southbound left turn lane with 100 feet of storage and terminating right lane on Proposed Access "A")
- Construct an eastbound left turn lane with 100 feet of storage on Queen City Drive
- Minimum internal protected stem of 100 feet

Queen City Drive & Access "B" (Unsignalized)

- One ingress lane and one egress lane (a southbound combined left/right turn lane on Proposed Access "B")
- Construct a westbound right turn lane with 100 feet of storage on Queen City Drive Construct an eastbound left turn lane with 100 feet of storage on Queen City Drive
- Minimum internal protected stem of 100 feet

ODA ARCHITECTURE

2010 south tryon st., suite 1a charlotte, nc 28203 704.332.1615 www.oda.us.com

FOR REZONING

GRAND LAKE DR & QUEEN CITY DR CHARLOTTE. NORTH CAROLINA

ODA Project No. 193398 PETITION NO. 2019-089

06.26.2020

REVISIONS				
No.	Description	Date		
1	STORM WATER NOTATION	12.29.2		
2	USES & TREE SAVE NOTATIONS	01.07.2		

SITE PLAN

Copyright 2020 ODA ARCHITECTURE



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 5.File #: 15-14979 Type: Zoning Decision

Rezoning Petition: 2019-173 by McCraney Property Company

Location: Approximately 150.0 acres located off Garrison Rd, west of I-485 and south of West Blvd. (Outside City Limits - nearest Council District 3 - Watlington)

Current Zoning: R-3 (single-family residential) **Proposed Zoning:** I-1 (CD) (light industrial)

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 2019-173

January 19, 2021

REQUEST Current Zoning: R-3 AIR LLWPA (single family residential, airport

noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1(CD) AIR LLWPA (light industrial, conditional,

airport noise overlay, Lower Lake Wylie Protected Area)

LOCATION Approximately 150.0 acres located off Garrison Rd, west of I-

485 and south of West Blvd.

(Outside City Limits)

PETITIONER McCraney Property Company

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 consistent with the *Dixie Berryhill Strategic Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends office/retail/light industrial land 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 uses are consistent with the light industrial land use recommended for the site.
- The site is in close proximity to Charlotte Douglas
 International Airport as well the Interstate 485 interchange with West Boulevard.
- The site is adjacent to rezoning petition 2017-189, which rezoned 46.2 acres to I-1(CD).
- The petition's site plan commits to a range of transportation improvements that will be beneficial to adjacent properties.
- The petition commits to extending Garrison Road south to Dixie River Road, which will improve mobility in the surrounding community.

Motion/Second: Blumenthal / Welton

Yeas: Barbee, Blumenthal, Kelly, Nwasike, Samuel,

and Welton

Nays: None Absent: None Recused: McMillan

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 a question on how the length of storage on the exit ramp is determined. Staff responded that staff runs traffic simulations that tells them the required

length of storage needed.

There was no further discussion of this petition.

PLANNER Lisa Arnold (704) 336-5967



REQUEST

Current Zoning: R-3 AIR LLWPA (single family residential, airport

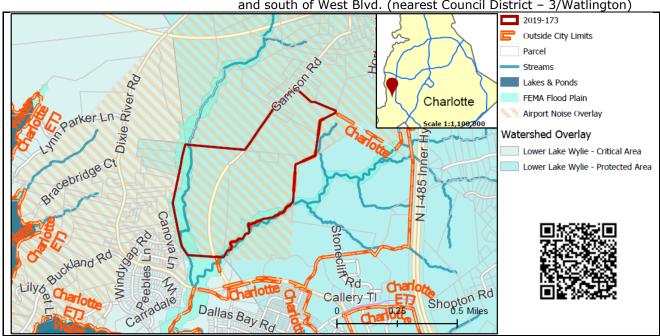
noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1(CD) AIR LLWPA (light industrial, conditional,

airport noise overlay, Lower Lake Wylie Protected Area)

LOCATION

Approximately 150.0 acres located off Garrison Rd, west of I-485 and south of West Blvd. (nearest Council District – 3/Watlington)



SUMMARY OF PETITION

The petition proposes to allow 1,450,000 square feet gross floor area of light industrial uses on a property currently occupied by six single family dwellings.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

McCraney Property Company John Carmichael, Robinson Bradshaw

COMMUNITY MEETING

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

Multiple parcel owners (see application at www.rezoning.org)

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the office/retail/light industrial land uses recommended for the site as per the *Dixie Berryhill Strategic Plan*.

Rationale for Recommendation

- The proposed uses are consistent with the light industrial land use recommended for the site.
- The site is in close proximity to Charlotte Douglas International Airport as well the Interstate 485 interchange with West Boulevard.

- The site is adjacent to rezoning petition 2017-189, which rezoned 46.2 acres to I-1(CD).
- The petition's site plan commits to a range of transportation improvements that will be beneficial to adjacent properties.
- The petition commits to extending Garrison Road south to Dixie River Road, which will improve mobility in the surrounding community.

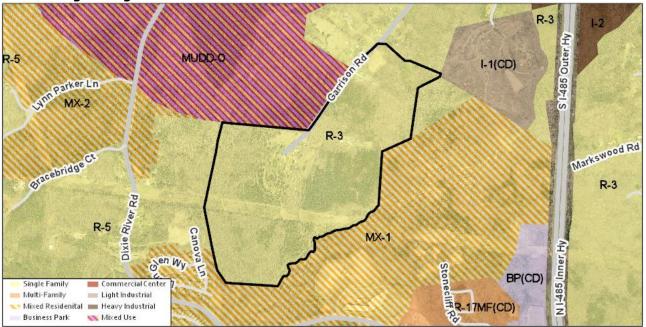
PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows for the development of up to 1,450,000 square feet gross floor area of warehousing, warehouse distribution, manufacturing, office, and other uses permitted in the I-1 district.
- Limits the number of principal buildings to 7.
- Commits to a 20' setback along all public streets.
- Establishes a 100' Class A buffer adjacent to existing single family homes and properties zoned MX-1 designated as residential use, a 75' Class A buffer adjacent to properties zoned MX-1 designated as non-residential use, and a 50' Class A buffer where adjacent to parcels zoned MUDD-O.
- Outlines architectural standards to be used in construction.
- Commits to compliance with the Lower Lake Wylie Watershed Overlay Ordinance.
- Agrees to coordinate greenway connectivity with Mecklenburg County Park & Recreation as it relates to the adjacent Berewick Regional Park.
- Limits all new lighting to be full cut-off type.
- Commits to the following transportation improvements as outlined in a traffic impact study:
 - Petitioner to design Garrison Road as a 4 lane road and construct a 2 lane median divided section from Dixie River Road to the future intersection with Catawba Crossing.
 - Petitioner to dedicate a 120' right-of-way where the petitioner controls both sides of Garrison Road.
 - Petitioner to acquire right-of-way and widen Garrison Road to two 12' lanes with a 2' shoulder north of the subject property to West Boulevard.
 - Petitioner to increase right turn lane storage of I-485 outer exit ramp from 140' to 175'.

Existing Zoning and Land Use



The subject property is surrounded primarily by vacant wooded land but other nearby land uses include single family homes, a park, an elementary school.

Petition 2019-173 (Page 3 of 8) Final Staff Analysis



The subject property is surrounded primarily by vacant wooded land but other nearby land uses include single family homes, a park, an elementary school. The site is denoted by a red star.



View of the site looking south at the end of Garrison Road. One of the existing single family homes to be demolished is on the left.



The properties to the north of the site are a mix of undeveloped wooded land and single family homes.



The properties to the east of the site are undeveloped future park land. The subject property is denoted by a red star.



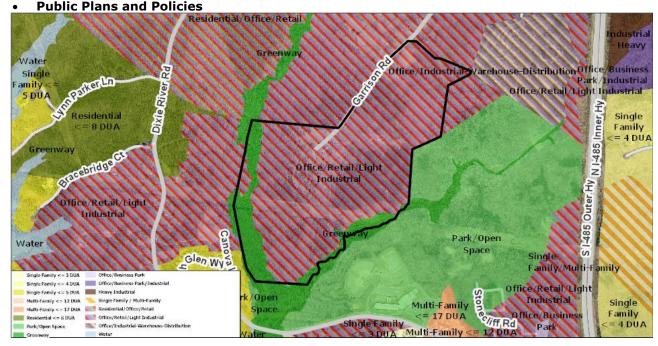
The properties to the south of the site are developed with park and school uses.



The properties to the west of the site are a mix of undeveloped wooded land and single family homes.



Petition Number	Summary of Petition	Status
2016-056	The petition rezoned 1,377.68 acres to MUDD-O and MX-2 to allow up to 8,000,000 square feet of office, 500,000 square feet of retail, 1,000 hotel rooms, 2,350 multifamily units, 600 single family attached units, 1,700 single family detached units, and 200 continuing care retirement units.	Approved
2016-127	The petition rezoned 6.02 acres to CC SPA and MUDD-O SPA to modify the previously approved plan for Charlotte Premium Outlets to allow an accessory drive, add a second hotel with up to 125 rooms, and eliminate a gas station/convenience store.	Approved
2017-189	The petition rezoned 42.6 acres to I-1(CD) AIR LLWPA to up to 450,000 square feet of light industrial uses.	Approved
2018-028	The petition rezoned 28.05 acres to R-17MF(CD) LLWPA to allow up to 330 multifamily residential units.	Approved



• The Dixie Berryhill Strategic Plan (adopted 2003) recommends office, retail, and light industrial land uses for the site.

TRANSPORTATION SUMMARY

The site is located on Garrison Road, a minor thoroughfare, State-maintained road. The latest site plan includes various revisions, which results in several outstanding issues for transportation improvements. The outstanding issues are in accordance of meeting standards, manuals and for the consideration of alternative realignment of Garrison Road for connection to West Boulevard Improvement Design Project. The petitioner should revise the site plan to meet the outstanding items listed below.

• Active Projects:

- CLT Airport and River District Area Feasibility Study
 - Express Design Feasibility study being done to determine what road improvements are required to sustain recent area growth in CLT airport, River District and surrounding areas

• Transportation Considerations

See Outstanding Issues, Notes 1-9.

Vehicle Trip Generation:

Current Zoning:

Existing Use: 60 trips per day (based on 6 single family dwellings).

Entitlement: 4,150 trips per day (based on 450 single family dwellings).

Proposed Zoning: 1,715 trips per day (based on 147,000 square feet of general industrial uses and 1,096,500 square feet of warehouse).

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-Douglas International Airport: No comments submitted.
- Charlotte Fire Department: No comments submitted.
- Charlotte-Mecklenburg Historic Landmarks: No comments submitted.
- Charlotte-Mecklenburg Police Department: No comments submitted.
- Charlotte-Mecklenburg Schools: Nonresidential petitions do not impact the number of students generated.

- Charlotte Water: Water service is accessible for this rezoning boundary. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. See advisory comments at www.rezoning.org
- 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:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES

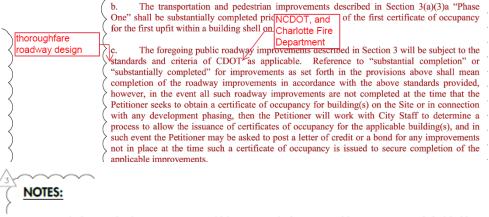
<u>Transportation</u>

- 1.—Add a note stating the final details will be determined during the permit review process to include input from other departments including but not limited to CDOT, General Services, Charlotte Fire Department, and NCDOT. Also include that any applicable ordinance requirements in addition to what is shown on proposed cross-sections may be required. Addressed
- 2. Revise Section B-B to the redlines below, reflecting the latest coordination between CDOT and NCDOT. A three-lane section with a center two-way left-turn lane will provide median space for left turns into the proposed access points for Development Area A. CDOT encourages the petitioner to consider condensing the number of access points for Development Area A on the along the Realigned Garrison Road. (NCDOT) Outstanding from Comment Review Meeting 11-23-2020: Revise Section B-B to relocate the proposed road crown from 9.5-feet from the proposed edge-of pavement, to 11-feet, to align with the edge of the proposed travel lane. Addressed
- 3. Add a note stating the final details will be determined during the permit review process to include input from other departments including but not limited to CDOT, General Services, Charlotte Fire Department, and NCDOT. Also include that any applicable ordinance requirements in addition to what is shown on proposed cross-sections may be required. Addressed
- 4. Revise the site plan and conditional note(s) to clarify the pavement sections that will be constructed by the petitioner, to be consistent with CLDSM standard detail number 11.09. The pavement schedule, as copied from the West Boulevard Extension plans for the Realigned Garrison Road typical cross sections, are provided below for reference. Addressed
- 5. Revise the site plan's conditional note language to specify the dedication and fee simple conveyance of rights of way within both phases, to the City before the site's first building certificate of occupancy is issued for each respective phase. CDOT requests right of way set at 2' behind back of sidewalk where feasible. Addressed
- 6. Revise the site plan and conditional note(s) to commit to constructing left turn lanes, with the appropriate storage and bay taper, within the center median at the proposed access points for Development Areas B, C, and D within Phase 1. CDOT encourages the petitioner to align opposing driveways and/or condense the number of proposed access points on Realigned Garrison Road, to minimize the number of left-turn lane bays required. Addressed
- 7.—Revise the site plan and conditional note(s) to update the proposed road centerline options of the West Boulevard Improvements and Alternative Garrison Road Improvements to Horton Road, per the latest West Boulevard Improvement design that is shown below. Addressed
- 8. Within the scope of the proposed Phase 2 improvements, revise the road centerline dimensions to comply with AASTHO Green Book minimum centerline radius standards for a major arterial. Addressed
- 9. Revise the site plan and conditional note (<u>Section 3.a.(3).b.ii.</u>) to clarify whether the public rightof-way that is required is for the temporary condition (60-ft) or future condition (120-ft). Addressed
- 10.-(NCDOT) Outstanding from Comment Review Meeting 11-23-2020: Revise the conditional note shown below, to provide a three-lane section within Section B-B. Addressed

Petition 2019-173 (Page 8 of 8) Final Staff Analysis



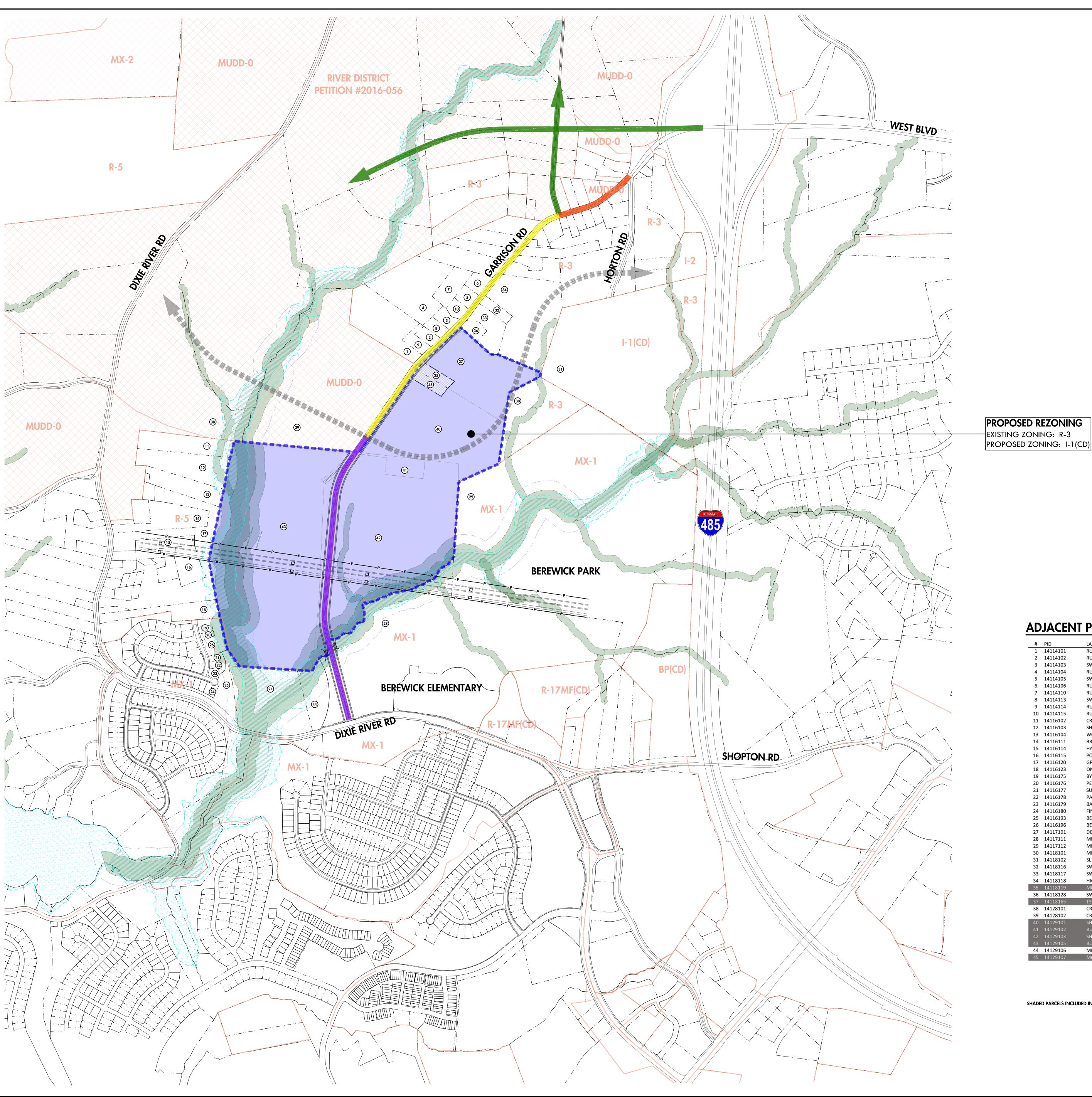
- Petitioner shall design and construct a 2-lane section, expandable to 4 lanes along the petitioner-controlled frontage north of the future "Catawba Crossing" as generally depicted on the rezoning plans.
- 11. (CDOT and NCDOT) Outstanding from Comment Review Meeting 11-23-2020: Revise the conditional note stating that all elements of roadway and intersection design, for each phase of transportation improvements, will meet the standards of CDOT, NCDOT, and the Charlotte Fire Department. Relocate the proposed general notes 1 and 2 that are provided on the Sheet RZ-4, to the conditional notes under Section 3 on Sheet RZ-5. Addressed

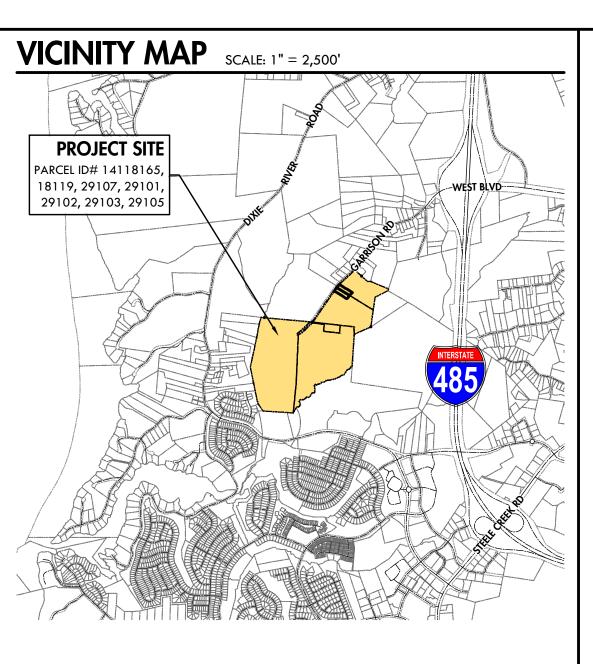


- FINAL DETAILS WILL BE DETERMINED DURING THE PERMIT REVIEW PROCESS AND WILL INCLUDE INPUT FROM OTHER DEPARTMENTS INCLUDING BUT NOT LIMITED TO CDOT, GENERAL SERVICES, CHARLOTTE FIRE DEPARTMENT, AND NCDOT.
- THE PROPOSED CROSS SECTIONS SHOWN SHALL COMPLY WITH ALL APPLICABLE ORDINANCE REQUIREMENTS IN ADDITION TO WHAT IS SHOWN.

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

Planner: Joe Mangum





SITE DEVELOPMENT TABLE

PROJECT NAME: GARRISON ROAD INDUSTRIAL PETITION NO: # 2019-173 PETITIONER: PLANS PREPARED BY: ±150.0 ACRES

14118165, 14118119, 14129107, 14129101, 14129102, \\
14129103, 14129105 **TAX PARCEL NUMBERS:**

CURRENT ZONING: PROPOSED ZONING: I-1 (CD) **OVERLAY DISTRICT: EXISTING USE:** PROPOSED LAND USE:

MAXIMUM GFA: **MAXIMUM HEIGHT:** LOWER LAKE WYLIE PROTECTED AREA OVERLAY OFFICE / WAREHOUSING / INDUSTRIAL CONDITIONS TOGETHER WITH ACCESSORY USES, ALL AS

ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS.) HEIGHT AS PERMITTED BY ORDINANCE AND WILL BE MEASURED AS DEFINED BY THE ORDINANCE.

AS REQUIRED BY THE ORDINANCE FOR THE PERMITTED USES

JURISDICTION: CITY OF CHARLOTTE PCSO WATERSHED DISTRICT: WESTERN CATAWBA FEMA INFORMATION: MAP DATES: 9/2/2015

ROAD IMPROVEMENTS

WEST BOULEVARD IMPROVEMENTS (PUBLIC PRIVATE PARTNERSHIP - BY OTHERS)

FLOOD ZONE: AE / X

ALTERNATE GARRISON ROAD IMPROVEMENTS (EXTEND IMPROVEMENTS TO HORTON ROAD DEPENDING ON TIMING OF WEST BOULEVARD PROJECT)

FUTURE CATAWBA CROSSING

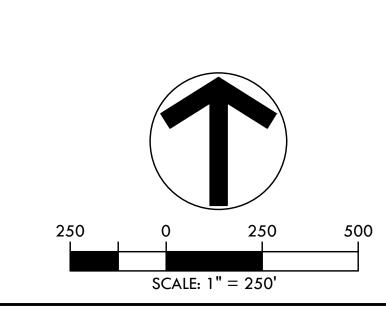
(RIGHT-OF-WAY RESERVATION)

ADJACENT PROPERTY OWNERS

#	PID	LAST NAME	FIRST NAME	DB	DP	SITE ADDRESS
1	14114101	RUSHING	RONNIE DUCE	28678	312	GARRISON RD
2	14114102	RUSHING	JAMES WARREN	18308	943	10428 GARRISON
3	14114103	SWANEY	ROBERT L SR	6348	835	10406 GARRISON
4	14114104	RUSHING	RONNIE DUCE	28678	312	10408 GARRISON
5	14114105	SWANEY	EVA C	29641	693	10308 GARRISON
6	14114106	RUSHING	GRADY S L/E	18376	745	10300 GARRISON
7	14114110	RUSHING	RONNIE DUCE	28678	312	GARRISON RD
8	14114113	SWANEY	ROBERT L SR	4846	302	10412 GARRISON
9	14114114	RUSHING	RONNIE D	5208	798	10502 GARRISON
10	14114115	RUSHING	RONNIE DUCE JR	27979	329	10338 GARRISON
11	14116102	CROSBY	LACHELLE M	31140	5	7242 DIXIE RIVER
12	14116103	SHORT	KYLE	31692	83	7052 DIXIE RIVER
13	14116104	WOODARD	HENRIETTA	1604	593	7048 DIXIE RIVER
14	14116111	BROWN	CARRIETTA A	31458	779	7006 DIXIE RIVER
15	14116114	HALL	LEE	1632	469	DIXIE RIVER RD
16	14116115	POTTS	KERMIT	33946	161	DIXIE RIVER RD
17	14116120	GRIER	BERNIE WALLACE	1154	397	6820 DIXIE RIVER
18	14116123	ONSITE HOLDINGS LLC		27099	305	6810 DIXIE RIVER
19	14116175	BYRUM JR	ROBERT F	32516	586	7504 CANOVA LN
20	14116176	PETERSON	TAD	32226	384	7428 CANOVA LN
21	14116177	SUMNER	ERIN NICOLE STARNES	31894	350	7412 CANOVA LN
22	14116178	PATIL	SADANAND SANJEEVKUMAR	32659	370	7408 CANOVA LN
23	14116179	BARTLETT	NICOLE L	30828	922	7404 CANOVA LN
24	14116180	FINAN	JEFFREY D	30589	465	9238 LOCH GLEN
25	14116193	BEREWICK HOMEOWNERS ASSOC. INC		33446	264	LOCH GLEN WY
26	14116196	BEREWICK HOMEOWNERS ASSOC. INC		33446	264	CANOVA LN
27	14117101	DIXIE RIVER LAND COMPANY LLC		12722	642	6332 DIXIE RIVER
28	14117111	MECKLENBURG COUNTY		14350	402	5910 DIXIE RIVER
29	14117112	MECKLENBURG COUNTY		14350	408	DIXIE RIVER RD
30	14118101	MECKLENBURG COUNTY		23229	795	GARRISON RD
31	14118102	SL HORTON ROAD LLC		32765	3	10137 HORTON R
32	14118116	SWANEY	ROBERT L	3328	259	10301 GARRISON
33	14118117	SWANEY	ROBERT L	3620	925	10309 GARRISON
34	14118118	HIGGINS	SHERI S	27004	414	GARRISON RD
35	14118119	MOBLEY	CHARLES DOUGLAS	27556	198	10515 GARRISON
36	14118128	SWANEY	ROBERT L	5744	479	10315 GARRISON
37	14118165	TSC GARRISON LLC		32652	372	GARRISON RD
38	14128101	CRESCENT COMMUNITIES II LLC		32809	788	DIXIE RIVER RD
39	14128102	CRESCENT COMMUNITIES II LLC		32809	788	DIXIE RIVER RD
40	14129101	SHAW	WILLIAM A JR	12389	394	GARRISON RD
41	14129102	BURRIS	DWIGHT D	5446	563	10731 GARRISON
40	14120102	CHAM	WILLIAM A ID	BL/A	NI/A	10013 CARRICON

SHADED PARCELS INCLUDED IN REZONING PETITION

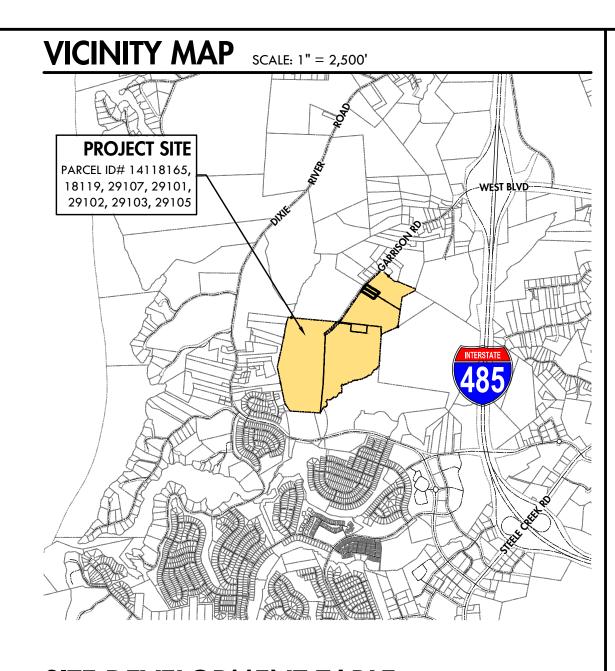
MECKLENBURG COUNTY



24799 269 GARRISON RD 27556 198 GARRISON RD

USTRIAL ARRISON

RF 1. 2. 8. 4.



SITE DEVELOPMENT TABLE

PROJECT NAME: GARRISON ROAD INDUSTRIAL ⁻# 2019-173 **PETITION NO:** PETITIONER: PLANS PREPARED BY:

ACREAGE: ±150.0 ACRES **TAX PARCEL NUMBERS:**

CURRENT ZONING: PROPOSED ZONING: I-1 (CD)

OVERLAY DISTRICT: EXISTING USE: PROPOSED LAND USE:

FEMA INFORMATION:

DRIVEWAY NOTE:

REGULATORY JURISDICTION OF THE CITY OF CHARLOTTE.

TO BE SUBMITTED TO CDOT FOR REVIEW AND APPROVAL.

CERTIFICATE ISSUED BY CDOT.

OFFICE / WAREHOUSING / INDUSTRIAL (ALL USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, ALL AS

MAXIMUM GFA: MAXIMUM HEIGHT:

JURISDICTION: PCSO WATERSHED DISTRICT:

THE FOLLOWING ARE REQUIREMENTS OF THE DEVELOPER THAT MUST BE SATISFIED PRIOR TO DRIVEWAY PERMIT APPROVAL.

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

TRIANGLES (AND TWO 10' X 70' SIGHT TRIANGLES ON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ON NCDOT MAINTAINED STREETS) ARE REQUIRED FOR THE ENTRANCE(S) TO MEET REQUIREMENTS. ALL PROPOSED TREES, BERMS. WALLS, FENCES, AND/OR IDENTIFICATION SIGNS MUST NOT INTERFERE WITH SIGHT DISTANCE AT THE ENTRANCE(S). SUCH

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

4. ALL PROPOSED COMMERCIAL DRIVEWAY CONNECTIONS TO A FUTURE PUBLIC STREET WILL REQUIRE A DRIVEWAY PERMIT

5. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A

(IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY

SCALE: 1" = 150'

CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.

14118165, 14118119, 14129107, 14129101, 14129102, ¹ 14129103, 14129105

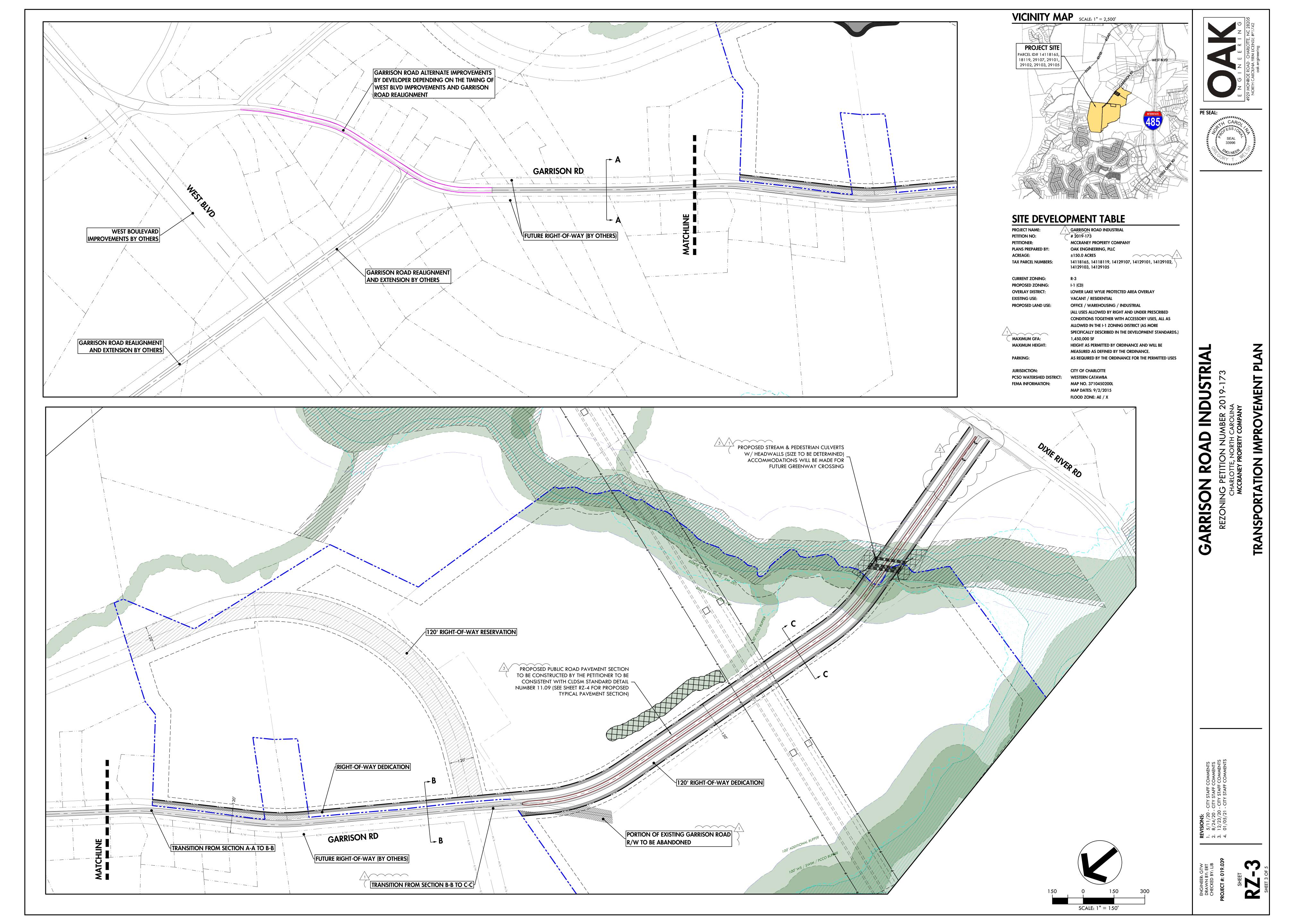
LOWER LAKE WYLIE PROTECTED AREA OVERLAY ALLOWED IN THE I-1 ZONING DISTRICT (AS MORE

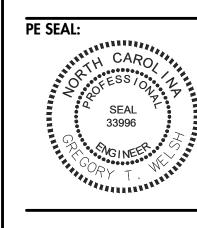
SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS.) HEIGHT AS PERMITTED BY ORDINANCE AND WILL BE MEASURED AS DEFINED BY THE ORDINANCE. AS REQUIRED BY THE ORDINANCE FOR THE PERMITTED USES

> CITY OF CHARLOTTE **WESTERN CATAWBA** MAP DATES: 9/2/2015 FLOOD ZONE: AE / X

STRIA INDUS ARRISON

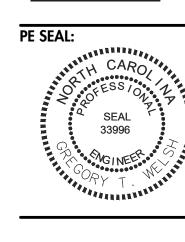
6. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO THE CONSTRUCTION/INSTALLATION OF THE NON-STANDARD ITEM(S). CONTACT CDOT FOR ADDITIONAL INFORMATION

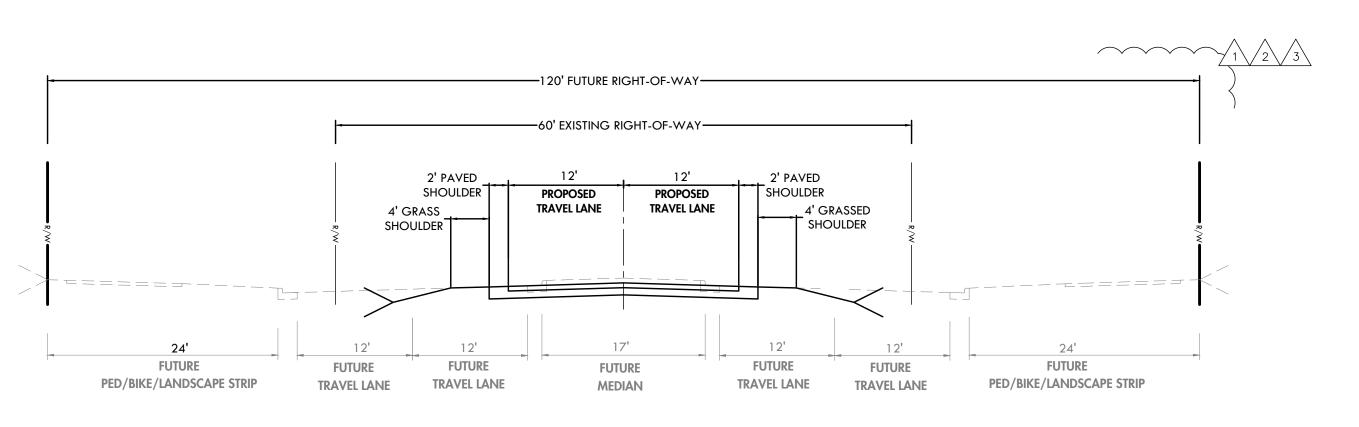




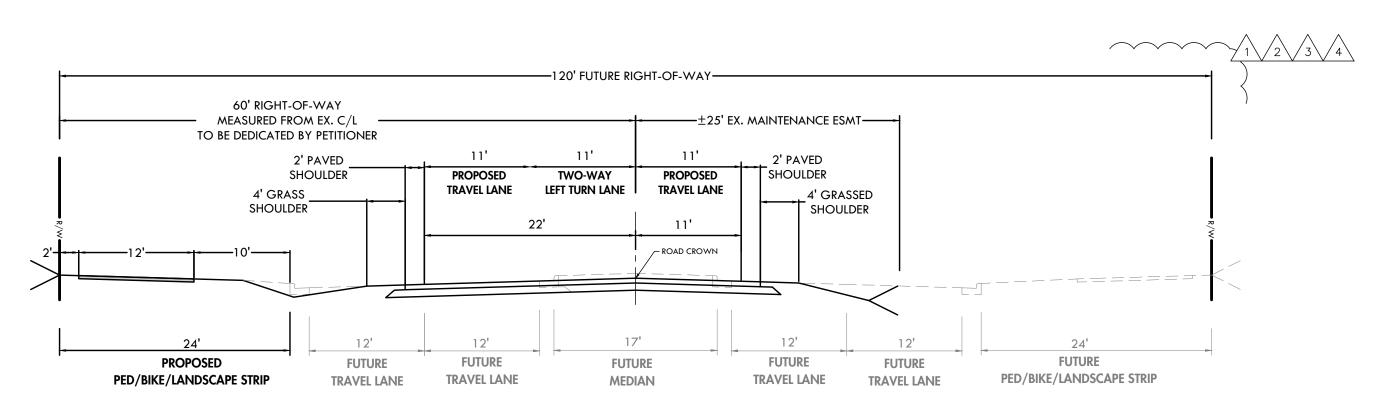
INDUSTRIAL

GARRISON

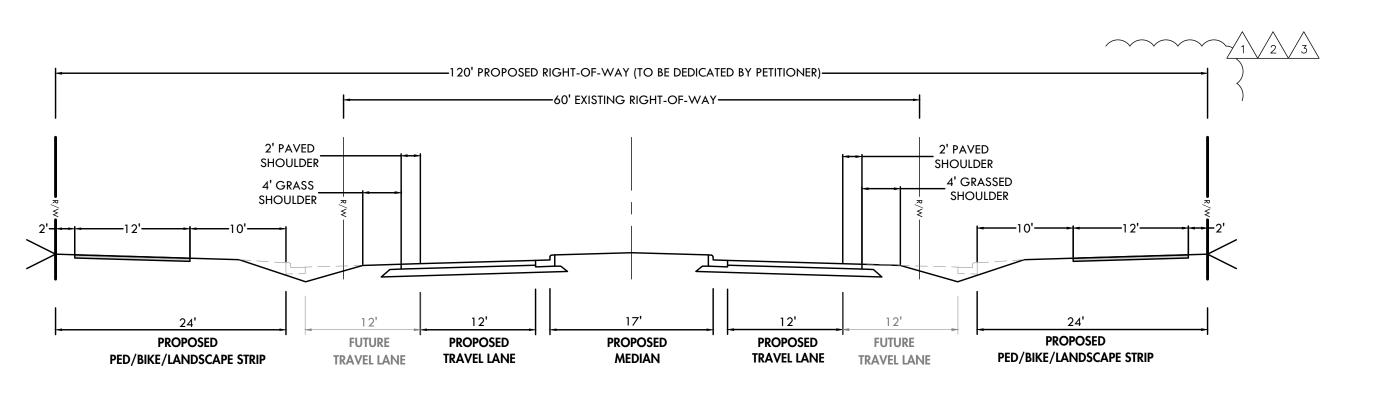




SECTION A - A PROPOSED ROAD IMPROVEMENTS (FUTURE BY OTHERS)



SECTION B - B PROPOSED ROAD IMPROVEMENTS (FUTURE BY OTHERS)



SECTION C - C PROPOSED ROAD IMPROVEMENTS (FUTURE BY OTHERS)

 $\sqrt{2}$ TYPICAL PAVEMENT SECTION FOR PROPOSED PUBLIC ROAD:

SURFACE COURSE:

INTERMEDIATE COURSE: PROPOSED 4.0 INCHES (MIN) ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE

119.0C, AT AN AVERAGE RATE OF 456 LB/SY

BASE COURSE: PROPOSED 8.0 INCHES ASPHALT CONCRETE BASE COURSE, TYPE B25.OC, AT AN AVERAGE RATE OF 399 LB/SY IN EACH OF TWO EQUAL LIFTS

NOTE: FOR ALL PUBLIC ROAD PAVEMENT SECTIONS TO BE CONSTRUCTED BY PETITIONER. CONSISTENT WITH CLDSM STANDARD DETAIL NUMBER 11.09.

PROPOSED 3.0 INCHES ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5C, AT AN AVERAGE RATE OF 168 LB/SY IN EACH OF TWO 1.5-INCH LIFTS

RF 1. 2. 8. 4.

Site Development Data:

- --Acreage: \pm 153 acres
- --Tax Parcel #s: 14129102, 14129105, 14118165, 14129101,14129107,14118119 and 14129103
- -- Existing Zoning: R-3 -- Proposed Zoning: I-1(CD)
- -- Existing Uses: Vacant/Residential

--Permitted Uses: Warehousing, warehouse distribution, manufacturing, office, and all other industrial uses as permitted by right and under prescribed conditions together with accessory uses, all as allowed in the I-1 zoning district (as more specifically described in the Development Standards below).

--Maximum Gross Square feet of Development: Up to 1,450,000 square feet of gross floor

--Maximum Building Height: Height as permitted by Ordinance and will be measured as

defined by the Ordinance. --Parking: As required by the Ordinance for the permitted uses.

1. <u>General Provisions</u>:

- a. Site Location. These Development Standards, Schematic Site Plan and other graphics set forth on Sheet RZ-1 and any other Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by McCraney Property Company ("Petitioner") to accommodate the development of the requested permitted uses on the approximately 150 acre site located on Garrison 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 I-1 zoning classification shall govern all development taking place on the Site.
- **c.** Graphics and Alterations. Any schematic depictions of the building envelopes, parking areas, sidewalks, driveways, streets, open space, buffers 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. Any layouts, 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, and the final roadway alignment for the future Garrison Road Extension and Catawba connector have not been finalized, 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 CHAR2\2197012v1

- c. A fifty (50) foot Class A Buffer that can be reduced per Ordinance will be provided adjacent to those properties zoned MUDD-O as generally depicted on the Rezoning Plan.
- d. A one hundred (100) foot Class A Buffer that can be reduced per Ordinance will be provided adjacent to those properties zoned MX-1 and designated as residential use as generally depicted on the Rezoning Plan.
- e. A seventy-five (75) foot Class A Buffer that can be reduced per Ordinance will be provided adjacent to those properties zoned MX-1 and designated as non-residential use as \(\) generally depicted on the Rezoning Plan.

Architectural Standards and Design Guidelines.

- **Building Materials.** The principal building(s) constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), metal panels (on north and west elevations only), EIFS, cast on site concrete panel or wood. Vinyl as a building material will not be allowed except on windows and soffits.
- Mechanical Equipment Screening. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties and proposed public streets at
- **Dumpster Screening.** Dumpster areas and recycling areas will be enclosed by a solid wall or fence.
- d. **Pedestrian Entrances**. There shall be a minimum of one street facing entrance to each public street. Corner entrances shall meet this requirement for both streets. All pedestrian entrances, excluding emergency exits, will be architecturally defined with glazing, awnings, canopies and/or other architectural element, and have a connection to adjacent Public Streets.

6. <u>Environmental Features:</u>

- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- The Site will comply with Tree Ordinance.
- Ctroom Duffers at all assessment at the Language at the Wall William at all assessment at the Company of the Co Stream Buffers shall comply with the Lower Lake Wylie Watershed Overlay Ordinance.
- d. 100' SWIM/PCSO Stream Buffers shall be increased to include 50% of the flood fringe area as additional stream buffer. Delineation of the additional stream buffer area will be deferred to the permitting process.
- e. 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.

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; such as minor modifications to the configurations of any building envelope, driveways and parking area dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the

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. Planned/Unified Development. The Site shall be viewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. The Petitioner and/or owner(s) of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all square footage maximum requirements will be regulated by any development limitations set forth in Section 2 below as to the Site taken as a whole and not individual portions or lots located therein.
- e. Notwithstanding the number of building(s) shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to seven (7). 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). In the event more than one principal building is developed on the Site, the Site shall adhere to the Subdivision Ordinance.

2. Permitted Uses, Development Area Limitations:

a. The Site may be developed with up to 1,450,000 square feet gross floor area of warehousing, warehouse distribution, manufacturing, office, and all other industrial uses as permitted by right and under prescribed conditions together with accessory uses, as allowed in the I-1 zoning district.

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: structured parking facilities and all loading dock areas (open or enclosed).

Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions.

Prior to submission of any civil site plan for development, the developer agrees to survey all identified jurisdictional wetlands and streams within the assemblage. Stream buffers will be accurately shown, measured from the surveyed tops of banks.

- With regard to temporary sediment basin design, the Petitioner commits to basin sizing on storm events detaining the 2-year storm for five (5) days and the 25 year storm for three (3) days while routing the 50 year storm through the water quality skimmer outlet
- Additional specific measures to be employed in concert with the increased basin capacity will include that all plans follow the requirements of the Critical and Protected Area Enhanced Erosion Control Measures Checklist, including polyacrylamide (PAM) plans. PAM shall be specified for use with seeding mixtures and to treat sheet flow runoff to basins including type, amount, and frequency of application.
- The Petitioner shall work with the City Water Quality Administrator or designee to provide increased temporary basin capacity and to implement other erosion control measures based on earthwork cut/fill analysis.
- Good faith efforts will be made to follow the additional Design and Site Management Considerations included in the Critical and Protected Area Enhanced Erosion Control Measures
- 1. A qualified individual will be dedicated solely to the protection of surface water resources with duties to include the periodic inspection of erosion control measures and land disturbing activities, the routine inspection of surface waters, and activities necessary to ensure
- the compliance with water quality regulations and rezoning conditions. m. A copy of the EEP easement for the Beaverdam Creek Restoration Project will be provided at the time of construction plan submission and all provisions of the EEP easement will
- The Petitioner agrees to coordinate Greenway Connectivity to the adjacent Berewick Regional Park with the River District and Mecklenburg County Parks and Recreation.

be followed as it pertains to the assemblage.

- The Petitioner agrees to provide continuous monitoring devices downstream to monitor turbidity 24 hours/day during construction and provide alerts to erosion control inspectors if exceedances occur.
- The Petitioner agrees to participate in annual bathymetric monitoring of Browns' Cover (currently being led by the River District).

Transportation Improvements and Access:

The transportation improvements, pedestrian improvements and right of way dedication described below in paragraphs 3.a(1), 3.a(2) and 3.a(3) shall be constructed, installed, and dedicated by the Petitioner.

(1) The Petitioner will provide access to the Site as generally depicted on the Rezoning Plan, via extending Garrison and subject to the provisions below; provided that the exact alignment, dimensions and location of the access point to the Site and the driveway on the Site may be modified from the elements shown on the Rezoning Plan as long as the overall design intent is not materially altered and requirements described in this Section 3 are met.

(2) Planting strips and sidewalks shall be constructed in accordance with the final construction plans associated with the Extension of Garrison Road.

(3) Transportation improvements will be phased by the Petitioner to support the build out of the Site. The Petitioner shall install the following transportation improvements as generally depicted on the rezoning plan:

a. Phase One:

- Petitioner shall grant to CDOT a 120-foot right-of-way where the petitioner controls both sides of Garrison Road (or 60-feet of right-of-way measured from the centerline where the petitioner only controls one side of Garrison Road), as generally depicted on the attached rezoning plan.
- Petitioner shall design a 4 lane and construct a 2 lane, median-divided section of Garrison Road from Dixie River Road and extending north to the intersection of Garrison Road and the future "Catawba Crossing".

b. Phase Two:

- Petitioner shall design and construct a 3-lane section, expandable to 4 lanes along the petitioner-controlled frontage north of the future "Catawba Crossing" as generally depicted on the rezoning plans. Upon successful acquisition of 60' right-of-way, that portion of Garrison Road located north of the subject property shall be widened to two 12-foot lanes with a
- attached Rezoning Plan. iii. Petitioner shall have the option to widen that portion of Garrison Road to Horton Road as described above IF the West Boulevard / Garrison Road improvements to be constructed by the developer of the River District are not completed prior to

2-foot shoulder from the subject property to West Boulevard as shown on the

issuance of the final building's Certificate of Occupancy. iv. Prior to receiving the Certificate of Occupancy for 50% of the allotted squarefootage, the petitioner shall increase the storage capacity of the right turnlane of the I-485 Outer Exit Ramp from 140' to 175' as described in the Traffic Impact Study. This improvement shall be waived IF the River District's Garrison Road / West Boulevard Improvements are completed.

7. <u>Lighting:</u>

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

8. 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 or applicable parcels within the Site in accordance with the provisions herein and of Chapter 6 of the Ordinance.

9. <u>Binding Effect of the Rezoning Application</u>:

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.

The transportation and pedestrian improvements described in Section 3(a)(3)a "Phase One" shall be substantially completed prior to the issuance of the first certificate of occupancy for the first upfit within a building shell on the Site.

c. The foregoing public roadway improvements described in Section 3 will be subject to the thoroughfare roadway design standards and criteria of CDOT, NCDOT and the Charlotte Fire Department as applicable. Reference to "substantial completion" or "substantially completed" for improvements as set forth in the provisions above shall mean completion of the roadway improvements in accordance with the above standards provided, however, in the event all such roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site or in connection with any development phasing, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable building(s), and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. Changes to the above referenced roadway improvements in this Section 3 can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

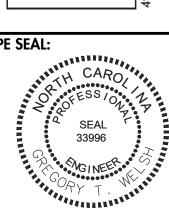
e. The Petition shall dedicate and convey (fee simple) to the City the rights of way within both phases described in Paragraph (3) before the site's first building certificate of occupancy is issued for each respective phase. Rights of way shall be set 2' behind back of sidewalk where

f. The pavement sections for the public roads that will be constructed by the petitioner shall be consistent with CLDSM Standard Detail Number 11.09.

- g. The Petitioner shall construct left-turn lanes, with appropriate storage and bay tapers, within the center median at the proposed access points for Development Areas B, C, and D within Phase 1. Where feasible and as approved by CDOT during the plan review, the Petitioner shall align opposing driveways and/or condense the number of proposed access points on Garrison Road, to minimize the number of required left-turn lane bays.
- Final design details will be determined during the permit review process and will include input from other departments including but not limited to CDOT, General Services, Charlotte Fire Department, and the NCDOT.
- i. The proposed cross sections shown shall comply with all applicable ordinance requirements in addition to what is shown.
- 4. <u>Setbacks, Buffers and Screening.</u>
- a. A twenty (20) foot setback shall be provided as defined by Ordinance from public streets.

b. A one hundred (100) foot Class A Buffer that can be reduced per Ordinance will be provided adjacent to the single-family homes as generally depicted on the Rezoning Plan.





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City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 6.File #: 15-14980 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

Zoning Committee

Rezoning Petition 2019-179 August 4, 2020

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 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

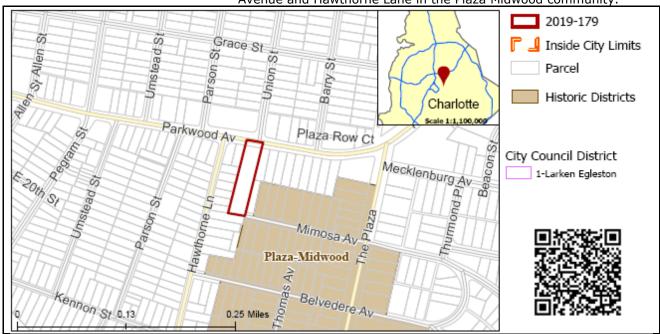
Current Zoning: R-5 (single family residential) & R-22MF (multi-

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

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

COMMUNITY MEETING

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

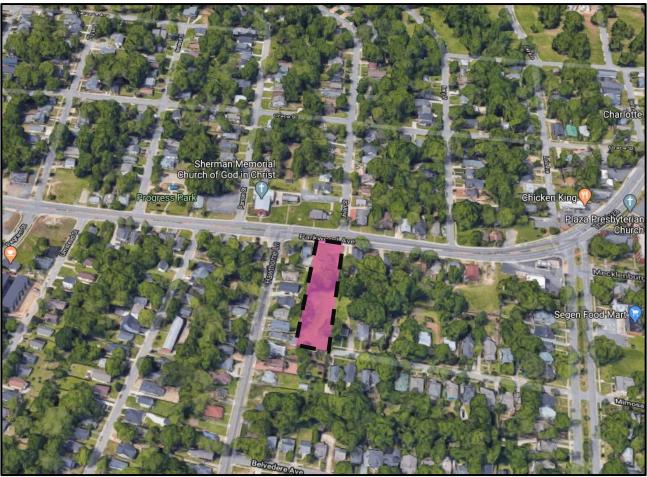
Proposed Request Details

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
 - 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

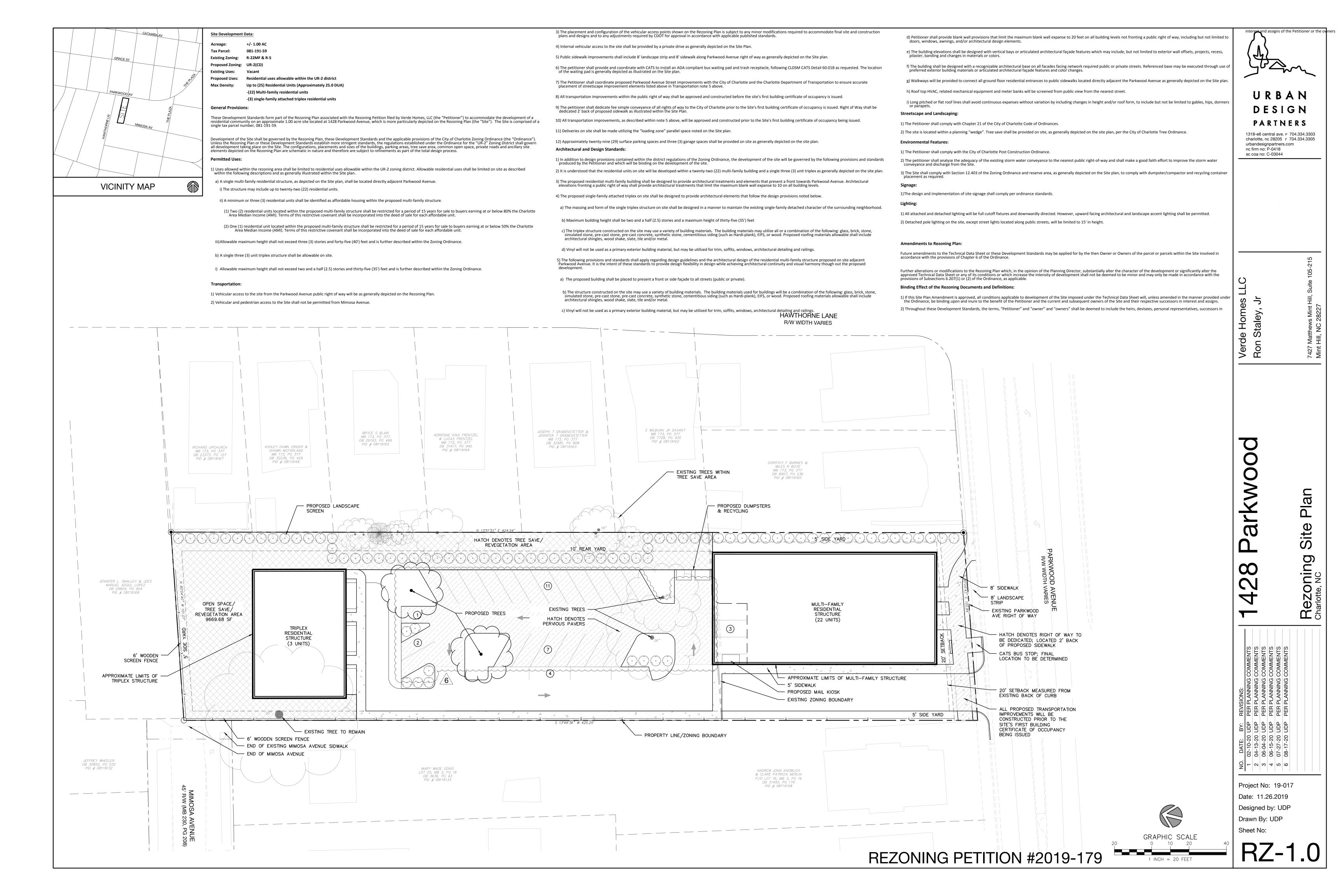
Site and Building Design

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: 1/19/2021

Agenda #: 7.File #: 15-14981 Type: Zoning Decision

Rezoning Petition: 2020-086 by Greystar GP II, LLC

Location: Approximately 71.94 acres located on the south side of University City Boulevard, west of Interstate 485, north of Mineral Springs Road. (Council District 4 -Johnson)

Current Zoning: RE-2 (research and RE-2 (CD) (research, conditional)

Proposed Zoning: R-12 MF (CD) (multi-family residential, conditional) with five-year vested rights.

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 2020-086

January 5, 2021

REQUEST Current Zoning: RE-2 (research) and RE-2(CD) (research,

conditional)

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

conditional) with five-year vested rights.

LOCATION Approximately 71.94 acres located on the south side of

University City Boulevard, west of Interstate 485, north of

Mineral Springs Road.

(Council District 4 - Johnson)

PETITIONER Greystar GP II, 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 *University Research Area Plan* (2008) based on the information from the staff analysis and the public hearing, and because:

• The plan recommends residential/office/retail up to 22 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 712 multi-family and 26 multifamily attached dwelling units to be developed in two phases.
- This petition aligns with the University Research Area Plan (2008) future land use recommendation of residential, office, or retail at this site. At 9.6 DUA, this petition is much less dense than the maximum recommended density of 22+ DUA.
- This petition commits to increasing pedestrian mobility by establishing a minimum 8-foot wide planting strip and a minimum 12-foot wide multi-use path along the Site's frontage on University City Boulevard.
- Prior to the issuance of a certificate of occupancy for the one hundred and seventy-fifth (175th) multi-family dwelling unit constructed on the Site, the Petitioner proposes to dedicate and convey to Mecklenburg County for future greenway purposes the entire 100-year floodplain of Doby Creek. The petitioner also commits to constructing a minimum 12-foot wide multi-use path that will connect the Greenway Area to the western boundary line of the Site.

Petition 2020-086 (Page 2 of 2) Zoning Committee Recommendation

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 Michael Russell (704) 353-0225





REQUEST Current Zoning: RE-2 (research) and RE-2(CD) (research,

conditional)

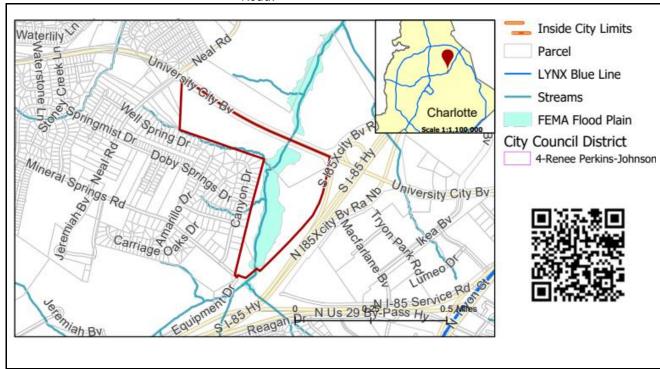
Proposed Zoning: R-12MF(CD) (multi-family residential,

conditional) with five-year vested rights.

LOCATION Approximately 71.94 acres located on the south side of University

City Boulevard, west of Interstate 485, north of Mineral Springs

Road.



SUMMARY OF PETITION

The petition proposes a residential community developed in two phases allowing up to 712 multi-family and 26 townhome dwelling units with a density of 9.6 dwelling units per acre on vacant land.

PROPERTY OWNER PETITIONER

International Business Machines Corporation Greystar GP II, LLC

AGENT/REPRESENTATIVE John Carmichael, Robin

John Carmichael, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *University Research Area Plan* recommendation of residential/office/retail up to 22 dwelling units per acre (DUA).

Rationale for Recommendation

- This petition proposes up to 712 multi-family and 26 multi-family attached dwelling units to be developed in two phases.
- This petition aligns with the *University Research Area Plan* (2008) future land use recommendation of residential, office, or retail at

- this site. At 9.6 DUA, this petition is much less dense than the maximum recommended density of 22+ DUA.
- This petition commits to increasing pedestrian mobility by establishing a minimum 8-foot wide planting strip and a minimum 12-foot wide multi-use path along the Site's frontage on University City Boulevard.
- Prior to the issuance of a certificate of occupancy for the one hundred and seventy-fifth (175th) multi-family dwelling unit constructed on the Site, the Petitioner proposes to dedicate and convey to Mecklenburg County for future greenway purposes the entire 100-year floodplain of Doby Creek. The petitioner also commits to constructing a minimum 12-foot wide multi-use path that will connect the Greenway Area to the western boundary line of the Site.

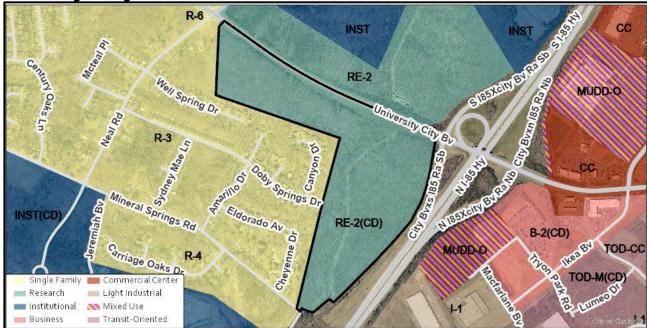
PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 712 multi-family units in two phases.
- Allows Phase 1 to contain 348 multi-family units with a minimum of 10 townhomes.
- Allows Phase 2 to contain 364 multi-family units with a minimum of 16 townhomes.
- Commits to an 8-foot wide planting strip and a minimum 12-foot wide multi-use path along the Site's frontage on University City Boulevard.
- Commits to a 12-foot-wide multi-use path that will connect the greenway Area to the western boundary line of the Site.
- Commits to dedicate and convey to Mecklenburg County for future greenway purposes the entire 100-year floodplain of Doby Creek.
- Commits to providing an internal private street network, with two roundabouts to support internal traffic circulation.
- Provides internal sidewalks and pedestrian connections within the Site.
- Provides turn lane improvements at access locations on University City Boulevard.
- Provides turn lane improvements at the following existing signalized intersections: University City Boulevard & Neal Road and University City Boulevard & I-85 Northbound Off-ramp.
- Provides walkways to connect all residential entrances to sidewalks along public and private streets.
- Provides an amenity area within each phase to contain a clubhouse, swimming pool and fitness center.
- Architectural standards include:
 - Buildings exceeding 120 feet in length shall include one or more modulations of the building massing/facade plane such as recesses, projections, and architectural details.
 - Prohibits Vinyl siding (but not vinyl hand rails, windows, doors, garage doors or door trim) and concrete masonry not architecturally finished.
 - Building elevations 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.
 - Long pitched or flat roof lines will 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.
 - Buildings will be placed to present a front or side facade to all network required streets.





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



The subject property denoted by red star.



The property to the south and west of the site along Doby Springs Drive is developed with single-family homes.



The property to the north across University City Boulevard is undeveloped.



The site borders Interstate 85 to the east.



Petition Number	Summary of Petition	Status
2015-047	Rezoned 22 acres to allow all the uses in the TOD-M zoning district.	Approved
2017-108	Rezoned 14.2 acres to allow up to 80,000 square-feet of EDEE's with golf-related outdoor entertainment uses.	Approved
2018-123	A site plan amendment to allow two additional ground mounted signs not exceeding 3,000 square-feet in area and 30-feet in height.	Approved
2018-169	Text amendment to replace three existing transit-oriented development districts with four new districts in accordance with the Unified Development Ordinance.	Approved
2019-102	Alignment rezoning to rezone parcels under a range of zoning districts to one of four transit-oriented development districts.	Approved

Petition 2020-086 (Page 6 of 7) Final Staff Analysis





The University Research Park Area Plan (2010) recommends residential/office/retail for this site.

TRANSPORTATION SUMMARY

The site is located on University City Boulevard, which is a State-maintained major thoroughfare. A TIS was required for the review of this petition and was approved 10/27/20 by CDOT and NCDOT. The latest TIS improvements include turn lane improvements at the proposed site access locations on University City Boulevard. Additional turn lane improvements will also be incorporated at the following existing signalized intersections: University City Boulevard & Neal Road and University City Boulevard & I-85 Northbound Offramp. The petitioner has committed to providing an internal private street network, with two roundabouts to support internal traffic circulation. In accordance with Charlotte BIKES, the petitioner has committed to constructing a 12-ft shared use path along the site frontage along University City Boulevard. CDOT is coordinating with the petitioner to construct a shared use path connection to Mineral Springs Road to improve connectivity by providing a north south connection to University City Boulevard. In support of Charlotte WALKS, Charlotte BIKES, and the Greenway Masterplan, the petitioner has committed to constructing a shared use path from the rezoning site to Doby Springs Drive, over Doby Creek, to provide pedestrian and bicycle access to the adjacent subdivision.

Active Projects:

- None identified
- Transportation Considerations
 - See Outstanding Issues, Note 1
- Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 6,020 trips per day (based on 598,600 square feet of Research uses). Proposed Zoning: 3,895 trips per day (based on 686 multi-family units and 26 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 zero students, while the development allowed under the proposed zoning may produce 87

Petition 2020-086 (Page 7 of 7) Final Staff Analysis

students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 87 students.

- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Governor's Village K-8 from 104% to 107%
 - Zebulon Vance High from 129% to 130%.
- Charlotte Water: Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information. 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 site plan and conditional note(s) to commit to constructing a shared use path connection to Mineral Springs Road Addressed

REQUESTED TECHNICAL REVISIONS

Environment

2.—Add an evergreen tree and shrub species to the buffer planting schedule. Addressed

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

Planner: Michael Russell (704) 353-0225

REZONING PETITION 2020-086

ELAN UNIVERSITY CITY

MULTI-FAMILY RESIDENTIAL

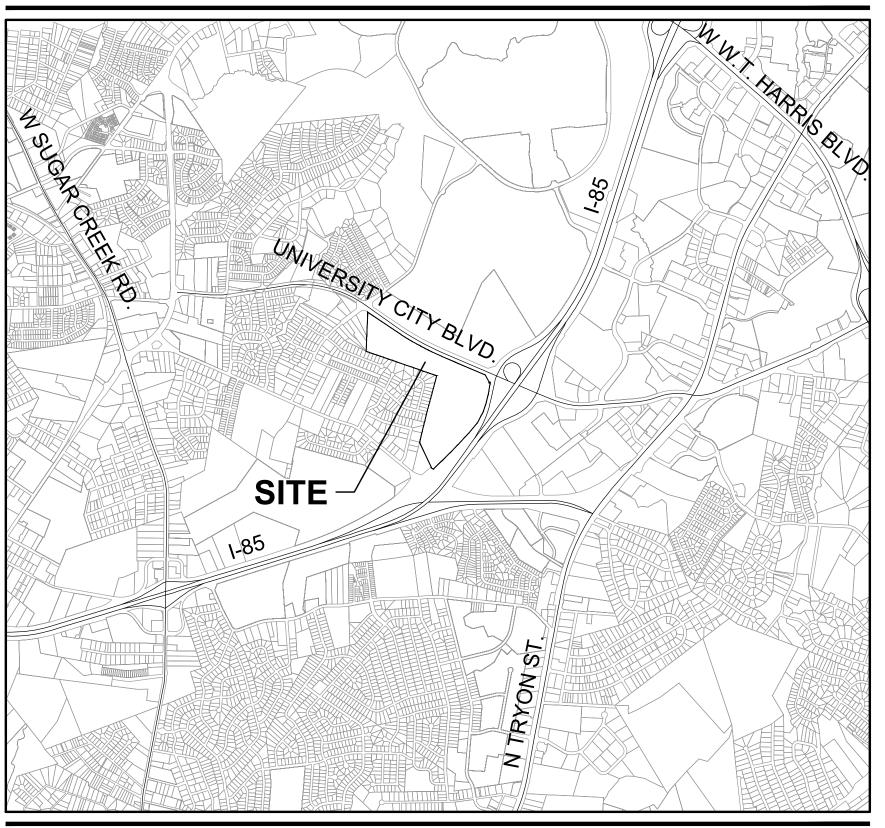
CHARLOTTE, NORTH CAROLINA

DATE: 12/28/2020

SHEET INDEX

Sheet List Table			
Sheet Number	Sheet Title		
RZ-1.0	COVER SHEET		
RZ-1.1	SURVEY		
RZ-2.0	TECHNICAL DATA SHEET		
RZ-3.0	OVERALL SITE PLAN		
RZ-3.1	DETAILED SITE PLAN		
RZ-3.2	DETAILED SITE PLAN		
RZ-4.0	DEVELOPMENT NOTES		

VICINITY MAP



CALE: 1"=2000' 1000' 2000' 4000'

PROJECT TEAM

OWNER/DEVELOPER

GREYSTAR GP II, LLC 521 E MOREHEAD ST, SUITE 400 CHARLOTTE, NC, 28202 704.379.1868 CONTACT NAME: ZACH SPENCER

LANDSCAPE ARCHITECT

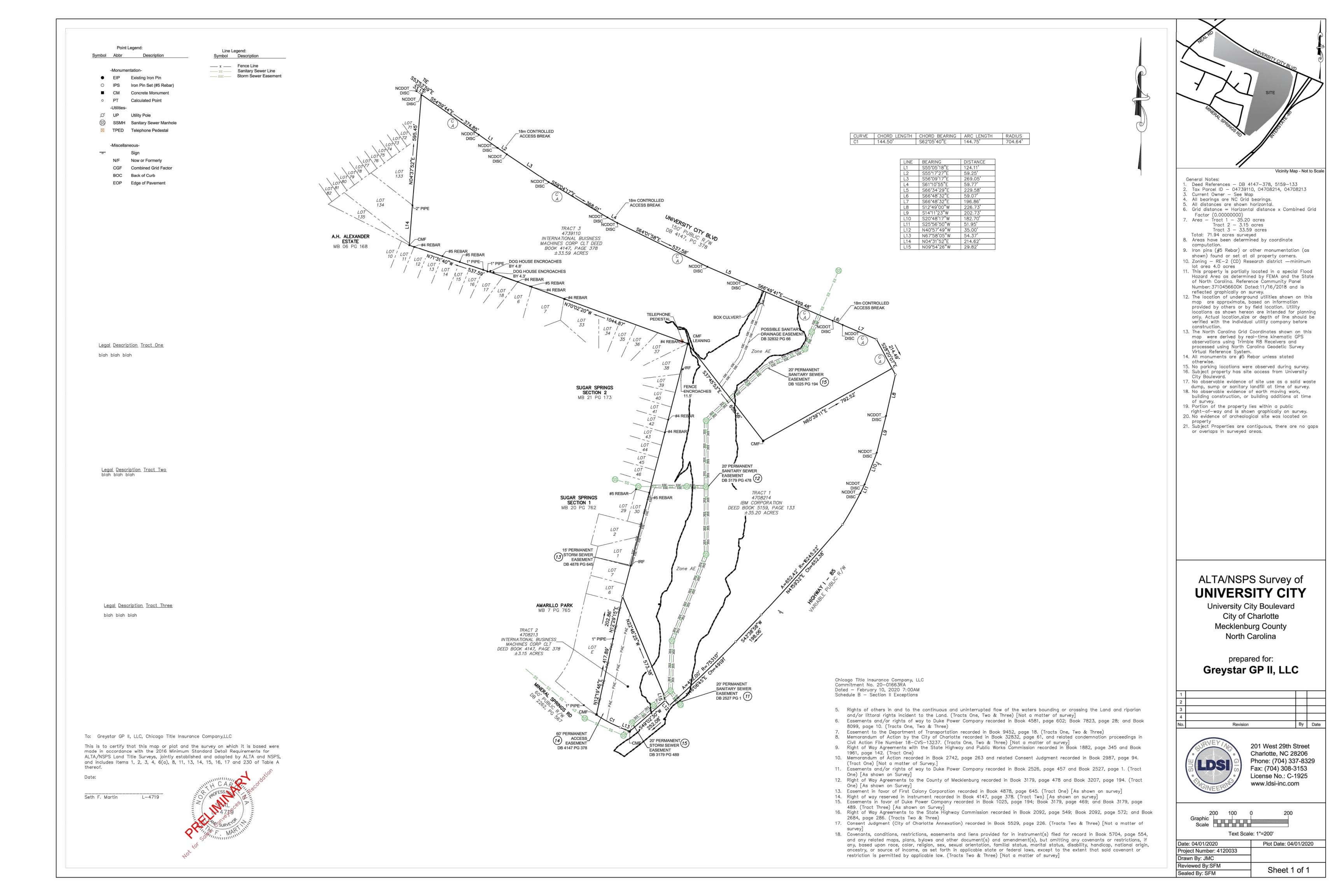
LANDDESIGN
223 NORTH GRAHAM STREET
CHARLOTTE, NC 28202
704.333.0325
CONTACT NAME: MARK KIME, PLA

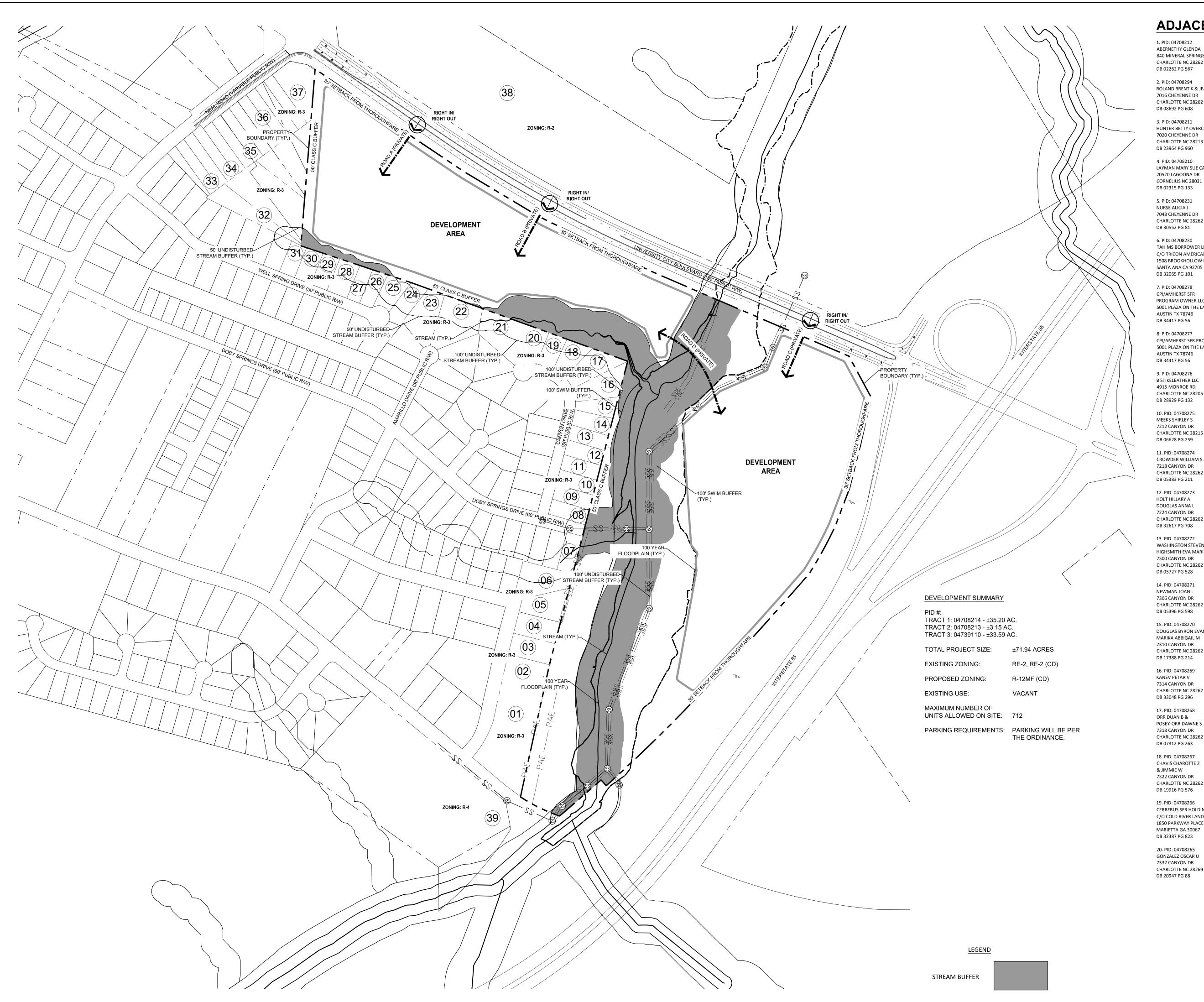
CIVIL ENGINEER

LANDDESIGN
223 NORTH GRAHAM STREET
CHARLOTTE, NC 28202
704.333.0325
CONTACT NAME: MASON GREESON, PE

SURVEYOR

LDSI, INC. 201 W 29TH ST CHARLOTTE, NC 28026 704.309.8216 CONTACT NAME: SETH MARTIN





ADJACENT PROPERTIES

1. PID: 04708212 ABERNETHY GLENDA 840 MINERAL SPRINGS RD CHARLOTTE NC 28262 DB 02262 PG 567 2. PID: 04708294

ROLAND BRENT K & JEANETTE A 7016 CHEYENNE DR CHARLOTTE NC 28262 DB 08692 PG 608 3. PID: 04708211

HUNTER BETTY OVERCASH 7020 CHEYENNE DR **CHARLOTTE NC 28213** DB 23964 PG 960 4. PID: 04708210 LAYMAN MARY SUE CADIEU 20520 LAGOONA DR

5. PID: 04708231 NURSE ALICIA J 7048 CHEYENNE DR CHARLOTTE NC 28262 DB 30552 PG 81

6. PID: 04708230 TAH MS BORROWER LLC C/O TRICON AMERICAN HOMES LLC 1508 BROOKHOLLOW DR SANTA ANA CA 92705 DB 32065 PG 101

7. PID: 04708278 CPI/AMHERST SFR PROGRAM OWNER LLC 5001 PLAZA ON THE LAKE STE 200 AUSTIN TX 78746 DB 34417 PG 56

8. PID: 04708277 CPI/AMHERST SFR PROGRAM OWNER LLC 5001 PLAZA ON THE LAKE STE 200 AUSTIN TX 78746 DB 34417 PG 56

B STIKELEATHER LLC 4915 MONROE RD **CHARLOTTE NC 28205** DB 28929 PG 132 10. PID: 04708275 MEEKS SHIRLEY S

DB 06628 PG 259 11. PID: 04708274 CROWDER WILLIAM S & SARAH C 7218 CANYON DR CHARLOTTE NC 28262

> DB 05383 PG 211 12. PID: 04708273 HOLT HILLARY A DOUGLAS ANNA L 7224 CANYON DR **CHARLOTTE NC 28262** DB 32617 PG 708

13. PID: 04708272 WASHINGTON STEVEN KEVIN HIGHSMITH EVA MARIE 7300 CANYON DR CHARLOTTE NC 28262 DB 05727 PG 528

14. PID: 04708271 NEWMAN JOAN L 7306 CANYON DR **CHARLOTTE NC 28262** DB 05396 PG 598

15. PID: 04708270 DOUGLAS BYRON EVAN & MARIKA ABBIGAIL M 7310 CANYON DR CHARLOTTE NC 28262 DB 17388 PG 214

KANEV PETAR V 7314 CANYON DR **CHARLOTTE NC 28262** DB 33048 PG 296 17. PID: 04708268 ORR DUAN B &

CHARLOTTE NC 28262 DB 07312 PG 263 18. PID: 04708267 CHAVIS CHAROTTE Z & JIMMIE W 7322 CANYON DR **CHARLOTTE NC 28262**

19. PID: 04708266 CERBERUS SFR HOLDINGS LP C/O COLD RIVER LAND LLC 1850 PARKWAY PLACE SUITE 900 MARIETTA GA 30067 DB 32387 PG 823

20. PID: 04708265 GONZALEZ OSCAR U 7332 CANYON DR **CHARLOTTE NC 28269** DB 20947 PG 88

21. PID: 04708264 WHITESIDE BROADUS J 7334 CANYON DR CHARLOTTE NC 28262 DB 05218 PG 178

22. PID: 04708238 SFR JV-1 2019-1 BORROWER LLC C/O TRICON AMERICAN HOMES LLC 1508 BROOKHOLLOW DR SANTA ANA CA 92705 DB 33886 PG 651

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325

WWW.LANDDESIGN.COM

NOT FOR

CONSTRUCTION

ELAN UNIVERSITY

CITY

GREYSTAR GP II, LLC

UNIVERSITY CITY BOULEVARD

CHARLOTTE, NC 28262

1019525

REVISION / ISSUANCE

1 REZONING SUBMITTAL 05/15/2020

2 REZONING SUBMITTAL 10/12/2020

3 REZONING SUBMITTAL 11/16/2020

REZONING SUBMITTAL | 12/28/2020

DESCRIPTION

23. PID: 04708237 GILCHRIST ANTHONY & 7225 AMARILLO DR **CHARLOTTE NC 28262** DB 05228 PG 692 24. PID: 04708524

MCLENDON JR TERRY 1100 WELL SPRING DR **CHARLOTTE NC 28262** DB 32070 PG 821 25. PID: 04708523 **BORDUS XAVIER & VICKIE**

1106 WELL SPRING DR CHARLOTTE NC 28262 DB 32073 PG 919 26. PID: 04708522

MERA YBELISE 1112 WELL SPRING DR **CHARLOTTE NC 28262** DB 26238 PG 134

27. PID: 04708521 LOWE ELMER L JR & TERESA 1118 WELL SPRING DR **CHARLOTTE NC 28216** DB 10402 PG 215

28. PID: 04708520

29. PID: 04708519

DAUGHERTY DONALD A & ANGELA M 11235 SAM FURR RD UNIT 101 HUNTERSVILLE NC 28078 DB 11406 PG 946

Y-WOC HWING & NIE NGOUM H 1130 WELL SPRING DR **CHARLOTTE NC 28262** DB 25598 PG 89 30. PID: 04708518

JOHNSON ERIC L 1136 WELL SPRING DR CHARLOTTE NC 28262 DB 32114 PG 569

BDAP HDRIN 1142 WELL SPRING DR CHARLOTTE NC 28262 DB 31652 PG 748 32. PID: 04739137 MARTIN SARAH H

31. PID: 04708517

C/O MARTIN JR JAMES A 7316 NEAL RD CHARLOTTE NC 28262 DB 3511 PG 468 33. PID: 04739107

MARTIN HEATHER 7300 NEAL RD CHARLOTTE NC 28262 DB 29412 PG 236

34. PID: 04739106 **BUI TAC THI** 7308 NEAL RD CHARLOTTE NC 28262 DB 07905 PG 065

35. PID: 04739104 CARTER BENJAMIN YANCEY 7316 NEAL RD CHARLOTTE NC 28262 DB 33833 PG 876

36. PID: 04739103 MOREIRA JOSE & SANTOS ELLENNI 7318 NEAL RD CHARLOTTE NC 28262 DB 10059 PG 641

37. PID: 04739102 BALL KRISHAN GRUPTA 10613 TAVERNAY PY CHARLOTTE NC 28262 DB 20242 PG 728

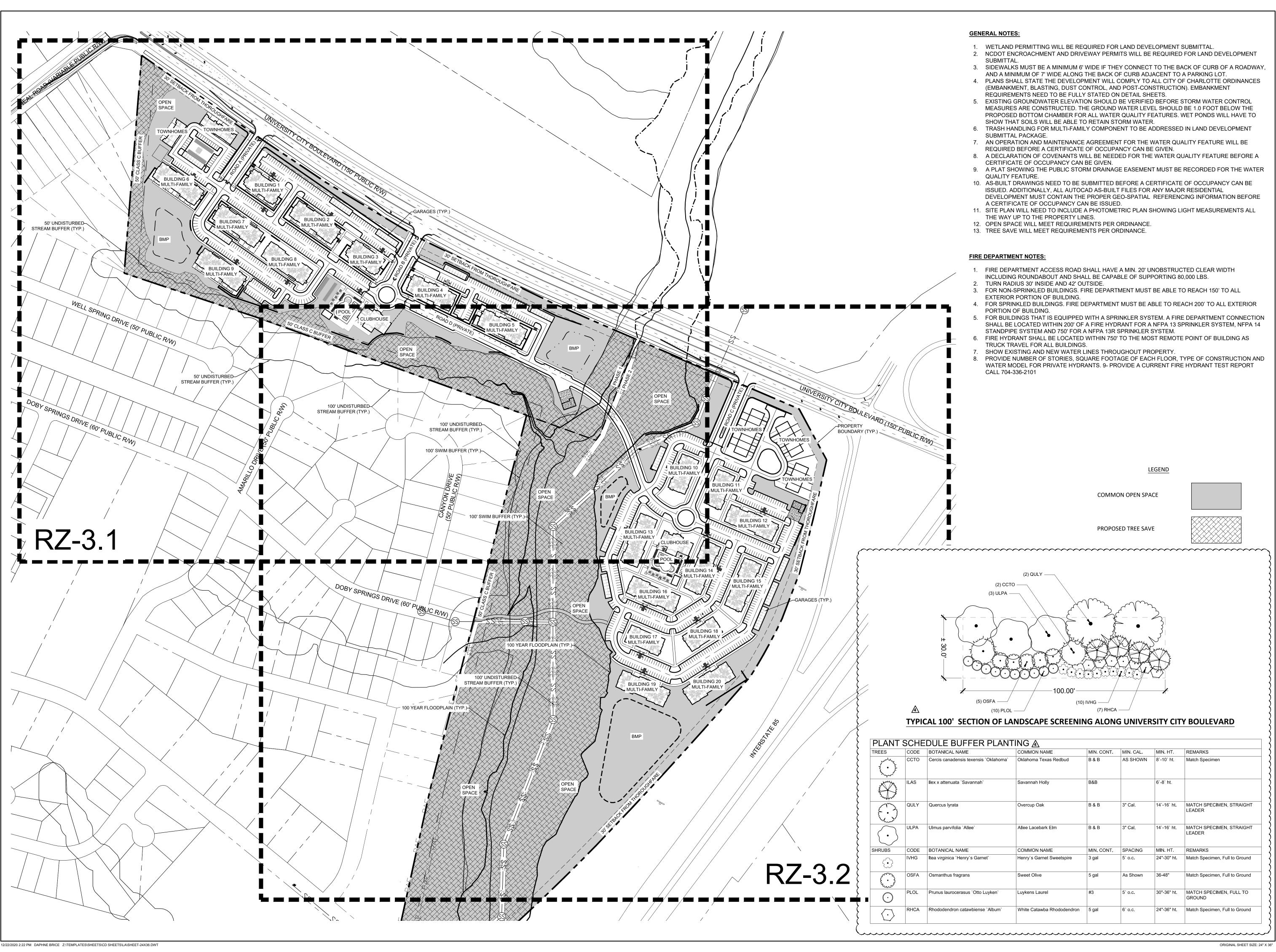
38. PID: 04739101 INTERNATIONAL BUSINESS MACHINES CORP CLT 703/002 ATTN: RONNIE THOMAS 10925 DAVID TAYLOR DR CHARLOTTE NC 28262 DB 04147 PG 378

39. PID: 04730163 SOUTHCRAFT DEVELOPMENT LLC 2116 CROWN CENTRE DR STE 200 **CHARLOTTE NC 28227** DB 34508 PG 469

> DESIGNED BY: MEK DRAWN BY: MEK CHECKED BY: LDI

TECHNICAL DATA SHEET

RZ-2.0



CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



NOT FOR

CONSTRUCTION

ELAN UNIVERSITY

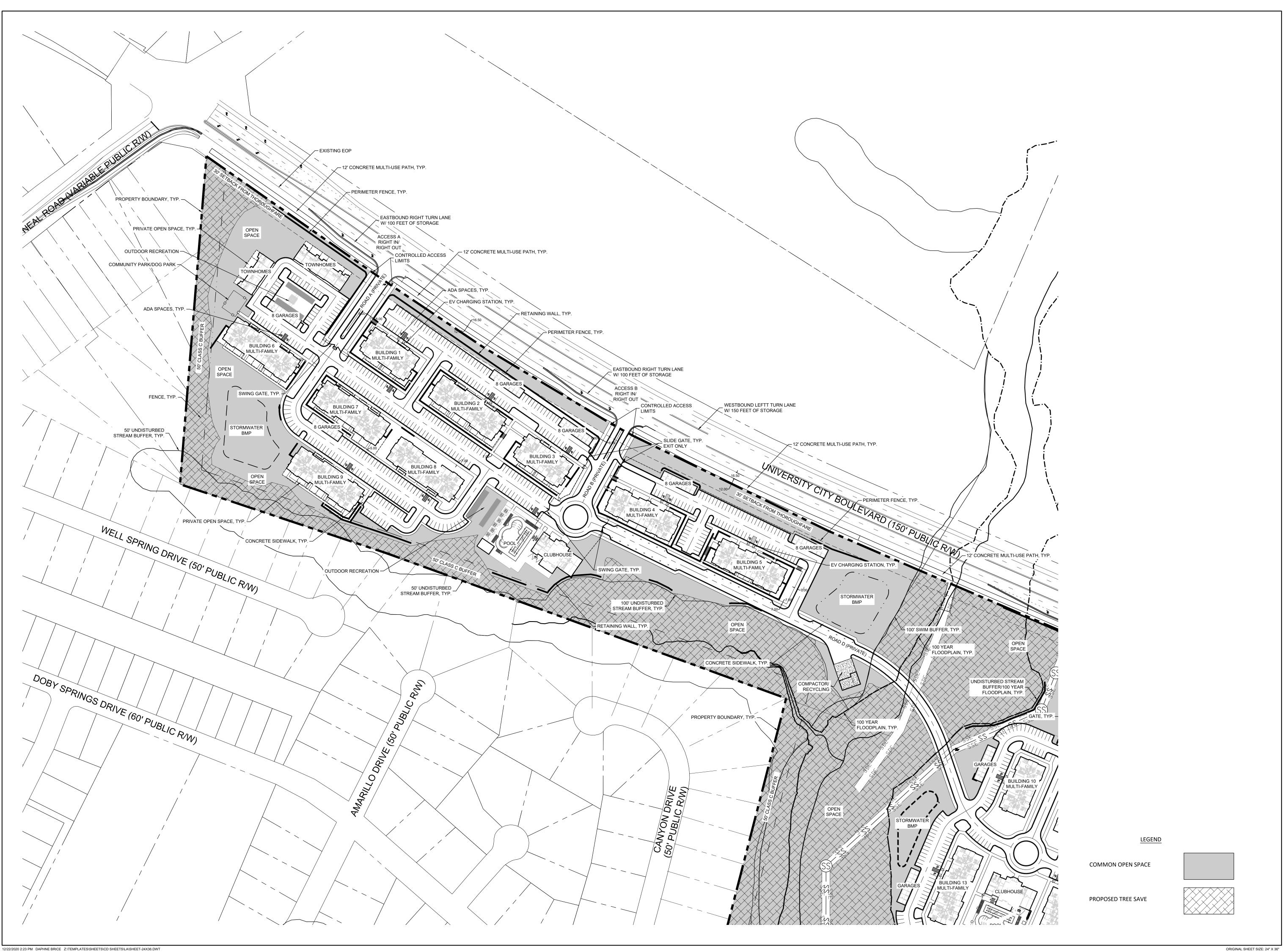
CITY

GREYSTAR GP II, LLC

UNIVERSITY CITY BOULEVARD CHARLOTTE, NC 28262

1019525 REVISION / ISSUANCE DESCRIPTION REZONING SUBMITTAL 05/15/2020 REZONING SUBMITTAL REZONING SUBMITTAL 4 REZONING SUBMITTAL 12/28/2020 DESIGNED BY: DRAWN BY: CHECKED BY:

OVERALL SITE PLAN



LandDesign.

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



NOT FOR CONSTRUCTION

ELAN UNIVERSITY CITY

GREYSTAR GP II, LLC
UNIVERSITY CITY BOULEVARD
CHARLOTTE, NC 28262

REVISION / ISSUANCE

NO. DESCRIPTION DATE

1 REZONING SUBMITTAL 05/15/2020

2 REZONING SUBMITTAL 10/12/2020

3 REZONING SUBMITTAL 11/16/2020

4 REZONING SUBMITTAL 12/28/2020

DESIGNED BY:
DRAWN BY:
CHECKED BY:

ERT: N/A DRZ: NTS

(NOT TO SCALE)

DETAILED SITE PLAN



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NOT FOR

CITY

GREYSTAR GP II, LLC

UNIVERSITY CITY BOULEVARD

CHARLOTTE, NC 28262

1019525

REVISION / ISSUANCE

1 REZONING SUBMITTAL 05/15/2020

3 REZONING SUBMITTAL 11/16/2020

DETAILED SITE PLAN

RZ-3.2

DESIGNED BY: DRAWN BY: CHECKED BY:

Site Development Data: 04708214, 04708213, 04739110 ±71.94 acres RE-2, RE-2 (CD) (Research) --Existing Zoning: --Proposed Zoning: R-12MF (CD) (Multi-Family Residential) --Existing Uses: Vacant -- Proposed Uses: Multi-Family --Proposed Setbacks: 30 feet --Maximum Bldg Ht: 60' --Parking: --Bike Parking: Per the Ordinance

Per the Ordinance

DEVELOPMENT STANDARDS

December 28, 2020

A. General Provisions

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Greystar GP II, LLC to accommodate the development of a residential community on that approximately 71.94 acre site located on the southwest quadrant of the University City Boulevard - Interstate 85 interchange, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Nos. 047-391-10, 047-082-14 and 047-082-13.

2. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").

Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the R-12 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 private streets and 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. As provided below, the Site will be developed in two phases.

. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.

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. B. Permitted Uses/Development Limitations

1. The Site may be devoted only to a residential community containing a maximum of 712 dwelling units and to any incidental and accessory uses relating thereto that are allowed in the R-12 MF zoning district. Incidental and accessory uses may include, without limitation, a leasing and management office and amenities such as a fitness center, clubhouse, swimming pool and outdoor grilling and gathering areas.

The Site shall be developed in two phases, with the phases designated as Phase 1 and Phase 2. The Phase 1 area and the Phase 2 area are depicted on the Rezoning Plan.

Phase 1 may contain up to 348 dwelling units, and a minimum of 10 of such dwelling units must be single family attached style dwelling units that may be for sale or for rent dwelling units. The remaining dwelling units in Phase 1, or a maximum of 338 dwelling units, may be multi-family style dwelling units.

A certificate of occupancy must be issued for each of the 10 single family attached style dwelling units in Phase 1 prior to the issuance of a certificate of occupancy for the 338th multi-family style dwelling unit constructed in Phase 1.

5. Phase 2 may contain up to 364 dwelling units, and a minimum of 16 of such dwelling units must be single family attached style dwelling units that may be for sale or for rent dwelling units. The remaining dwelling units in Phase 2,

or a maximum of 348 dwelling units, may be multi-family style dwelling units. A certificate of occupancy must be issued for each of the 16 single family attached style dwelling units in Phase 2 prior to the issuance of a certificate of occupancy for the 348th multi-family style dwelling unit constructed in Phase 2.

7. Accessory structures, such as garages, may be developed on the Site.

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").

The Site will be served by internal private streets and drives. Minor adjustments to the locations of the internal private streets and drives shall be allowed during the construction permitting process.

Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

4. Prior to the issuance of the first certificate of occupancy for a new building 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 University City Boulevard as required to provide right of way measuring 50 feet from the existing centerline of University City Boulevard, to the extent that such right of way does not already exist.

5. Any reference to the term "substantially complete" in this Section C 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.

Site Access B shall either be a right-in, right-out vehicular access point (defined as Scenario A in the Traffic Impact Study) or a right-in, right-out vehicular access point with a left crossover into the Site (defined as Scenario B in the Traffic Impact Study). As set out below in paragraph 7, in some instances the required transportation improvements are different under each scenario.

7. Those transportation improvements set out below designated as Phase 1 Transportation Improvements shall be substantially complete prior to the issuance of the first certificate of occupancy for a new building constructed in Phase 1. Those transportation improvements set out below designated as Phase 2 Transportation Improvements shall be substantially complete prior to the issuance of the first certificate of occupancy for a new building constructed in Phase

(a) University City Boulevard & I-85 Northbound Ramps (Signalized)

Phase 1 Improvements (Scenario A and Scenario B)

(1) No improvements.

Phase 2 Improvements (Scenario A and Scenario B)

(1) Construct an additional northbound right turn lane (signalized) on the I-85 Northbound Off-Ramp with 330 feet of

(b) <u>University City Boulevard & I-85 Southbound Ramps (Signalized)</u>

Phase 1 Improvements (Scenario A and Scenario B)

(1) No improvements.

Phase 2 Improvements (Scenario A and Scenario B)

(1) No improvements.

(c) University City Boulevard & Neal Road (Signalized)

Phase 1 Improvements (Scenario A and Scenario B)

(1) Construct a northbound right turn lane with 200 feet of storage on Neal Road.

Phase 2 Improvements (Scenario A)

(1) Extend the westbound left turn lane from 175 feet to 350 feet of storage on University City Boulevard.

Phase 2 Improvements (Scenario B)

(1) Extend the westbound left turn lane from 175 feet to 250 feet of storage on University City Boulevard.

(d) University City Boulevard & Access A (Unsignalized)

Phase 1 Improvements (Scenario A and Scenario B) The following intersection configuration shall be installed. (1) One ingress and one egress lane (a terminating northbound right turn lane on proposed Access "A").

(2) Construct an eastbound right turn lane on University City Boulevard with 100 feet of storage.

(3) 100-foot internal protected stem.

Phase 2 Improvements (Scenario A and Scenario B)

(1) No changes to the intersection configuration.

(e) University City Boulevard & Access "B" (Unsignalized)

Phase 1 Improvements (Scenario A)

The following intersection configuration shall be installed.

(1) One ingress and one egress lane (a terminating northbound right turn lane on proposed Access "B").

(2) Construct an eastbound right turn lane on University City Boulevard with 100 feet of storage.

(3) 100-foot internal protected stem.

Phase 1 Improvements (Scenario B)

The following intersection configuration shall be installed.

(1) One ingress and one egress lane (a terminating northbound right turn lane on proposed Access "B").

(2) Construct an eastbound right turn lane on University City Boulevard with 100 feet of storage.

(3) Construct a westbound left turn lane on University City Boulevard with 150 feet of storage.

(4) 100-foot internal protected stem.

Phase 2 Improvements (Scenario A)

(1) No changes to the intersection configuration. Phase 2 Improvements (Scenario B)

(1) No changes to the intersection configuration.

(f) University City Boulevard & Access "C" (Unsignalized)

Phase 1 Improvements (Scenario A and Scenario B)

(1) No improvements.

Phase 2 Improvements (Scenario A and Scenario B)

The following intersection configuration shall be installed.

(1) One ingress and one egress lane (a terminating northbound right turn lane on proposed Access "C").

(2) Construct an eastbound right turn lane on University City Boulevard with 150 feet of storage.

______ . Petitioner shall reserve for future right of way for a new public street to potentially be constructed by others (and not Petitioner) that portion of the Site that is located within the southern end of the Site that is generally depicted on the Rezoning Plan (the "Future Right of Way"). The Future Right of Way shall accommodate a local residential medium street. The Future Right of Way shall be dedicated and conveyed to the City or to NCDOT by Petitioner upon the request of the City or NCDOT when the new public street is to be constructed by others.

Excluding the Future Right of Way, Petitioner shall dedicate and convey all relevant right of way to the City of Charlotte 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.

D. <u>Architectural Standards</u>

1. Multi-Family Style Buildings

(a) The maximum height in feet of the multi-family style buildings constructed on the Site shall be 65 feet as measured

(b) The architectural and design standards set out below shall apply to the multi-family style buildings constructed on the

(1) Prohibited Exterior Building Materials:

(aa) Vinyl siding (but not vinyl hand rails, windows, doors, garage doors or door trim). (bb) Concrete Masonry Units not architecturally finished.

(2) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

(aa) Buildings shall be placed so as to present a front or side facade to all network required streets (public or private). (bb) Parking lots shall not be located between any building and any network required public or private street. This requirement shall not apply to the Site's frontage on University City Boulevard.

(cc) Driveways intended to serve single units shall be prohibited on all network required streets (3) Building Massing and Height shall be designed to break up long monolithic building forms as follows: (aa) Buildings exceeding 120 feet in length shall include one or more 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 4 feet extending through the building. (4) Architectural Elevation Design - elevations shall be designed to create visual interest as follows: (aa) 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 (bb) 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 the use of masonry or stone veneer, changes in material or articulated architectural facade features and color changes. (cc) 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.

(5) Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows: (aa) 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 (bb) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.

(cc) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street. (6) Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from

2. Single Family Attached Style Dwelling Units

(a) The maximum height in feet of the single family attached style dwelling units constructed on the Site shall be 48 feet as

view with materials and design to be compatible with principal structures. Such design shall include a minimum 20

percent masonry veneer or a Class B buffer not less than 10' in depth at all above grade perimeters not paved for

measured under the Ordinance (b) The architectural and design standards set out below shall apply to the single-family attached style dwelling units constructed on the Site.

(1) The 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.

(2) Vinyl, EIFS or masonite may not be used as an exterior building material. Notwithstanding the foregoing, vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.

(3) The actual widths of the single family attached style dwelling units constructed on the Site may vary from the widths depicted on the Rezoning Plan. (4) 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. (5) Each single family attached style dwelling unit shall have a covered front stoop. The front stoop may be covered by an

awning, canopy, roof extension or other architectural feature chosen by Petitioner. (6) All corner or end single family attached style 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.

(7) Walkways shall be provided to connect all residential entrances to sidewalks along public and private streets. (8) Each single family attached style dwelling unit shall have a garage.

(9) Garage doors shall contain carriage style hardware.

E. Streetscape and Buffers 1. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 12 foot wide multi-use path along the Site's frontage on University City Boulevard.

2. Buffers shall be established on the Site as required by the Ordinance, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to the Ordinance, Petitioner may reduce the required width of the buffers

up to 25% by installing a fence or a berm that meets the standards of Section 12.302(8) of the Ordinance. 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, as the case may be, the relevant buffer areas set out on the Rezoning Plan accordingly.

F. <u>Lighting</u>

1. All freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be installed along the driveways, parking areas 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. Environmental

 Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. 2. Development of the Site shall comply with the Tree 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

4. For adjoining parcels receiving storm water discharge, specifically the residential communities identified for the development portion on sheet RZ-3.1, the petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to the FEMA confluence. 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.

5. 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. Please note Stream Delineation Reports are subject to review and approval by Charlotte Storm Water Services.

1. As generally depicted on the Rezoning Plan, an amenity area shall be provided within each phase of this residential community. Each amenity area shall contain, at a minimum, a clubhouse, swimming pool and fitness center.

Prior to the issuance of a certificate of occupancy for the 350th multi-family dwelling unit constructed on the Site, Petitioner shall dedicate and convey to Mecklenburg County for future greenway purposes the entire 100 year ⁴ floodplain of Doby Creek (less any areas containing BMP infrastructure) (the "Greenway Area"). Prior to the dedication and conveyance of the Greenway Area to Mecklenburg County, Petitioner shall have the right to install and locate utility lines through such Greenway Area and to reserve such easements over such 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 by Mecklenburg County prior to the dedication of the Greenway Area to Mecklenburg County.

Subject to the approval of Mecklenburg County and any other applicable governmental agencies, Petitioner shall construct and install within and through the Greenway Area a greenway trail from Mineral Springs Road to University City Boulevard as generally depicted on the Rezoning Plan (the "Greenway Trail"). Notwithstanding the foregoing, the actual and ultimate location of the Greenway Trail shall be determined in conjunction with Mecklenburg County during the permitting process. The Greenway Trail shall be constructed in accordance with Mecklenburg County's greenway trail standards, and the Greenway Trail shall be constructed and installed prior to the issuance of a certificate of occupancy for the 350th multi-family dwelling unit constructed on the Site. In the event that Petitioner cannot obtain all approvals and permits required to construct and install the Greenway Trail, then Petitioner shall have no obligation to construct and install the Greenway Trail.

Subject to the approval of Mecklenburg County and any other applicable governmental agencies, Petitioner shall construct and install within the Greenway Area a greenway trail connection that will connect the Greenway Trail to the western boundary line of the Site at the terminus of the 60 foot right of way for Doby Springs Drive as generally depicted on the Rezoning Plan (the "Greenway Trail Connection"). Notwithstanding the foregoing, the actual and ultimate location of the Greenway Trail Connection shall be determined in conjunction with Mecklenburg County during the permitting process. The Greenway Trail Connection shall be constructed in accordance with Mecklenburg County's greenway trail standards, and the Greenway Trail Connection shall be constructed and installed prior to the issuance of a certificate of occupancy for the 350th multi-family dwelling unit constructed on the Site. In the event that Petitioner cannot obtain all approvals and permits required to construct and install the Greenway Trail Connection, then Petitioner shall have no obligation to construct and install the Greenway Trail Connection.

4. The area of the Site located within the Greenway Area shall be considered when calculating the allowed residential

5. The trees located within the Greenway Area shall count towards the Site's minimum tree save requirements.

6. The Greenway Area shall count towards the Site's required open space. **Binding Effect of the Rezoning Documents and Definitions**

date this Rezoning Petition is approved.

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

NOT FOR CONSTRUCTION

223 NORTH GRAHAM STREE

CHARLOTTE, NC 28202

WWW.LANDDESIGN.COM

704.333.0325

ELAN UNIVERSITY

GREYSTAR GP II. LLC UNIVERSITY CITY BOULEVARD

CHARLOTTE, NC 28262

1019525 REVISION / ISSUANCE DESCRIPTION REZONING SUBMITTAL 05/15/2020 REZONING SUBMITTAL 10/12/2020 REZONING SUBMITTAL 11/16/2020 REZONING SUBMITTAL | 12/28/2020 DESIGNED BY: DRAWN BY: CHECKED BY:

HORZ: NTS

DEVELOPMENT NOTES



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 8.File #: 15-14982 Type: Zoning Decision

Rezoning Petition: 2020-088 by WSB Retail Partners, LLC

Location: Approximately 49.79 acres located along the northeast side of Prosperity Church Road and the south side of Johnston Oehler Road. (Council District 4 -Johnson)

Current Zoning: MX-1 (mixed use) and R-3 (single-family residential)

Proposed Zoning: CC (commercial center) UR-2 (CD) (urban residential, conditional) with five-years

vested rights.

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 2020-088

January 5, 2021

REQUEST Current Zoning: MX-1 (mixed use) and R-3 (single family

residential)

Proposed Zoning: CC (commercial center) and UR-2(CD) (urban

residential, conditional) with five-years vested rights.

LOCATION Approximately 58.04 acres located along the northeast side of

Prosperity Church Road and the south side of Johnston Oehler

Road.

(Council District 4 - Johnson)

PETITIONER WSB Retail 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:

In this petition Development Areas B, D, and E are consistent with the *Prosperity Hucks Area Plan* (2015) recommendation of residential uses, but inconsistent with the recommendation of up to 8 dwelling units per acre. The proposed commercial and retail uses (Development Areas A and C) are inconsistent with the land use recommendation of the *Prosperity Hucks Area* Plan for residential uses based on the information from the staff analysis and the public hearing, and because:

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

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

- This petition proposes up to 432 multi-family and single family attached dwelling units on development areas B and D, and a variety of multi-family residential, commercial, and retail uses on development areas A and C. Development area E is dedicated to open space, tree save, and parks, greenways, and trails.
- The overall residential density for this site is 7.46 DUA, but the residential density for development areas B and D is 15.66 DUA, making the proposed density inconsistent with the area plan recommendation of residential density up to 8 DUA.
- The increased density in development areas B and D are appropriate because of the site's adjacency to the Prosperity Hucks Activity Center, where higher densities are

- recommended, and because of the site's commitment to connectivity between existing neighborhoods.
- The proposed commercial and retail uses, while not consistent with the future land use recommendation, are appropriate due to this site's adjacency to the Prosperity Hucks Activity Center, as indicated in the area plan.
- This petition helps fulfill the area plan's goals to build a network of local streets in this location, by committing to construct an extension of Prosperity Ridge Road throughout the development which will connect to Johnston-Oehler road.
- This petition proposes a minimum of a 6-foot sidewalk and 8-foot planting strip on both sides of the Prosperity Road
 Extension, which will secure a safe pedestrian experience when walking on this road.
- The petition commits to providing internal sidewalks and pedestrian connections as generally depicted on the rezoning plan.
- Prior to the issuance of the certificate of occupancy for the sixth new building constructed on the site and subject to the approval of Mecklenburg County, the petitioner commits to conveying a 2-acre portion of the site to Mecklenburg County for a future passive public park.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan* (2015) from Residential up to 8 DUA to Residential up to 17 DUA for Development Areas B and D, and from Residential up to 8 DUA to Residential/Office/Retail for Development Areas A, C, and E.

Motion/Second: Nwasike / 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 consistent with the *Prosperity Hucks Area Plan* (2015) recommendation of residential uses, but inconsistent with the recommendation of up to 8 dwelling units per acre.

There was no further discussion of this petition.

PLANNER

Michael Russell (704) 353-0225





REQUEST Current Zoning: MX-1 (mixed use) and R-3 (single family

residential)

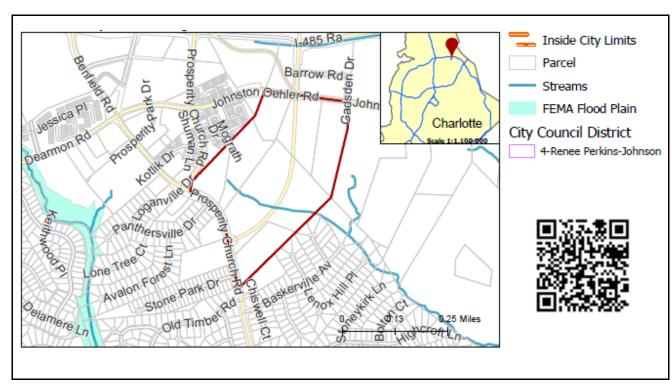
Proposed Zoning: CC (commercial center) and UR-2(CD) (urban

residential, conditional) with five-years vested rights.

LOCATION Approximately 58.04 acres located along the northeast side of

Prosperity Church Road and the south side of Johnston Oehler

Road.



SUMMARY OF PETITION The petition proposes a multi-use development that includes up to 300

multi-family dwelling units and 132 single-family dwelling units

(townhomes), and a maximum 145,000 square feet of commercial and

retail uses.

PROPERTY OWNER

PETITIONER

Linda P. Smith

WSB Retail Partners, LLC

AGENT/REPRESENTATIVE John Carmichael, Robinson, Bradshaw & Hinson, P.A.

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 19

STAFF RECOMMENDATION

COMMUNITY MEETING

Staff recommends approval of this petition.

Plan Consistency

In this petition Development Areas B, D, and E are **consistent** with the *Prosperity Hucks Area Plan (2015)* recommendation of residential uses, but **inconsistent** with the recommendation of up to 8 dwelling units page (DIA)

units per acre (DUA).

Development areas A and C are **inconsistent** with the area plan's recommendation of residential uses up to 8 DUA for this site.

Petition 2020-088 (Page 2 of 8) Final Staff Analysis

Rationale for Recommendation

- This petition proposes up to 432 multi-family and single family attached dwelling units on development areas B and D, and a variety of multi-family residential, commercial, and retail uses on development areas A and C. Development area E is dedicated to open space, tree save, and parks, greenways, and trails.
- The overall residential density for this site is 7.46 DUA, but the residential density for development areas B and D is 15.66 DUA, making the proposed density inconsistent with the area plan recommendation of residential density up to 8 DUA.
- The increased density in development areas B and D are appropriate because of the site's adjacency to the Prosperity Hucks Activity Center, where higher densities are recommended, and because of the site's commitment to connectivity between existing neighborhoods.
- The proposed commercial and retail uses, while not consistent
 with the future land use recommendation, are appropriate due to
 this site's adjacency to the Prosperity Hucks Activity Center, as
 indicated in the area plan.
- This petition helps fulfill the area plan's goals to build a network of local streets in this location, by committing to construct an extension of Prosperity Ridge Road throughout the development which will connect to Johnston-Oehler road.
- This petition proposes a minimum of a 6-foot sidewalk and 8-foot planting strip on both sides of the Prosperity Road Extension, which will secure a safe pedestrian experience when walking on this road.
- The petition commits to providing internal sidewalks and pedestrian connections as generally depicted on the rezoning plan.
- Prior to the issuance of the certificate of occupancy for the sixth new building constructed on the site and subject to the approval of Mecklenburg County, the petitioner commits to conveying a 2-acre portion of the site to Mecklenburg County for a future passive public park.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan (2015)* from Residential up to 8 DUA to Residential up to 17 DUA for Development Areas B and D, and from Residential up to 8 DUA to Residential/Office/Retail for Development Areas A, C, and E.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 300 multi-family units and 132 townhomes.
- Allows up to 145,000-square feet of commercial and retail uses.
- Divided into five development areas.
- Development Area A and C:
 - Allows a maximum 145,000 square-feet of commercial uses which 125,000 square-feet can be devoted to retail uses.
 - Prohibits the following uses: dwellings, funeral homes, hotels and motels, locksmith and gunsmiths, outdoor recreation, and pet services indoor/outdoor.
 - Allows a maximum of one automotive service station.
 - Allows a maximum of one convenience store with or without gasoline sales.
 - Allows a maximum of 4 uses to have drive-in and drive-through service windows.
 - Limits a maximum of 2 of the 4 uses that have accessory drive-in and drive-through service windows to Prosperity Church Road.
 - Limits a maximum of 1 of the 2 EDEE's that have accessory drive-in and drive-through service windows to Prosperity Church Road.
 - Limits EDEE's to two with drive-through service windows.

- Development Area B:
 - Allows up to 300 multi-family dwelling units.
 - Limits height to 3 stories.
 - Provides a 15,000 square-foot urban open space with landscaping and seating.
 - Provides a clubhouse and swimming pool.
- Development Area D:
 - Allows up to 132 single-family attached dwelling units (townhomes).
 - Provides an 18,000 square-foot central green/urban open space with landscaping and seating.
- Development Area E:
 - Allows only passive and active open space areas, parks, and tree save.
 - Conveys a minimum two acres to Mecklenburg County for a passive public park.
- Transportation:
 - Provides an 8-foot wide planting strip and 6-foot wide sidewalk along the site's frontages on Prosperity Church Road and Johnson Oehler Road.
 - Provides an 8-foot planting strip and 12-foot wide multi-use path along Prosperity Ridge Road Extension.
 - Commits to construct Prosperity Ridge Road Extension.
 - Commits to construct an ADA bus waiting pad along Prosperity Church Road.
 - Provides a southbound right-turn lane with 300-feet of storage on Benfield Road at Johnston Oehler Road.
 - Extends the eastbound right-turn lane to 250-feet of storage at Benfield Road.
 - Commits to contribute to CDOT towards the cost of improvements to the roundabout at Johnston Oehler Road and Prosperity Ridge Road.
 - Construct a southbound left-turn lane with 150-feet of storage on Prosperity Church Road at access A.
 - Construct a southbound right-turn lane with 100-feet of storage on Prosperity Church Road at access B.
 - Construct a northbound right-turn lane with 10-feet of storage on Prosperity Church Road at access D.
 - Construct an eastbound right-turn lane at Prosperity Church Road and Old Timber Road.

Existing Zoning and Land Use Sutwick UR-2(CD) Johnston Oehler Rd MUDD-O UR-3(CD) Johnston Oehler Rd R-8MF(CD) Konik Dr. Pal NS MX-1 INST(CD) oganville Dr prosperity Churc **R-3** Ü Baskerville Av Single Family Institutional Multi-Family Business Stone Park Dr Urban Residential Commercial Center Mixed Residenital N Mixed Use

The site is zoned R-3 and MX-1. The surrounding land uses include single-family homes, townhomes, multi-family units, and retail uses.



The subject property is denoted with a red star.



The property to the north along Johnston Oehler Road is developed with multi-family units.



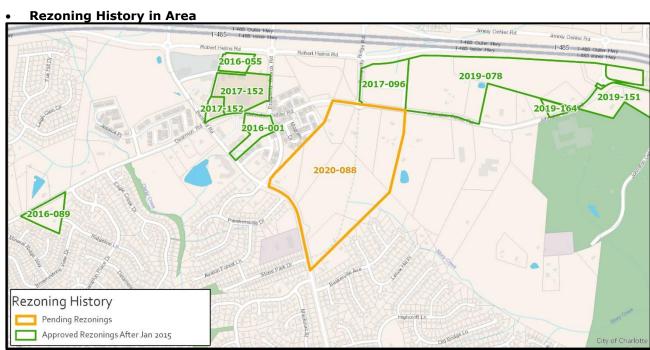
The property to the east along Johnston Oehler Road is developed with large lot single family home and the Corvian School. Subject property denoted by red star.



The property to the south along Buckminster Court is developed with single-family homes.



The property to the west along Johnston Oehler Road is developed with townhomes.



Petition Number	Summary of Petition	Status
2016-001	Rezoned 3.65 acres to allow up to 70,000 square-feet of retail or office uses.	Approved
2016-055	Rezoned 2.52 acres to allow up to 17,400 square-feet of commercial uses.	Approved
2016-089	Rezoned 4.35 acres to allow a 5,600 square-foot masonic lodge.	Approved
2017-096	Rezoned 8.96 acres to allow up to 260 multi-family dwelling units.	Approved
2017-152	Rezoned 8.91 acres to allow the reuse of an existing shopping center up to 110,000 square-feet of uses allowed in the MUDD district.	Approved
2019-078	Rezoned 41.91 acres to allow up to 440 multifamily units.	Approved
2019-151	Rezoned 11.63 acres to allow up to 124 townhome units.	Approved
2019-164	Rezoned 1.1 acres to allow up to 8 townhome units.	Approved





The Prosperity Hucks Area Plan (2015) recommends residential uses up to 8 DUA.

TRANSPORTATION SUMMARY

The site is located on two thoroughfare roads: Prosperity Church Road (City-maintained) and Johnston Oehler Road (City-maintained). The adjusted TIS was resubmitted for review 11-12-2020, as an addendum was needed to account for development areas included within the 8-28-2020 revised site plan. CDOT requests clarification on minor commitments to relocate the curb line to accommodate on-street parking on Prosperity Church Road for the portion that is located within the Activity Center, in accordance with the Prosperity Hucks Area Plan. The petitioner has committed to construct Prosperity Ridge Road Extension, which is a thoroughfare identified within the Comprehensive Transportation Plan (CTP); CDOT and the petitioner are actively coordinating road design for this extension. The petitioner is constructing over 1,600 linear feet of the Prosperity Ridge Road Extension, including a cross-section up to 80 feet of public right-of-way, which will connect to the existing roundabout at Johnston Oehler Road. The petitioner will construct bike lanes, in accordance with Charlotte BIKES, within the Prosperity Ridge Road Extension.

Active Projects:

- There are no active projects within the immediate project area.
- **Transportation Considerations**
 - See Outstanding Issues, Note 1. Addressed
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 30 trips per day (based on 3 single family dwellings).

Entitlement: 2,500 trips per day (based on 260 single family dwellings).

Proposed Zoning: 13,753 trips per day (based on 26,900 square-foot shopping center, 5,300 square-foot restaurant, 2,500 square-foot fast food restaurant, convenience store, 10,000 square-foot medical office building, 70,000 square-foot health/fitness club, 5,300 square-foot day care center, 300 multi-family dwelling units, and 132 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 43 students, while the development allowed under the proposed zoning may produce 57 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 14 students.

Petition 2020-088 (Page 8 of 8) Final Staff Analysis

- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Croft Community School from 79% to 84%
 - Ridge Road Middle from 126% to 127%
 - Mallard Creek High from 123% to 124%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Johnston Oehler Road.

The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. See advisory comments at www.rezoning.org

- 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.

OUTSTANDING ISSUES

Transportation

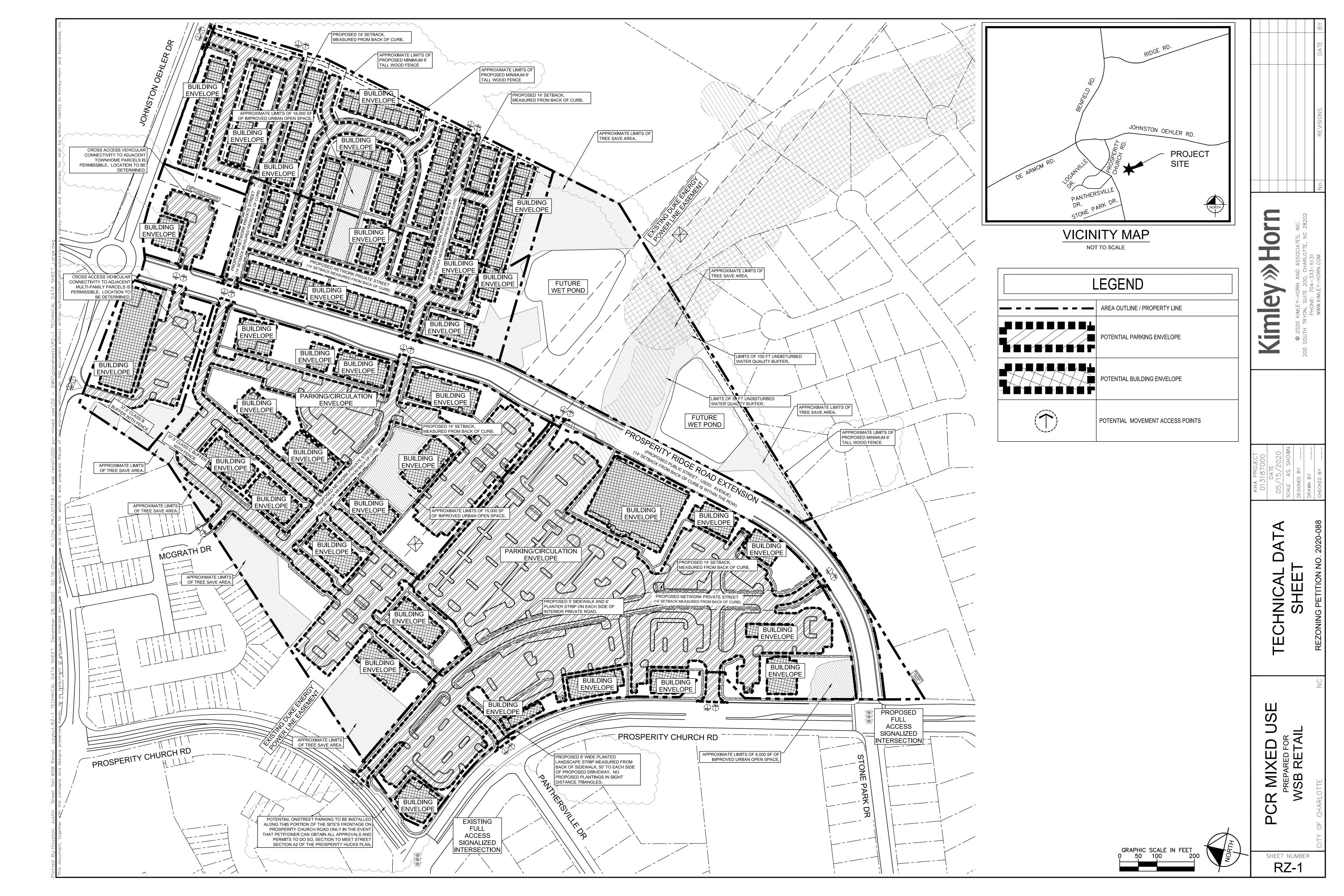
1.—Prosperity Church Road: Location of curb and gutter should be placed per A1 below:

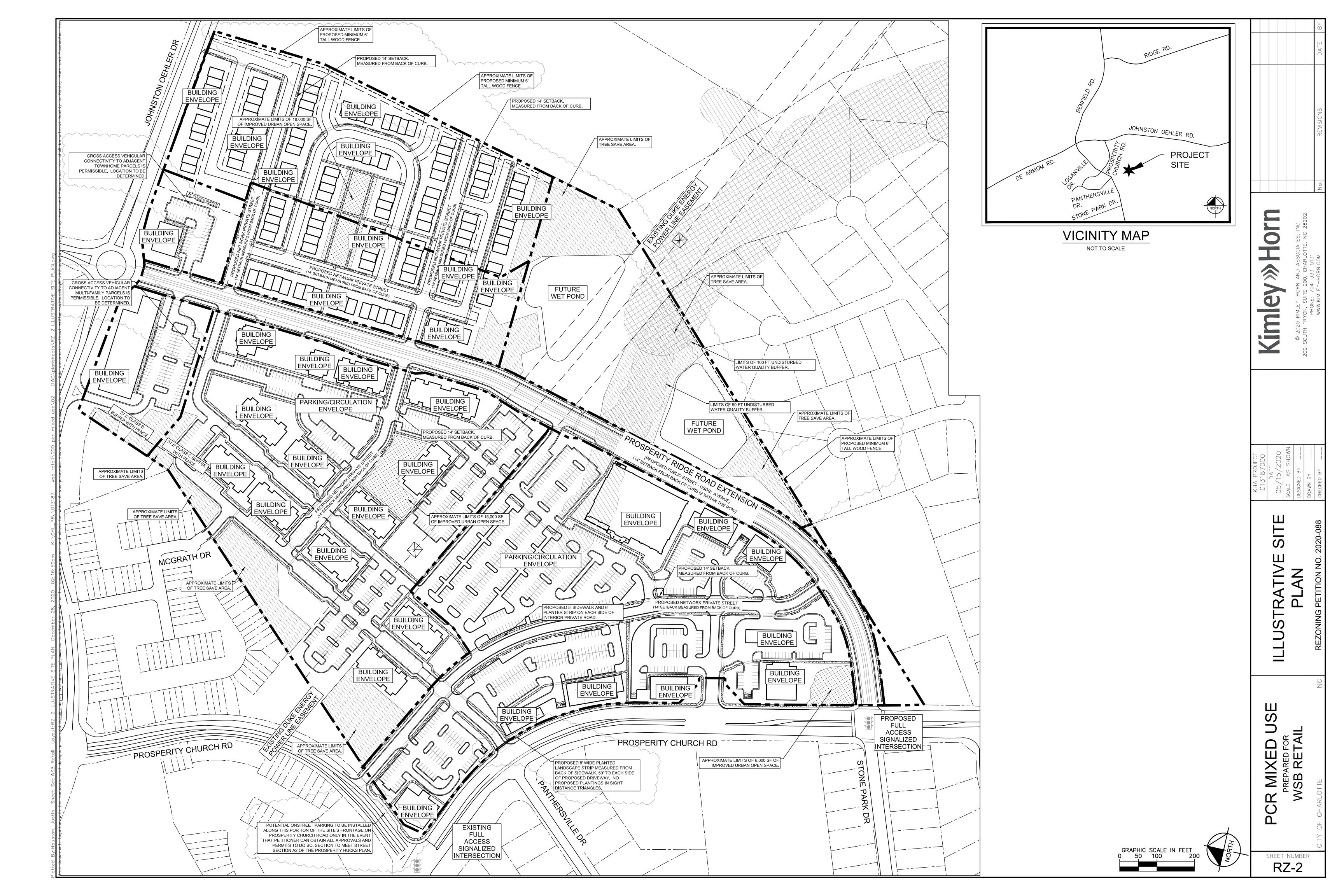


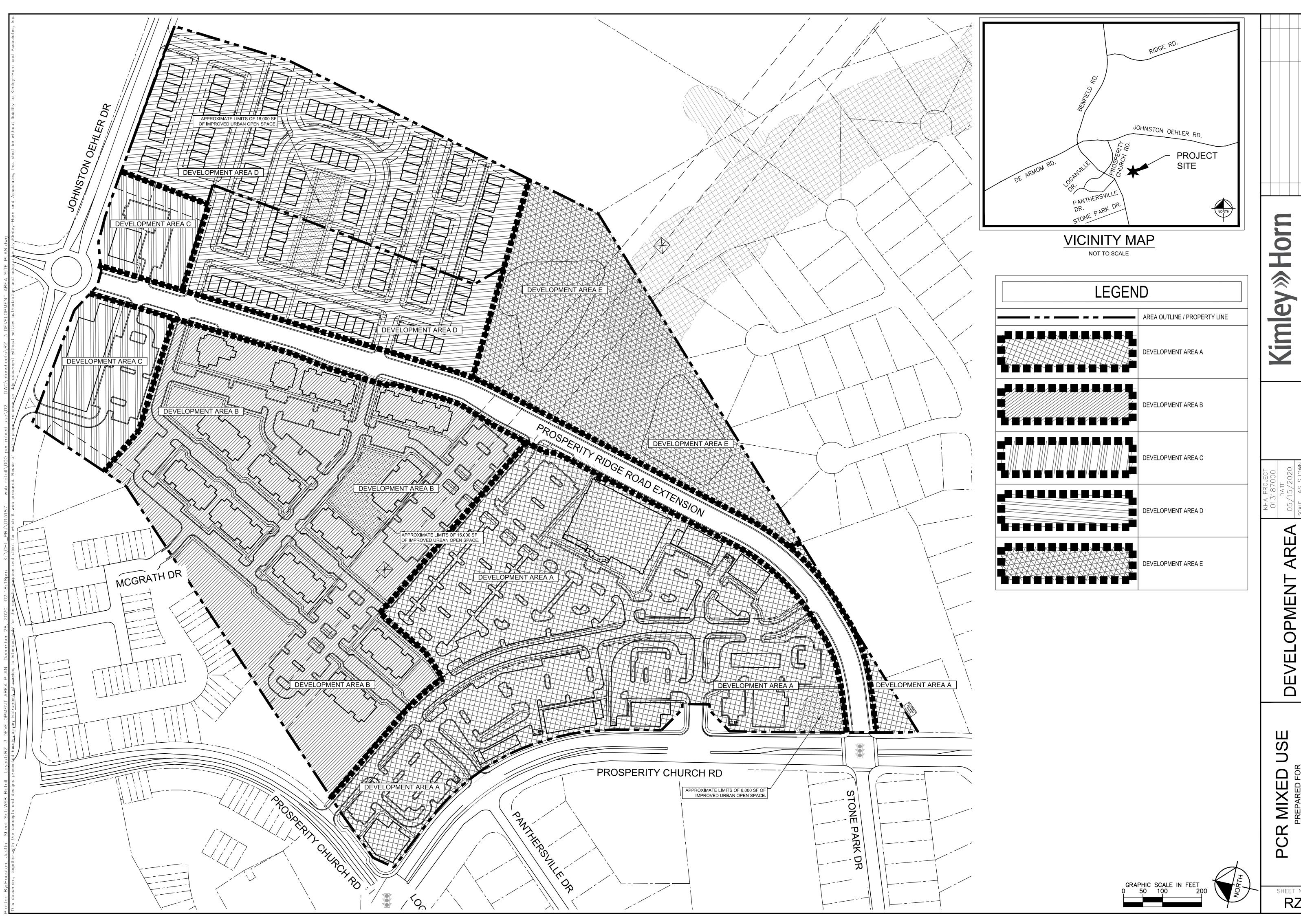
The site plan should show the curb and gutter labeled and dimensioned from the centerline. Addressed

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

Planner: Michael Russell (704) 353-0225







OPMENT PLAN

ARED FOR RETAIL PREPA WSB

SHEET NUMBER RZ-3

. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN (COMPRISED OF THE TECHNICAL DATA SHEET, ILLUSTRATIVE SITE PLAN, DEVELOPMENT AREA SHEET, DEVELOPMENT STANDARDS SHEETS AND PROPOSED ZONING KEY MAP) ASSOCIATED WITH THE REZONING PETITION FILED BY WSB RETAIL PARTNERS, LLC (HEREINAFTER REFERRED TO AS THE "PETITIONER") TO ACCOMMODATE A MULTI-USE DEVELOPMENT ON AN APPROXIMATELY 58.0411 ACRE SITE LOCATED ON PROSPERITY CHURCH ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF THOSE PARCELS OF LAND DESIGNATED AS TAX PARCEL NOS. 029-321-12, 029-321-33, 029-321-32, 029-321-06, 029-321-13, 029-321-21 AND 029-321-05.
- B. FOR ENTITLEMENT PURPOSES, THE SITE IS DIVIDED INTO FIVE SEPARATE DEVELOPMENT AREAS THAT ARE DESIGNATED ON THE REZONING PLAN AS DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C, DEVELOPMENT AREA D AND DEVELOPMENT AREA E. BUILDING ENVELOPES AND PARKING ENVELOPES ARE LOCATED WITHIN DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND DEVELOPMENT AREA D AND ARE DEPICTED ON THE TECHNICAL DATA SHEET. ALL PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES LOCATED WITHIN DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND DEVELOPMENT AREA D SHALL BE LOCATED WITHIN A BUILDING ENVELOPE, AND ALL PARKING AREAS LOCATED WITHIN DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND DEVELOPMENT AREA D SHALL BE LOCATED WITHIN A PARKING ENVELOPE. THIS REZONING PLAN DOES NOT LIMIT THE NUMBER OF PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES THAT MAY BE LOCATED WITHIN A BUILDING ENVELOPE LOCATED IN DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND DEVELOPMENT AREA D. ANY REFERENCE HEREIN TO THE SITE SHALL BE DEEMED TO INCLUDE DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C, DEVELOPMENT AREA D AND DEVELOPMENT AREA E UNLESS OTHERWISE NOTED HEREIN.
- 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"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISHED UNDER THE ORDINANCE FOR THE COMMERCIAL CENTER (CC) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THOSE PORTIONS OF THE SITE DESIGNATED AS DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND DEVELOPMENT AREA E. 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 AREA
- D. THE DEVELOPMENT AND USES DEPICTED ON THE ILLUSTRATIVE SITE PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE LAYOUT, LOCATIONS AND SIZES OF THE USES, IMPROVEMENTS AND SITE ELEMENTS DEPICTED ON THE ILLUSTRATIVE SITE PLAN AS WELL AS THE INTERNAL STREETS, DRIVES AND PARKING AREAS ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.
- E. THE DEVELOPMENT OF THE SITE PROPOSED UNDER THIS REZONING PLAN SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR THE OWNER(S) OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, PROVIDED, HOWEVER, THAT THE DEVELOPMENT OF THE SITE SHALL BE REQUIRED TO MEET ANY APPLICABLE SETBACK, SIDE YARD, REAR YARD AND BUFFER REQUIREMENTS WITH RESPECT TO THE EXTERIOR BOUNDARIES OF THE SITE.
- F. PURSUANT TO SECTION 1.110 OF THE ORDINANCE AND SECTION 160A—385.1 OF THE NORTH CAROLINA GENERAL STATUTES, THE REZONING PLAN, IF APPROVED, SHALL BE VESTED FOR A PERIOD OF 5 YEARS DUE TO THE SIZE AND PHASING OF THE DEVELOPMENT, THE LEVEL OF INVESTMENT, ECONOMIC CYCLES AND MARKET CONDITIONS.
- G. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A DEVELOPMENT AREA WITHOUT THE CONSENT OF THE OWNER OR OWNERS OF ANY OTHER DEVELOPMENT AREA 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.
- 2. PERMITTED USES/DEVELOPMENT LIMITATIONS
- A. <u>DEVELOPMENT AREA A AND DEVELOPMENT AREA C</u>
- (1) SUBJECT TO THE LIMITATIONS SET OUT BELOW IN PARAGRAPHS (2) THROUGH (11), THOSE PORTIONS OF THE SITE DESIGNATED AS DEVELOPMENT AREA A AND DEVELOPMENT AREA C ON THE REZONING PLAN MAY BE DEVOTED TO ANY USE OR USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE CC ZONING DISTRICT (INCLUDING ANY COMBINATION OF SUCH USES) AND TO ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT (INCLUDING, WITHOUT LIMITATION, OUTDOOR DINING). FOR PURPOSES OF THIS SECTION 2.A OF THE DEVELOPMENT STANDARDS, DEVELOPMENT AREA A AND DEVELOPMENT AREA C ARE HEREINAFTER COLLECTIVELY REFERRED TO AS THE "COMMERCIAL COMPONENT".
- (2) NOTWITHSTANDING THE TERMS OF PARAGRAPH (1) ABOVE, THE USES SET OUT BELOW SHALL BE PROHIBITED ON THE COMMERCIAL COMPONENT.
- (a) DWELLINGS, DETACHED, DUPLEX, TRIPLEX, QUADRAPLEX, ATTACHED, MULTI-FAMILY AND MIXED-USE BUILDINGS.
- (b) DWELLINGS, MIXED USE.
- (c) DWELLINGS, PLANNED MULTI—FAMILY AND ATTACHED DEVELOPMENT, A SINGLE MULTI—FAMILY OR ATTACHED BUILDING ON A LOT WITH MORE THAN 12 UNITS IN A BUILDING.
- (d) FUNERAL HOMES AND EMBALMING.
- (e) HOTELS AND MOTELS.
- (f) LOCKSMITH AND GUNSMITHS.
- ্র (g) OUTDOOR RECREATION.
- (h) PET SERVICES INDOOR/OUTDOOR.
- (3) A MAXIMUM OF ONE AUTOMOTIVE SERVICE STATION MAY BE LOCATED ON THE COMMERCIAL COMPONENT.
- (4) A MAXIMUM OF ONE CONVENIENCE STORE WITH OR WITHOUT GASOLINE SALES MAY BE LOCATED ON THE COMMERCIAL COMPONENT. GASOLINE PUMPS, IF PROVIDED, MUST BE LOCATED TO THE REAR OF THE CONVENIENCE STORE BUILDING.
- (5) SUBJECT TO THE TERMS OF PARAGRAPHS (6), (7), (8) AND (9) BELOW, A TOTAL MAXIMUM OF 4 USES LOCATED ON THE COMMERCIAL COMPONENT MAY HAVE DRIVE—IN AND DRIVE—THROUGH SERVICE LANES/WINDOWS AS AN ACCESSORY USE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 12.413 OF THE ORDINANCE.
- (6) A MAXIMUM OF 2 EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) LOCATED ON THE COMMERCIAL COMPONENT MAY HAVE ACCESSORY DRIVE—IN AND DRIVE—THROUGH SERVICE LANES/WINDOWS.
- (7) A MAXIMUM OF 2 OF THE 4 USES ON THE COMMERCIAL COMPONENT THAT MAY HAVE ACCESSORY DRIVE—IN AND DRIVE—THROUGH SERVICE LANES/WINDOWS MAY BE LOCATED ON PROSPERITY CHURCH ROAD.(8) A MAXIMUM OF 1 OF THE 2 EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) ON THE
- COMMERCIAL COMPONENT THAT MAY HAVE ACCESSORY DRIVE—IN AND DRIVE—THROUGH SERVICE LANES/WINDOWS MAY BE LOCATED ON PROSPERITY CHURCH ROAD.
- (9) IF A USE LOCATED ON THE COMMERCIAL COMPONENT HAS ACCESSORY DRIVE—IN AND DRIVE—THROUGH SERVICE LANES/WINDOWS, THEN NEITHER A MENU BOARD, NOR A SPEAKER BOX, NOR SERVICE WINDOW(S), NOR THE DRIVE—THROUGH VEHICULAR SERVICE LANE MAY BE LOCATED BETWEEN THE USE AND THE ADJACENT PUBLIC STREET.
- (10) A TOTAL MAXIMUM OF 145,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON THE COMMERCIAL COMPONENT, OF WHICH A MAXIMUM OF 125,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVOTED TO RETAIL, SERVICE, CONVENIENCE STORE, INDOOR RECREATION (FITNESS) AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT (TYPE 1 AND/OR TYPE 2) USES.
- (11)PRINCIPAL USE ESTABLISHMENTS WITH AN ACCESSORY DRIVE—IN SERVICE WINDOW AND/OR OUTDOOR SERVICE WINDOW HAVING INDOOR SEATING ACCOMMODATIONS FOR FEWER THAN 50 PATRONS SHALL NOT BE PERMITTED ON THE COMMERCIAL COMPONENT.
- B. <u>DEVELOPMENT AREA B</u>
- (1) THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA B ON THE REZONING PLAN MAY ONLY BE DEVOTED TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 300 MULTI—FAMILY DWELLING UNITS AND TO ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE AND AMENITIES SUCH AS A FITNESS CENTER, CLUBHOUSE, SWIMMING POOL, DOG PARK, PLAYGROUND, POCKET PARK AND OUTDOOR GRILLING AND GATHERING AREAS.
- C. <u>DEVELOPMENT AREA D</u>
- (1) THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA D ON THE REZONING PLAN MAY ONLY BE DEVOTED TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF 132 SINGLE FAMILY ATTACHED DWELLING UNITS AND TO ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE UR-2 ZONING DISTRICT.

- D. <u>DEVELOPMENT AREA E</u>
- (1) THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA E ON THE REZONING PLAN MAY ONLY BE DEVOTED TO THE USES SET OUT BELOW (INCLUDING ANY COMBINATION OF SUCH USES) AND TO ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT.
- (a) OPEN SPACE AREAS (PASSIVE AND ACTIVE).
- (b) TREE SAVE AREAS.
- (c) PARKS, GREENWAYS AND TRAILS.
- 3. TRANSPORTATION
- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. THE ALIGNMENTS AND CONFIGURATIONS OF THE INTERNAL PRIVATE STREETS, DRIVES AND ALLEYS AND PARKING AND VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- C. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE SITE'S FRONTAGES ON PROSPERITY CHURCH ROAD AND JOHNSTON OEHLER ROAD AS GENERALLY DEPICTED ON THE REZONING
- D. A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 12 FOOT WIDE MULTI-USE PATH SHALL BE INSTALLED ALONG THE EASTERN SIDE OF PROSPERITY RIDGE ROAD EXTENSION.
- . A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK SHALL BE INSTALLED ALONG THE WESTERN SIDE OF PROSPERITY RIDGE ROAD EXTENSION. NOTWITHSTANDING THE FOREGOING, IN THOSE AREAS THAT ARE ADJACENT TO ON—STREET PARKING, A MINIMUM 8 FOOT WIDE SIDEWALK LOCATED BACK OF CURB.
- . NOTWITHSTANDING THE TERMS OF PARAGRAPH 3.E ABOVE, AT THE OPTION OF PETITIONER, PETITIONER MAY INSTALL A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 12 FOOT WIDE MULTI-USE PATH ALONG THE WESTERN SIDE OF PROSPERITY RIDGE ROAD EXTENSION.
- G. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL DEDICATE AND CONVEY TO THE CITY OF CHARLOTTE (SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) THE RIGHT OF WAY NECESSARY TO ACCOMMODATE THE CROSS SECTION FOR THAT PORTION OF PROSPERITY RIDGE ROAD TO BE CONSTRUCTED ON THE SITE BETWEEN JOHNSTON OEHLER ROAD AND PROSPERITY CHURCH ROAD (HEREINAFTER "PROSPERITY RIDGE ROAD EXTENSION"). THE CROSS SECTION FOR PROSPERITY ROAD EXTENSION IS SET OUT ON SHEET RZ-5 OF THE REZONING PLAN.
- H. SUBJECT TO THE APPROVAL OF CDOT AND ANY OTHER GOVERNMENTAL AGENCIES, PETITIONER SHALL CONSTRUCT AN ADA COMPLIANT BUS WAITING PAD 60.03A WITHIN THE REQUIRED PLANTING STRIP ALONG THE SITE'S FRONTAGE ON PROSPERITY CHURCH 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 THE WAITING PAD.
- I. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- J. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING 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 JOHNSTON OEHLER ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY FROM THE EXISTING CENTERLINE OF JOHNSTON OEHLER ROAD TO THAT POINT THAT IS LOCATED 2 FEET BEHIND THE SIDEWALK WHERE FEASIBLE.
- K. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING 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 PROSPERITY CHURCH ROAD AS REQUIRED TO PROVIDE RIGHT OF WAY FROM THE EXISTING CENTERLINE OF PROSPERITY CHURCH ROAD TO THAT POINT THAT IS LOCATED 2 FEET BEHIND THE SIDEWALK WHERE FEASIBLE.
- L. ANY REFERENCE TO THE TERM "SUBSTANTIALLY COMPLETE" IN THIS SECTION 3 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.
- M. PETITIONER SHALL, AT ITS COST AND EXPENSE, CONSTRUCT PROSPERITY RIDGE ROAD EXTENSION ON THE SITE IN ACCORDANCE WITH APPLICABLE CROSS SECTIONS SET OUT ON SHEET RZ-5 OF THE REZONING PLAN. PROSPERITY RIDGE ROAD EXTENSION SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.
- N. THE TRANSPORTATION IMPROVEMENTS SET OUT BELOW SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON THE SITE.
- (1) BENFIELD ROAD AT JOHNSTON OEHLER ROAD/DEARMON ROAD
- (a) CONSTRUCT A SOUTHBOUND RIGHT-TURN LANE WITH A MINIMUM OF 300 FEET OF FULL-WIDTH STORAGE AND AN APPROPRIATE TAPER LENGTH.
- (b) ADD A PERMITTED-OVERLAP SIGNAL PHASE FOR THE SOUTHBOUND RIGHT-TURN MOVEMENT (TO RUN CONCURRENTLY WITH THE EASTBOUND LEFT-TURN MOVEMENT).
- (c) COORDINATE WITH CDOT ON THE NEED FOR AND FEASIBILITY OF A WESTBOUND RIGHT-TURN LANE WITH A MINIMUM OF 100 FEET OF FULL-WIDTH STORAGE AND ASSOCIATED PERMITTED-OVERLAP SIGNAL PHASE.
- (d) EXTEND THE EASTBOUND RIGHT-TURN LANE TO 250' OF FULL WIDTH STORAGE
- (2) IN LIEU OF IMPROVEMENTS AT THE JOHNSTON OEHLER ROAD AND PROSPERITY RIDGE ROAD ROUNDABOUT, PETITIONER SHALL PAY THE SUM OF \$41,360.00 TO CDOT TO CONTRIBUTE TOWARDS THE COST OF TRANSPORTATION IMPROVEMENTS TO BE INSTALLED BY OTHERS.
- (3) PROSPERITY CHURCH ROAD AT SITE ACCESS A
- (a) CONSTRUCT A SOUTHBOUND LEFT-TURN LANE WITH A MINIMUM OF 150 FEET OF FULL-WIDTH STORAGE AND AN APPROPRIATE TAPER LENGTH.
- (4) PROSPERITY CHURCH ROAD AT PANTHERSVILLE DRIVE/SITE ACCESS B
- (a) CONSTRUCT A SOUTHBOUND RIGHT-TURN LANE WITH A MINIMUM OF 100 FEET OF FULL-WIDTH STORAGE AND AN APPROPRIATE TAPER LENGTH.
- (b) PANTHERSVILLE DRIVE AND ACCESS B SHALL OPERATE AS RIGHT-IN, RIGHT-OUT VEHICULAR ACCESS POINTS.
- (5) PROSPERITY CHURCH ROAD AT GUIDEPOST SCHOOL ENTRANCE/SITE ACCESS C
- (a) MAINTAIN THE EXISTING SOUTHBOUND LEFT—TURN LANE AT GUIDEPOST SCHOOL ENTRANCE TO FACILITATE ACCESS INTO THE SITE.
- (6) PROSPERITY CHURCH ROAD AT SITE ACCESS D/PROSPERITY RIDGE ROAD EXTENSION/STONE PARK DRIVE
- (a) INSTALL A TRAFFIC SIGNAL TO RUN IN COORDINATION WITH THE PROSPERITY CHURCH ROAD CORRIDOR; TIMING AND PHASING SHOULD BE DETERMINED BY ADDITIONAL ENGINEERING STUDY.
- (b) CONSTRUCT A NORTHBOUND RIGHT-TURN LANE ON PROSPERITY CHURCH ROAD WITH A MINIMUM OF 100 FEET OF FULL-WIDTH STORAGE AND AN APPROPRIATE TAPER LENGTH.
- (c) CONSTRUCT A SOUTHBOUND LEFT-TURN LANE ON PROSPERITY CHURCH ROAD WITH A MINIMUM OF 150 FEET OF FULL-WIDTH STORAGE AND AN APPROPRIATE TAPER LENGTH; COORDINATE WITH CDOT ON THE NEED TO REALLOCATE STORAGE ASSOCIATED WITH THE EXISTING NORTHBOUND LEFT-TURN LANE INTO GUIDEPOST SCHOOL.
- (d) CONSTRUCT A NORTHBOUND LEFT-TURN LANE WITH A MINIMUM OF 150 FEET OF FULL-WIDTH STORAGE AND AN APPROPRIATE TAPER LENGTH; COORDINATE WITH CDOT ON THE NEED TO REALLOCATE STORAGE ASSOCIATED WITH THE EXISTING SOUTHBOUND LEFT-TURN LANE AT OLD TIMBER ROAD.
- (7) PROSPERITY CHURCH ROAD AT OLD TIMBER ROAD
- (a) CONSTRUCT AN EASTBOUND RIGHT-TURN LANE WITH APPROPRIATE STORAGE AND TAPER LENGTH AS RIGHT-OF-WAY CONSTRAINTS ALLOW.

- (8) THE TYPICAL CROSS SECTION ON THE PROPOSED PROSPERITY RIDGE ROAD EXTENSION SHOULD CONSIST OF ONE THROUGH LANE IN EACH DIRECTION AND A CENTER TWO-WAY LEFT-TURN LANE. THE FOLLOWING AUXILIARY TURN LANES ARE WARRANTED AT EACH PROPOSED SITE DRIVEWAY:
- (a) PROSPERITY RIDGE ROAD EXTENSION AT SITE ACCESS E
- (i) CONSTRUCT A NORTHBOUND LEFT—TURN LANE WITH A MINIMUM STORAGE OF 25 FEET.(b) PROSPERITY RIDGE ROAD EXTENSION AT SITE ACCESS F
- (i) CONSTRUCT A NORTHBOUND LEFT-TURN LANE WITH A MINIMUM STORAGE OF 25 FEET.
- (ii) CONSTRUCT A SOUTHBOUND RIGHT-TURN LANE WITH A MINIMUM STORAGE OF 25 FEET.
- (c) PROSPERITY RIDGE ROAD EXTENSION AT SITE ACCESS G
- (i) CONSTRUCT A NORTHBOUND LEFT-TURN LANE WITH A MINIMUM STORAGE OF 50 FEET.
- (ii) CONSTRUCT A SOUTHBOUND RIGHT-TURN LANE WITH A MINIMUM STORAGE OF 50 FEET.
- (d) PROSPERITY RIDGE ROAD EXTENSION AT SITE ACCESS H
- (i) CONSTRUCT A NORTHBOUND LEFT-TURN LANE WITH A MINIMUM STORAGE OF 25 FEET.
- (9) JOHNSTON OEHLER ROAD AT SITE ACCESS I (SINGLE FAMILY ATTACHED DWELLING UNITS ACCESS)
- (a) CONSTRUCT A NORTHBOUND RIGHT-TURN LANE WITH A MINIMUM STORAGE OF 100 FEET.
- 4. ARCHITECTURAL AND DESIGN STANDARDS
- A. <u>DEVELOPMENT AREA A AND DEVELOPMENT AREA C</u>
- (1) THE MAXIMUM HEIGHT OF ANY BUILDING DEVELOPED ON DEVELOPMENT AREA A OR ON DEVELOPMENT AREA C SHALL BE GOVERNED BY THE ORDINANCE.
- (2) THE ARCHITECTURAL AND DESIGN STANDARDS SET OUT BELOW SHALL APPLY TO DEVELOPMENT AREA A AND DEVELOPMENT AREA C
- (a) BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT ON PUBLIC OR PRIVATE NETWORK REQUIRED STREETS THROUGH THE FOLLOWING:
- (i) BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FACADE TO ALL STREETS.
- (ii) FACADES FRONTING 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 ADJACENT STREET SIDEWALK.
- (iii) THE FACADES OF THE FIRST/GROUND FLOOR OF THE BUILDINGS ALONG STREETS SHALL INCORPORATE A MINIMUM OF 30% MASONRY MATERIALS SUCH AS BRICK OR STONE.
- (iv) A DIRECT PEDESTRIAN CONNECTION SHOULD BE PROVIDED BETWEEN STREET FACING DOORS AND CORNER ENTRANCE FEATURES TO SIDEWALKS ON ADJACENT STREETS.
- (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 MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.
- (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.
- B. <u>DEVELOPMENT AREA B</u>
- (1) THE MAXIMUM HEIGHT IN STORIES OF ANY BUILDING DEVELOPED ON DEVELOPMENT AREA B SHALL BE 3 STORIES.
- (2) THE ARCHITECTURAL AND DESIGN STANDARDS SET OUT BELOW SHALL APPLY TO DEVELOPMENT AREA B
- (a) PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 20% 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.
 - (b) PROHIBITED EXTERIOR BUILDING MATERIALS:
- (i) VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS, DOORS OR DOOR TRIM)
- (ii) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
- (c) 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).
- (ii) BUILDINGS SHALL FRONT A MINIMUM OF 50% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON DEVELOPMENT AREA B (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE).
- (iii) PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET.
- (iv) DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS.

 (d) 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.
- (e) 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.
- (f) ROOF FORM AND ARTICULATION ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:
- HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS.

(i) LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN

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

 (iii) ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE
- NEAREST STREET.

 (g) SERVICE AREA SCREENING SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF CHAPTER 12 OF THE ORDINANCE.

No. REVISIONS

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DATE
05/15/2020
SCALE AS SHOWN
DESIGNED BY ____

SITE NOTES

REPARED FOR WSB RETAIL

SHEET NUMBER

- C. <u>DEVELOPMENT AREA D</u>
- (1) THE ARCHITECTURAL AND DESIGN STANDARDS SET OUT BELOW SHALL APPLY TO DEVELOPMENT AREA D.
- (a) THE PRIMARY EXTERIOR BUILDING MATERIALS FOR THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE DEVELOPED ON DEVELOPMENT AREA D WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK VENEER OR SIMILAR MASONRY PRODUCTS, STONE, MANUFACTURED STONE, STUCCO AND CEMENTITIOUS SIDING.
- (b) VINYL, EIFS OR MASONITE MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON SINGLE FAMILY ATTACHED DWELLING UNITS DEVELOPED ON DEVELOPMENT AREA D. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS,
- (c) THE ACTUAL WIDTHS OF THE SINGLE FAMILY ATTACHED DWELLING UNITS TO BE DEVELOPED ON DEVELOPMENT AREA D MAY VARY FROM THE WIDTHS DEPICTED ON THE REZONING PLAN.
- (d) 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.
- (e) 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 CHOSEN BY PETITIONER.
- (f) 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 <u>OR</u> PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 10 FEET ON ALL BUILDING LEVELS.
- (g) TO PROVIDE PRIVACY, ALL RESIDENTIAL ENTRANCES WITHIN 15 FEET OF THE SIDEWALK LOCATED ALONG DEVELOPMENT AREA D'S FRONTAGE ON PROSPERITY RIDGE ROAD EXTENSION OR DEVELOPMENT AREA D'S FRONTAGE ON JOHNSTON OEHLER ROAD MUST BE RAISED FROM THE AVERAGE SIDEWALK GRADE A MINIMUM OF 12 INCHES.
- (h) WALKWAYS SHALL BE PROVIDED TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE
- (i) EACH SINGLE FAMILY ATTACHED DWELLING UNIT SHALL HAVE A GARAGE.

DOORS, GARAGE DOORS, SOFFITS, TRIM AND RAILINGS.

- (j) THE SINGLE FAMILY ATTACHED DWELLING UNITS THAT FRONT PROSPERITY RIDGE ROAD EXTENSION OR JOHNSTON OEHLER ROAD SHALL BE ALLEY LOADED DWELLING UNITS. THIS REQUIREMENT SHALL NOT APPLY TO A SINGLE FAMILY ATTACHED DWELLING UNIT THAT HAS A SIDE FACADE THAT IS ADJACENT TO PROSPERITY RIDGE ROAD EXTENSION OR JOHNSTON OEHLER ROAD. EXCEPT AS PROVIDED ABOVE, ALL SINGLE FAMILY ATTACHED DWELLING UNITS ON DEVELOPMENT AREA D MAY BE FRONT LOADED OR ALLEY LOADED DWELLING UNITS.
- (k) 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 ARE ADJACENT TO AND FRONT A PRIVATE ALLEY, PRIVATE STREET OR PRIVATE DRIVE OR BUILDINGS THAT ARE ADJACENT AND PERPENDICULAR TO A PUBLIC STREET.

D. DESIGN STANDARDS APPLICABLE TO THE ENTIRE SITE

- (1) THE MINIMUM BUILDING AND PARKING SETBACK SHALL BE 14 FEET FROM THE BACK OF CURB (EXISTING OR PROPOSED). IF THE RIGHT OF WAY IS GREATER THAN THE MINIMUM SETBACK FROM THE BACK OF CURB, THE RIGHT OF WAY LINE WILL BECOME THE MINIMUM SETBACK.
- (2) NO SURFACE PARKING OR MANEUVERING SPACE SHALL BE LOCATED BETWEEN ANY BUILDING LINE AND THE STREET, EXCEPT THAT DRIVEWAYS PROVIDING ACCESS TO THE PARKING AREA MAY BE INSTALLED ACROSS THESE AREAS. IT IS THE INTENT THAT THESE DRIVEWAYS BE AS NEARLY PERPENDICULAR TO THE STREET RIGHT OF WAY AS POSSIBLE.
- (3) PARKING AREAS MUST REMAIN BEHIND THE ESTABLISHED BUILDING SETBACK.
- (4) NO SERVICE OR LOADING AREAS MAY BE ORIENTED TOWARDS THE STREET OR WITHIN THE AREA BETWEEN ANY BUILDING LINE AND THE STREET.

5. STREETSCAPE/BUFFERS

- A. BUFFERS SHALL BE ESTABLISHED ON THE SITE AS REQUIRED BY THE ORDINANCE AND AS DEPICTED ON THE REZONING PLAN, AND SUCH BUFFERS SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. PURSUANT TO THE ORDINANCE, PETITIONER MAY REDUCE THE REQUIRED WIDTH OF A BUFFER BY 25% BY INSTALLING A WALL, FENCE OR BERM THAT MEETS THE STANDARDS OF SECTION 12.302(8) OF THE ORDINANCE.
- B. IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS ACCORDINGLY.
- C. PURSUANT TO SECTION 11.405(5) OF THE ORDINANCE, INTERIOR BUFFERS BETWEEN USES LOCATED ON THE SITE ARE WAIVED AND SHALL NOT BE REQUIRED.
- D. PETITIONER SHALL INSTALL A MINIMUM 6 FOOT TALL, SOLID WOODEN FENCE ALONG THAT PORTION OF THE SITE'S EASTERN BOUNDARY LINE LOCATED IN DEVELOPMENT AREA E SOUTH OF THE DUKE ENERGY EASEMENT THAT IS GENERALLY DEPICTED ON THE REZONING PLAN. THIS FENCE MAY MEANDER TO SAVE EXISTING TREES AND TO ACCOMMODATE TOPOGRAPHY. THIS FENCE MAY BE REMOVED BY PETITIONER IF THE FENCE IS ULTIMATELY LOCATED ON THE PARK SITE (AS DEFINED BELOW) AND THE REMOVAL OF THE FENCE IS REQUIRED BY MECKLENBURG COUNTY.
- E. PETITIONER SHALL INSTALL A MINIMUM 6 FOOT TALL, SOLID WOODEN FENCE ALONG THE EASTERN BOUNDARY LINE OF DEVELOPMENT AREA D AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS FENCE MAY MEANDER TO SAVE EXISTING TREES AND TO ACCOMMODATE TOPOGRAPHY.
- PETITIONER SHALL INSTALL ENHANCED LANDSCAPING IN THE FORM OF SHRUBS ON EACH SIDE OF THE ACCESS DRIVEWAY INTO THE SITE ON PROSPERITY CHURCH ROAD ACROSS FROM PANTHERSVILLE DRIVE. THIS ENHANCED LANDSCAPING AREA SHALL BE LOCATED BEHIND THE BACK OF SIDEWALK AND OUTSIDE OF THE RIGHT OF WAY AND IT SHALL HAVE A MINIMUM DEPTH OF 8 FEET AND A MINIMUM LENGTH ON EACH SIDE OF THE ACCESS DRIVEWAY OF 50 FEET. THE ENHANCED LANDSCAPING AREA IS GENERALLY DEPICTED ON THE REZONING PLAN. SHRUBS SHALL NOT BE PLANTED IN THE SIGHT DISTANCE TRIANGLES

6. ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE (THE "TREE ORDINANCE").
- B. AS NOTED ABOVE IN PARAGRAPH 1.E., THE DEVELOPMENT OF THE SITE SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. ACCORDINGLY, THE TREE SAVE REQUIREMENTS OF THE TREE ORDINANCE SHALL BE CALCULATED AND SATISFIED OVER THE ENTIRE SITE, RATHER THAN WITHIN EACH INDIVIDUAL DEVELOPMENT AREA. AS A RESULT, EACH INDIVIDUAL DEVELOPMENT AREA SHALL NOT BE REQUIRED TO MEET THE TREE SAVE REQUIREMENTS OF THE TREE ORDINANCE PROVIDED THAT THE SITE AS A WHOLE MEETS SUCH TREE SAVE REQUIREMENTS. NOTWITHSTANDING THE FOREGOING, THE AREA OF THE SITE LOCATED WITHIN THE TO BE DEDICATED RIGHT OF WAY FOR PROSPERITY RIDGE ROAD EXTENSION SHALL NOT BE CONSIDERED TO BE PART OF THE SITE WHEN CALCULATING THE REQUIRED TREE SAVE AREA FOR THE SITE.
- C. THE TREE SAVE AREAS DEPICTED ON THE REZONING PLAN ARE CONCEPTUAL AND THE ACTUAL TREE SAVE AREAS PROVIDED ON THE SITE MAY DIFFER FROM WHAT IS DEPICTED ON THE REZONING PLAN PROVIDED THAT THE SITE COMPLIES WITH THE REQUIREMENTS OF THE TREE ORDINANCE.
- D. PETITIONER ACKNOWLEDGES THAT THE PARKING AREAS LOCATED WITHIN THE DUKE ENERGY EASEMENT SHALL BE REQUIRED TO MEET THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE AND THE REQUIREMENTS OF DUKE ENERGY. AS A RESULT, THE FINAL DESIGN OF THESE PARKING AREAS SHALL BE DETERMINED DURING THE PERMITTING PROCESS AND MAY VARY FROM WHAT IS DEPICTED ON THE REZONING PLAN.
- E. THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE POST CONSTRUCTION CONTROLS ORDINANCE.
- F. 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.
- G. 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.

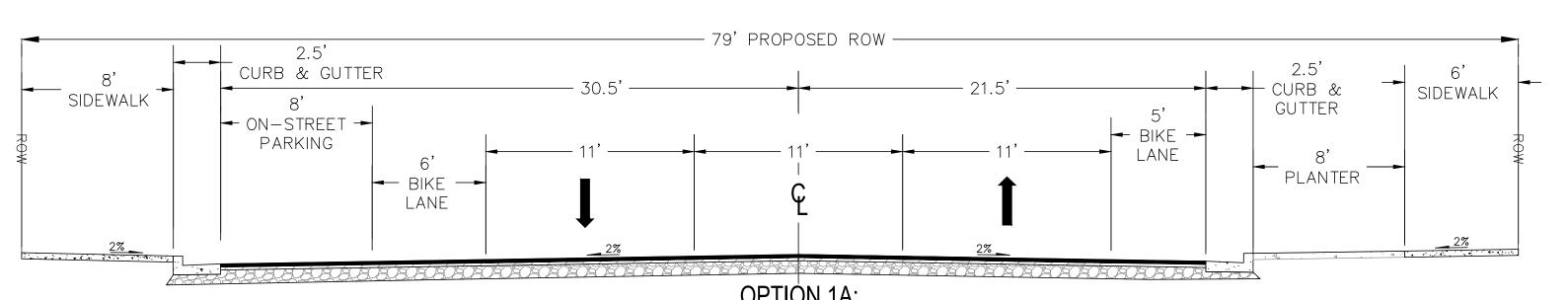
7. PARK SITE

A. PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE SIXTH NEW BUILDING CONSTRUCTED ON THE SITE AND SUBJECT TO THE APPROVAL OF MECKLENBURG COUNTY, PETITIONER SHALL CONVEY A MINIMUM 2 ACRE PORTION OF DEVELOPMENT AREA E (THE "PARK SITE") TO MECKLENBURG COUNTY FOR A FUTURE PASSIVE PUBLIC PARK (THE "PUBLIC PARK"). THE SITE'S STORM WATER DETENTION PONDS SHALL NOT BE LOCATED WITHIN THE PARK SITE. PRIOR TO THE CONVEYANCE OF THE PARK SITE TO MECKLENBURG COUNTY, PETITIONER SHALL HAVE THE RIGHT TO INSTALL AND LOCATE A STORM WATER PIPE OR PIPES THROUGH THE PARK SITE AND TO RESERVE SUCH EASEMENTS OVER THE PARK SITE THAT ARE NECESSARY TO MAINTAIN, REPAIR AND REPLACE SUCH STORM WATER PIPE OR PIPES.

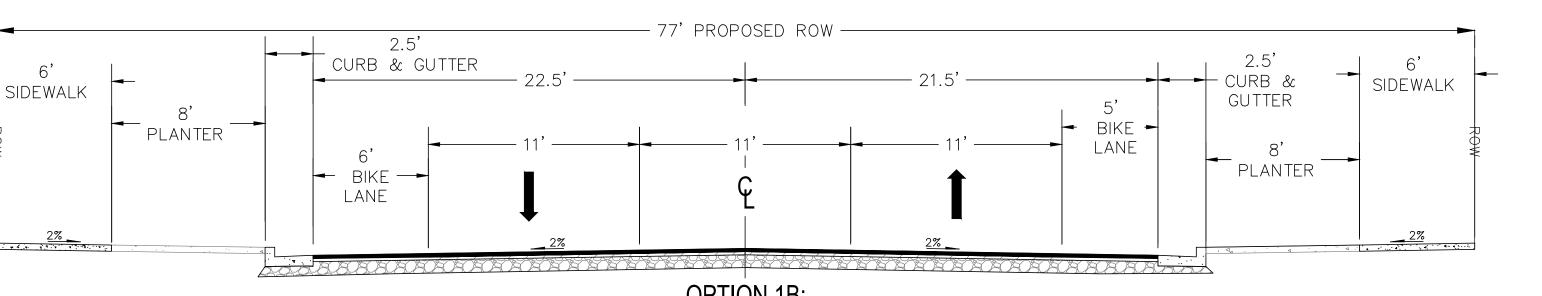
- B. THE PUBLIC PARK SHALL BE A PASSIVE PARK.
- C. THE PARK SITE SHALL COUNT TOWARDS THE SITE'S MINIMUM TREE SAVE REQUIREMENTS.
- D. THE PARK SITE SHALL COUNT TOWARDS THE SITE'S REQUIRED OPEN SPACE.
- E. IN THE EVENT THAT MECKLENBURG COUNTY DOES NOT APPROVE AND ACCEPT THE CONVEYANCE OF THE PARK SITE, THEN THE PARK SITE SHALL BE A PART OF THE SITE'S TREE SAVE AND OPEN SPACE AREA, AND THE PARK SITE SHALL BE OWNED AND MAINTAINED BY THE DEVELOPER OR A PROPERTY OWNERS ASSOCIATION.
- 8. LIGHTING
- A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS AND LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS AND PARKING AREAS AND IN THE LANDSCAPED AREAS) 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.

9. OPEN SPACE/AMENITY AREAS

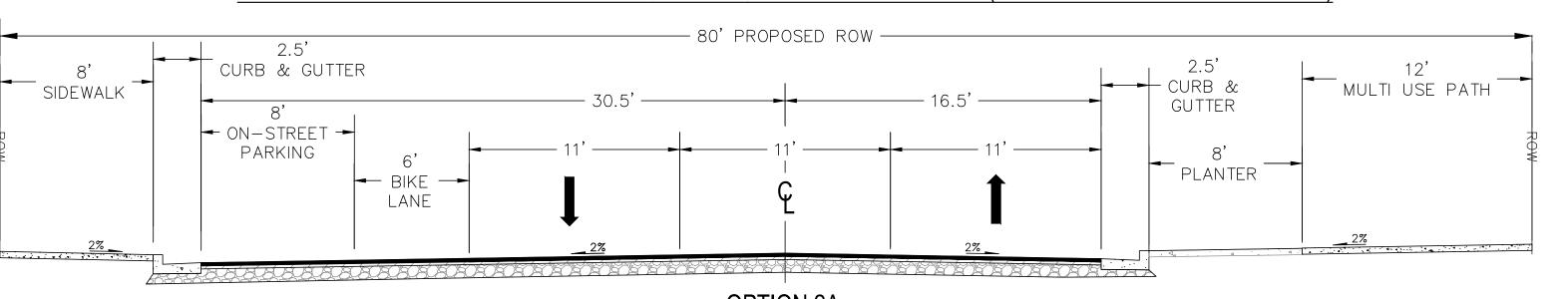
- A. AN URBAN OPEN SPACE AREA SHALL BE LOCATED ON THE SITE ON THE CORNER OF THE INTERSECTION OF PROSPERITY CHURCH ROAD AND PROSPERITY RIDGE ROAD EXTENSION AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS URBAN OPEN SPACE AREA SHALL HAVE A MINIMUM SIZE OF 6,000 SQUARE FEET AND IT SHALL CONTAIN, AT A MINIMUM, LANDSCAPING, HARDSCAPE AND SEATING ELEMENTS.
- B. AN AMENITY AREA SHALL BE PROVIDED ON DEVELOPMENT AREA B AND AT A MINIMUM, THE AMENITY AREA SHALL CONTAIN A CLUBHOUSE WITH A FITNESS CENTER AND A SWIMMING POOL.
- C. THE MINIMUM 15,000 SQUARE FOOT URBAN OPEN SPACE ON DEVELOPMENT AREA B SHALL CONTAIN, AT A MINIMUM, PEDESTRIAN WALKWAYS, LANDSCAPING AND SEATING.
- D. THE MINIMUM SIZE OF THE CENTRAL GREEN/URBAN OPEN SPACE ON DEVELOPMENT AREA D SHALL BE 18,000 SQUARE FEET AND THE CENTRAL GREEN/OPEN SPACE SHALL CONTAIN, AT A MINIMUM, PEDESTRIAN WALKWAYS, LANDSCAPING AND SEATING.
- 1. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.
- C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



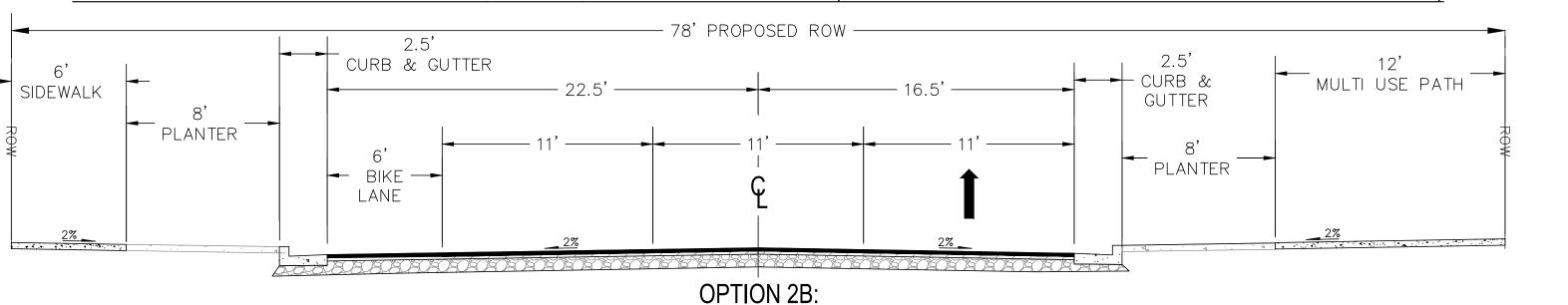
PROSPERITY RIDGE ROAD EXTENSION SECTION WITH BICYCLE LANES (SHOWN WITH ON STREET PARKING WHERE APPLICABLE)



PROSPERITY RIDGE ROAD EXTENSION SECTION WITH BICYCLE LANES (WITHOUT ON STREET PARKING)



PROSPERITY RIDGE ROAD EXTENSION SECTION WITH MULTI-USE PATH (SHOWN WITH ON STREET PARKING WHERE APPLICABLE)



PROSPERITY RIDGE ROAD EXTENSION SECTION WITH MULTI-USE PATH (WITHOUT ON STREET PARKING)

202 No. REVISIONS DATE

© 2020 KIMLEY—HORN AND ASSOCIATES
200 SOUTH TRYON, SUITE 200, CHARLOTTE, N
PHONE: 704—333—5131

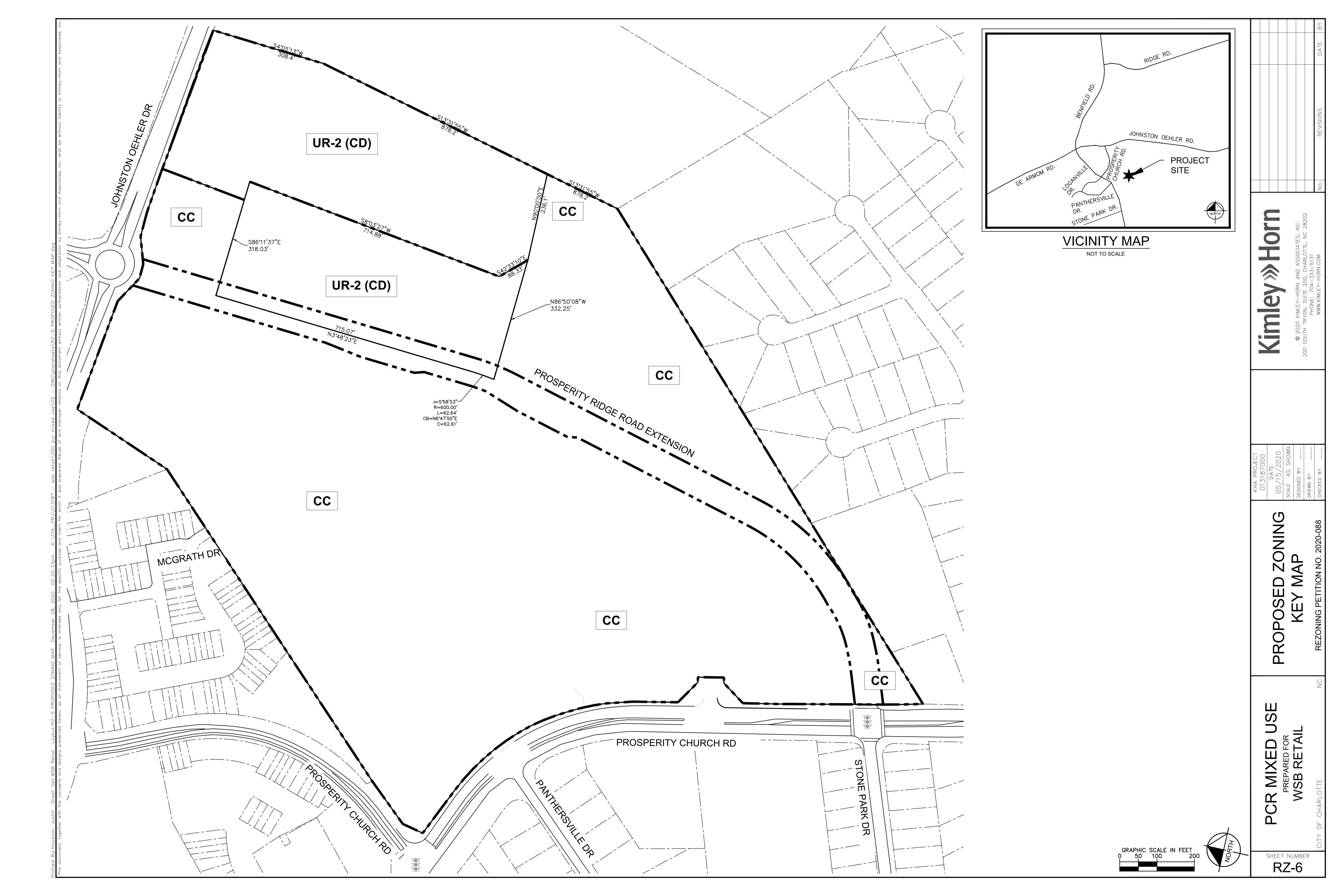
DATE
05/15/2020
SCALE AS SHOWN
DESIGNED BY ____

SITE NOTES

CR MIXED USE
PREPARED FOR
WSB RETAIL

SHEET NUMBER

RZ-5





City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 9.File #: 15-14985 Type: Zoning Decision

Rezoning Petition: 2020-091 by Mecklenburg County

Location: Approximately 40.85 acres located east of Nations Ford Road, west of Interstate 77, and south of Sharview Circle. (Council District 3 - Watlington)

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

Proposed Zoning: INST (CD) (institutional, 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 2020-091

January 5, 2021

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

Proposed Zoning: INST(CD) (institutional, conditional)

LOCATION Approximately 40.85 acres located east of Nations Ford Road,

west of Interstate 77, and south of Sharview Circle.

(Council District 3 - Watlington)

PETITIONER Mecklenburg County

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

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

• The plan recommends single family residential at up to four dwelling units per acre.

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

- Institutional land uses are considered compatible land uses with single family uses, as they provide needed public services to area residents.
- The proposed Mecklenburg County community resource center would provide health and social services to the surrounding community, bringing services closer to residents in the southwestern part of the county.
- The proposed site plan includes buffer areas between the institutional uses and the adjacent single-family neighborhood.
- The site is located across from B-1 uses, and Waddell Language Academy.
- The petition commits to a range of transportation improvements that will benefit the surrounding area including a multi-use path along Nations Ford Road, multiuse path connection to Reynolds Avenue, and enhancements to several intersections.

The approval of this petition will revise the adopted future land use as specified by the *Southwest District Plan*, from single family residential at up to four dwelling units per acre to institutional use for the site.

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

inconsistent with the adopted area plan.

A committee member commented that the proposed Mecklenburg County service center planned for the site would be a valuable

resource for citizens in this part of the county.

There was no further discussion of this petition.

PLANNER Joe Mangum (704) 353-1908





REQUEST

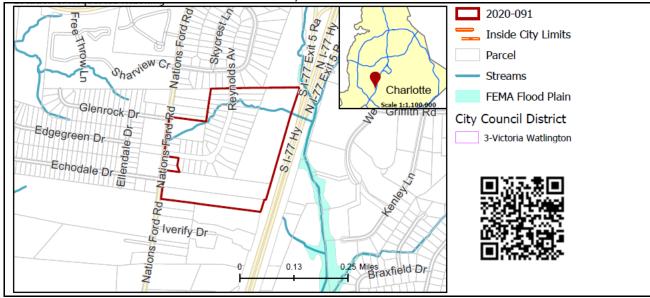
Current Zoning: R-4 (single family residential)

Proposed Zoning: INST(CD) (institutional, conditional)

LOCATION

Approximately 40.85 acres located east of Nations Ford Road, west of

Interstate 77, and south of Sharview Circle.



SUMMARY OF PETITION

The petition proposes to develop vacant land with up to 300,000 square feet of government clinics, offices, and civic facilities.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Mary Funderburk Langford, et al.

Mecklenburg County

Shaun Hicks

COMMUNITY MEETING

Meeting 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

The petition is **inconsistent** with the single family residential up to four dwelling units per acre land use recommendation for this site, as per the *Southwest District Plan*.

Rationale for Recommendation

- Institutional land uses are considered compatible land uses with single family uses, as they provide needed public services to area residents.
- The proposed Mecklenburg County community resource center would provide health and social services to the surrounding community, bringing services closer to residents in the southwestern part of the county.
- The proposed site plan includes buffer areas between the institutional uses and the adjacent single-family neighborhood.
- The site is located across from B-1 uses, and Waddell Language Academy.
- The petition commits to a range of transportation improvements that will benefit the surrounding area including a multi-use path

along Nations Ford Road, multi-use path connection to Reynolds Avenue, and enhancements to several intersections.

The approval of this petition will revise the adopted future land use as specified by the *Southwest District Plan*, from current single family land uses to institutional land use for the site.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes the development of up to 300,000 square feet of government clinics, offices, and civic facilities in a maximum of three buildings.
- Prohibits the following primary uses:
 - Cemeteries
 - Dormitories
 - Jails and Prisons
 - Land Clearing and Inert Debris Landfills (LCID)
 - Stadiums and Arenas
- Prohibits the following accessory uses:
 - Crematory Facilities
 - Drive-in Service Windows
 - Land Clearing and Inert Debris Landfills (LCID)
 - Petroleum Storage
 - Satellite Dish Farms
- Proposes unsignalized, full movement driveways at Glenrock Drive and Echodale Drive.
- States that all internal streets will be private and built to USDG local office/commercial wide cross section.
- Proposes parallel parking on some internal streets.
- Provides for a 10' wide multi-use trail connection to Reynolds Avenue.
- Proposes dedication of right-of-way to CDOT or NCDOT 41' from centerline on Nations Ford Road.
- Commits to installing a minimum 8' planting strip and 12' multi-use path along site's frontage of Nations Ford Road.
- In accordance with a traffic impact study, commits to improvements at the following intersections:
 - Nations Ford Road & West Tyvola Road
 - Nations Ford Road & Glenrock Drive/Proposed Access "A"
 - Nations Ford Road & Echodale Drive/Proposed Access "B"
 - Nations Ford Road & I-77 Southbound Ramps
 - Nations Ford Road & I-77 Northbound Off Ramp/Archdale Drive
 - Archdale Drive & I-77 Northbound On-Ramp
- Proposes a 75' Class B buffer, with the option to reduce in accordance with the zoning ordinance, and a 20' side yard where the property's boundaries abut single family uses or zoning along the Site's north, south, and west property lines.
- Provides a 20' side yard along the Site's south and west property line and a 20' rear yard along the Site's eastern property line.
- Establishes architectural standards for the principal buildings.
- Provides standards that all lighting must be full cut-off type fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, plazas, and parking areas.





The subject property is vacant land that was subdivided for a single family neighborhood that was never built. It is surrounded by a mix of different land uses including single family homes, retail, office, and schools.



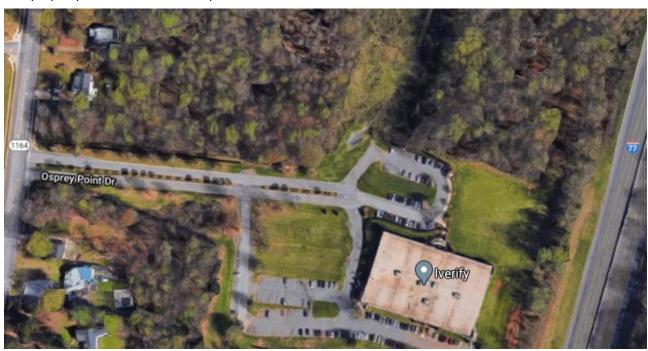
The site is vacant, undeveloped land with the exception of one single family home fronting on Nations Ford Road.



The properties to the north and northwest of the site are developed with single family homes.



The property to the east is developed with Interstate 77.



The properties to the south are developed with single family homes and office uses.



The properties to the west of the site are developed with commercial uses.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2017-047	Petition to rezone approximately 7 acres occupied by a car dealership to B-2.	Approved

Petition 2020-091 (Page 6 of 7) Final Staff Analysis

Public Plans and Policies



The Southwest District Plan (adopted 1991) recommends single family residential at up to 4
dwelling units per acre.

TRANSPORTATION SUMMARY

The site is located on Nations Ford Road, a City-maintained minor thoroughfare, approximately a ¼ mile south of Tyvola Road. A TIS is required for this site, and was approved 11-30-2020, which includes various transportation improvements such as constructing turn lanes at Nations Ford and West Tyvola Roads, striping and ingress/egress lanes on Echodale Drive and Glenrock Drive at Nations Ford Road, among other improvements. Additionally, the petitioner has committed to an 8-foot planting strip and 12-foot shared use path along the site's Nations Ford Road frontage as well as a 10-foot shared use path from Nations Ford Road to Reynolds Dr. Lastly, Crosswalks will be included, and the petitioner will work with CDOT and CATS to construct an ADA compliant bus waiting pad on Nations Ford Road. This bus pad will coincide with the crosswalk locations. All CDOT comments have been addressed.

Active Projects:

- o There are no active projects near the site.
- Transportation Considerations
 - No outstanding issues.
- Vehicle Trip Generation:

Current Zoning:

Existing Use: 10 trips per day (based on one single family dwelling). Entitlement: 890 trips per day (based on 163 single family dwellings).

Proposed Zoning: 5,987 trips per day (based on 225,000 square feet of office, 50,000 square feet of medical clinic, and 25,000 square feet of library).

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 comments submitted.
- Charlotte-Douglas International Airport: No comments submitted.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Historic Landmarks: No comments submitted.
- Charlotte-Mecklenburg Police Department: No comments submitted.

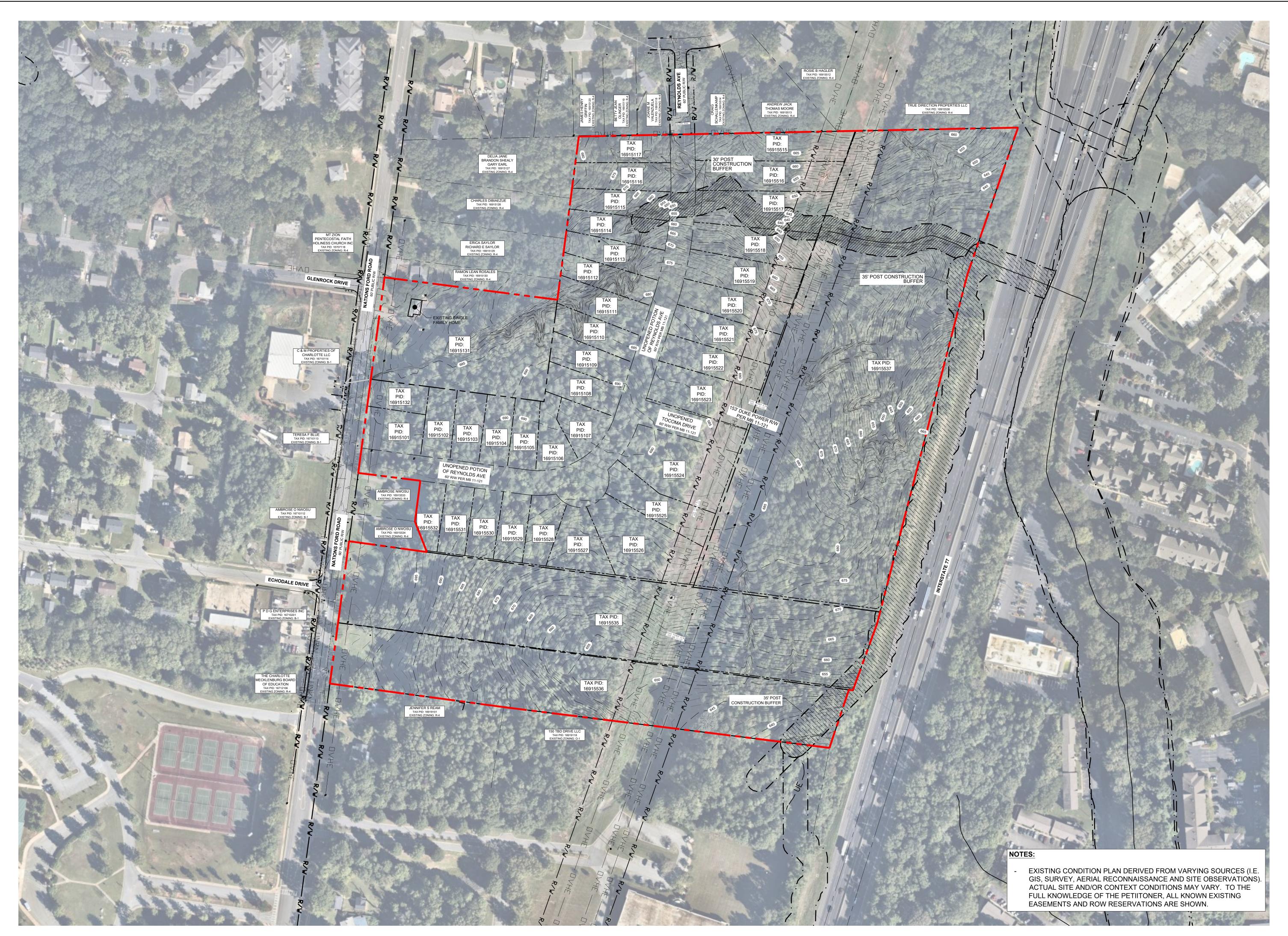
Petition 2020-091 (Page 7 of 7) Final Staff Analysis

• **Charlotte-Mecklenburg Schools:** Nonresidential 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 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 comments submitted.

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

Planner: Joe Mangum (704) 353-1908



LandDesign.

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

NOT FOR CONSTRUCTION

COMMUNITY RESOURCE CENTER -

SOUTHWEST LOCATION

MECKLENBURG COUNTY -

ASSET & FACILITY MANAGEMENT DEPARTMENT

CHARLOTTE, NC

REZONING PETITION # 2020-091

SN PROJ# 1019419

F	REVISION / ISSUA	NCE
NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	05.26.2020
	OND DEZONING	

2ND REZONING
SUBMITTAL

3RD REZONING
SUBMITTAL

4TH REZONING
SUBMITTAL

10.12.2020

11.16.2020

12.22.2020

SUBMITTAL 12.22.2020

DESIGNED BY: RJP/SAH DRAWN BY: SAH

CHECKED BY: RJP/SAH

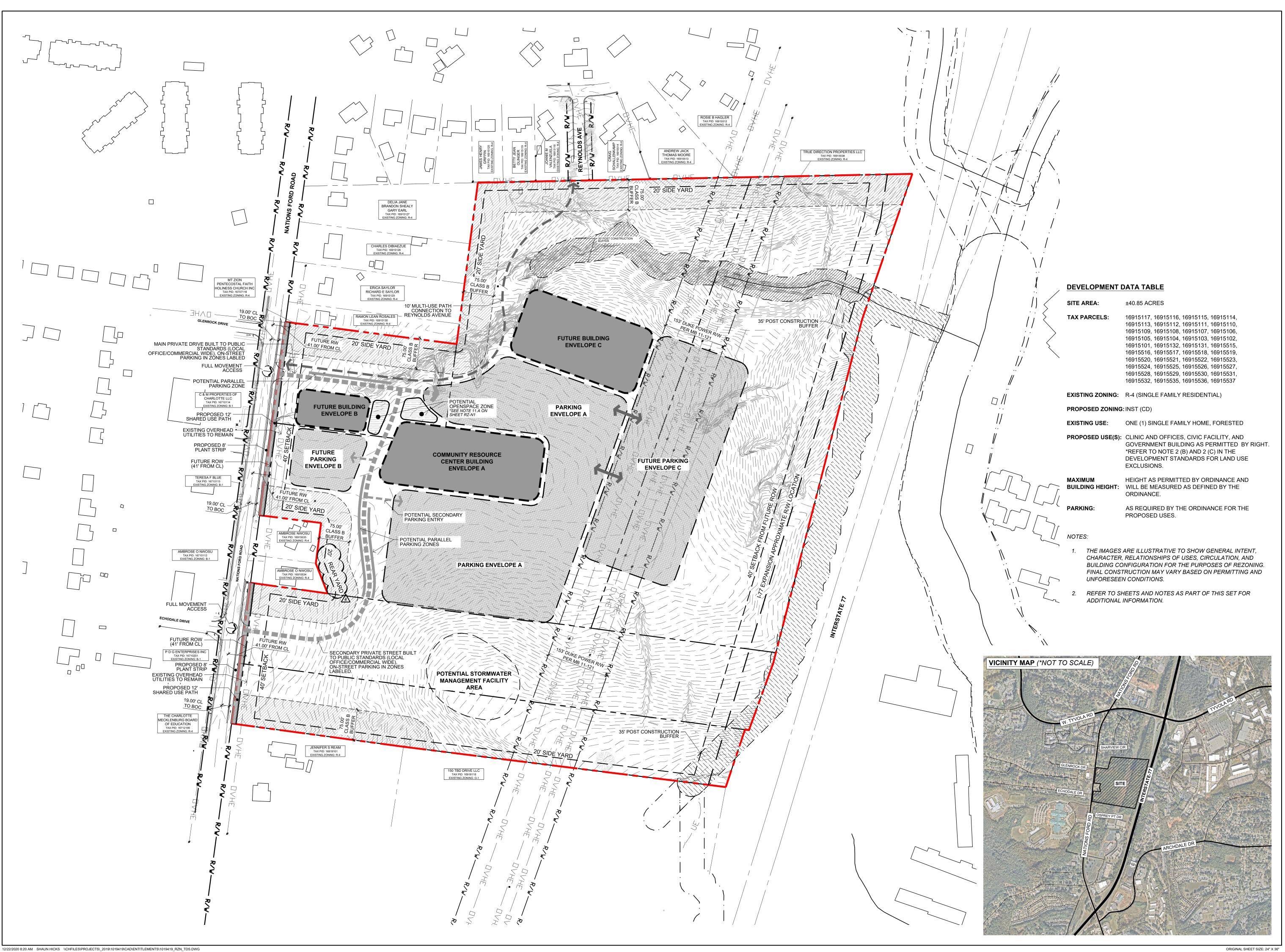
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VERT: N/A
HORZ: 1"=100"

VERT: N/A HORZ: 1"=100' 0 50' 100'

EXISTING CONDITIONS

RZ-EC



LandDesign.

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

NOT FOR

COMMUNITY RESOURCE CENTER -

CONSTRUCTION

SOUTHWEST LOCATION

MECKLENBURG COUNTY -

ASSET & FACILITY MANAGEMENT DEPARTMENT

CHARLOTTE, NC

REZONING PETITION # 2020-091

ESIGN PROJ.# 1019419

REVISION / ISSUANCE NO. DESCRIPTION DATE 1 1 ST REZONING SUBMITTAL 05.26.202

1 ST REZONING SUBMITTAL 05.26.2020
2 2ND REZONING SUBMITTAL 10.12.2020
3 3RD REZONING SUBMITTAL 11.16.2020
4 4TH REZONING SUBMITTAL 12.22.2020

DESIGNED BY: RJP/SAH
DRAWN BY: SAH
CHECKED BY: RJP/SAH

/ERT: N/A HORZ: 1"=100'

TECHNICAL DATA

RZ-01

Community Resource Center Development Standards △ (12/22/2020) Rezoning Petition No. 2020-091

Site Development Data:

- Site Acreage: +/-40.85 Acres
- Tax Parcels:

16915117, 16915116, 16915115, 16915114, 16915113, 16915112, 16915111, 16915110, 16915109, 16915108, 16915107, 16915106, 16915105, 16915104, 16915103, 16915102, 16915101, 16915132, 16915131, 16915515, 16915516, 16915517, 16915518, 16915519, 16915520, 16915521, 16915522, 16915523, 16915524, 16915525, 16915526, 16915527, 16915528, 16915529, 16915530, 16915531, 16915532, 16915535, 16915536, 16915537

- Existing Zoning: R-4
- Proposed Zoning: INST (CD)
- **Existing Uses:** One (1) Single family home, forested
- **Proposed Uses:** Clinic and Offices, Civic facility, and Government Building as permitted by right.
- Maximum Gross Square Feet of Development: Up to 300,000 square feet of gross floor area
- **Maximum Building Height:** Height as permitted by Ordinance and will be measured as defined by the Ordinance.
- **Parking:** As required by the Ordinance for the proposed uses.
- **General Provisions:**
- Site Location: These Development Standards, Schematic Site Plan and other graphics set forth on Sheet RZ-01 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Mecklenburg County ("Petitioner") to accommodate the development of institutional uses on an approximately 40.85 acre site located along Nations Ford Road (the "Site"). The existing plat including the unopened portion of Reynolds Ave., unopened Tocoma Drive, and single family lots will go through the ROW abandonment/recombination process.
- 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 all development taking place on the Site.
- **Graphics and Alterations:** Any schematic depictions of the building envelopes, parking areas, sidewalks, driveways, streets, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. Any layouts, 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; such as minor modifications to the configurations of any building envelope, driveways and parking area dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally 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.

- **Planned/Unified Development**: The Site shall be viewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site.
- Number of Buildings Principal and Accessory: Notwithstanding the number of building(s) shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to three (3). 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).
- **Permitted Uses, Development Area Limitations:**
- The Site may be developed with up to 300,000 square feet gross floor area of Clinic and Offices, Civic facility, and Government Building as permitted by right.
- Uses permitted under prescribed conditions as listed in the Institutional District ordinance are to exclude:
 - Section 9.503 (3) Cemeteries
 - b.b. Section 9.503 (6) Dormitories
 - b.c. Section 9.503 (7) Funeral homes
 - Section 9.503 (9) Jails and prisons uses b.d.
 - Section 9.503 (9.1) Land clearing and inert debris landfills (LCID): offsite b.e.
 - b.f. Section 9.503 (20.5) (c) Shelters - Homeless Shelter
- Section 9.503 (21) Stadiums and arenas
- Permitted accessory uses and structures as listed in the Institutional District ordinance are to exclude:
 - Section 9.504 (1.5) Crematory facilities, within a cemetery
 - c.b. Section 9.504 (2) Drive-n service windows as an accessory tot he principal use.
 - Section 9.504 (6) Land clearing and inert landfill (LCID) C.C.
 - Section 9.504 (8) Petroleum storage
 - Section 9.504 (8.5) Satellite dish farm, used in conjunction with telecommunications and data storage c.e. facility

Transportation:

The Petitioner will provide access to the Site as generally depicted on the Rezoning Plan. Provide for unsignalized, full movement intersection for Main Private Drive connection to Nations Ford Road to be coordinated with CDOT. Provide for unsignalized, full movement intersection aligned with Echodale Drive to be coordinated with CDO1

- Internal streets will be private streets built per the USDG local office/commercial wide cross section.
- Parallel parking to provided on South side of main private drive. Final location to be coordinated with final plan, parking access, and coordination with CDOT/Planning.
- Parallel parking to provided on West and East sides of secondary private drive. Final location to be coordinated with final plan, parking access, and coordination with CDOT/Planning.
- Provide a 10' wide pedestrian/bike multi use path connection to Reynolds Avenue as depicted on the Rezoning Plan. This path is to be limited to pedestrians/bikers and will not include vehicular traffic.
- Subject to the approval of CDOT and any other governmental agencies, Petitioner shall construct an ADA compliant bus waiting pad 60.03A within the required planting strip along the Site's frontage on Nations Ford 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 the waiting pad.
- Prior to the issuance of the first certificate of occupancy for a new building 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 Nations Ford Road as required to provide right of way measuring 41 feet (2 feet behind the back of the multi-use path) from the existing centerline of Nations Ford Road, to the extent that such right of way does not already exist.
- 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 Nations Ford Road.
- Petitioner shall submit a Petition to the City requesting the abandonment of that portion of the right of way for Reynolds Avenue that is located on the Site and generally depicted on the Rezoning Plan and any other right of way located on the Site.
- Subject to the approval of CDOT and any other governmental agencies and the availability of existing right of way to accommodate accessible ramps on the west side of Nations Ford Road for the pedestrian crossings, Petitioner shall stripe two pedestrian crossings within Nations Ford Road along the Site's frontage on Nations Ford Road to provide pedestrian connections from the 12 foot wide multi-use path along the Site's frontage on Nations Ford Road to the sidewalk located across from the Site on the west side of Nations Ford Road. The locations of these pedestrian crossings shall be determined during the permitting process. In the event that Petitioner cannot obtain all approvals and permits required to stripe the pedestrian crossings, or in the event that there is not existing right of way to accommodate accessible ramps on the west side of Nations Ford Road for the pedestrian crossings, then Petitioner shall have no obligation to stripe the pedestrian crossings.
- Any reference to the term "substantially complete" in this Section 3 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.
- The transportation improvements set out below shall be substantially complete prior to the issuance of the first certificate of occupancy for a new building constructed on the Site.

(1) Intersection of Nations Ford Road & W. Tyvola Road (Signalized)

- (a) Construct an eastbound right turn lane with 200 feet of storage utilizing the existing channelized slip lane on W. Tyvola Road.
- (b) Construct a westbound right turn lane with 200 feet of storage utilizing the existing channelized slip lane on W. Tyvola Road.
- (c) Install additional pedestrian improvements at this intersection such as pedestrian signal heads and leading pedestrian intervals.

(2) Intersection of Nations Ford Road & Glenrock Drive/Proposed Access "A" (Unsignalized)

The following access configuration is proposed:

- (a) One ingress lane and two egress lanes (a westbound left turn lane with 200 feet of storage and a terminating right turn lane on Proposed Access "A").
- (b) Remark to ensure a two-way-left-turn lane on Nations Ford Road between Glenrock Drive and Proposed Access "A".
- (c) Minimum internal protected stem of 200 feet.

(3) Intersection of Nations Ford Road & Echodale Drive/Proposed Access "B" (Unsignalized)

The following access configuration is proposed:

- (a) One ingress lane and two egress lanes (a westbound right turn lane with 200 feet of storage and left-thru lane on Proposed Access "B").
- (b) Remark a southbound left turn lane with 100 feet of storage from existing two-way-left-turn-lane on Nations Ford Road.
- (c) Minimum internal protected stem of 200 feet.
- (d) Results of a Signal Warrant Analysis indicate that a traffic signal is not warranted at this location.

(4) Intersection of Nations Ford Road & I-77 Southbound Ramps (Signalized)

(a) Construct a southbound right turn lane with 200 feet of storage utilizing the existing channelized slip lane on Nations Ford Road.

(5) Intersection of Nations Ford Road & I-77 Northbound Off-Ramp/Archdale Drive (Signalized)

(a) Extend eastbound left turn lane from 150 feet to 500 feet of storage on I-77 Northbound Off-Ramp.

(6) Intersection of Archdale Drive & I-77 Northbound On-Ramp (Signalized)

- (a) Extend existing channelized northbound right turn lane from 200 feet to 300 feet of storage on Nations
- Petitioner shall dedicate and convey all relevant right of way to the City of Charlotte 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.
- Petitioner has committed to install a minimum 8 foot wide planting strip and a minimum 12 foot wide multi-use path along the Site's frontage on Nations Ford Road. Additionally, Petitioner will exert reasonable and good faith efforts to obtain right of way or easements from the owners of Tax Parcel Nos. 169-155-34 and 169-155-33 (the "Adjacent Parcels") prior to the issuance of the first building permit for the Site for the purpose of extending the minimum 8 foot wide planting strip and minimum 12 foot wide multi-use path along the Adjacent Parcels' frontages on Nations Ford Road. Reasonable and good faith efforts will not require Petitioner to pay to the owners of the Adjacent Parcels more than the appraised values of the right of way or easements necessary for the extension of the minimum 8 foot wide

planting strip and minimum 12 foot wide multi-use path along the Adjacent Parcels' frontages on Nations Ford Road and in no event will Petitioner be required to pay more than the appraised values. If Petitioner is unable to acquire the right of way or easements necessary for the extension of the minimum 8 foot wide planting strip and minimum 12 foot wide multi-use path along the Adjacent Parcels' frontages on Nations Ford Road prior to the issuance of the first building permit for the Site, Petitioner shall have no obligation to extend the minimum 8 foot wide planting strip and minimum 12 foot wide multi-use path along the Adjacent Parcels' frontages on Nations Ford Road. If Petitioner acquires title to the Adjacent Parcels, Petitioner shall extend the minimum 8 foot wide planting strip and minimum 12 foot wide multi-use path along the Adjacent Parcels' frontages on Nations Ford Road.

Setbacks, Buffers and Screening:

- A forty (40) foot setback shall be provided as defined by the Ordinance from public streets.
- A seventy-five (75) foot Class B Buffer that can be reduced per ordinance, and a twenty (20) foot side yard will be provided along the site's property boundaries that abut single family uses or zoning along the Site's north, south, and west property lines as generally depicted on the Rezoning Plan.

 b.a. Buffer along the north property line abutting parcel 16915130 will need to be reduced in order to

accommodate the private drive full movement intersection connection to Glenrock Drive. To be b.b. Buffers to be implemented per ordinance standards. The width of any required buffer may be reduced

Architectural Standards:

Building Materials: The principal building(s) constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), metal panels, EIFS, cast on site concrete panel or wood. Vinyl as a building material will not be allowed except on windows and

per ordinance.

A twenty (20) foot side yard shall be provided along the Site's North and South property boundary.

- **Mechanical Equipment Screening:** HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties and proposed public streets at grade.
- **Dumpster Screening:** Dumpster areas and recycling areas will be enclosed by a solid wall or fence.
- **Pedestrian Entrances:** All pedestrian entrances, excluding emergency exits, will be architecturally defined with glazing, awnings, canopies and/or other architectural element.

The architectural and design standards set out below shall apply to new buildings constructed on the Site.

- Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets through the following: e.a.a.
 - Buildings shall be placed so as to present a front or side facade to all streets. First floor facades fronting 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 adjacent street sidewalk. A direct pedestrian connection should be provided between street facing doors and corner e.a.c.
- entrance features to sidewalks on adjacent streets. Building elevations shall not have expanses of blank walls greater than 20 feet in all directions e.a.d. 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.
- Building elevations shall be designed with vertical bays or articulated architectural features e.a.e. 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.
- e.a.f. Buildings shall have a minimum height of 22 feet.
- Multi-story buildings shall have a minimum of 15% transparency on all upper stories. e.a.g.

Environmental Features:

e.a.b.

- The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- The site will comply with the City of Charlotte Tree 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.

Signage

- Signage as allowed by the ordinance.
- Lighting
- All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, plazas, and parking areas.

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

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.

11. Open Space

Open space areas designated on the Rezoning Plan shall be improved with benches or other seating elements, landscaping, hardscape and decorative lighting.

DESIGNED BY: RJP/SAH

05.26.2020

10.12.2020

11.16.2020

12.22.2020

DRAWN BY: SAH CHECKED BY: RJP/SAH

NOT FOR

CONSTRUCTION

COMMUNITY

RESOURCE

CENTER -

SOUTHWEST LOCATION

MECKLENBURG COUNTY -

ASSET & FACILITY MANAGEMENT

DEPARTMENT

CHARLOTTE, NC

REZONING PETITION # 2020-091

1019419

REVISION / ISSUANCE

DESCRIPTION

1ST REZONING

2ND REZONING

3RD REZONING

4TH REZONING

SUBMITTAL

SUBMITTAL

LANDDESIGN PROJ.#

223 NORTH GRAHAM STREET

704.333.0325 WWW.LANDDESIGN.COM

CHARLOTTE, NC 28202

HORZ: N/A

DEVELOPMENT STANDARDS

RZ-N1

12/22/2020 8:20 AM SHAUN HICKS \CHFILES\PROJECTS\ 2019\1019419\CAD\ENTITLEMENTS\1019419 RZN NOTE.DWC



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 10.File #: 15-14986 Type: Zoning Decision

Rezoning Petition: 2020-102 by J.S. & Associates, Inc.

Location: Approximately 23.369 acres located along the northwest side of Neal Road, on the southwest side of IBM Drive, west of Highway 85. (Council District 4 -Johnson)

Current Zoning: R-8 MF (CD) (multi-family residential, conditional) and R-4 (single-family 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

ZCZoning Committee

Rezoning Petition 2020-102

January 5, 2021

REQUEST

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

and R-4 (single family residential)

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

conditional)

LOCATION Approximately 23.369 acres located along the northwest side of

Neal Road, on the southwest side of IBM Drive, west of Highway

85.

(Council District 4 - Johnson)

PETITIONER

J.S. & Associates, 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:

The southeast portion of this petition is inconsistent with the *Northeast District Plan's* (1996) recommendation of single family residential up to 4 DUA, but consistent with the *General Development Policies* recommendation of residential use up to 17 dwelling units per acre. The rest of this petition is consistent with the *University Research Park Area Plan's* (2010) recommendation of office/residential/retail up to 22+ DUA and the *Northeast District Plan's* (1996) recommendation of residential up to 4 DUA based on the information from the staff analysis and the public hearing, and because:

- The *Northeast District Plan* recommends single family residential up to 4 dwelling units per acre.
- The *University Research Park Area Plan* recommends office/residential/retail up to 22+ dwelling units per acre.
- The *General Development Policies* recommends residential use up to 17 dwelling units per acre.

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

- This petition proposes up to 157 duplex, triplex, or singlefamily attached dwelling units with a density of 6.72 DUA.
- While a portion of this proposed development is inconsistent
 with the Northeast District Plan (1996) recommendation of
 single family residential up to 4 DUA, its 6.72 DUA is well
 within the density limits of the other land use
 recommendations present on the site. Additionally, the site is

proximate to R-17MF zoning to the north and R-8MF(CD) zoning to the west, making the slightly higher density appropriate for the surrounding areas.

- The General Development Policies (GDP) provide policy guidance for evaluating proposed residential densities greater than four units per acre. The petition's request for multifamily residential up to 8 DUA meets the General Development Policies locational criteria for consideration of up to the seventeen dwellings per acre requested.
- The petition commits to enhancing the pedestrian environment through site design elements which include an 8foot planting strip and 6-foot to 12-foot sidewalk or multi-use path along the site's frontages on Neal Road and IBM Drive.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan* (1996), from Single Family Residential up to 4 DUA, Residential up to 8 DUA, and Residential/Office/Retail to Residential up to 8 DUA for the site.

Motion/Second: Welton / 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 inconsistent with the *Northeast District Plan's* (1996) recommendation of single family residential up to 4 DUA, but consistent with the *General Development Policies* recommendation of residential use up to 17 dwelling units per acre.

There was no further discussion of this petition.

PLANNER

Michael Russell (704) 353-0225





REQUEST

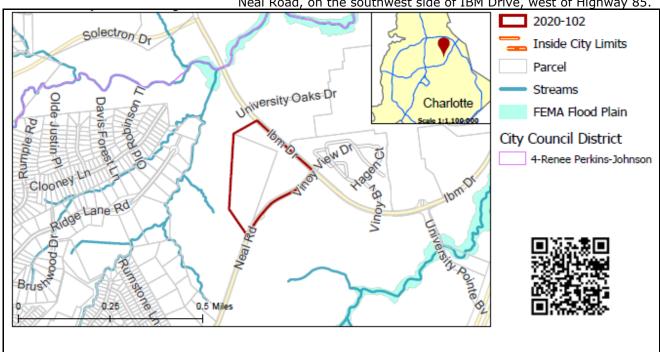
Current Zoning: R-8MF(CD) (multi-family residential, conditional)

and R-4 (single family residential)

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

LOCATION

Approximately 23.369 acres located along the northwest side of Neal Road, on the southwest side of IBM Drive, west of Highway 85.



SUMMARY OF PETITION

The petition proposes up to 157 duplex, triplex and/or single-family attached dwelling units with a density of 6.72 dwelling unit per acre on a vacant parcel.

PROPERTY OWNER PETITIONER

IBM Corporation J.S. & Associates, Inc.

AGENT/REPRESENTATIVE

Ty Shaffer, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETING

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

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The southeast portion of this petition is **inconsistent** with the *Northeast District Plan's* (1996) recommendation of single family residential up to 4 DUA, but **consistent** with the *General Development Policies* recommendation of residential use up to 17 dwelling units per acre. The rest of this petition is **consistent** with the *University Research Park Area Plan's* (2010) recommendation of office/residential/retail up to 22+ DUA and the *Northeast District Plan's* (1996) recommendation of residential up to 4 DUA.

Rationale for Recommendation

 This petition proposes up to 157 duplex, triplex, or single-family attached dwelling units with a density of 6.72 DUA.

- While a portion of this proposed development is inconsistent with the Northeast District Plan (1996) recommendation of single family residential up to 4 DUA, its 6.72 DUA is well within the density limits of the other land use recommendations present on the site. Additionally, the site is proximate to R-17MF zoning to the north and R-8MF(CD) zoning to the west, making the slightly higher density appropriate for the surrounding areas.
- The General Development Policies (GDP) provide policy guidance for evaluating proposed residential densities greater than four units per acre. The petition's request for multi-family residential up to 8 DUA meets the General Development Policies locational criteria for consideration of up to the seventeen dwellings per acre requested.
- The petition commits to enhancing the pedestrian environment through site design elements which include an 8-foot planting strip and 6-foot to 12-foot sidewalk or multi-use path along the site's frontages on Neal Road and IBM Drive.

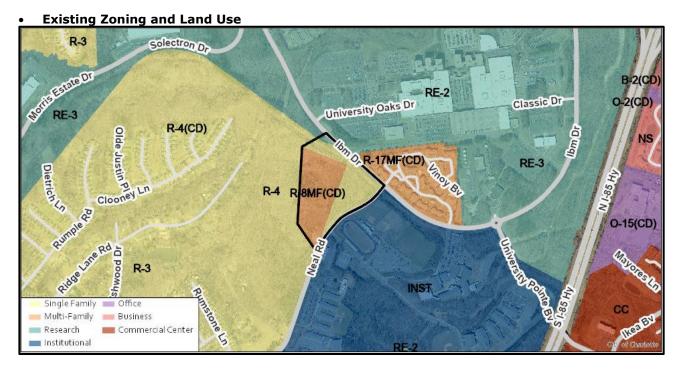
The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan (1996)*, from Single Family Residential up to 4 DUA, Residential up to 8 DUA, and Residential/Office/Retail to Residential up to 8 DUA for the site.

PLANNING STAFF REVIEW

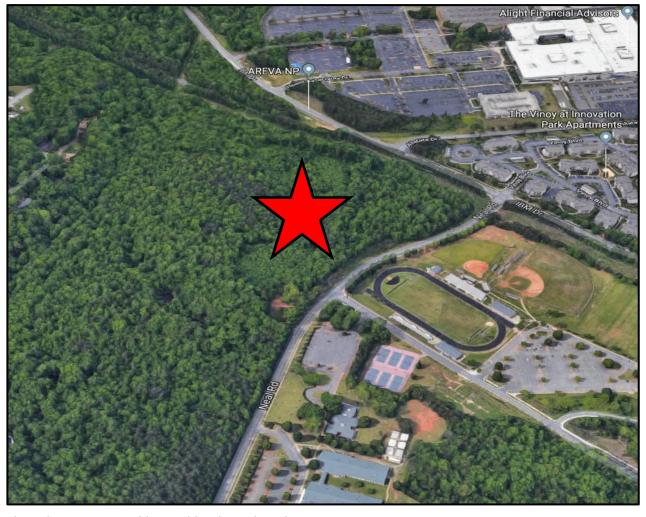
Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 157 duplex, triplex and/or single-family attached dwelling units.
- Commits to an 8-foot wide planting strip and a 12-foot wide multi-use path along the Neal Road frontage.
- Commits to an 8-foot wide planting strip and a 6-foot wide sidewalk along the IBM Drive frontage.
- Provides a left turn lane into the site from IBM Drive.
- Commits to a new bus waiting pad along Neal Road and a new bus waiting pad at the intersection of Neal Road and IBM Drive.
- Provides street connectivity to approved rezoning 2020-035.
- Provides .68 acre of open space with amenity area.
- Walkways will be provided to connect all residential entrances to sidewalks along the street.
- All residential entrances within 15-feet of the sidewalk will be raised from the sidewalk grade minimum of 24-inches.
- Architectural standards include:
 - Usable porches and stoops to form a predominant feature of building design and be located on the front of the building.
 - Pitched roofs if provided shall be sloped no less than 5:12.
 - Garage doors visible from the street shall be setback 12 to 24 inches with additional architectural elements over the garage door.



A portion of the current site was approved (rezoning 2019-108) to allow up to 92 duplex and or single-family attached dwelling units. It was never built. The subject property is vacant. The surrounding land uses include single-family homes, multi-family apartments, four schools, office and research institutions.



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

Petition 2020-102 (Page 4 of 7) Final Staff Analysis



The property to the east along Neal Road is developed with the Governor's Village STEM Academy.



The properties to the north along Hewitt Associates Drive are developed with a large office/research park.



The property to the south along Rumstone Lane is developed with single-family homes.



The property to the west along Ridge Lane Road is developed with single-family homes.

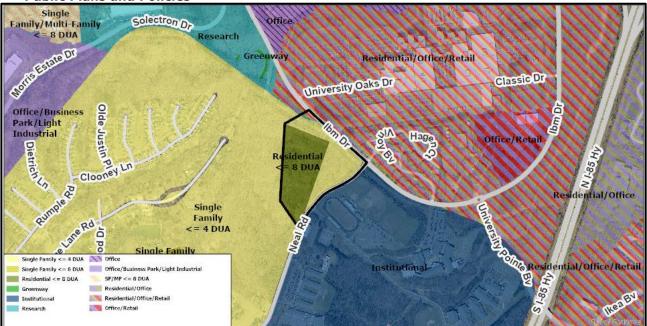
Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-108	Rezoned 13.21 acres to allow up to 92 duplex and or single-family attached dwelling units.	Approved
2020-035	Rezoned 49 acres to allow up to 250 townhomes and 50 multi-family units.	Approved
2020-055	Rezoned 27.97 acres to allow up to 300 multi-family dwelling units.	Approved
2020-099	Rezoned 20.88 acres to allow up to 130 townhome units.	Approved
2020-112	Proposes to rezone 201.5 acres to create a unified development up to 3.405,000 square-feet to non-residential uses, up to 1,450 multi-family dwelling units, and 175 hotel rooms.	Pending

Petition 2020-102 (Page 6 of 7) Final Staff Analysis

Public Plans and Policies



- The Northeast District Plan (1996) calls for Residential up to 8 DUA, Single Family Residential up to 4 DUA, and Residential/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 8 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1
Sewer and Water Availability	3
Land Use Accessibility	3
Connectivity Analysis	2
Road Network Evaluation	1
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 15

TRANSPORTATION SUMMARY

The site is located on two minor thoroughfare roads. The petitioner is providing multiple transportation improvements to ensure that connectivity and access to an abutting rezoning petition meets the intent of the policies for safe pedestrian, bicyclist, and vehicular accesses as provided in the Charlotte BIKES, Charlotte WALKS, and Vision Zero plans. The petitioner is providing a fourth leg to the existing intersection along Neal Road and Public Road "A." In addition, the plan includes a 12-foot multi-use path and 8-foot planting strip along Neal Road and a 6-foot sidewalk and 8-foot planting strip along IBM Drive. A left turn lane into the site from IBM Drive is included in the plans. Outstanding issues include a conditional note that signal heads will be included at the intersection of Neal Road and Public Road "A" and updated clarification on the restriping at Neal Road and Public Road "B."

Active Projects:

There are no active projects within the immediate project vicinity.

Transportation Considerations

• See Outstanding Issues, Note 1. Addressed

Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 1,205 trips per day (based on 39 single-family units and 107 townhome units). Proposed Zoning: 1,150 trips per day (based on 157 townhome, duplex, and triplex units).

Petition 2020-102 (Page 7 of 7) Final Staff Analysis

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 31 students, while the development allowed under the proposed zoning may produce 25 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:
 - Governor's Village (K-8) from 104% to 105%
 - Vance High to remain at 129%
- Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Neal Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 12-inch gravity sewer main located along the center of the rezoning boundary. 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: See advisory comments at www.rezoning.org
- Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

OUTSTANDING ISSUES

<u>Transportation</u>

- 1.—The 12-foot MUP and 8-foot planting strip should extend along the entire frontage of Neal Road to the intersection of Neal Rd. and IBM Drive. Addressed
- 2. Update to Comment as a result of 11-16-2020 Site Plan: Add a conditional note that the signal heads will be included at the Neal Road intersection. Addressed
- 3. New Comment (revised site plan dated 09/14/20) Revise the site plan and conditional notes to re-strip the existing center lane gore striping on Neal Road to accommodate a two way left turn lane, per CDOT's Pavement Marking Guidelines. This re-striping to will provide adequate striping for the proposed full movement intersection at Proposed Road 'B' and Neal Road. Addressed
- 4. Technical Clarification: The petitioner should revise the site plan to include the site plan linework and proposed roadway improvements on Neal Road and IBM Drive for rezoning petition 2020-035 and label as "for reference only." Please continue to coordinate with this rezoning petitioner to ensure the overall street network and both petition's off-site roadway improvements tie-into each other. Addressed

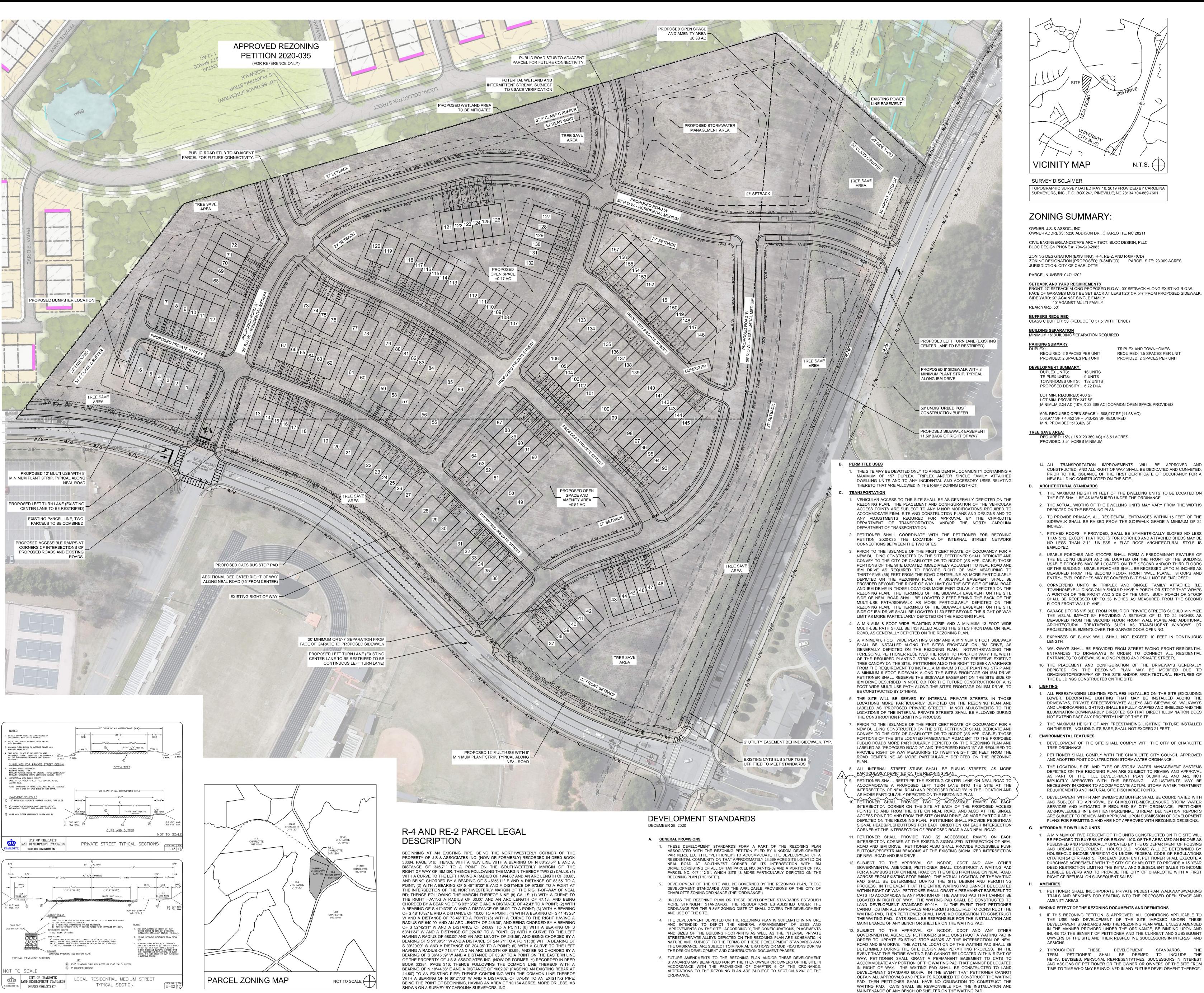
REQUESTED TECHNICAL REVISIONS

Site and Building Design

- 5.—Add note to clarify the minimum amenities that will be provided in all open spaces. Addressed
- 6. Clarify notes 6 and 7 in the architectural standards section to show intent and limit blank wall expanse to 10-feet in all directions. Addressed
- 7. Clarify note 8 in the architectural section as to how all entrances will connect to sidewalks. Addressed

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

Planner: Michael Russell (704) 353-0225





TOPOGRAPHIC SURVEY DATED MAY 10, 2019 PROVIDED BY CAROLINA

ZONING DESIGNATION (PROPOSED): R-8MF(CD) PARCEL SIZE: 23.369 ACRES

FRONT: 27' SETBACK ALONG PROPOSED R.O.W., 30' SETBACK ALONG EXISTING R.O.W. FACE OF GARAGES MUST BE SET BACK AT LEAST 20' OR 5'-7' FROM PROPOSED SIDEWALK.

REQUIRED: 1.5 SPACES PER UNIT PROVIDED: 2 SPACES PER UNIT

MINIMUM 2.34 AC (10% X 23.369 AC) COMMON OPEN SPACE PROVIDED

14. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED, AND ALL RIGHT OF WAY SHALL BE DEDICATED AND CONVEYED. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A

- 1. THE MAXIMUM HEIGHT IN FEET OF THE DWELLING UNITS TO BE LOCATED ON
- THE SITE SHALL BE AS MEASURED UNDER THE ORDINANCE. 2. THE ACTUAL WIDTHS OF THE DWELLING UNITS MAY VARY FROM THE WIDTHS
- 3. TO PROVIDE PRIVACY, ALL RESIDENTIAL ENTRANCES WITHIN 15 FEET OF THE SIDEWALK SHALL BE RAISED FROM THE SIDEWALK GRADE A MINIMUM OF 24
- 4. PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS MAY BE
- 5. USABLE PORCHES AND STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT OF THE BUILDING. USABLE PORCHES MAY BE LOCATED ON THE SECOND AND/OR THIRD FLOORS OF THE BUILDING. USABLE PORCHES SHALL BE RECESSED UP TO 36 INCHES AS MEASURED FROM THE SECOND FLOOR FRONT WALL PLANE. STOOPS AND
- 6. CORNER/END UNITS IN TRIPLEX AND SINGLE FAMILY ATTACHED (I.E. TOWNHOME) BUILDINGS ONLY SHOULD HAVE A PORCH OR STOOP THAT WRAPS A PORTION OF THE FRONT AND SIDE OF THE UNIT. SUCH PORCH OR STOOP
- SHALL BE RECESSED UP TO 36 INCHES AS MEASURED FROM THE SECOND 7. GARAGE DOORS VISIBLE FROM PUBLIC OR PRIVATE STREETS SHOULD MINIMIZE THE VISUAL IMPACT BY PROVIDING A SETBACK OF 12 TO 24 INCHES AS
- ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS OR PROJECTING ELEMENTS OVER THE GARAGE DOOR OPENING. 8. EXPANSES OF BLANK WALL SHALL NOT EXCEED 10 FEET IN CONTINUOUS
- 9. WALKWAYS SHALL BE PROVIDED FROM STREET-FACING FRONT RESIDENTIAL ENTRANCES TO DRIVEWAYS IN ORDER TO CONNECT ALL RESIDENTIAL ENTRANCES TO SIDEWALKS ALONG PUBLIC AND PRIVATE STREETS.
- 10. THE PLACEMENT AND CONFIGURATION OF THE DRIVEWAYS GENERALLY DEPICTED ON THE REZONING PLAN MAY BE MODIFIED DUE TO GRADING/TOPOGRAPHY OF THE SITE AND/OR ARCHITECTURAL FEATURES OF
- 1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, PRIVATE STREETS/PRIVATE ALLEYS AND SIDEWALKS, WALKWAYS AND LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES
- 2. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED 21 FEET.
- 1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE
- 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
- REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS. 4. DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE. PETITIONER ACKNOWLEDGES INTERMITTENT/PERENNIAL STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL UPON SUBMISSION OF DEVELOPMENT PLANS FOR PERMITTING AND ARE NOT APPROVED WITH REZONING DECISIONS.
- 1. A MINIMUM OF FIVE PERCENT OF THE UNITS CONSTRUCTED ON THE SITE WILL BE PROVIDED TO BUYERS AT OR BELOW 110% OF THE AREA MEDIAN INCOME AS PUBLISHED AND PERIODICALLY LIPDATED BY THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. HOUSEHOLD INCOME WILL BE DETERMINED BY HOUSEHOLD INCOME VERIFICATION UNDER FEDERAL CODE OF REGULATIONS CITATION 24 CFR PART 5. FOR EACH SUCH UNIT, PETITIONER SHALL EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF CHARLOTTE TO PROVIDE A 15 YEAR DEED RESTRICTION LIMITING THE INITIAL AND SUBSEQUENT SALES TO INCOME ELIGIBLE BUYERS AND TO PROVIDE THE CITY OF CHARLOTTE WITH A FIRST

1. PETITIONER SHALL INCORPORATE PRIVATE PEDESTRIAN WALKWAYS/WALKING TRAILS AND BENCHES FOR SEATING INTO THE PROPOSED OPEN SPACE AND

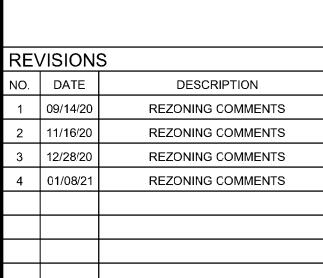
BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- 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
- 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.



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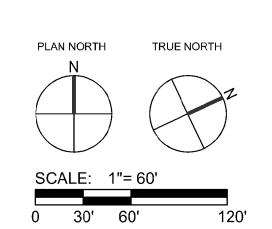
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REZONING PETITION 2020-102

The Vision at Neal Duplex, Triplex, and Townhome Subdivision

> 8001 Neal Road Charlotte, NC 28262



DATE: 06/12/20	MPIC: WLL
DRAWN BY: LWH	CHECKED BY: WLL
PROJECT NUMBER: 00627.01	

CONCEPTUAL SITE PLAN

SCALE: 1" = 60'

S:\Projects\00627 Neal Rcad SITEOPS\Flans\Production DWGs\Rezoning\00627.01 - Neal Road Townhomes - Rezoning Plan(DSK).dwg 1/8/2021 2:37:55 PM, austin coleman, Bloc Design



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 11.File #: 15-14987 Type: Zoning Decision

Rezoning Petition: 2020-105 by Matt Connolly - White Zombie, LLC

Location: Approximately .95 acres located at the eastern corner of the intersection of Seigle Avenue and

Van Every Street. (Council District 1 - Egleston)

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

Proposed Zoning: UR-C (CD) (urban residential-commercial, 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

ZC

Rezoning Petition 2020-105

December 2, 2020

Zoning Committee

REQUEST Current Zoning: MUDD-0 (mixed-use development, optional)

Proposed Zoning: UR-C(CD) (urban residential-commercial,

conditional)

LOCATION Approximately .95 acres located at the eastern corner of the

intersection of Seigle Avenue and Van Every Street.

(Council District 1 - Egleston)

PETITIONER Matt Connolly, White Zombie, LLC

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 **consistent** with the *Belmont Area Revitalization Plan* with respect to proposed land use, based on the information from the staff analysis and the public hearing, and because:

 The plan recommends residential/office/retail uses for the site.

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

- Per the area plan, development in this location would have a significant impact on the future of the larger Belmont community. It would help stabilize the neighborhood and create an environment attractive to new investment.
- The petition's proposed adaptive reuse of a portion of one
 of the existing structures at the site accomplishes the
 plan's recommendation of taking a preservation-oriented
 approach to development.
- The petition's proposed uses (residential, retail, and/or office) do not differ from those approved in petition 2019-100.
- The petition's proposed uses are compatible with surrounding residential and non-residential uses.
- The petition's commitment to improving and extending Van Every Street while make pedestrian improvements along this site's frontage contributes to the plan's recommendation of making the Belmont neighborhood more pedestrian-friendly.

Petition 2020-105

(Page 2 of 2)

Zoning Committee Recommendation

Motion/Second: Blumenthal / Kelly

Yeas: Blumenthal, Kelly, McMillan, Nwasike, Samuel,

and Welton

Nays: None Absent: Barbee Recused: None

ZONING COMMITTEE DISCUSSION

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

issue was also briefly discussed.

There was no further discussion of this petition.

PLANNER

William Linville (704) 336-4090





REQUEST

Current Zoning: MUDD-O (mixed-use development, optional) Proposed Zoning: UR-C(CD) (urban residential-commercial, conditional)

LOCATION

Approximately .95 acres located at the eastern corner of the intersection of Seigle Avenue and Van Every Street.



SUMMARY OF PETITION

The petition proposes to establish a residential community of 24 attached units within four total buildings with office/retail uses through the adaptive reuse of an existing building.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

White Zombie, LLC Matt Connolly, White Zombie, LLC Paul Pennell, Urban Design Partners

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.
	<u>Plan Consistency</u> The petition is consistent with the <i>Belmont Area Revitalization Plan's</i> (2003) recommendation for residential/office/retail uses for the site.
	 Rationale for Recommendation Per the area plan, development in this location would have a significant impact on the future of the larger Belmont community. It would help stabilize the neighborhood and create an environment attractive to new investment.

 The petition's proposed adaptive reuse of a portion of one of the existing structures at the site accomplishes the plan's recommendation of taking a preservation-oriented approach to development.

- The petition's proposed uses (residential, retail, and/or office) do not differ from those approved in petition 2019-100.
- The petition's proposed uses are compatible with surrounding residential and non-residential uses.
- The petition's commitment to improving and extending Van Every Street while make pedestrian improvements along this site's frontage contributes to the plan's recommendation of making the Belmont neighborhood more pedestrian-friendly.

PLANNING STAFF REVIEW

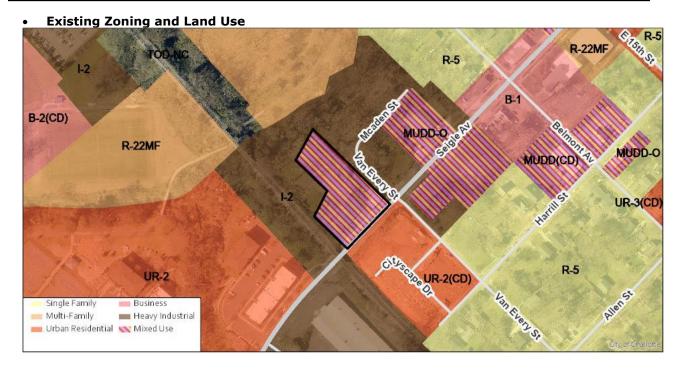
Background

• This parcel was most recently rezoned in 2019. After receiving entitlements from 2019-100, a structural survey of the existing structures on site revealed that one building could not be saved. The current rezoning request stems from that revelation.

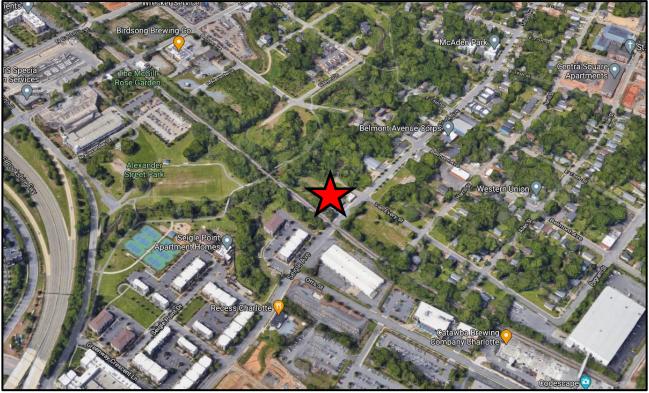
Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes up to 24 attached residential units within four buildings.
- Maximum height of 40'/3 stories.
- Commits to one affordable for sale unit at 50% AMI or lower for a period of 15 years reserved for
 the City of Charlotte Community Heroes Homeownership Program for a period of 20 years. In the
 event that the CHHP program is no longer available, the unit shall be deed restricted for a period
 of 20 years from the date of the initial CO to buyers earning at or below 80% AMI.
- Transportation improvements including:
 - 8-foot planting strip and 8-foot sidewalk along the site's frontage with Seigle Avenue and Van Every street.
 - Improving sidewalk ramps at the corner of Seigle Avenue and Van Every Street.
- Addresses development within the 100-foot rail corridor by noting that "The Petitioner shall coordinate with CSX in regards to proposed improvements within the 100' Rail Corridor claimed by CSX and delineated on the Site Plan as "Existing 100' Rail R/W" (the "Rail Corridor"). Petitioner may not enter or use, or install or construct any new improvements of any nature, including changing the grade or drainage pattern, within, the Rail Corridor without prior written approval from CSX."
- Architectural design standards including:
 - Commitment to rehabilitate an approximate 1,300 SF portion of an existing building for adaptive reuse while allowing for expansion and accommodation for rooftop elements.
 - Potential facade improvements to the existing stricture.
 - Prohibition of vinyl as a primary building material.
 - Blank wall provisions that limit blank wall expanse to 20 feet adjacent to public streets on all building levels.
 - Walkways connected to public rights-of-way (sidewalks).
 - Residential units directly adjacent to Seigle Avenue and Van Every Street treated with a porch, patio, or stoop adjacent to the ROW.
 - On-site detached lighting limited to 20' in height.



The site was most recently rezoned in 2019 (2019-100) which updated the site's zoning district to mixed-use development from general industrial. It entitled the site to residential/office/retail uses. Surrounding land uses include detached single family residences, attached single family, and retail.



General location of site denoted by red star.

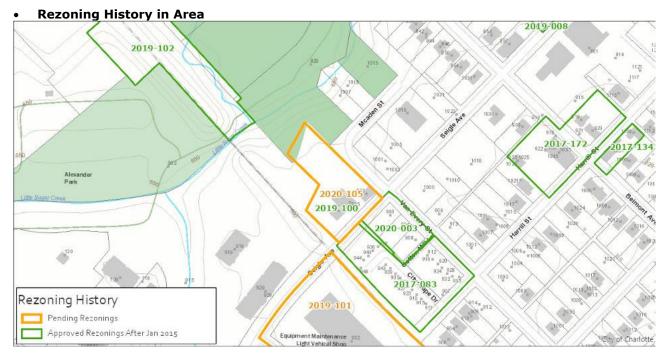
Petition 2020-105 (Page 4 of 7) Final Staff Analysis



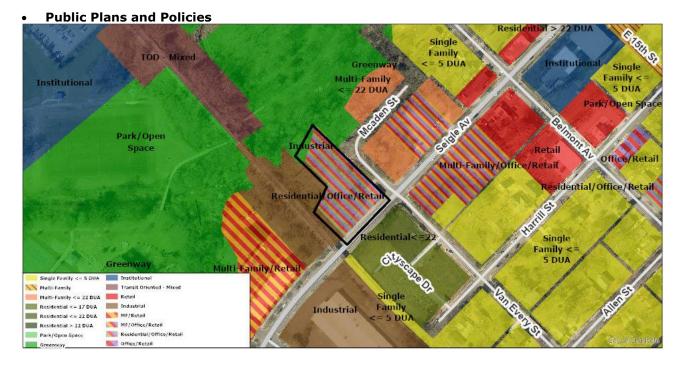
Streetview along Seigle Avenue looking west toward the subject property. A portion of the blue building in the background will be repurposed for retail/office uses.



Streetview along Seigle Avenue looking southeast across the street from the subject property. Recent rezoning at this site has resulted in the construction of a new townhome community at this location.



Petition Number	Summary of Petition	Status
2020-003	Petition to develop vacant parcel into single-family attached residential units.	Approved
2019-008	Petition to redevelop site to accommodate 35 multi-family Approved residential units.	
2019-102	City-sponsored petition to rezone multiple parcels along the LYNX Blue Line to transit-supportive zoning districts.	Approved
2019-101	City-sponsored petition to rezone a former industrial parcel Pending to mixed-use development (optional).	
2019-100	Previous rezoning petition for this parcel that would have preserved the existing structures on the site to provide retail/office uses while adding attached residential units. Approved	
2017-172	City-sponsored petition to reuse existing commercial buildings to allow EDEEs and other uses.	Approved
2017-134	Petition to reuse existing buildings to allow EDEEs and other uses.	Approved



• The Belmont Area Revitalization Plan (2003) recommends residential/office/retail for this site.

TRANSPORTATION SUMMARY

The site is located on a minor thoroughfare and a local road. The petitioner commits to constructing an 8-foot planting strip and an 8-foot sidewalk along Seigle Avenue and Van Every Street in accordance with the Charlotte WALKS Plan. The petitioner also commits to reconstructing two curb ramps on the north quadrant of the Seigle Avenue/Van Every Street Intersection in accordance with PROWAG and the ADA law. There are no outstanding CDOT issues.

Active Projects:

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

Current Zoning:

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

Entitlement: 1,630 trips per day (based on 13,800 SF retail; 12 townhomes). Proposed Zoning: 280 trips per day (based on 3,900 SF retail; 24 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 one student, while the development allowed under the proposed zoning may produce two students. Therefore, the net increase in the number of students generated from existing zoning to proposed is one student.
 - 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%
 - Garinger High remains at 122%.
- Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Seigle Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing

Petition 2020-105 (Page 7 of 7) Final Staff Analysis

8-inch gravity sewer main located along Seigle Avenue. See advisory comments at www.rezoning.org

- Engineering and Property Management:
 - **Arborist:** No outstanding issues.
 - 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

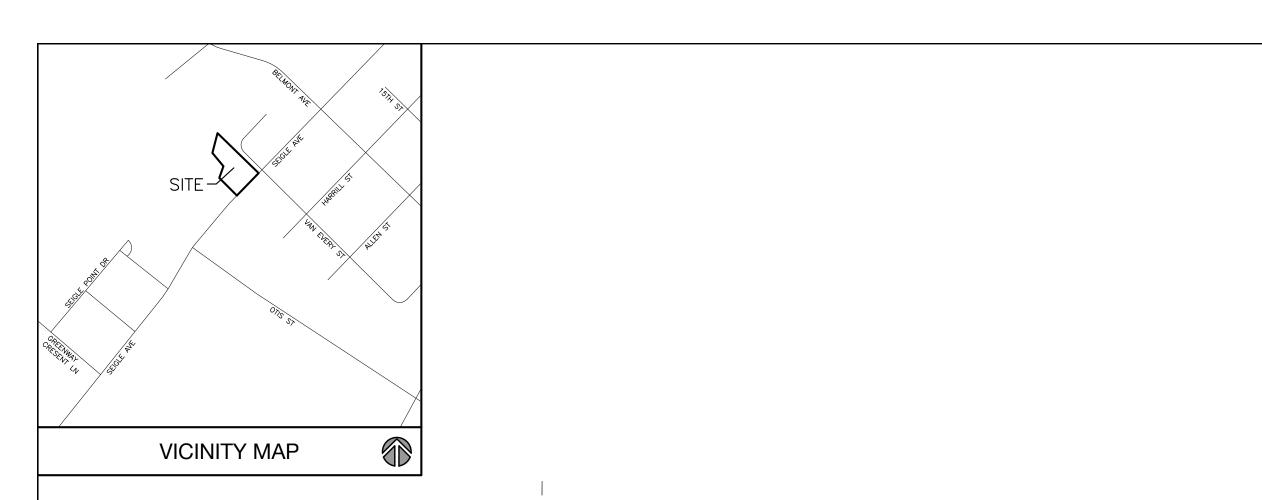
- 1. Per CATS request, remove 60-foot operating/active corridor from the rezoning. RESCINDED
- 2. Please add the following note: Petitioner may not enter or use the Rail Corridor at any time without written approval from CSX. Petitioner may not install or construct any improvements of any nature, including changing the grade or drainage pattern, within the Rail Corridor without written approval from CSX. Unauthorized entry/use of the Rail Corridor is a Class 3 Misdemeanor. ADDRESSED

Site and Building Design

- 3. Please add note describing mitigation techniques used to prevent view of garage doors from Seigle Avenue. ADDRESSED
- 4. Provided minimum depth of usable stoops from back of sidewalk. ADDRESSED

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

Planner: Will Linville (704) 336-4090



5' SIDE YARD

TOWNHOME BUILDING 1

(5 UNITS)

TOWNHOME BUILDING 3

(5 UNITS)

van every street

FORMERLY MCADEN STREET FORMERLY MADEN AVENUE

50' PUBLIC R/W (MB 151, PG 43)

(CDOT MAINTAINED) 25 MPH

5' SIDEWALK

PROPOSED CENTERLINE -

EXISTING BUILDING

(± 1,300 SF)

PRIVATE ALLEY

HATCH DENOTES —

EASEMENT

SIDEWALK UTILITY

PROPOSED 2.5'

CURB AND GUTTER

EXISTING 2.5' CURB +

PROPOSED ONE-WAY DRIVE AISLE

8' SIDEWALK +

8' PLANTING STRIP

HATCH DENOTES

EASEMENT

SIDEWALK UTILITY

PROPOSED DEDICATED

RIGHT OF WAY (30' FROM CENTERLINE)

PROPOSED -

PROPOSED ·

ACCESSIBLE RAMPS

ACCESSIBLE RAMPS

AND GUTTER

Site Development Data: +/- 0.95 AC 081-084-15 Tax Parcel: Existing Zoning: Proposed Zoning:

> Maximum FAR: Commercial (Vacant) Existing Uses:

> > COMPANY DB 78, PG 623 PID # 08108S01

USE: RAILROAD RIGHT-OF-WAY

EXISTING 100' -

RAIL R/W

FOWNHOME BUILDING 2

5' SIDEWALK

- END OF ROAD BARRICADE

PRIVATE ALLEY

- 5' SIDEWALK

N/F MECKLENBURG COUNTY DB 9276, PG 437 PID # 08108401 ZONING: I-2 USE: PUBLIC GREENWAY

(6 UNITS)

TOWNHOME BUILDING 4

(6 UNITS)

Residential & Non-Residential uses allowable within UR-C

therefore are subject to refinements as part of the total design process.

3,900sf of Non-Residential uses & up to (22) Residential Units

General Provisions

AND RECYCLING AREA

- PROPOSED REZONING

- PROPOSED ONE-WAY

DRIVE AISLE

- PROPOSED

CROSSWALK

8' SIDEWALK -

8' PLANTING STRIP

BOUNDARY

- 1. These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by White Zombie, LLC (the "Petitioner") to accommodate the development of a mixed-use development on an approximate 0.95 acre site located at the corner of Seigle Avenue and Van Every Street, which is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 081-084-15.
- 2. 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 "UR-C" Zoning District shall govern all development taking place on the Site. The configurations, placements and sizes of the buildings, parking areas, open space and public road improvements depicted on the Rezoning Plan are schematic in nature and

Permitted Uses:

- 1. Uses allowed within the rezoning area included in this Petition are those uses that are permitted within the UR-C zoning district. However, those uses shall be limited as described within the following development conditions and as generally indicated within this petition.
- a. Existing Building: Allowable non-residential uses (Office/Retail) as described in Chapter 9 Section 9.403(4) in the Zoning Ordinance. Approximately 1,300sf of the existing structure to remain and not be demolished, additions and renovations shall be allowable.
- b. Residential Units: Four (4) single-family attached townhome buildings providing up to twenty-four (24) residential units on site. Each building to be a maximum of 3-stories and at a height of no more than 40'.
- c. One (1) residential unit located within the proposed development shall be reserved for sale utilizing the City of Charlotte Community Heroes Homeownership Program (CHHP). For a period of 20 years, subsequent sale of this property shall be reserved for buyers utilizing the City of Charlotte CHHP. In the event the CHHP program is no longer available, the home shall be deed restricted for a period of 20 years from the date of the initial certificate of occupancy being issued to for sale buyers earning at or below 80% the Charlotte Area Median Income (AMI). Terms of this restrictive covenant shall be incorporated into the deed of sale.

Transportation:

- 1. Vehicular access to public rights of way will be as generally depicted on the Rezoning Plan. The site shall provide two-way vehicular access at Van Every Street and one-way In access from Seigle Avenue as depicted on the site plan.
- 2. The petitioner agrees to dedicate a minimum of 30' of right-of-way as measured from the Seigle Avenue centerline. Dedication of Seigle Avenue right-of-way shall be conveyed fee simple prior to the sites first certificate of occupancy being issued.
- 3. The petitioner agrees to provide accessible sidewalk ramps at the corner of Van Every Street and Seigle Avenue as illustrated on the Site plan to accommodate an accessible connection across Seigle Avenue and Van Every Street.
- 4. The petitioner agrees to extend Van Every Street within the existing Van Every Street right of way as generally depicted on the site plan.
- 5. All transportation improvements, including sidewalk and accessible ramps, within the public right of way shall be approved and constructed prior to the sites first certificate of occupancy is issued.
- 6. An 8'-0" sidewalk and 8' landscape strip shall be provided on site within the public rights of way at Seigle Avenue and Van Every Street as generally depicted on the site plan.
- 7. A sidewalk utility easement (SUE) shall be provided between the existing public right of way to 1' behind proposed sidewalk along Seigle Avenue and
- Van Every Street as generally illustrated on the Site plan. 8. The Petitioner shall coordinate with CSX in regards to proposed improvements within the 100' Rail Corridor claimed by CSX and delineated on the Site Plan as "Existing 100' Rail R/W" (the "Rail Corridor"). Petitioner may not enter or use, or install or construct any new improvements of any nature,
- including changing the grade or drainage pattern, within, the Rail Corridor without prior written approval from CSX.

Architectural and Design Standards:

- 1. In addition to design provisions contained within the district regulations of the Zoning Ordinance for the UR-C district, the development of the site will be governed by the following provisions and standards produced by the Petitioner and which will be binding on the development of the site.
- 2. The petitioner shall limit the maximum height of each residential structure on site to 40' and (3) three stories.
- 3. An approximate 1,300 square foot portion of an existing structure, noted as "Existing Building" on the Site plan, shall be renovated and adaptively re-used while complying with current building codes. Building additions and expansions, including roof top patios, to the existing structure on site shall be permissible. All other remaining existing structures and portions of existing structures on site shall be demolished.
- 4. The following provisions and standards shall apply regarding design guidelines and the architectural design of structures proposed on site. It is the intent of these standards to provide design flexibility in design while achieving architectural continuity and visual harmony though out the proposed
- a. Façade improvements allowable to existing structure on site shall include improved fenestration of existing exterior walls, replacement of windows and expansion of window areas, replacement and expansion of existing doorways, addition of pedestrian entrances and egress points, covered and uncovered patio areas, exterior stairs, architectural accents & signage.
- b. Proposed residential structures constructed on the Site may use a variety of building materials. The building materials utilized will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, cementitious siding (such as Hardi-plank), EIFS,
- c. Vinyl will not be used as a primary exterior building material, but may be utilized for trim, soffits, architectural detailing, insulation
- d. Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to 20 feet adjacent public streets on all building levels,
- including but not limited to doors, windows, awnings, and/or architectural design elements.
- e. Residential units shall be provided walkways to connect to public rights of way, as generally depicted on the Site plan. f. Units fronting Seigle Avenue and Van Every Street shall provide entrances facing the street with a sidewalk connection to a public right of way.
- Sidewalk connection from residential structures to public right of way may be a shared path to public right of way. g. The residential units directly adjacent Seigle Avenue and fronting Van Every Street shall incorporate a porch, patio or stoop adjacent the right of way. A
- minimum 5' door recess, measured from back of public sidewalk, shall be provided at each entry location and shall be covered with a canopy above. Stoops adjacent the ten (10) residential units fronting Van Every Street shall be elevated above the adjacent public/common use sidewalk.
- h. To minimize visual impact of garage doors on site, garage doors may utilize a combination of translucent windows and building façade elements projecting over the door opening.

Streetscape and Landscaping:

1. The Petitioner shall comply with Chapter 21 of the City of Charlotte Code of Ordinances.

Environmental Features:

- APPROXIMATE LOCATION

- PROPOSED REZONING

BOUNDARY

OF 100' SWIM BUFFER

- PROPOSED DUMPSTER AND RECYCLING AREA

POTENTIAL TREE SAVE AREA

- 1. The Petitioner shall comply with the City of Charlotte Post Construction Ordinance.
- 2. The approximate location of a 100' Surface Water Improvement & Management (SWIM) Buffer is generally depicted on the site plan. The final location of the buffer shall be determined prior to construction.
- 3. An investigation of potential stream and wetlands shall be conducted on site prior to submittal of land development documents to the City of Charlotte Land Development Office.
- 4. The Site shall comply with Section 12.403 of the Zoning Ordinance and reserve area, as generally depicted on the Site plan, to comply with dumpster/compactor and recycling container placement as required.
- 5. Prior to any renovation or demolition occurring on site, Mecklenburg County Land Use & Environmental Services Agency shall be contacted regarding the potential removal of any hazardous materials. Submission of a Notifications of Demolition and Renovations to Mecklenburg County Air Quality may be required prior to any work or construction commencing.

Signage:

1. The Petitioner shall comply with the City of Charlotte Signage Ordinance.

Lighting:

- 1. All attached and detached lighting will be full cutoff fixtures and downwardly directed. However, upward facing architectural and landscape accent
- 2. Detached lighting on the site, except street lights located along public streets, will be limited to 20' in height.

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 the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved 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.

Binding Effect of the Rezoning Documents and Definitions:

- 1. If this Site Plan Amendment 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 successors in interest and assigns.
- 2. 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



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

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Site Plan Charlotte, North Ca

Project No: 20-034 Date: 06.16.2020 Designed By: UDP Checked By: UDP Sheet No:



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 12.File #: 15-14988 Type: Zoning Decision

Rezoning Petition: 2020-107 by Drakeford Communities

Location: Approximately 1.3 acres located along the east side of Briar Creek Road, north of Carolyn

Drive, and south of Central Avenue. (Council District 1 - Egleston)

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

Proposed Zoning: R-8 (CD) (single-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

ZCZoning Committee

Rezoning Petition 2020-107

January 5, 2021

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

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

LOCATION Approximately 1.3 acres located along the east side of Briar

Creek Road, north of Carolyn Drive, and south of Central

Avenue.

(Council District 1 - Egleston)

PETITIONER Drakeford Communities

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 Central District Plan recommends single family residential up to 4 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:

- The proposal is consistent with the land uses immediately north, south and east.
- The proposed density of 2.30 units per acre is less than the recommended 4 units per acre.
- The request will establish a building setback consistent with existing single family detached homes along Briar Creek Road.
- Transportation improvements will accommodate a 6-foot sidewalk, 8-foot planting strip, and bike lane with 3-foot buffer.

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, noting all outstanding issues were addressed and that it is consistent with the Central District Plan. There was no discussion of this petition.

PLANNER Claire Lyte-Graham (704) 336-3782



REQUEST

LOCATION

Current Zoning: R-4 (single family residential)

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

Approximately 1.3 acres located along the east side of Briar Creek

Road, north of Carolyn Drive, and south of Central Avenue. 2020-107 Ro Oaks Central Avunty Inside City Limits Eastcrest Dr Lyon Ct Parcel Õ Streams -Wembley-Dr Green Oaks Tu Charlotte FEMA Flood Plain Cyruso City Council District Thackery Ln 1-Larken Egleston Carolyn Dr Creighton Dr Patricia Av E Pinecrest Av Biscayne Dr Shenandoah Ava Commonwealth Al Woodland Dr 0.13 0.25 Miles

SUMMARY OF PETITION

The petition proposes to allow 3 single family detached units on a parcel currently developed with a 1 single family home on the east side of Briar Creek Road between Central Avenue and Commonwealth Avenue.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

William H. and Cynthia D. Turner Drakeford Communities Bobby Drakeford

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8 (second community meeting held – number of people in attendance: 8)

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition consistent with the *Central District Plan* recommendation for single family residential up to 4 units per acre.

Rationale for Recommendation

- The proposal is consistent with the land uses immediately north, south and east.
- The proposed density of 2.30 units per acre is less than the recommended 4 units per acre.
- The request will establish a building setback consistent with existing single family detached homes along Briar Creek Road.
- Transportation improvements will accommodate a 6-foot sidewalk, 8-foot planting strip, and bike lane with 3-foot buffer.

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 3 single family detached dwelling at a density of 2.30 units per acre.
- Proposes home placement to have a 42-foot minimum setback from future right-of-way (existing 50-foot setback minimum from existing right-of-way per existing homes on block) so as to be consistent with existing homes along Briar Creek Road.
- Installs a 6-foot sidewalk and 8-foot planting strip along Briar Creek Road.
- Proposes a 5-foot bike lane with 3-foot buffer along the site's frontage.
- Added note that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.
- Added note stating site shall meet the requirements of the Charlotte Fire Department during permitting.
- Notes pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds, if provided, may be no less than 2:12, unless a flat roof architectural style is employed. Notes shingles will be architectural grade.
- Restricts exterior materials to the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), or wood.
- Notes vinyl may not be used as an exterior building material on any building to be constructed on the site. Vinyl may be utilized on windows, doors, garage doors, soffits, trim and railings.
- Illustrates possible tree save areas.

Existing Zoning and Land Use UR-2(CD) Cyrus Dr R-12MF **R-4** R-22MF Green Oaks Ln Carolyn Dr Single Family Multi-Family Urban Residential

The rezoning site is developed with 1 single family residence and is immediately surrounded by single family homes, apartments, townhomes, a religious facility, and an office on parcels zoned R-4, R-12MF, R-22MF, UR-2(CD), and O-2.



The subject site is developed with a single family home.



West, across Briar Creek Road, are apartments and a religious facility.



North, along Briar Creek Road, are single family homes.

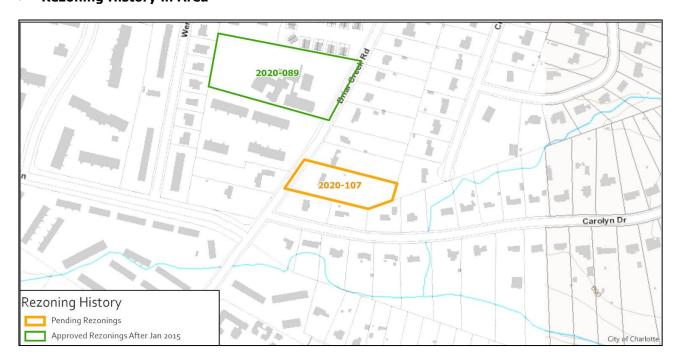


East are single family homes.



South are single family homes, townhomes, and an office.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2020-107	Rezone 1.30 acres to R-8(CD).	Pending
2020-089	Rezoned 3.42 acres to UR-2(CD)	Approved

Public Plans and Policies



The Central District Plan recommends single family residential up to 4 dwelling units per acre.

TRANSPORTATION SUMMARY

The site is located on Briar Creek Road (minor thoroughfare, City-maintained). The petitioner
commits to constructing an 8-foot planting strip and a 6-foot sidewalk on Briar Creek Road in
accordance with City Ordinances and the Charlotte Walks Plan. As the proposed units for this
site were reduced to 3 single-family units, the trip generation was also reduced to 30 daily
vehicle trips. All outstanding CDOT issues have been addressed.

Active Projects:

- CityLynx Gold Line Future Phase Central Avenue
- Briar Creek Road Connector (sidewalk and bicycle facility improvements south of this site from Commonwealth Ave to Monroe Road)
 - Construction late 2020
 - o https://charlottenc.gov/Projects/Pages/BriarCreekRdConnector.aspx

• Transportation Considerations

No outstanding issues.

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family unit). Entitlement: 50 trips per day (based on 5 single family units).

Proposed Zoning: 30 trips per day (based on 3 single family units; 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 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 2 students.

- The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Merry Oaks Elementary remains at 76%
 - 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 6-inch water distribution main located along Briar Creek Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Briar Creek Road.
- Engineering and Property Management:
 - Arborist: No comments submitted.
 - Erosion Control: No outstanding issues.
 - Land Development: See Outstanding Issues, Note 1. Addressed
 - 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.

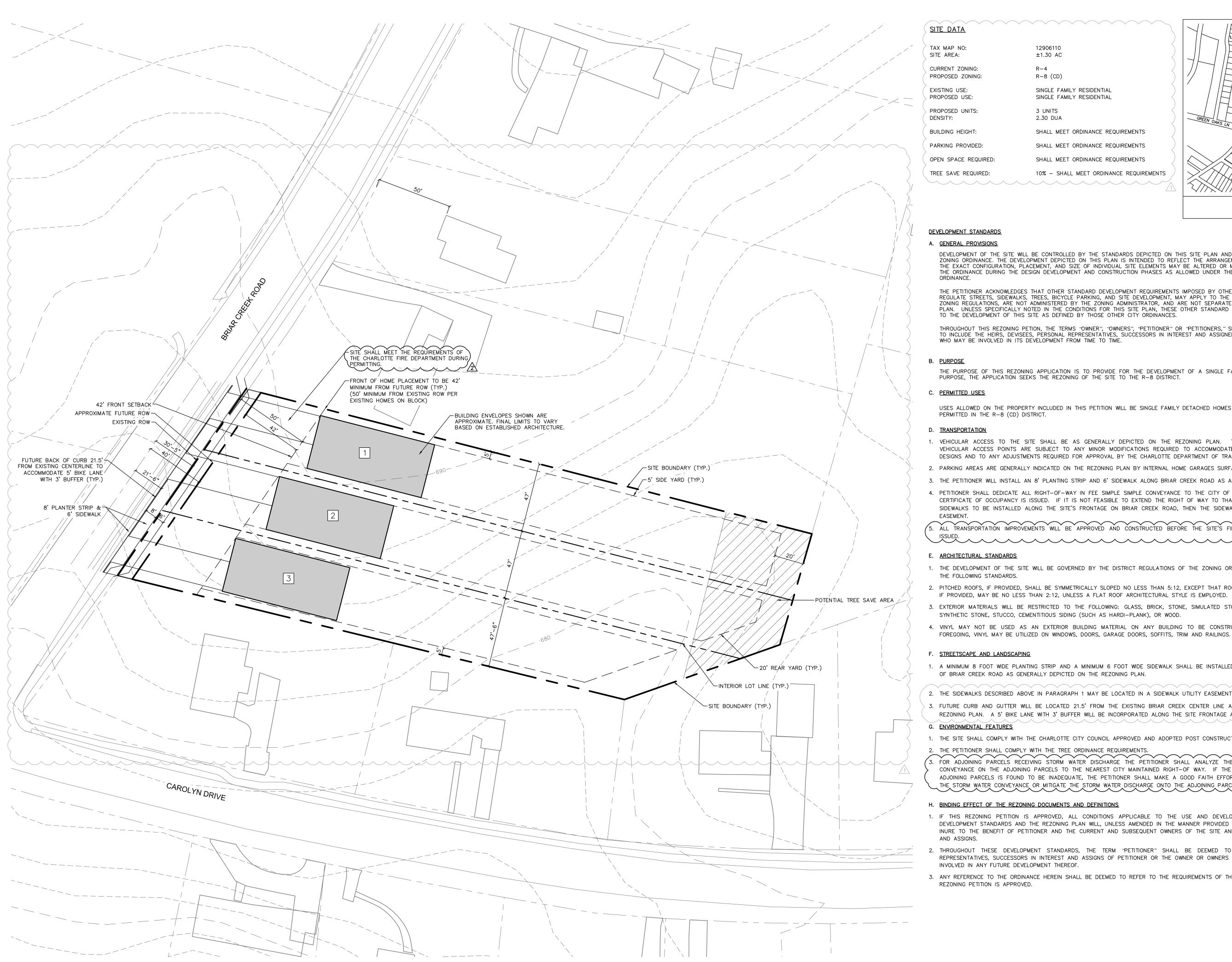
OUTSTANDING ISSUES

Environment

1. Please include 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 City maintained right of way. 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. Addressed

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

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



SITE DATA

TAX MAP NO: 12906110 SITE AREA: ±1.30 AC **CURRENT ZONING:** R-4

PROPOSED ZONING: R-8 (CD)

EXISTING USE: SINGLE FAMILY RESIDENTIAL SINGLE FAMILY RESIDENTIAL PROPOSED USE:

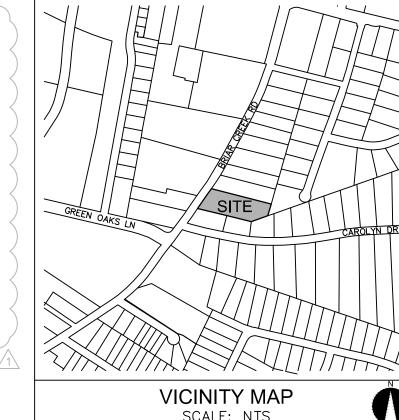
PROPOSED UNITS: 3 UNITS 2.30 DUA

SHALL MEET ORDINANCE REQUIREMENTS

PARKING PROVIDED: SHALL MEET ORDINANCE REQUIREMENTS

OPEN SPACE REQUIRED: SHALL MEET ORDINANCE REQUIREMENTS

TREE SAVE REQUIRED: 10% - SHALL MEET ORDINANCE REQUIREMENTS



DEVELOPMENT STANDARDS

A. GENERAL PROVISIONS

DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS 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

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. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. 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.

THROUGHOUT THIS REZONING PETION, 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.

B. <u>PURPOSE</u>

THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A SINGLE FAMILY DETACHED COMMUNITY. TO ACHIEVE THIS PURPOSE, THE APPLICATION SEEKS THE REZONING OF THE SITE TO THE R-8 DISTRICT.

C. <u>PERMITTED USES</u>

USES ALLOWED ON THE PROPERTY INCLUDED IN THIS PETITION WILL BE SINGLE FAMILY DETACHED HOMES AND RELATED ACCESSORY USES AS ARE PERMITTED IN THE R-8 (CD) DISTRICT.

D. <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 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.
- 2. PARKING AREAS ARE GENERALLY INDICATED ON THE REZONING PLAN BY INTERNAL HOME GARAGES SURFACE DRIVEWAY PARKING.
- 3. THE PETITIONER WILL INSTALL AN 8' PLANTING STRIP AND 6' SIDEWALK ALONG BRIAR CREEK ROAD AS APART OF THE DEVELOPMENT OF THE SITE.
- 4. PETITIONER SHALL DEDICATE ALL RIGHT-OF-WAY IN FEE SIMPLE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE BEFORE THE SITES FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. IF IT IS NOT FEASIBLE TO EXTEND THE RIGHT OF WAY TO THAT POINT THAT IS LOCATED 2 FEET BEHIND THE SIDEWALKS TO BE INSTALLED ALONG THE SITE'S FRONTAGE ON BRIAR CREEK ROAD, THEN THE SIDEWALKS MAY BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

E. ARCHITECTURAL STANDARDS

- 1. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE R-8 (CD) DISTRICT AND BY THE FOLLOWING STANDARDS.
- 2. PITCHED ROOFS, IF PROVIDED, SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12, EXCEPT THAT ROOFS FOR PORCHES AND ATTACHED SHEDS, IF PROVIDED, MAY BE NO LESS THAN 2:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS EMPLOYED. SHINGLES WILL BE ARCHITECTURAL GRADE
- 3. EXTERIOR MATERIALS WILL BE RESTRICTED TO THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE,
- SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), OR WOOD. 4. VINYL MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL ON ANY BUILDING TO BE CONSTRUCTED ON THE SITE. NOTWITHSTANDING THE

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

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

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3. FUTURE CURB AND GUTTER WILL BE LOCATED 21.5' FROM THE EXISTING BRIAR CREEK CENTER LINE ALONG THE SITE FRONTAGE AS SHOWN ON THE REZONING PLAN. A 5' BIKE LANE WITH 3' BUFFER WILL BE INCORPORATED ALONG THE SITE FRONTAGE AS SHOWN ON THE REZONING PLAN.

G. **ENVIRONMENTAL FEATURES**

- 1. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE.
- THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE REQUIREMENTS.
- 3. 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 CITY MAINTAINED RIGHT-OF WAY. 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.

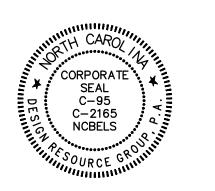
H. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- 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.
- 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.



LANDSCAPE ARCHITECTURE CIVIL ENGINEERING TRANSPORTATION PLANNING

459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208 www.drgrp.com



REZONING PETITION

FOR PUBLIC HEARING

2020-107

REZONING DOCUMENT

SCHEMATIC SITE PLAN

PROJECT #: DRAWN BY:

JULY 31, 2020

CHECKED BY:

REVISIONS: 1. 09/25/20 - PER REVIEW COMMENTS

2. 12/28/20 - PER REVIEW COMMENTS

RZ1.0



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 13.File #: 15-14989 Type: Zoning Decision

Rezoning Petition: 2020-111 by MR3 Development, LLC

Location: Approximately 1.61 acres located north of Dixie River Road, just west of Shopton Road. (Outside City Limits; Closest to District 3 - Watlington)

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

Proposed Zoning: CC (commercial 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 Site Plan

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-111

January 19, 2021

REQUEST Current Zoning: R-17MF(CD) L

Current Zoning: R-17MF(CD) LLWPA (multifamily residential,

conditional, Lower Lake Wylie Protected Area)

Proposed Zoning: NS LLWPA (neighborhood services, Lower Lake

Wylie Protected Area)

LOCATION Approximately 1.61 acres located north of Dixie River Road, just

west of Shopton Road.

(Outside City Limits) Closest to District 3 - Watlington

PETITIONER MR3 Development, 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 *Dixie Berryhill Strategic Plan* with respect to land use based on the information from the staff analysis and the public hearing, and because:

• The plan recommends multifamily residential at no more than 17 dwelling units per acre for the site.

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

- The proposed site plan limits the uses allowed in the NS (neighborhood services) zoning district to childcare center.
- Childcare centers are considered institutional land uses and are compatible in residential areas, at appropriate locations.
- The site is located on Dixie River Road, an existing major thoroughfare, one parcel away from Berewick Elementary School.

The approval of this petition will revise the adopted future land use as specified by the *Dixie Berryhill Strategic Plan* from multifamily residential at no more than 17 dwelling units per acre to institutional use for the site.

Motion/Second: Barbee / Welton

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

Samuel, and Welton

Nays: None Absent: None Petition

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.

Joe Mangum (704) 353-1908 **PLANNER**





REQUEST Current Zoning: R-17MF(CD) LLWPA (multifamily residential,

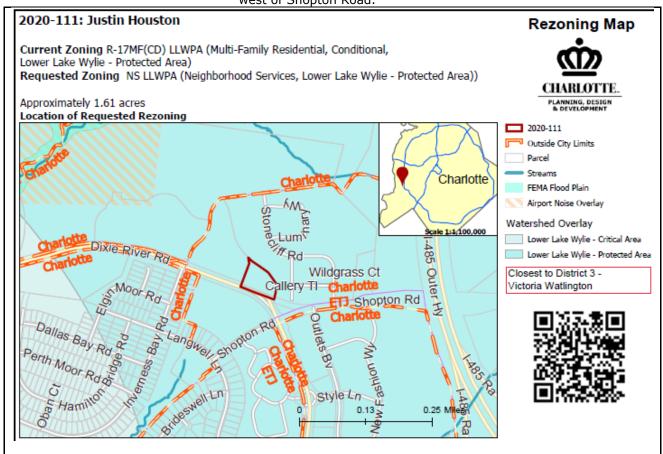
conditional, Lower Lake Wylie Protected Area)

Proposed Zoning: NS LLWPA (neighborhood services, Lower Lake

Wylie Protected Area)

LOCATION Approximately 1.61 acres located north of Dixie River Road, just

west of Shopton Road.



SUMMARY OF PETITION

The petition proposes to rezone a vacant parcel to allow for a daycare

facility with associated parking and playground area.

PROPERTY OWNER PETITIONER

Dixie River Land Company, LLC MR3 Development, LLC

AGENT/REPRESENTATIVE

Justin Houston

COMMUNITY MEETING

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

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Dixie Berryhill Strategic Plan's* recommendation for this site for multifamily residential at no more than 17 dwelling units per acre.

Rationale for Recommendation

- The proposed site plan limits the uses allowed in the NS (neighborhood services) zoning district to childcare center.
- Childcare centers are considered institutional land uses and are compatible in residential areas, at appropriate locations.
- The site is located on Dixie River Road, an existing major thoroughfare, one parcel away from Berewick Elementary School.

The approval of this petition will revise the adopted future land use as specified by the *Dixie Berryhill Strategic Plan*, from multi-family land use to institutional land use for the site.

PLANNING STAFF REVIEW

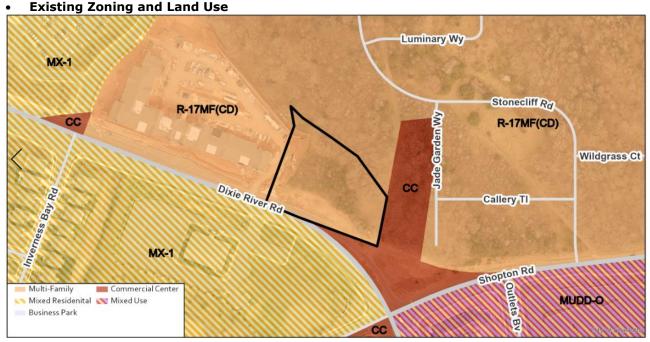
Background

 The site was rezoned by petition 2006-078 to CC as part of the larger Berewick rezoning. It was subsequently rezoned by petition 2009-037 to R-17MF(CD) by the Charlotte-Mecklenburg Housing Partnership with plans for development of up to 108 multifamily units. Those plans never materialized and the property has remained vacant.

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows all uses in the NS district and specifically permits childcare centers.
- Permits a maximum of one building on the site.
- Commits to dedication of 52' of right-of-way from the centerline of Dixie River Road along the site's frontage.
- Commits to implementing a 3' buffer, 5' bike lane, 8' planting strip and 6' sidewalk along Dixie River Road.
- Proposes a 16' Class C buffer around the perimeter of the site.
- Limits all freestanding light fixtures to be fully shielded and downwardly directed.
- States that all vehicular pick up and drop off will utilize parking spaces.



The property is undeveloped vacant land. Surrounding land uses include apartments, senior apartments, retail, an elementary school, and a church.



The site, denoted by a red star, is in the Berewick community and near the Charlotte Premium Outlets mall.



The property to the north and east of the site is currently being developed with apartments. The site is denoted by a red star.

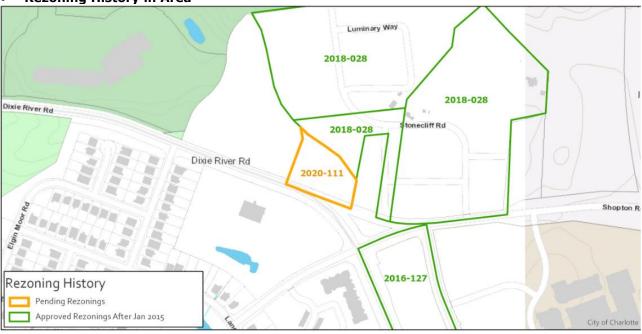


The properties to the south are developed with a church and single family homes.



The property to the west is developed with senior apartments.

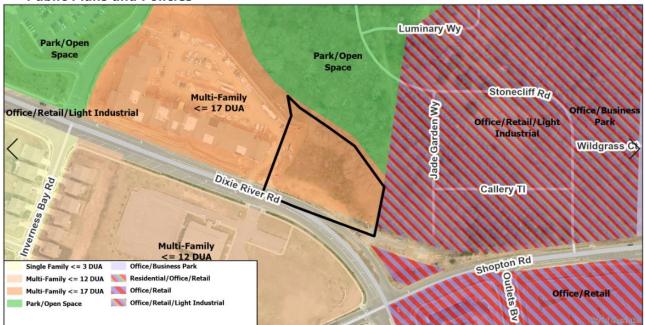




Petition Number	Summary of Petition	Status
2018-028	The petition rezoned 28.05 acres to R-17MF(CD) LLWPA to allow up to 330 multifamily dwelling units.	Approved
2016-127	The petition rezoned 6.02 acres to CC SPA & MUDD-O SPA	Approved
	to permit an accessory drive, add a second hotel with up to 125 rooms, and eliminate a gas station/convenience store.	

Petition 2020-111 (Page 5 of 6) Final Staff Analysis

Public Plans and Policies



• The Dixie Berryhill Strategic Plan (adopted 2003) recommends multi-family dwelling units at up to 17 dwelling units per acre for the site.

TRANSPORTATION SUMMARY

The site is located on Dixie River Road, a State-maintained major thoroughfare, just north of the Shopton Road intersection. Although a TIS was not triggered, the petitioner will be dedicating right-of-way on Dixie River Road to remove obsolete driveways. In accordance with Charlotte BIKES and WALKS, this site will provide both pedestrian and bicycle infrastructure that will tie into the adjacent Berewick Senior Apartments and Shopton Road Apartments, adding onto the existing bicycle and pedestrian network in the area. All CDOT comments have been addressed.

Active Projects:

- There are no active projects near the site.
- Transportation Considerations
 - No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 145 trips per day (based on 27 multifamily dwelling units). Proposed Zoning: 300 trips per day (based on 6,237 square foot daycare 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 comments submitted.
- Charlotte-Douglas International Airport: No comments submitted.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Historic Landmarks: No comments submitted.
- Charlotte-Mecklenburg Police Department: No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. See advisory comments at www.rezoning.org

Petition 2020-111 (Page 6 of 6) Final Staff Analysis

- 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: See advisory comments at www.rezoning.org
- Mecklenburg County Parks and Recreation Department: No comments submitted.

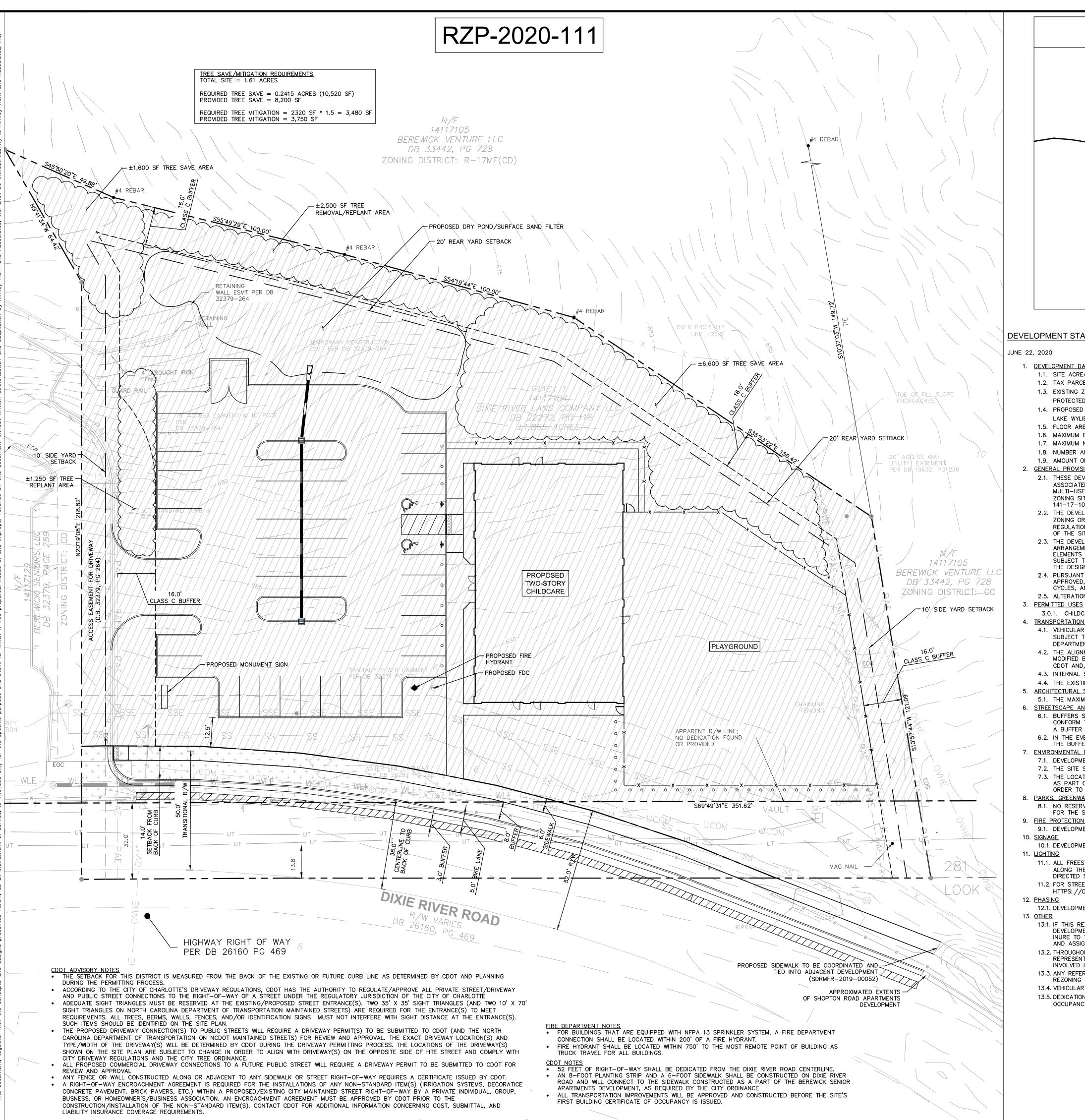
REQUESTED TECHNICAL REVISIONS

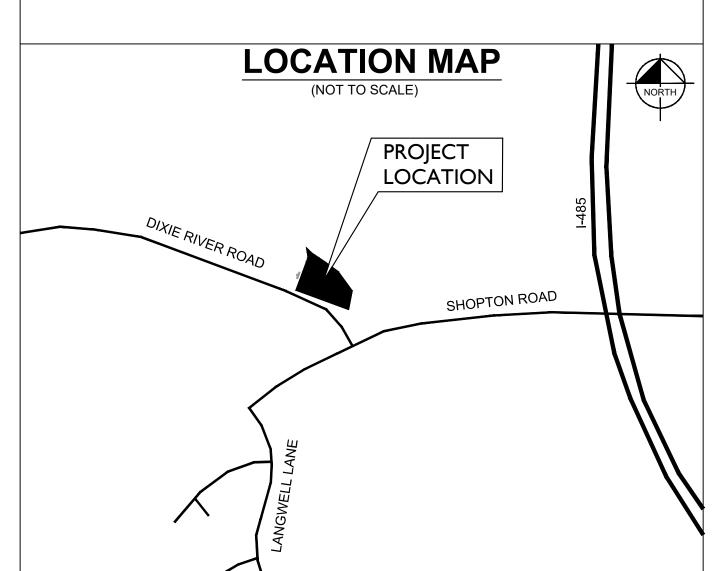
Land Use

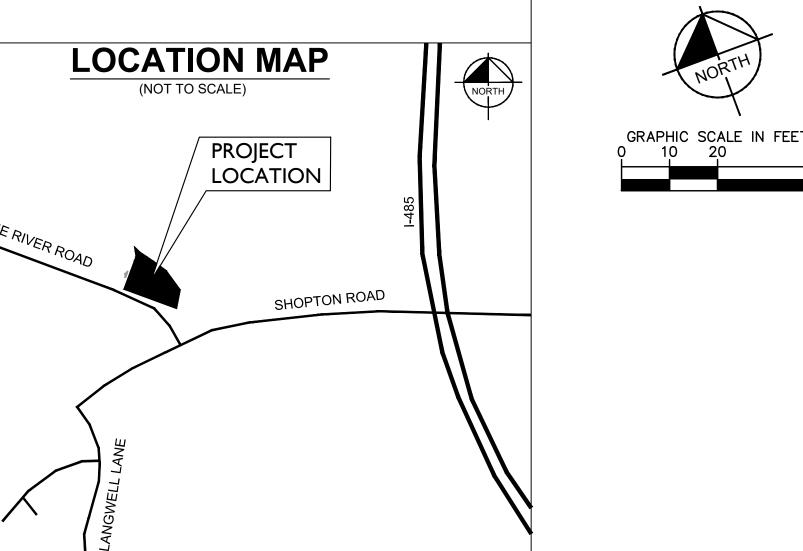
- 1.—Add LLWPA (Lower Lake Wylie Protected Area) to both the existing zoning and proposed zoning on the site plan. ADDRESSED
- 2. Remove notes 3.1 and 3.2 relating to NS uses. They are in conflict with note 3.2.1 and the labeling of the building on the site plan as "proposed two-story childcare". ADDRESSED

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

Planner: Joe Mangum (704) 353-1908







DEVELOPMENT STANDARDS

JUNE 22, 2020

1. <u>DEVELOPMENT DATA TABLE</u>

- LAKE WYLIE PROTECTED AREA)
- 1.5. FLOOR AREA RATIO: PER ORDINANCE 1.6. MAXIMUM BUILDING HEIGHT: PER ORDINANCE
- 1.7. MAXIMUM NUMBER OF BUILDINGS:
- 1.8. NUMBER AND/OR RATIO OF PARKING SPACES: PER ORDINANCE
- 1.9. AMOUNT OF OPEN SPACE: PER ORDINANCE

2. GENERAL PROVISIONS

- 2.1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN (COMPRISED OF THE ZONING SITE PLAN AND THESE DEVELOPMENT STANDARDS) ASSOCIATED WITH THE REZONING PETITION FILED BY MR3 DEVELOPMENT (HEREINAFTER REFERRED TO AS THE "PETITIONER") TO ACCOMMODATE A MULTI-USE DEVELOPMENT ON AN APPROXIMATELY 1.61 ACRE SITE LOCATED ON DIXIE RIVER ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE ZONING SITE PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF THOSE PARCELS OF LAND DESIGNATED AS TAX PARCEL NO.
- ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NEIGHBORHOOD SERVICES (NS) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE
- 2.3. THE DEVELOPMENT AND USES DEPICTED ON THE ZONING SITE PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE LAYOUT, LOCATIONS, AND SIZES OF THE USES, IMPROVEMENTS, AND SITE ELEMENTS DEPICTED ON THE ZONING SITE PLAN AS WELL AS THE INTERNAL STREETS, DRIVES, AND PARKING AREAS 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.
- 2.4. PURSUANT TO SECTION 1.110 OF THE ORDINANCE AND SECTION 160A-385.1 OF THE NORTH CAROLINA GENERAL STATUES, THE REZONING PLAN, IF APPROVED, SHALL BE VESTED FOR A PERIOD OF 5 YEARS DUE TO THE SIZE AND PHASING OF THE DEVELOPMENT, THE LEVEL OF INVESTMENT, ECONOMIC CYCLES, AND MARKET CONDITIONS.
- 2.5. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

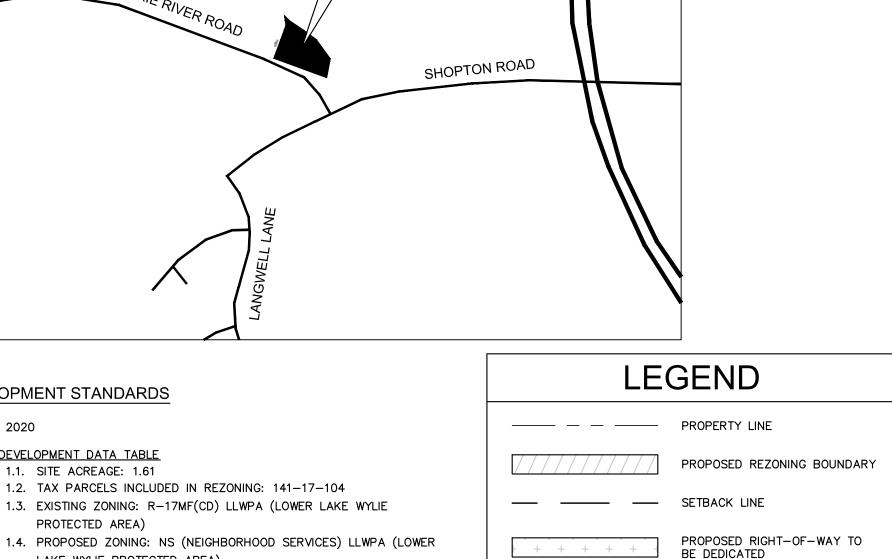
3.0.1. CHILDCARE CENTERS, SUBJECT TO THE REGULATIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE §12.502

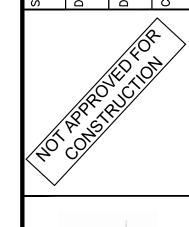
- 4.1. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- 4.2. THE ALIGNMENTS AND CONFIGURATIONS OF THE INTERNAL PRIVATE STREETS, DRIVES, PARKING AREAS, AND VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS, AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- 4.3. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. 4.4. THE EXISTING OBSOLETE DRIVEWAY(S) IN AND NEAR THE SOUTHEAST CORNER OF THE PROPERTY SHALL BE REMOVED DURING CONSTRUCTION.
- 5.1. THE MAXIMUM HEIGHT OF ANY BUILDING DEVELOPED SHALL BE GOVERNED BY THE ORDINANCE.

- 6.1. BUFFERS SHALL BE ESTABLISHED ON THE SITE AS REQUIRED BY THE ORDINANCE AND AS DEPICTED ON THE REZONING PLAN, AND SUCH BUFFERS SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. PURSUANT TO THE ORDINANCE, PETITIONER MAY REDUCE THE REQUIRED WIDTH OF A BUFFER BY 25% BY INSTALLING A WALL, FENCE, OR BERM THAT MEETS THE STANDARDS OF SECTION 12.302(8) OF THE ORDINANCE.
- 6.2. IN THE EVENT THAT AN ADJACENT PARCEL OF LAND IS EITHER REZONED TO A ZONING DISTRICT OR DEVOTED TO A USE THAT ELIMINATES OR REDUCES THE BUFFER REQUIREMENTS ON THE SITE, PETITIONER MAY REDUCE OR ELIMINATE, AS THE CASE MAY BE, THE RELEVANT BUFFER AREAS ACCORDINGLY. ENVIRONMENTAL FEATURES
 - 7.1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.
- 7.2. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST-CONSTRUCTION STORMWATER ORDINANCE. 7.3. 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.
- 8. PARKS, GREENWAYS, AND OPEN SPACE 8.1. NO RESERVATIONS, DEDICATIONS, IMPROVEMENTS, OR CONNECTIONS TO PARKS, GREENWAYS, OR PRIVATELY CONSTRUCTED OPEN SPACE ARE ANTICIPATED
- FOR THE SITE. 9. FIRE PROTECTION
- 9.1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE FIRE PROTECTION REQUIREMENTS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. 10. SIGNAGE
- 10.1. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CHAPTER 13 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- 11.1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING STREET LIGHTS AND LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE SIDEWALKS, PARKING AREAS AND IN LANDSCAPED AREAS) 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.
- 11.2. FOR STREET AND PEDESTRIAN LIGHTING RECOMMENDATION, COORDINATE WITH ANTHONY MENDEZ, CDOT. PLEASE VISIT THE FOLLOWING LINK: HTTPS: //CHARLOTTE.GOV/TRANSPORTATION/PROGRAMS/PAGES/STREETLIGHTING.ASPX
- 12. PHASING
- 12.1. DEVELOPMENT OF THE SITE SHALL OCCUR OVER A SINGULAR PHASE OF CONSTRUCTION. 13. <u>OTHER</u>
 - 13.1. 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 THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST
 - 13.2. 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.
- 13.3. 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.
- 13.4. VEHICULAR PICK-UP AND DROP-OFF WILL UTILIZE PARKING SPACES.
- 13.5. DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHTS OF WAY SHALL BE PROVIDED TO NCDOT 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.

ORIGINAL ISSUE: 06/22/2020 KHA PROJECT NO

1 OF 1





Hor

Kimley

TREE PROTECTION/REPLAT AREA (AS DENOTED ON PLAN)



170171002 SHEET NUMBER



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 14.File #: 15-14990 Type: Zoning Decision

Rezoning Petition: 2020-114 by Freedom Drive Terminal, LLC

Location: Approximately 6.01 acres located east of Little Rock Road, north of Fred D. Alexander Boulevard, and south of Old Mount Holly Road. (Council District 3 - Watlington)

Current Zoning: B-1 LLWPA (neighborhood business, Lower Lake Wylie Protected Area), R-4 LLWPA

(single-family residential, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1 LLWPA (light industrial, Lower Lake Wylie Protected Area)

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

Charlotte-Mecklenburg Planning Commission

Zoning Committee Recommendation

ZCZoning Committee

Rezoning Petition 2020-114

December 2, 2020

REQUEST

Current Zoning: B-1 LLWPA (neighborhood business, Lower Lake Wylie Protected Area), R-4 LLWPA (single family residential,

Lower Lake Wylie Protected Area)

Proposed Zoning: I-1 LLWPA (light industrial, Lower Lake Wylie

Protected Area)

LOCATION

Approximately 6.01 acres located east of Little Rock Road, north of Fred D Alexander Boulevard, and south of Old Mount Holly

Road.

(Council District 3 - Watlington)

PETITIONER

Freedom Drive Terminal, LLC

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 *Northwest District Plan* with respect to land use, 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 for the eastern portion of the site and multi-family residential for the western portion of the site.

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

- The site is adjacent to heavy industrial uses and a Duke Energy sub-station.
- The site is just south of the heavy industrial tank farm uses along Freedom Drive and Old Mt. Holly Road.
- There are Duke Energy power lines on the southern portion of the site.
- The site may not be best suited or compatible for residential uses given the industrial uses and zoning around it.

The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from single family residential and multi-family residential use to light industrial use for the site.

Motion/Second: Nwasike / Blumenthal

Yeas: Blumenthal, Kelly, McMillan, Nwasike, Samuel,

and Welton

Nays: None Absent: Barbee 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 Joe Mangum (704) 353-1908





REQUEST

Current Zoning: B-1 LLWPA (neighborhood business, Lower Lake Wylie Protected Area), R-4 LLWPA (single family residential, Lower

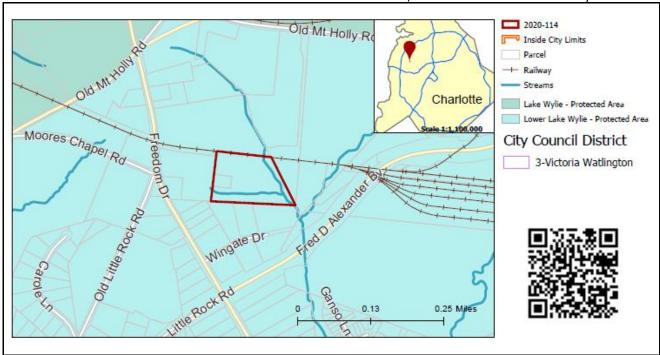
Lake Wylie Protected Area)

Proposed Zoning: I-1 LLWPA (light industrial, Lower Lake Wylie

Protected Area)

LOCATION

Approximately 6.01 acres located east of Little Rock Road, north of Fred D Alexander Boulevard, and south of Old Mount Holly Road.



SUMMARY OF PETITION

The petition proposes to rezone the site to I-1 to allow development of an automobile repair and inspection shop and other future projects

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

Freedom Drive Terminal LLC Freedom Drive Terminal LLC

John Riordan

Meeting is not required.

consistent with I-1.

STAFF	Staff recommends approval of this petition.
RECOMMENDATION	<u>Plan Consistency</u> The petition is inconsistent with the <i>Northwest District Plan</i> (1990) recommendation for single family up to four dwelling units per acre, and multi-family residential.
	 Rationale for Recommendation The site is adjacent to heavy industrial uses and a Duke Energy sub-station. The site is just south of the heavy industrial tank farm uses along Freedom Drive and Old Mt. Holly Road. On the southern portion of the site are Duke Energy power lines.

• The site may not be best suited or compatible for residential uses given the industrial uses and zoning around it.

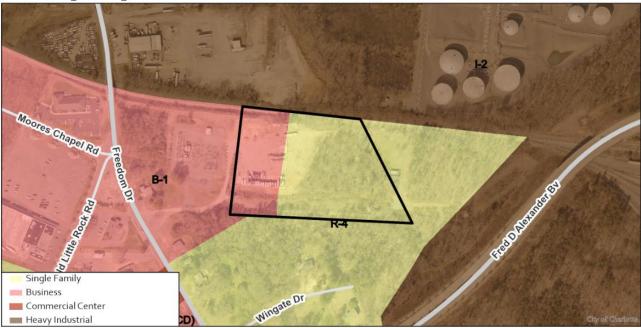
The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from single family up to four dwelling units per acre and multi-family uses to industrial use for this site.

PLANNING STAFF REVIEW

Proposed Request Details

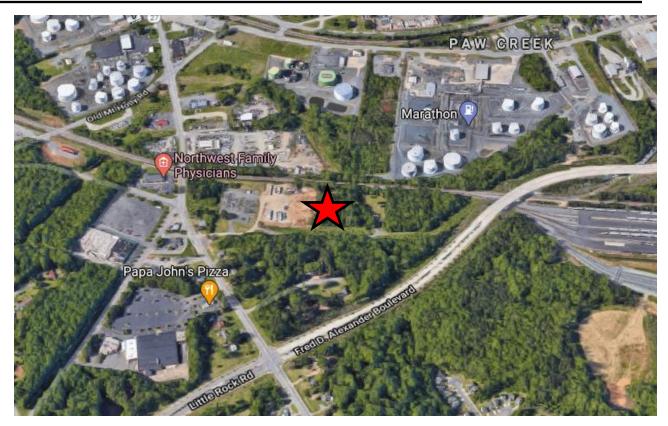
This is a conventional rezoning petition with no associated site plan.

Existing Zoning and Land Use



A portion of the subject property is currently used for outdoor storage while the remainder is vacant, wooded land.

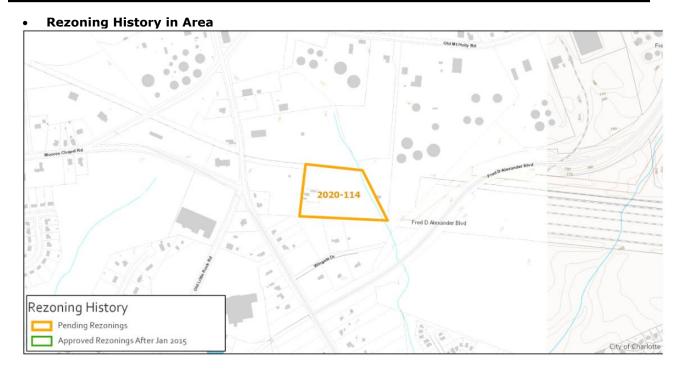
Petition 2020-114 (Page 3 of 5) Final Staff Analysis



The subject property is denoted by a red star. Surrounding land uses include industrial outdoor storage, fuel storage tanks, an electric power substation, and a few single family homes.



View towards the site from Freedom Drive. The site is located behind the power substation and outdoor storage area.



There are no recent rezonings in the vicinity of the site.

Public Plans and Policies



• The Northwest District Plan (adopted 1990) recommends multi-family for the B-1 zoned portion of the site and single family at less than or equal to four dwelling units per acre for the R-4 zoned portion of the site.

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TRANSPORTATION SUMMARY

The site is not located along an existing public road. No TIS is required at this time, unless
the future roadway network has impacts. CDOT recommends the petitioner establish a cross
access easement to gain access to the subject site, since it is landlocked.

Active Projects:

- o Freedom Drive (NC-27) Widening
 - The project will implement pedestrian and bike facilities along Freedom Drive between Toddville Road and Moores Chapel Road
 - Construction start date: 2023

Transportation Considerations

No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

Existing Use: 0 trips per day (based on 6.01 acres of vehicle storage).

Entitlement: 950 trips per day (based on 16 single family homes and 20,000 square feet of retail).

Proposed Zoning: 140 trips per day (based on 60,100 square feet of warehouse).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No comments submitted.
- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: No comments submitted.
- Charlotte-Douglas International Airport: No comments submitted.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Historic Landmarks: No comments submitted.
- Charlotte-Mecklenburg Police Department: No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- Charlotte Water: Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections. Sewer service is accessible for this 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 comments submitted.
- Storm Water Services: See advisory comments at www.rezoning.org
- **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: See advisory comments at www.rezoning.org

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

Planner: Joe Mangum (704-353-1908)



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 15.File #: 15-14992 Type: Zoning Decision

Rezoning Petition: 2020-121 by James Doyle - Chamberlain Townhomes, LLC

Location: Approximately 1.10 acres located along the east side of South Turner Avenue, the west side of Bacon Avenue and south of Rozzelles Ferry Road. (Council District 2 - Graham)

Current Zoning: I-1 and R-22 MF (general industrial and 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 2020-121

January 5, 2021

REQUEST Current Zoning: I-1 and R-22MF (general industrial and

multifamily residential)

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

LOCATION Approximately 1.1 acres located east of Turner Avenue, west of

Bacon Avenue, and south of Rozzelles Ferry Road.

(Council District 2 - Graham)

PETITIONER James Doyle

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* (1993) land use recommendation but **consistent** with the *General Development Policies*, which supports the requested residential density up to 17 dwelling units per acre based on the information from the staff analysis and the public hearing, and because:

- The plan recommends industrial use for part of the site and multi-family and single family residential uses for the remainder of the site.
- The petition meets the General Development Policies locational criteria for consideration of up to 17 dwellings per acre.

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

- The proposed site plan, while inconsistent with land use plan recommendations, is consistent with existing surrounding residential development.
- The property across Turner Avenue from the site, was rezoned in 2019 to MUDD-O to allow single family attached residential uses at a density of 19 dwelling units per acre.
- Residential uses are more appropriate in this area of the Seversville neighborhood, rather than the industrial uses that were recommended in the past. The adjacent Savona Mill property was rezoned in 2019 to support

redevelopment and conversion of the property to commercial, office, and residential uses.

• The site is one block from a pair of CATS bus stops for Route 1, providing an alternative transportation option for future residents.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from industrial, multi-family residential, and single family residential to multi-family residential.

Motion/Second: Blumenthal / 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.

Committee Member Kelly inquired about the driveway locations and whether the Chamberlain Avenue right-of-way would be used to construct a new street. Eric Lemieux of CDOT replied that only part of the street would be built. Topographical challenges prevent the remainder of the street from being constructed.

There was no further discussion of this petition.

PLANNER

Joe Mangum (704) 353-1908





LOCATION

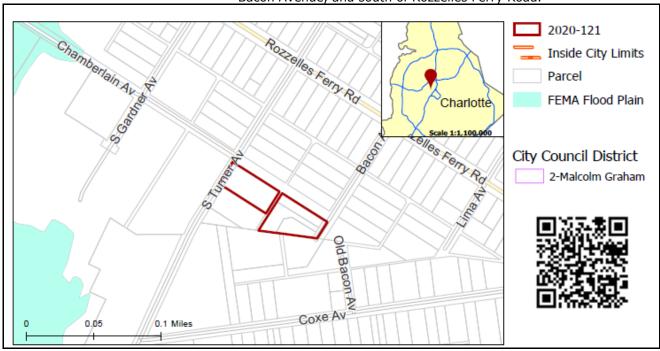
REQUEST Current Zoning: I-1 and R-22MF (general industrial and

multifamily residential)

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

Approximately 1.1 acres located east of Turner Avenue, west of

Bacon Avenue, and south of Rozzelles Ferry Road.



SUMMARY OF PETITION

The petition proposes to develop vacant property in the Seversville neighborhood with up to 15 single family attached units at a density of 13 units per acre.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

James Doyle Paul Pennell

COMMUNITY MEETING

Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the portion of the site recommended for industrial land use, and inconsistent with the portion recommended for multi-family and single-family land uses, as per the Central District Plan, based on the Plan's recommendation for density not to exceed 8 dwelling units per acre. However, the proposed density of up to 17 dwelling units per acre is consistent with the General Development Policies (GDP).

Rationale for Recommendation

Chamberlain Townhomes, LLC

The proposed site plan, while inconsistent with land use plan recommendations, is consistent with existing surrounding residential development.

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- The property across Turner Avenue from the site, was rezoned in 2019 to MUDD-O to allow single family attached residential uses at a density of 19 dwelling units per acre.
- Residential uses are more appropriate in this area of the Seversville neighborhood, rather than the industrial uses that were recommended in the past. The adjacent Savona Mill property was rezoned in 2019 to support redevelopment and conversion of the property to commercial, office, and residential uses.
- The site is one block from a pair of CATS bus stops for Route 1, providing an alternative transportation option for future residents.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from industrial and multi-family land use at up to 8 dwelling units per acre to residential land use at up to 17 dwelling units per acre for the site.

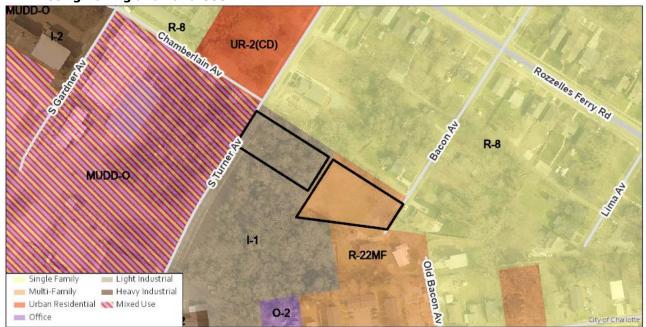
PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes 15 single family attached units in 3 buildings.
- Limits base maximum building height to 40'.
- Commits to architectural and design standards including usable porches and stoops, sidewalks to public rights-of-way, and blank wall limitations.
- Proposes all units to be rear loaded and accessed via private alleys.
- Limits most lighting to be full cutoff and downwardly directed. Allows for upward facing architectural and landscape accent lighting.
- Commits to dedication of right-of-way along South Turner Avenue to 36' from centerline.
- Provides an 8' planting strip and 8' sidewalk on Bacon Avenue and 8' planting strip and 12' multiuse path along Chamberlain Avenue right-of-way.

Existing Zoning and Land Use



The site is vacant land and is surrounded by single family residential, multifamily residential, warehouse, and brewery uses.

Petition 2020-121 (Page 3 of 7) Final Staff Analysis



The site, denoted by a red star, is near Savona Mill in the Seversville neighborhood.



View of the site looking west from Bacon Avenue.



The properties north of the site are developed with single family homes.

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The properties east of the site are developed with single family homes.



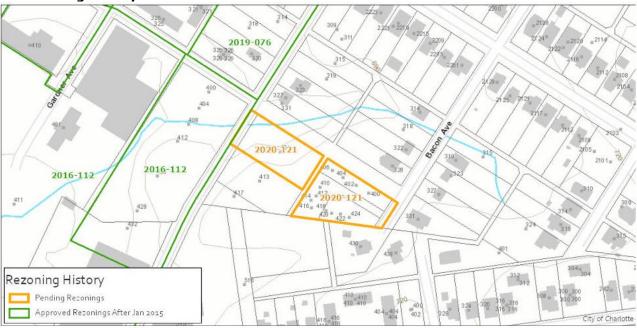
The properties to the south include single family residential, multifamily residential, and wooded undeveloped land.



Savona Mill occupies much of the land to the west of the site. It is planned to be redeveloped with retail, office, and residential uses.

Petition 2020-121 (Page 5 of 7) Final Staff Analysis

Rezoning History in Area



Petition Number	Summary of Petition	Status
2016-112	The petition rezoned 28 acres to MUDD-O allow reuse of the Savona Mill and other industrial buildings for a mix of residential and non-residential uses.	Approved
2019-076	The petition rezoned 2.39 acres to UR-2(CD) to allow the development of up to 47 single family attached units.	Approved

Public Plans and Policies



- The Central District Plan (adopted 1993) recommends industrial for the portion of the site currently zoned I-1 and single family or multifamily at no more than 8 dwelling units per acre for the portion currently zoned R-22MF.
- 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 over 17 dwellings per acre as illustrated in the table below.

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Assessment Criteria	Density Category - up to 17 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	5
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 14	Total Points: 15

TRANSPORTATION SUMMARY

The site is located on Turner Avenue, a collector road. The petitioner is providing a 12' shared use path and an 8-ft planting strip and 6-ft sidewalk along Bacon Avenue, with accessible ramps. The existing sidewalk along South Turner Avenue will remain. The petitioner will also dedicate additional right-of-way along South Turner Avenue. All CDOT comments have been addressed.

Active Projects:

- Savona Mill Rezoning Petition 2016-112 Transportation Requirements
 - The petitioner committed to implement a 3-travel lane Rozzelles Ferry street section between Turner Ave. and Gardner Ave., including a Rozzelles Ferry pedestrian refuge island to enhance pedestrian crossings.
 - Construction date: TBD
- Rozzelles Ferry Road Pedscape (West Trade/Rozzelles Ferry CNIP)
 - This project will provide new pedestrian refuge medians, new wheelchair ramps, street resurfacing, landscaping, street trees and drainage improvements along Rozzelles Ferry Road. Project Length is 0.7 Miles
 - o Completion date: 2020
- Yellowstone Zebulon Street Connectivity (West Trade/Rozzelles Ferry CNIP)
 - The project will construct a new street and bridge connecting Coronet Way and Rozzelles Ferry Road. The street will include a wide planting strip, sidewalk and multi-use path connecting the future greenway.
 - o Completion date: 2021
- Five Points Public Plaza (West Trade/Rozzelles Ferry CNIP)
 - This project will provide a new public plaza at the Five Points intersection: Landscaping, seating, band shelter, artwork and drainage improvements.
 - o Completion date: 2021

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 11,000 square feet of warehouse).

Proposed Zoning: 75 trips per day (based on 15 townhome units).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No comments submitted.
- Charlotte Department of Housing and Neighborhood Services: See advisory comments at www.rezoning.org
- Charlotte Department of Solid Waste Services: See Requested Technical Revisions, Note 2.
- Charlotte-Douglas International Airport: No comments submitted.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Historic Landmarks: No comments submitted.
- Charlotte-Mecklenburg Police Department: No comments submitted.
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate 2 students, while the development allowed under the proposed zoning may produce 1

Petition 2020-121 (Page 7 of 7) Final Staff Analysis

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

- The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Bruns Avenue Elementary remains at60%
 - Ranson Middle remains at 120%
 - West Charlotte High remains at 94%.
- 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 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 comments submitted.

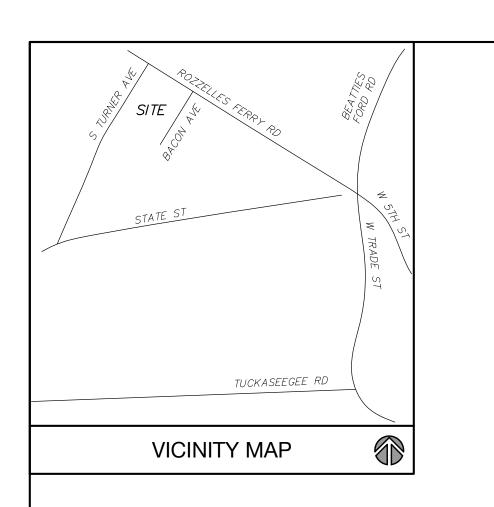
REQUESTED TECHNICAL REVISIONS

Site and Building Design

- 1. Add floor area ratio allowed and proposed to site plan. Addressed
- Address how trash and recycling will be handled. Trucks cannot back out onto a public street.
 Either add a turnaround or use smaller dumpsters on wheels that can be rolled to S Turner
 Avenue for staging on a dumpster pad. Addressed
- 3. Clarify max building height for structures is capped at 40'. Addressed
- 4. Clarify that the proposed floor area is the maximum allowed onsite, reword proposed to maximum floor area on the Site Development Data table. Addressed

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

Planner: Joe Mangum (704) 353-1908



071-104-01, 071-104-02, 071-104-55 and 071-104-56

1. These Development Standards form part of the Rezoning Plan associated with the Rezoning Petition filed by Cityside Properties, LLC (the

"Site"). The Site is comprised of Tax Parcel Numbers 071-104-01, 071-104-02, 071-104-55 and 071-104-56.

schematic in nature and therefore are subject to refinements as part of the total design process.

and driveways onto Chamberlain Avenue and Bacon Avenue as depicted on the site plan.

the southern end of Bacon Avenue and to the east of South Turner Avenue, which is more particularly depicted on the Rezoning Plan (the

2. Development of the Site shall be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of

regulations established under the Ordinance for the "UR-2" Zoning District shall govern all development taking place on the Site. The

"Petitioner") to accommodate the development of an attached single family development on an approximate 1.10 acre site located to the west of

Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the

1. Uses allowed within the rezoning area included in this Petition are those uses that are permitted within the UR-2 zoning district. However, those

1. Vehicular access to public rights of way will be as generally depicted on the Rezoning Plan. The site shall provide access to South Turner Avenue

Avenue and one (1) accessible PROWAG ramp on the north corner of Bacon Avenue and proposed Chamberlain Avenue as generally indicated on

provided as generally depicted on the site plan. The existing sidewalk along South Turner Avenue shall remain in its current location due to existing

2. The petitioner agrees to provide two (2) accessible PROWAG sidewalk ramps at the south corner of Bacon Avenue and proposed Chamberlain

3. The petitioner agrees to dedicate right-of-way along the site frontage adjacent South Turner Avenue measured 36' as dimensioned from the

4. An 8' sidewalk and 8' landscape strip along Bacon Avenue and a 12' multiuse path and 8' planting strip along Chamberlain Avenue shall be

uses shall be limited as described within the following development conditions and as generally indicated within this petition.

a. Residential Units: Three (3) single-family attached townhome buildings providing up to fifteen (15) residential units on site.

configurations, placements and sizes of the buildings, parking areas, open space and public road improvements depicted on the Rezoning Plan are

Proposed Uses: Up to (15) Land For Sale Single-Family Attached Residential Units

Tax Parcel:

Existing Uses:

Existing Zoning: I-1 and R-22MF

Proposed Zoning: UR-2(CD)

Allowable FAR: 1.0

General Provisions:

Permitted Uses:

Transportation:

centerline of existing road.

Site Development Data: 6. A sidewalk utility easement (SUE) shall be provided between the existing public rights of way to 2' behind proposed sidewalk along Bacon Avenue Acreage: ± 1.10 AC

7. All transportation improvements, including sidewalk and accessible ramps, within the public right of way shall be approved and constructed prior to the sites first certificate of occupancy is issued.

8. Dedication and conveyance of all rights-of-way shall be provided fee simple to the City before the site's first building certificate of occupancy is

Architectural and Design Standards:

1. In addition to design provisions contained within the district regulations of the Zoning Ordinance for the UR-2 district, the development of the site will be governed by the following provisions and standards produced by the Petitioner and which will be binding on the development of the site.

2. The petitioner shall limit the base maximum average height of each residential structure on site to 40' as further described in the Ordinance.

- 3. The following provisions and standards shall apply regarding design guidelines and the architectural design of structures proposed on site. It is the intent of these standards to provide design flexibility in design while achieving architectural continuity and visual harmony though out the proposed
- a. Proposed residential structures constructed on the Site may use a variety of building materials. The building materials utilized will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, cementitious siding (such as Hardi-plank), EIFS, metal or wood.
- b. Vinyl will not be used as a primary exterior building material, but may be utilized for trim, soffits, architectural detailing, insulation
- c. Petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to 10 feet adjacent public streets on all building levels, including but not limited to doors, windows, awnings, and/or architectural design elements.
- d. Residential units shall be provided walkways to connect to public rights of way, as generally depicted on the Site plan.
- e. Units 1-5 fronting Bacon Avenue and units 6-9 fronting Chamberlain Avenue shall provide a pedestrian entrance facing the street with a sidewalk connection to a public right of way as generally depicted on the site plan. Sidewalk connections from residential structures to public right of way may be a shared path to public right of way.
- f. To provide privacy, all residential entrances within 15 feet of a public sidewalk must be raised above the average sidewalk grade.
- g. Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may ne no less than 2:12, unless a flat roof architectural style is employed
- h. 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, when provided, may be covered but should not be enclosed.
- i. All corner/end units that face a public or private street should 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.

LAND USE: INDUSTRIAL (VACANT)

j. Garage doors visible from public or private streets should minimize the visual impact by providing elevated design and architectural treatments such as translucent windows and projecting elements over the garage door opening.

Streetscape and Landscaping:

1. The Petitioner shall comply with the City of Charlotte Tree Ordinance.

Environmental Features:

1. The Petitioner shall comply with the City of Charlotte Post Construction Ordinance.

2. 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.

1. The Petitioner shall comply with the City of Charlotte Signage Ordinance.

1. All attached and detached lighting will be full cutoff fixtures and downwardly directed. However, upward facing architectural and landscape accent lighting shall be permitted.

2. Detached lighting on the site, except street lights located along public streets, will be limited to 20' in height.

REZONING PETITION #2020-121

Amendments to Rezoning Plan:

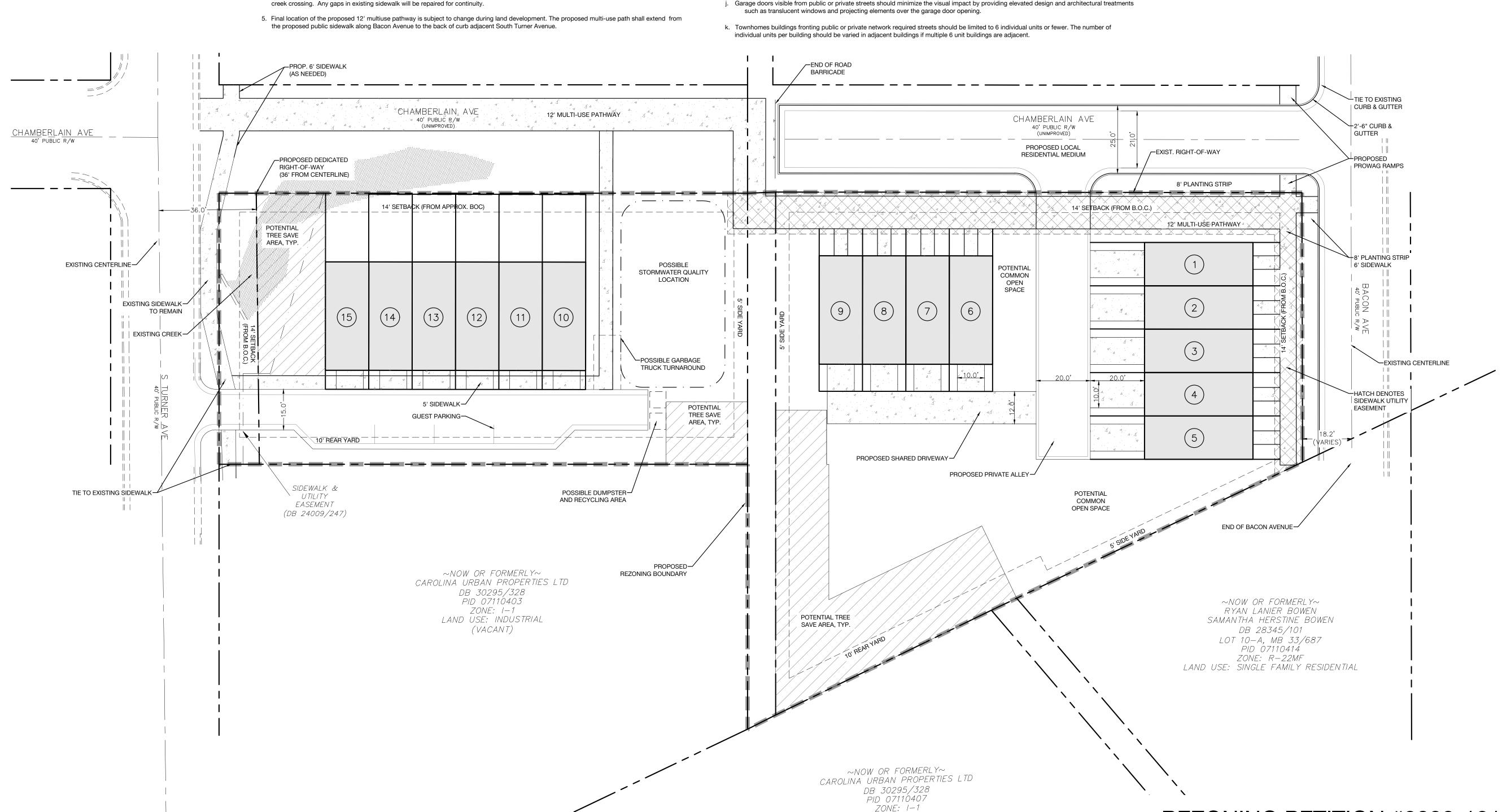
Future amendments to these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

Further alterations or modifications to the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved 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.

Binding Effect of the Rezoning Documents and Definitions:

1. If this Site Plan Amendment 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 successors in interest and assigns.

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.





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

Plan NC 28200 Site Charlotte,

Rezoning 401 S Turner Ave, C

DATE: 10.12.20 11.16.20 12.28.20 01.04.21 S - 0 ω 4

Project No: 20-009 Date: 07.09.2020 Designed by: UDP Drawn By: UDP Sheet No:



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 16.File #: 15-14993 Type: Zoning Decision

Rezoning Petition: 2020-126 by Carolina Capital Real Estate Partners

Location: Approximately 4.25 acres located along the east side of Yeoman Road, southwest of Verbena Street and west of Old Pineville Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

ZCZoning Committee

REQUEST

Rezoning Petition 2020-126

January 5, 2021

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-TR (transit oriented development-

transition)

LOCATION Approximately 4.25 acres located along the east side of Yeoman

Road, southwest of Verbena Street and west of Old Pineville

Road.

(Council District 3 - Watlington)

PETITIONER Carolina Capital Real Estate Partners

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 *Woodlawn Station Area Plan*, based on the information from the staff analysis and the public hearing and because:

The plan recommends office/industrial warehouse distribution.

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 site is just under one mile from Woodlawn Station on the LYNX Blue Line.
- Since the adoption of the plan, TOD and mixed use development has advanced in the Lower South End area in the direction of this parcel significantly.
- The proposal allows a site previously used for industrial/office/warehouse to convert to transit supportive land uses.
- Use of conventional TOD-TR 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 TOD-TR district may be applied to parcels within 1-mile walking distance of an existing rapid transit station.

The approval of this petition will revise the adopted future land use as specified by the *Woodlawn Station Area Plan*, from the current recommended office/industrial warehouse distribution uses to transit oriented development uses for the site.

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 conventional rezoning petition and noted that it is inconsistent with the adopted area plan. Staff stated the site abuts property zoned TOD and is within 1 mile of the Woodlawn Station. There was no discussion of this petition.

PLANNER

Claire Lyte-Graham (704) 336-3782





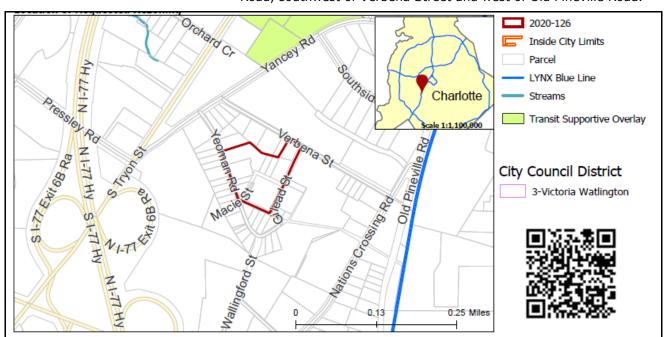
REQUEST

LOCATION

Current Zoning: I-2 (general industrial)

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

Approximately 4.25 acres located along the east side of Yeoman Road, southwest of Verbena Street and west of Old Pineville Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the TOD-TR (transit oriented development-transition) on a parcel developed with warehouse buildings located between Old Pineville Road and South Tryon Street.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

W. Harry Page & Paula R. Page; Nanapop LLC; John R. Williams Carolina Capital Real Estate Partners Collin Brown and Brittany Lins/Alexander Ricks

Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Woodlawn Station Area Plan* (2008) recommendation for office/industrial warehouse distribution.

Rationale for Recommendation

- The site is just under one mile from Woodlawn Station on the LYNX Blue Line.
- Since the adoption of the plan, TOD and mixed use development has advanced in the Lower South End area in the direction of this parcel significantly.
- The proposal allows a site previously used for industrial/office/warehouse to convert to transit supportive land uses.
- Use of conventional TOD-TR 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 TOD-TR district may be applied to parcels within 1-mile walking distance of an existing rapid transit station.

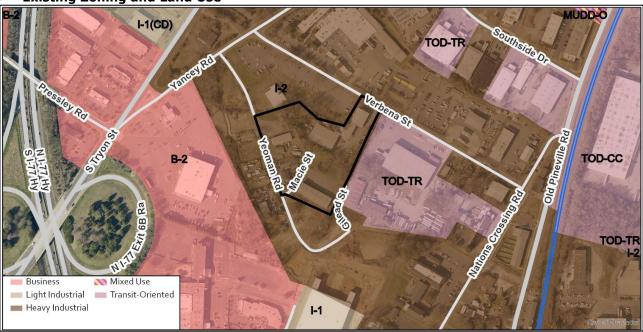
The approval of this petition will revise the adopted future land use as specified by the *Woodlawn Station Area Plan*, from the current recommended office/industrial warehouse distribution uses to transit oriented development uses for the site.

PLANNING STAFF REVIEW

Proposed Request Details

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

Existing Zoning and Land Use



• The site is developed with industrial/warehouse buildings and immediately surrounded by industrial/office/warehouse and microbreweries in various zoning districts.



Petition 2020-126

The subject site is developed with office/industrial/warehouse buildings (above and below)

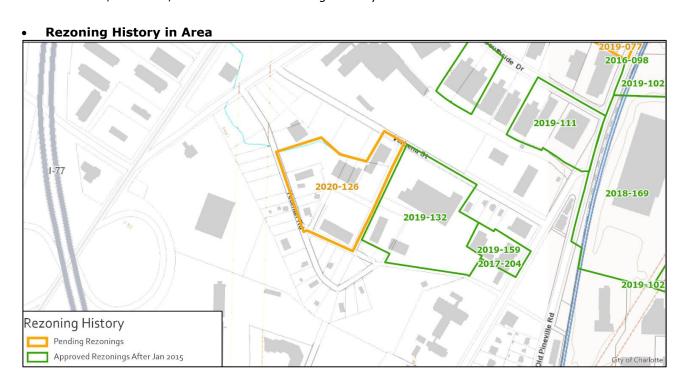




North are office/distribution/warehouse activities.



East are office/industrial/warehouse uses and single family homes.



Petition Number	Summary of Petition	Status
2019-132	Rezoned 5.90 acres from I-2 to TOD-TR.	Approved
2019-111	Rezone 4.1 acres from I-2 to TOD-TR.	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
2019-077	MUDD-O SPA to allow up to 334,000 square feet of permitted uses.	Pending
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations.	Approved

2017-204	Rezoned 0.95 acres from I-2 to MUDD(CD) to allow reuse of an existing building and allow the development of a new 3 story building with 29,390 square feet to allow a mix of residential and non-residential uses.	Approved
2016-098	Rezoned 5.1 acres from I-2 to MUDD-O to allow reuse of 3 existing industrial warehouse buildings with 74,877 square feet near the Scaleybark Station for all uses allowed in the MUDD.	Approved

Public Plans and Policies



• The Woodlawn Station Area Plan (2008) recommends Office/Industrial Warehouse Distribution for the subject site. The plan also references these parcels in Note 6 stating, "Maintain locations for low to moderate intensity office and industrial/warehouse distribution uses. The properties just south of Verbena Street and west of Nations Crossing Road currently have a mixture of office and light industrial uses. The area west of Old Pineville Road and south of the Duke Energy facility has a similar mix of uses. The plan supports maintaining a mixture of office and industrial/warehouse uses at low densities, typically 0.25 floor area ratio (FAR) or less. "

TRANSPORTATION CONSIDERATIONS

- The site is located on two local city-maintained streets, Verbena Street and Yeoman Street. Additionally, Gilead Street, a local city-maintained road, will be extended and improved as a result of the Verbena Multifamily development adjacent to this site. Currently, paper right-of-way exists in, and surrounding, this site and CDOT suggests investigating opportunities for additional pedestrian and vehicular connections. These connections could include, but are not limited to, Gilead Street connection and improvements, improvements within the Macie/Yeoman/Chalmers Street, etc. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated in the TOD-zoned areas.
- A Traffic Impact Study is not necessary for the complete review of this petition. If during the
 permitting process the site generates more than 2,500 daily trips, then a traffic study will be
 required.
- Active Projects Near the Site:
 - Verbena Multifamily LDUTOD-2020-00038
 - \circ 273-unit apartment complex.
 - This development has included improvements to adjacent Gilead Street as well as a 12foot pedestrian connection in the Chalmers Street right-of-way. This development is still in the permitting phase.
- No outstanding issues.

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 105 trips per day (based on 35,012 square feet warehouse/industrial).

Entitlement: 150 trips per day (based on 63,750 square foot warehouse).

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: See advisory comments at www.rezoning.org regarding the need for affordable housing units in Charlotte.
- Charlotte Fire Department: No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- 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 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. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Verbena Street. See advisory comments 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.

See Attachments (applications, department memos, maps etc.) 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: 1/19/2021

Agenda #: 17.File #: 15-14994 Type: Zoning Decision

Rezoning Petition: 2020-129 by Providence Group Capital, LLC

Location: Approximately 3.264 acres located south of the intersection of Dunavant Street and Tryon Street, northeast of Remount Road. (Council District 3 - Watlington)

Current Zoning: TOD-NC (transit-oriented development - neighborhood center) **Proposed Zoning:** TOD-UC (transit-oriented development - urban center)

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 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 2020-129

January 5, 2021

REQUEST Current Zoning: TOD-NC (transit oriented development –

neighborhood center)

Proposed Zoning: TOD-UC (transit oriented development -urban

center)

LOCATION Approximately 3.264 acres located south of the intersection of

Dunavant Street and Tryon Street, northeast of Remount Road.

(Council District 3 - Watlington)

PETITIONER Providence Group Capital, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-1 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

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

• The plan recommends transit-mixed use.

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 within a ¼ mile walk of the proposed Rampart Station and a little over ½ mile of the East/West Boulevard Station.
- The proposal allows a site previously used for industrial/office purposes to be reused or redeveloped with a transit supportive project.
- The parcels were rezoned from I-2 to TOD-NC via petition 2019-102.
- Use of conventional TOD-UC zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
- The TOD-UC district may be applied to parcels within ½-mile walking distance of an existing rapid transit station, or within ½ mile walking distance of a funded and adopted Metropolitan Transit Commission alignment station location.

Motion/Second: Barbee / Blumenthal

Yeas: Barbee, Blumenthal, McMillan, Nwasike,

Samuel, and Welton

Nays: Kelly 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. A Commissioner expressed concerns regarding establishing TOD-UC at this location and transitioning to existing multifamily residential neighborhood. Staff responded there are provisions in the ordinance for sites adjacent single family residential development. Staff noted that the subject site would in more likelihood have been zoned to TOD-UC had the proposed Rampart Station been online.

There was no further discussion of this petition.

MINORITY OPINION

Commissioner Kelly expressed concerns around transitioning from the height allowed in TOD-UC to the existing multifamily residential in the Brookhill Community on the other side of Tryon St. and questioned the if ordinance is being applied

appropriately.

PLANNER

Claire Lyte-Graham (704) 336-3782





REQUEST

Current Zoning: TOD-NC (transit oriented development -

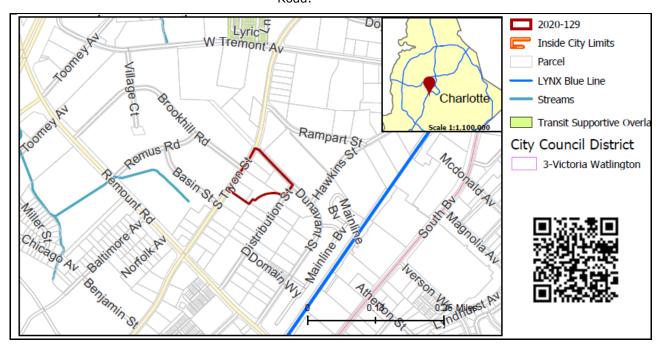
neighborhood center)

Proposed Zoning: TOD-UC (transit oriented development -

urban center)

LOCATION

Approximately 3.264 acres located south of the intersection of Dunavant Street and Tryon Street, northeast of Remount Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the TOD-UC (transit oriented development-urban center) on parcels developed with

industrial/office/warehouse buildings located between South Boulevard and South Tryon Street.

PROPERTY OWNER FHN 2301 South Tryon, LLC

PETITIONER AGENT/REPRESENTATIVE

Providence Group Capital, LLC **ENTATIVE** Keith MacVean, Moore & Van Allen

COMMUNITY MEETING Meeting is not required.

SIAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *New Bern Transit Station Area Plan* recommendation for transit-mixed use.

Rationale for Recommendation

- The subject site is within a ¼ mile walk of the proposed Rampart Station and a little over ½ mile of the East/West Boulevard Station.
- The proposal allows a site previously used for industrial/office purposes to be reused or redeveloped with a transit supportive project.
- The parcels were rezoned from I-2 to TOD-NC via petition 2019-102.

- Use of conventional TOD-UC zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
- The TOD-UC district may be applied to parcels within ½-mile walking distance of an existing rapid transit station, or within ½ mile walking distance of a funded and adopted Metropolitan Transit Commission alignment station location.

PLANNING STAFF REVIEW

Proposed Request Details

This is a conventional rezoning petition, which applies to all the standards, regulations and uses in the TOD-UC (transit oriented development-urban center) zoning district. Uses allowed in the TOD-UC district include residential, commercial, institutional, and government uses.

Existing Zoning and Land Use



- The site is developed with office/warehouse/industrial buildings and surrounded by residential, office/industrial/warehouse, and retail uses zoned R-22MF, UR-2(CD), TOD-NC, TOD-UC, TOD-M(O), UMUD, and I-1.
- The site was part of 1,771.18 acres rezoned from a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR per rezoning petition 2019-102.



The subject site is developed with office/industrial/warehouse uses.



West, across South Tryon Street, is a residential development.



North are a mix of residential and non-residential uses.

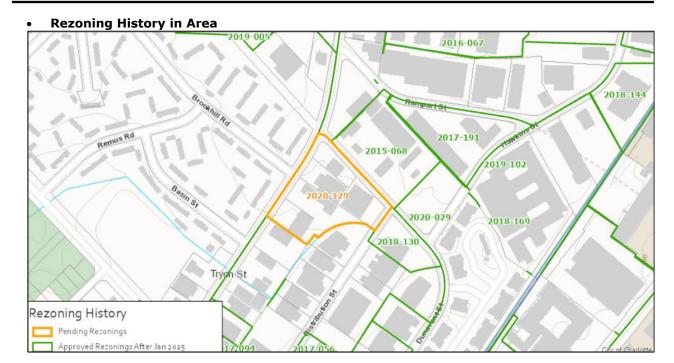
Petition 2020-129 (Page 4 of 7) Final Hearing Staff Analysis



South, along South Tryon Street, are a mix of residential and non-residential uses.



The subject site (denoted by the red star) is surrounded by a mix of residential and non-residential uses.



Petition Number	Summary of Petition	Status
2020-029	Rezoned 1 acre from TOD-M(O) to TOD-NC.	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
2019-005	Rezoned 5.58 acres from I-2(CD) to UR-2(CD).	Approved
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations.	Approved
2018-144	Rezoned 2.21 acres from MUDD-O to TOD-M(O).	Approved
2017-191	Rezoned 2.44 acres from I-2 to TOD-M (transit oriented development - mixed-use).	Approved
2017-094	Rezoned 0.35 acres from I-1 to TOD-M (transit oriented development - mixed-use).	Approved
2017-056	Rezoned 1.33 acres from I-2 to TOD-M (transit oriented development - mixed-use).	Approved
2016-067	Rezoned 8.36 acres from I-2 to TOD-MO (transit oriented development – mixed-use, optional).	Approved
2016-017	Rezoned 2.71 acres from R-5 and B-2 to UR-3(CD).	Approved

Public Plans and Policies

Petition 2020-129



• The New Bern Transit Station Area Plan (2008) recommends transit oriented mixed use.

TRANSPORTATION SUMMARY

 This site is located at the corner of Tryon Street, a State-maintained, major thoroughfare, and Dunavant Street, a City-maintained local street. This site is requesting a TOD-UC zoning and will be subject to transportation improvements in accordance with the TOD Ordinance and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated in the TOD-zoned areas.

ACTIVE PROJECTS NEAR THE SITE:

- 2250 Dunavant LDUTOD-2017-00017
 - This is a mixed-used development that includes (approximately) 29,000 square feet of office,
 7,000 square feet of retail, and 264 residential units. This development will provide on-street parking and a pedestrian network along Dunavant Street and Hawkins Street
 - This project is nearing completion.
- 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.
 - Dunavant/Brookhill Hybrid Beacon currently under construction.
 - Construction: A crosswalk and hybrid beacon are currently being constructed at Dunavant Street and South Tryon Street.
- South End Ped/Bicycle Connector
 - This planning study will determine the cost and feasibility of constructing a new transit station, between Tremont Avenue and Remount Road, and a pedestrian/bicycle crossing within the same area.
 - Construction: TBD; planning to finish end Q1 2020

TRANSPORTATION CONSIDERATIONS

- A Traffic Impact Study is not necessary for the complete review of this petition. If during the
 permitting process the site generates more than 2,500 daily trips, then a traffic study will be
 required.
- No outstanding issues.

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 130 trips per day (50,905 square feet of warehouse/light industrial)

Entitlement: Too many uses to determine (TOD-NC) Proposed Zoning: Too many uses to determine (TOD-UC).

DEPARTMENT COMMENTS (see full department reports online)

• **Charlotte Area Transit System:** The site is within ½ mile walking distance from the East-West transit station. The South End Plan recommends higher density development within ½ mile of

transit stations and the provisions of sidewalks and other pedestrian amenities to improve access around station areas. The site is also within ¼ mile from the proposed Rampart station infill light rail station. See advisory comments at www.rezoning.org.

- Charlotte Department of Housing and Neighborhood Services: No comments submitted.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the proposed zoning is to be determined (too many uses to determine). See advisory comments at www.rezoning.org.
- Charlotte Water: Water service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Dunavant Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Dunavant Street.
- 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: 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: Claire Lyte-Graham (704) 336-3782



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 18.File #: 15-14995 Type: Zoning Decision

Rezoning Petition: 2020-130 by US 21 Holding Company, LLC

Location: Approximately 12.769 acres located along the west side of Statesville Road, along the north

side of Lakeview Road, and east of Interstate 77. (Council District 2 - Graham)

Current Zoning: I-1 (light industrial) **Proposed Zoning:** I-2 (general industrial)

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 2020-130

January 5, 2021

Zoning Committee

REQUEST Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2 (general industrial)

LOCATION Approximately 12.769 acres located along the west side of

Statesville Road, along the north side of Lakeview Road, and

east of Interstate 77.

(Council District 2 - Graham)

PETITIONER

US 21 Holding Company, 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 *Northlake Area Plan (2008)*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends warehouse/distribution uses.

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

- The Northlake Area Plan (2008) recommends preserving the existing industrial-warehouse-distribution uses east of Interstate 77 which have been the prevalent existing uses in this area.
- While this site is recommended for warehouse or distribution according to the area plan, changing this site to an industrial use would be in keeping with the strong industrial character of the area, as there are several general industrial and heavy industrial land uses to the south of the site.
- Rezoning this site to conventional I-2 zoning will allow the current existing truck yard at this location to keep functioning in compliance with the zoning ordinance and would allow for other manufacturing and heavy industrial uses allowed in I-2. These uses would be appropriate as the site is surrounded by light and general industrial uses.

The approval of this petition will revise the adopted future land use as specified by the *Northlake Area Plan* (2008), Warehouse/Distribution to Industrial for the site.

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

inconsistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER Michael Russell (704) 353-0225





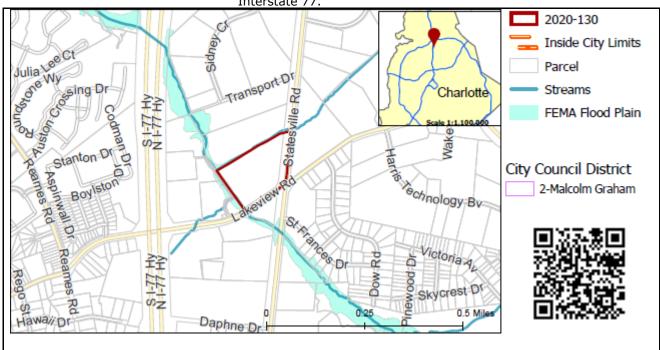
REQUEST Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2 (general industrial)

LOCATION Approximately 12.769 acres located along the west side of

Statesville Road, along the north side of Lakeview Road, and east of

Interstate 77.



SUMMARY OF PETITION

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

The petition proposes to allow all uses in the I-2 zoning district.

US 21 Holding Company, LLC US 21 Holding Company, LLC Keith MacVean, Moore & Van Allen

Meeting is not required.

SIAFF	
RECOMMENDATION	

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northlake Area Plan (2008)* recommendation of Warehouse/Distribution.

Rationale for Recommendation

- The Northlake Area Plan (2008) recommends preserving the existing industrial-warehouse-distribution uses east of Interstate 77 which have been the prevalent existing uses in this area.
- While this site is recommended for warehouse or distribution according to the area plan, changing this site to an industrial use would be in keeping with the strong industrial character of the area, as there are several general industrial and heavy industrial land uses to the south of the site.
- Rezoning this site to conventional I-2 zoning will allow the current existing truck yard at this location to keep functioning in compliance with the zoning ordinance and would allow for other

Petition 2020-130 (Page 2 of 6) Final Staff Analysis

manufacturing and heavy industrial uses allowed in I-2. These uses would be appropriate as the site is surrounded by light and general industrial uses.

The approval of this petition will revise the adopted future land use as specified by the *Northlake Area Plan (2008)*, Warehouse/Distribution to Industrial for the site.

PLANNING STAFF REVIEW

Proposed Request Details

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

• The proposal would allow all uses in the I-2 zoning district.

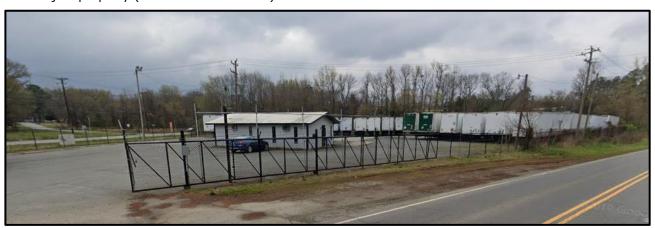
Existing Zoning and Land Use I-1(CD) Long Creek Club R-8MF(CD) Stanton D 1-2(CD) UR-2(CD) Boylsto 1-1(CD) Technology By B-2 UR-3(CD) 1-2(CD) Twin Dr Skycrest Dr Composk Dr Single Family Institutional Manufactured Home Business VictoribAV Multi-Family Light Industrial y Ln Daphne Dr. Urban Residential Heavy Industrial Mixed Residenital

The site is zoned light industrial. The surrounding land uses include vehicle storage yards, contractor offices, and warehousing.

Petition 2020-130 (Page 3 of 6) Final Staff Analysis



The subject property (denoted with red star).



The property to the south along Lakeview Road is developed with a vehicle storage/leasing yard.

Petition 2020-130 (Page 4 of 6) Final Staff Analysis



The property to the east along Statesville Road is developed with a plumbing contractor.

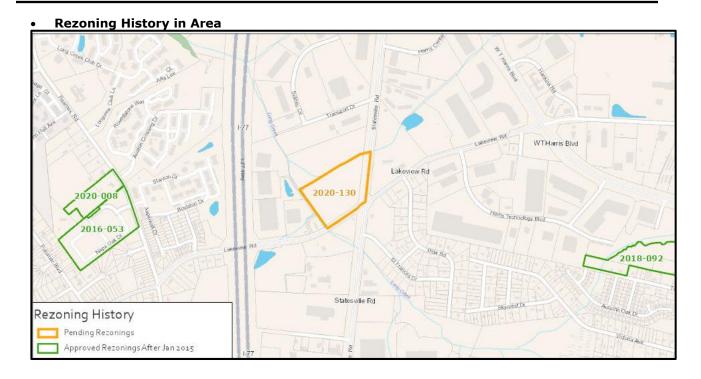


The property to the West along Lakeview Road is developed by office/warehousing uses.



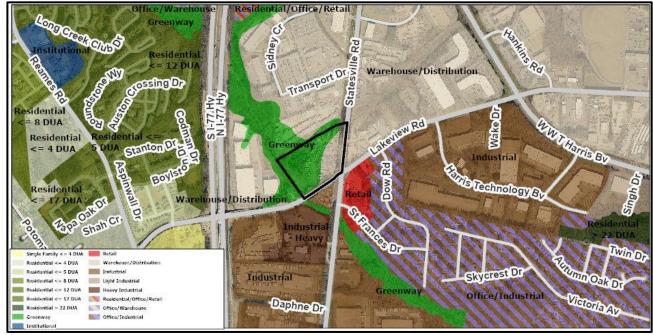
The property to the north along Statesville Road is developed with a trailer dealership.

Petition 2020-130 (Page 5 of 6) Final Staff Analysis



Petition Number	Summary of Petition	Status
2016-053	Rezoned 14.21 acres to allow up to 260 multi-family units.	Approved
2018-092	Rezoned 14.47 acres to allow up to 280 multi-family units.	Approved
2020-008	Rezoned 4.97 acres to allow up to 84 multi-family units.	Approved

Public Plans and Policies



• The Northlake Area Plan (2008) calls for Warehouse-Distribution uses for this site.

Petition 2020-130 (Page 6 of 6) Final Staff Analysis

TRANSPORTATION SUMMARY

The site is located on two major thoroughfare roads. Site plan review of ordinance requirements will occur during the land development permitting process, since this is a conventional rezoning request. Chapter 19 of the City Code may apply to require streetscape improvements along the site frontage. There is an active project planned along this site's frontage: Lakeview Road Farm-To-Market (NCDOT TIP#U-5905), which includes intersection improvements at Lakeview Road and Statesville Road.

Active Projects:

- Lakeview Rd. Farm-to-Market (Reames Rd to NC 115)
- State project number: NCDOT TIP # U-5905
- The project will upgrade the roadway, add turn lanes and pedestrian facilities, and include intersection improvements.
- Right of way acquisition is in progress / Construction expected FY 2020
- Transportation Considerations
 - No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

Existing Use: No data on trips per day (based on vehicle storage).

Entitlement: 250 trips per day (based on 127,700 square-feet of warehouse uses). Proposed Zoning: 350 trips per day (based on 191,550 square-feet of warehouse uses).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No outstanding issues.
- Charlotte Department of Solid Waste Services: No outstanding issues.
- Charlotte Fire Department: No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Lakeview Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 15-inch gravity sewer main located along the western portion of the parcel. 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: 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: Michael Russell (704) 353-0225



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 19.File #: 15-14996 Type: Zoning Decision

Rezoning Petition: 2020-131 by John Nichols

Location: Approximately 1.54 acres located along the south side of Central Avenue, the east side of

Hawthorne Lane, and north of Independence Boulevard. (Council District 1 - Egleston)

Current Zoning: B-2 PED (general business, pedestrian overlay)

Proposed Zoning: TOD-CC PED (transit-oriented development-community center, pedestrian overlay)

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 2020-131

January 5, 2021

REQUEST Current Zoning: B-2 PED (general business, pedestrian overlay)

Proposed Zoning: TOC-CC PED (transit oriented development,

community center, pedestrian overlay)

LOCATION Approximately 1.54 acres located along the south side of Central

Avenue, the east side of Hawthorne Lane, and north of

Independence Boulevard. (Council District 1 - Egleston)

PETITIONER John Nichols, The John Nichols Company

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 *Plaza-Central Pedscape Plan,* based on the information from the staff analysis and the public hearing and because:

• The plan recommends office/multi-family greater than 12 units per acre/limited retail.

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 is within .08 mile of the adopted LYNX Gold Line Sunnyside stop on Hawthorne Lane.
- The TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
- This petition would allow a richer mix of uses to help this
 property be in keeping with the vision of the Plaza-Central
 Pedscape Plan's overall vision of "creating a vibrant, mixed
 use district...".

Motion/Second: Nwasike / Barbee

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

Samuel, and Welton

Nays: None Absent: None Recused: None Petition 2020-131 (Page 2 of 2) Zoning Committee Recommendation

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the conventional petition and noted that it is consistent with the adopted area plan. There was no

discussion of this petition.

PLANNER

Claire Lyte-Graham (704) 336-3782



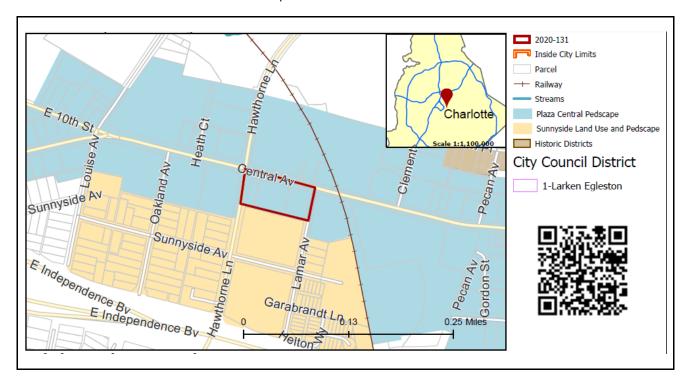


REQUEST

Current Zoning: B-2 PED (general business, pedestrian overlay) Proposed Zoning: TOC-CC PED (transit oriented development, community center, pedestrian overlay)

LOCATION

Approximately 1.54 acres located along the south side of Central Avenue, the east side of Hawthorne Lane, and north of Independence Boulevard.



SUMMARY OF PETITION

The petition proposes to rezone the subject site in order to permit all uses allowed in the TOD-CC district.

setbacks, street-facing building walls, entrances, and screening.

PROPERTY OWNER PETITIONER

1204 Central LLC

AGENT/REPRESENTATIVE

John Nichols, The John Nichols Company Jeffrey Alexander, The John Nichols Company

COMMUNITY MEETING

Meeting is not required.

STAFF	Staff recommends approval of this petition.
RECOMMENDATION	<u>Plan Consistency</u> The petition is consistent with the <i>Plaza-Central Pedscape Plan</i> (2003) recommendation for Office Mixed-Use (office/multi-family greater than 12 units per acre/limited retail).
	 Rationale for Recommendation The request is within .08 mile of the adopted LYNX Gold Line Sunnyside stop on Hawthorne Lane. The TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building

Single Family

Urban Residential N Mixed Use

Multi-Family

Office

Light Industrial

Heavy Industrial

Transit-Oriented

• This petition would allow a richer mix of uses to help this property be in keeping with the vision of the *Plaza-Central Pedscape Plan's* overall vision of "creating a vibrant, mixed use district...".

PLANNING STAFF REVIEW

Proposed Request Details

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

Existing Zoning and Land Use

R-8

R-10th St

R-22MF

R-8

R-12

R-22MF

R-22MF

R-22MF

R-22MF

The rezoning site is developed with EDEE, retail, and office uses and are surrounded by a mix of residential (single family and multi-family) developments, retail, office, and industrial uses.



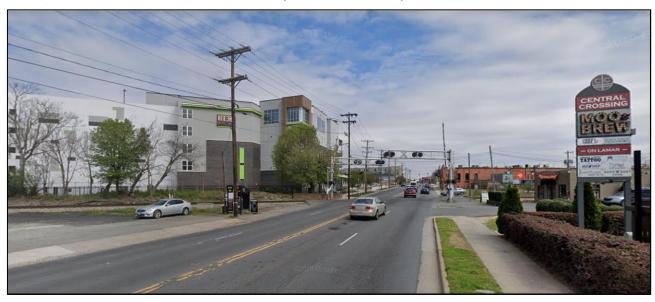
Rezoning site along Central Avenue



Rezoning site along Central Avenue.



North, across Central Avenue, is a multi-family residential development.



East, along Central Avenue, are office, retail, and residential uses.

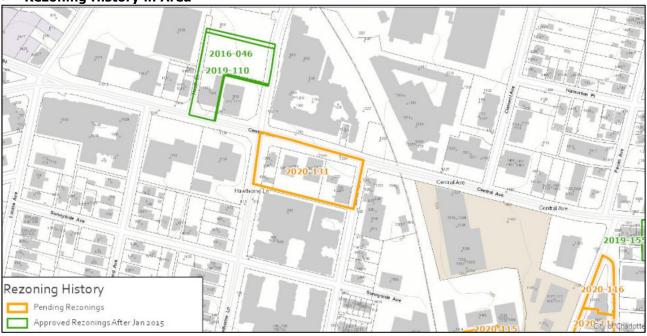


South are single family homes and multi-family residential development.



The rezoning site (denoted by blue star) is surrounded by a mix of residential and non-residential uses.





Petition Number	Summary of Petition	Status
2020-116	Rezone 0.58 acres from MUDD-O PED and B-2 PED to TOD-UC.	Pending
2020-115	Rezone 2 acres from B-2 PED to TOD-UC PED.	Pending
2019-155	Rezoned 0.18 acres from B-2 PED to B-2 PED(O).	Approved
2019-110	Rezoned 1.24 acres from MUDD-O PED to TOD-CC PED.	Approved
2016-046	Rezoned 1.24 acres from B-2 PED to MUDD-O PED.	Approved

Public Plans and Policies



 The Plaza-Central Pedscape Plan (2003) recommends Office Mixed-Use (office/multi-family greater than 12 units per acre/limited retail) for the subject parcels.

TRANSPORTATION CONSIDERATIONS

• The site is located on two major thoroughfare roads. Site plan review of ordinance requirements will occur during the land development permitting process since this is a conventional rezoning

request. Chapter 19 of the City Code may apply, requiring the developer to provide street improvements for their frontage.

• Active Projects:

- LYNX Silver Line Light Rail
 - 26-mile light rail from Town of Matthews, Uptown Charlotte, to City of Belmont/Gaston County
 - A shared use bicycle/pedestrian path adjacent to this alignment is also being planned as the Silver Line Rail Trail
 - This rezoning site is approximately 0.4 miles from the proposed Pecan Ave station and 0.5 miles from the proposed Central Ave station
 - o Currently in Pre-Project Development/Early Scoping, proposed opening in 2030
- LYNX Gold Line Phase Two Sunnyside Extension
 - This project will extend the Gold Line street car to a stop at Sunnyside Ave (approximately 350 feet from this rezoning site)
 - Currently under construction Estimated completion mid 2021
 - A future unfunded phase is proposed to extend further from Sunnyside Ave, crossing Central Ave along Hawthorne Ave and then turning south to Clement Ave to Central Ave where it would run east to Eastland Transit Center
- Cross Charlotte Trail 7th to 10th Street
 - This project will close a gap in the Little Sugar Creek Greenway along the I-277/US-74 interchange. A two-way cycle-track will also be constructed across the Central Ave bridge from 7th St. to/along Prospect St to Jackson Ave.
 - Currently under construction Estimated completion late 2021
- New traffic signal at Hawthorne Lane and Sunnyside Avenue Under Construction Estimated Completion late 2020
- Sunnyside Avenue Sidewalk install sidewalk on Sunnyside Ave from Louise Ave to Hawthorne Ln Under Construction Estimated Completion early 2020

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 2,160 trips per day (based on 22,134 square feet of retail).

Entitlement: 1,770 trips per day (based on 16,500 SF of retail).

Proposed Zoning: too many uses to determine (based on proposed TOD-CC)

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: See advisory comments at www.rezoning.org
- Charlotte Department of Solid Waste Services: No outstanding issues.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined. See advisory comments at www.rezoning.org.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Central Ave. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Central 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 comments submitted.

See Attachments (applications, department memos, maps etc.) 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: 1/19/2021

Agenda #: 20.File #: 15-14997 Type: Zoning Decision

Rezoning Petition: 2020-132 by 1124 Galloway, LLC

Location: Approximately 8.04 acres located on the north side of Galloway Road, east of Interstate 85, west of Interstate 485. (Council District 4 -Johnson)

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

Proposed Zoning: R-12 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

ZCZoning Committee

Rezoning Petition 2020-132

January 5, 2021

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

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

conditional)

LOCATION Approximately 8.04 acres located on the north side of Galloway

Road, east of Interstate 85, west of Interstate 485.

(Council District 4 - Johnson)

PETITIONER 1124 Galloway, 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 *Northeast Area Plan* (2000), based on the information from the staff analysis and the public hearing and because:

• The plan recommends office uses.

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

- This petition proposes up to 63 single family attached dwelling units, with a density of 7.8 dwelling units per acre (DUA).
- Even though this proposal is inconsistent with the *Northeast Area Plan* (2008) recommendation for Office use, it fulfills the area plan's recommendation of providing a mixture of land uses and a pedestrian-oriented environment.
- The petition will enhance the pedestrian environment by committing to orient the houses located on Galloway Road to face the street, establish a minimum 8-foot sidewalk and 8foot planting strip, and providing internal sidewalks and pedestrian connections as depicted on the site plan.

The approval of this petition will revise the adopted future land use as specified by the *Northeast Area Plan* (2008), from Office use to Residential up to 8 DUA for the site.

Motion/Second: Barbee / Nwasike

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

Samuel, and Welton

Nays: None Absent: None Petition 2020-132 (Page 2 of 2) Zoning Committee Recommendation

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





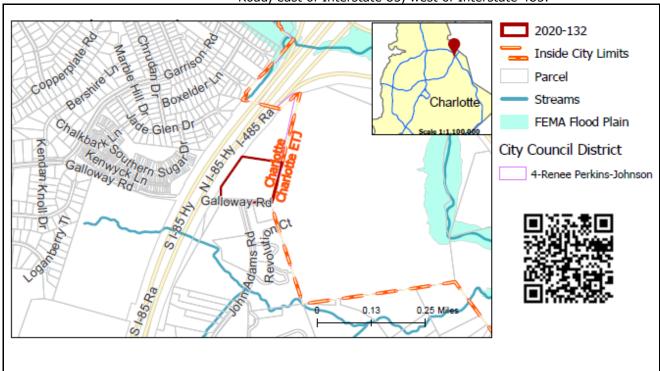
REQUEST Current Zoning: R-3 (single family residential)

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

conditional)

LOCATION Approximately 8.04 acres located on the north side of Galloway

Road, east of Interstate 85, west of Interstate 485.



SUMMARY OF PETITION

The petition proposes to develop a residential community with up to 63 single-family attached dwelling units (townhomes) with a density of 7.8 dwelling units per acre.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

Collin Brown, Alexander Ricks PLLC

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

STAFF	
RECOMMENDATION	

Staff recommends approval of this petition.

Plan Consistency

Ellen Julian Bayne

1124 Galloway, LLC

The petition is **inconsistent** with the *Northeast Area Plan (2000)* recommendation of Office use.

Rationale for Recommendation

- This petition proposes up to 63 single family attached dwelling units, with a density of 7.8 dwelling units per acre (DUA).
- Even though this proposal is inconsistent with the Northeast Area Plan (2008) recommendation for Office use, it fulfills the area plan's recommendation of providing a mixture of land uses and a pedestrian-oriented environment.

Petition 2020-132 (Page 2 of 6) Final Staff Analysis

 The petition will enhance the pedestrian environment by committing to orient the houses located on Galloway Road to face the street, establish a minimum 8-foot sidewalk and 8-foot planting strip, and providing internal sidewalks and pedestrian connections as depicted on the site plan.

The approval of this petition will revise the adopted future land use as specified by the *Northeast Area Plan (2008)*, from Office use to Residential up to 8 DUA for the site.

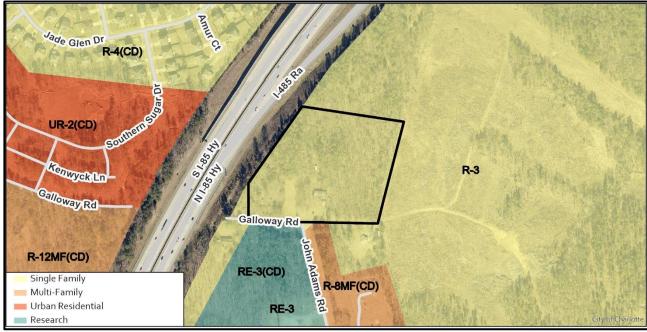
PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

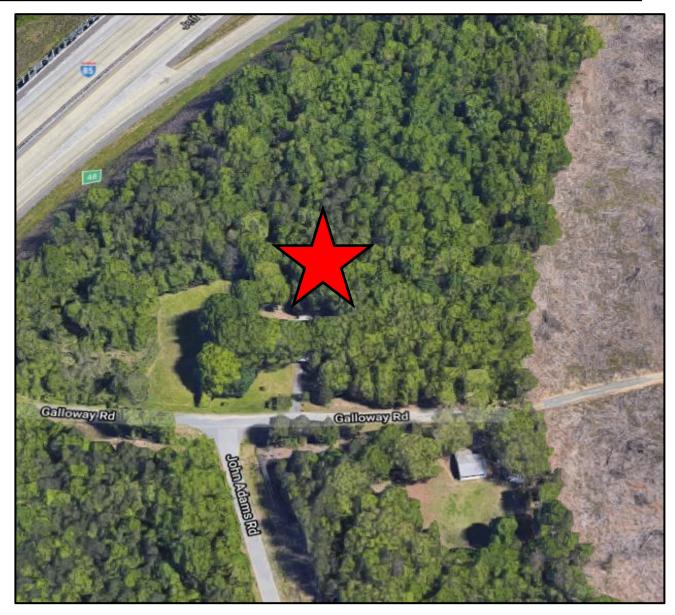
- Allows up to 63 townhomes.
- Provides an 8-foot sidewalk and 8-foot planting strip along Galloway Road.
- Provides internal sidewalks through the site.
- Commits to reserving 100-feet along I-85 and 75 feet along Galloway Road for a future I-85 bridge crossing.
- Commits to installing curb and gutter along Galloway Road frontage.
- Dedicates 36-feet of right-of-way from the centerline of Galloway Road.
- Provides a minimum 2,000 square-foot amenity area.
- Provides a 1-car garage for each unit.
- Architectural elements including:
 - Limits the maximum blank wall expanse to 20-feet on all buildings facing public streets.
 - Minimize the visual impact of garage doors by providing a set back 12 to 24-inches from the front wall or other architectural treatments.

• Existing Zoning and Land Use



The subject property is zoned R-3. The surrounding land uses include single-family homes, multi-family apartments and vacant land.

Petition 2020-132 (Page 3 of 6) Final Staff Analysis



The subject property denoted with red star.



The property to the south along John Adams Road is developed with a single-family home and vacant land.

Petition 2020-132 (Page 4 of 6) Final Staff Analysis



The property to the east along Galloway Road is undeveloped.

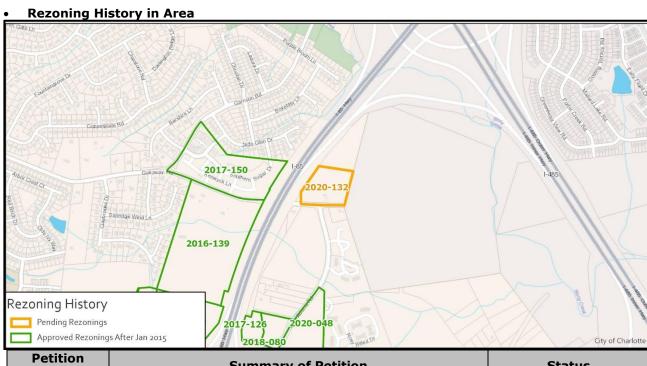


The property is bordered by Interstate 85 to the west.



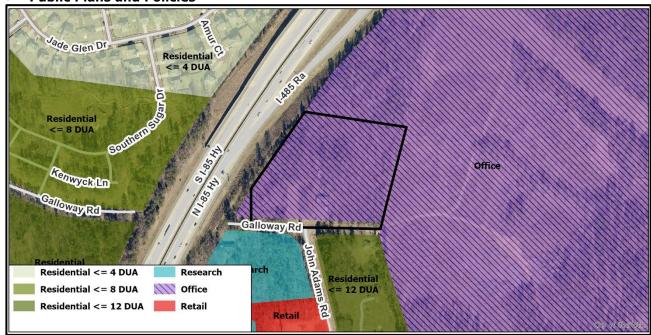
The property to the north is undeveloped.

Petition 2020-132 (Page 5 of 6) Final Staff Analysis



Petition Number	Summary of Petition	Status
2016-139	Rezoned 65.7 acres to allow up to 395 multi-family units and up to 160,000 square-feet of uses as allowed in the MUDD zoning district.	Approved
2017-126	Rezoned 2.50 acres to allow all uses permitted in the B-1 Zoning district.	Approved
2017-150	Rezoned 20.6 acres to allow 137 for-sale townhomes.	Approved
2018-080	Rezoned 3.22 acres to allow all uses permitted in the office zoning district.	Approved
2020-048	Rezoned 24.6 acres to allow up to 366 multi-family dwelling units, 56 townhomes, and up to 10,000 square-feet of office and commercial uses.	Approved

• Public Plans and Policies



• The Northeast Area Plan (2008) calls for Office uses.

Petition 2020-132 (Page 6 of 6) Final Staff Analysis

TRANSPORTATION SUMMARY

The site is located on Galloway Road, a City-maintained local road, near the I-485 and I-85 Interchange. The project proposes 63 townhome units and the petitioner is proposing multiple transportation improvements, including reserving 100 feet along I-85 and 75 feet along Galloway Road for a future I-85 bridge crossing. This reservation is in alignment with other rezoning petitions (2016-139 and 2017-150). The petitioner has agreed to bring existing Galloway Road up to City standards, along the site's frontage, and provide a pedestrian network that complies with the Charlotte WALKS Policy.

Active Projects:

- I-485 Northeast Interchange Improvements
 - State project number: NCDOT TIP # I-6012
 - o Interchange improvements include ramp widening and merge enhancements
 - o Right-of-way acquisition is scheduled for 2025 / Construction 2026
- Transportation Considerations
 - No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

Existing Use: 1 trip per day (based on 1 single family swelling unit). Entitlement: 280 trips per day (based on 24 single family homes). Proposed Zoning: 440 trips per day (based on 63 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

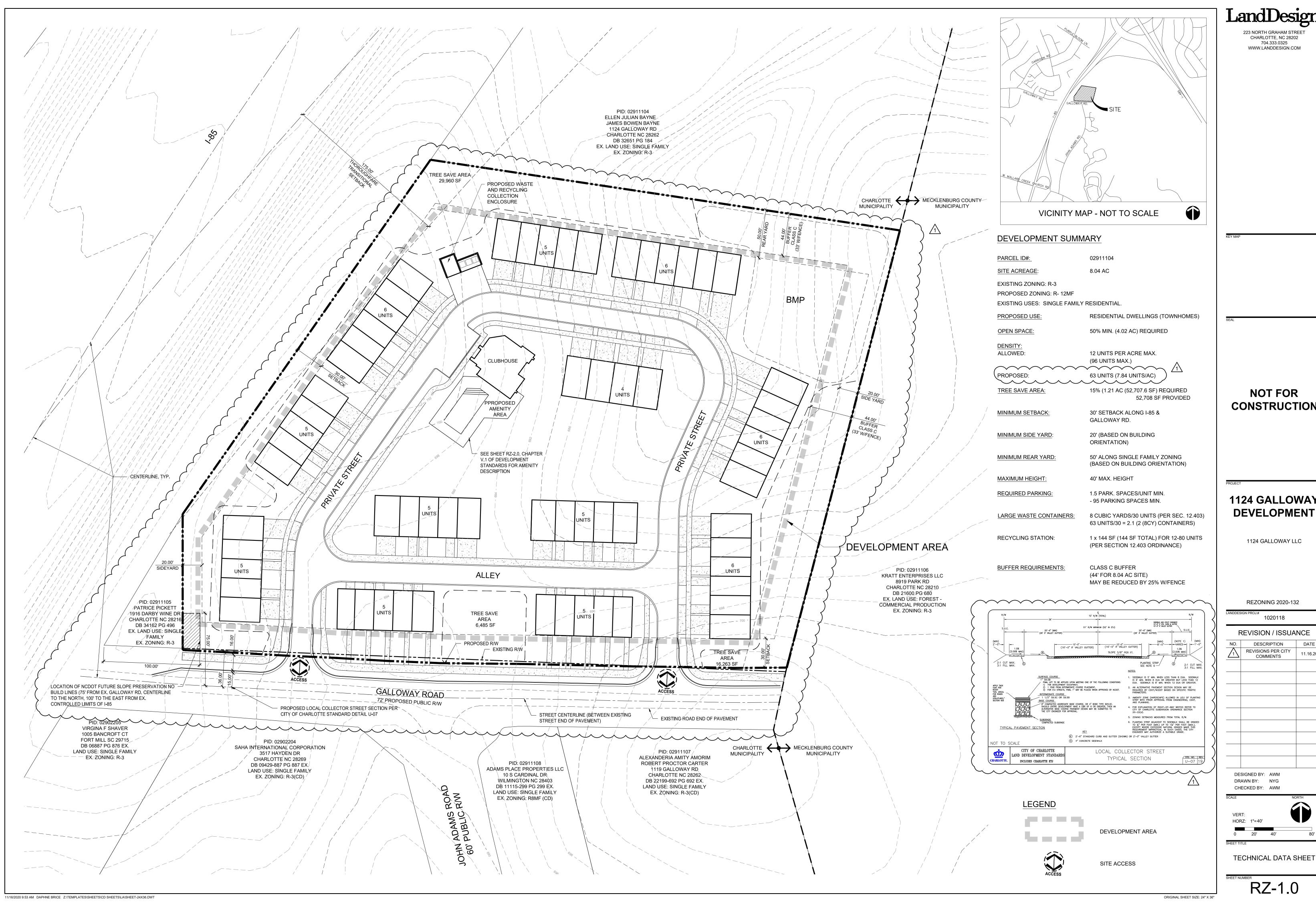
- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services: No outstanding issues.
- Charlotte Department of Solid Waste Services: See advisory comments at www.rezoning.org
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate 11 students, while the development allowed under the proposed zoning may produce 12 students. Therefore, the net increase 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:
 - Stoney Creek Elementary remains at 110%
 - James Martin Middle remains at 74%
 - Zebulon Vance High remains at 129%
- Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 2-inch water distribution main located along Galloway Road. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 600 feet south of the rezoning boundary on John Adams Road. A developer donated project will be required in cases there is not direct service. 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: Michael Russell (704) 353-0225



CONSTRUCTION

1124 GALLOWAY

REVISION / ISSUANCE 11.16.20

1124 GALLOWAY LLC REZONING PETITION NO. 2020-132 DEVELOPMENT STANDARDS 11/13/2020

DEVELOPMENT DATA TABLE:

SITE AREA: +/- 8.04 ACRES

TAX PARCELS: 029-111-04

EXISTING ZONING: R-3

PROPOSED ZONING: R-12(CD)

EXISTING USE: VACANT

PROPOSED USES: UP TO 63 SINGLE-FAMILY ATTACHED (TOWNHOME) DWELLING UNITS

MAXIMUM BUILDING HEIGHT: UP TO FORTY (40) FEET, AS MEASURED PER THE ORDINANCE

PARKING: SHALL 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 1124 GALLOWAY LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A SINGLE-FAMILY ATTACHED (TOWNHOME) RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 8.04-ACRE SITE LOCATED NORTH OF GALLOWAY ROAD, EAST OF INTERSTATE-85, AND NORTH OF JOHN ADAMS ROAD, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBER 029-111-04.

- 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 REZONING FOR THE R-12 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- 4. THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE 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 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 SIXTY THREE (63) SINGLE-FAMILY ATTACHED DWELLING UNITS AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE PERMITTED IN THE R-12 ZONING DISTRICT.

III.TRANSPORTATION(& STREETSCAPE)

- 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).
- 2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PUBLIC AND/OR PRIVATE STREETS, AND MINOR ADJUSTMENTS TO THE LOCATION OF THESE STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS IN COORDINATION WITH CDOT.
- 3. PETITIONER SHALL RESERVE ONE HUNDRED (100) FEET TO THE EAST OF THE EXISTING CONTROLLED ACCESS LIMITS OF I-85 AND SEVENTY-FIVE (75) FEET TO THE NORTH OF EXISTING GALLOWAY ROAD CENTERLINE TO ESTABLISH A SLOPE PRESERVATION FOR A FUTURE I-85 BRIDGE CROSSING.
- 4. PETITIONER SHALL INSTALL CURB AND GUTTER FIFTEEN (15) FEET FROM THE ROAD CENTERLINE OF THE SITE'S FRONTAGE OF GALLOWAY ROAD, TO BE CONSTRUCTED TO CHARLOTTE LAND DEVELOPMENT STANDARDS MANUAL STD. NO. U-07 LOCAL COLLECTOR STREET TYPICAL SECTION, AS COORDINATED WITH CDOT
- 5. PETITIONER SHALL DEDICATE THIRTY SIX (36) FEET OF RIGHT-OF-WAY FROM THE ROAD CENTERLINE OF GALLOWAY ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN.
- 6. PETITIONER SHALL CONSTRUCT A MINIMUM EIGHT (8) FOOT WIDE SIDEWALK AND EIGHT (8) FOOT WIDE PLANTING STRIP ALONG THE SITE'S FRONTAGE OF GALLOWAY ROAD, AS GENERALLY DEPICTED ON THE REZONING PLAN.
- 7. PETITIONER SHALL PROVIDE INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.
- 8. PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY WHERE NECESSARY, IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY.
- 9. UNLESS STATED OTHERWISE HEREIN, THE PETITIONER SHALL ENSURE THAT ALL TRANSPORTATION IMPROVEMENTS ARE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY.

IV. ARCHITECTURAL STANDARDS

- 1. ROOF OVERHANGS, EAVES, CORNICES, CHIMNEYS, GUTTERS, VENTS, BAY WINDOWS, PILASTERS, PILLARS, OPEN PORCHES (IF PROVIDED), AND OTHER ARCHITECTURAL ELEMENTS MAY PROJECT UP TO TWENTY-FOUR (24) INCHES INTO THE REQUIRED SETBACKS AND YARDS.
- 2. FOR ALL UNITS, PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO TWENTY (20) FEET) ON ALL BUILDING LEVELS FACING PUBLIC STREETS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, MATERIAL OR COLOR CHANGES, AND/OR ENHANCEMENTS. PORCHES AND OVERHANGS SHALL NOT BE USED IN CALCULATING THE TWENTY (20) FOOT) EXPANSES.
- 3. ALL TOWNHOME UNITS SHALL BE PROVIDED WITH A GARAGE FOR A MINIMUM OF ONE (1) CAR.



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

4. GARAGE DOORS VISIBLE FROM PUBLIC OR PRIVATE STREETS WILL MINIMIZE THE VISUAL IMPACT BY EITHER PROVIDING A SETBACK OF TWELVE (12) TO TWENTY FOUR (24) INCHES FROM THE FRONT WALL PLAN OR WILL CONTAIN ADDITIONAL ARCHITECTURAL TREATMENTS SUCH AS TRANSLUCENT WINDOWS, PROJECTING ELEMENTS OVER THE GARAGE DOOR OPENING, OR TRANSPARENT GARAGE DOORS.

5. REFUSE COLLECTION THROUGHOUT THE SITE SHALL BE IN THE FORM OF ROLL-OUT CONTAINERS. SERVICE

DUMPSTER LOCATIONS ARE RESERVED ON THE REZONING PLAN, HOWEVER, CONSTRUCTION OF SUCH

DUMPSTER PADS SHALL NOT BE REQUIRED IN THE EVENT THAT PRIVATE TRASH COLLECTION IS UTILIZED FOR

6. THE PETITIONER MAY SUBDIVIDE THE SITE AND CREATE LOTS WITHIN THE SITE WITH NO SIDE OR REAR YARDS AS PART OF A UNIFIED DEVELOPMENT PLAN.

V. AMENITIES V. AMENITIES

THE ENTIRE SITE.

1. THE PETITIONER WILL PROVIDE A MINIMUM 2,000 SQUARE FOOT AMENITY AREA, AS GENERALLY DEPICTED ON THE REZONING PLAN, TO INCLUDE A MINIMUM OF TWO (2) OF THE FOLLOWING AMENITIES: POOL, CLUBHOUSE, MAIL KIOSK, PACKAGE ROOM, GRILLS, COMMUNITY GARDEN, SEATING AREA, GYM, CABANA, DOG PARK, PICNIC TABLES, BENCHES, AND/OR ENHANCED LANDSCAPING.

VI. ENVIRONMENTAL FEATURES

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. (TREES LOCATED IN THE STREET RIGHT-OF-WAY MUST BE PRESERVED.

VII. LIGHTING

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE GREATER THAN TWENTY ONE (21) FEET IN TOTAL HEIGHT (I.E., EXCLUDING DECORATIVE LIGHTING LESS THAN 21' IN HEIGHT THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS PEDESTRIAN/LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED.

VIII. 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.

NOT FOR CONSTRUCTION

1124 GALLOWAY DEVELOPMENT

1124 GALLOWAY LLC

1020118	
REVISION / ISSU	JANCE
DESCRIPTION	DATE
REVISIONS PER CITY COMMENTS	11.16.20
SIGNED BY: AWM	1
	DESCRIPTION REVISIONS PER CITY COMMENTS SIGNED BY: AWM

VERT: HORZ: 1"=40' 0 20' 40'

REZONING DEVELOPMENT NOTES

RZ-2.0



City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 21.File #: 15-14998 Type: Zoning Decision

Rezoning Petition: 2020-136 by Scaffolding Solutions

Location: Approximately 8.95 acres located along the south side of W.T. Harris Boulevard, east of Old

Statesville Road, and south of David Cox Road. (Council District 2 - Graham)

Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2 (CD) (general industrial)

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 2020-136

January 5, 2021

Zoning Committee

REQUEST Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2(CD) (general industrial)

LOCATION Approximately 8.95 acres located along the south side of W.T.

Harris Boulevard, east of Old Statesville Road, and south of

David Cox Road.

(Council District 2 - Graham)

PETITIONER Scaffolding Solutions

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* (2000), based on the information from the staff analysis and the public hearing and because:

• The plan recommends industrial uses.

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

- The area plan recommends industrial uses for this site.
- This site is surrounded by industrially-zoned land, meaning the proposed use of an equipment rental business for this site would be compatible with the adjacent uses.
- This petition commits to complying with all city ordinance requirements and to installing or preserving a landscape screen along the front of the site to screen outdoor storage.

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.

There was no further discussion of this petition.

PLANNER Michael Russell (704) 353-0225





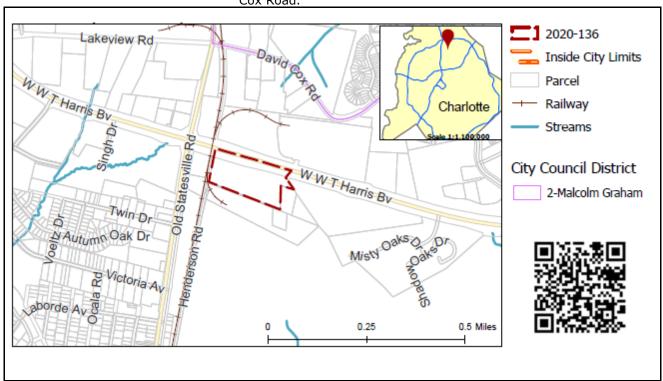
REQUEST Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2(CD) (general industrial)

LOCATION Approximately 8.95 acres located along the south side of W.T.

Harris Boulevard, east of Old Statesville Road, and south of David

Cox Road.



SUMMARY OF PETITION

The petition proposes to allow development of an equipment rental business and for a contractor's office and storage yard.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE Scaffolding Solutions Holly Springs Realty, LLC Walter Fields, Walter Fields Group

COMMUNITY MEETING

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

STAFF	Staff recommends approval of this petition.		
RECOMMENDATION	<u>Plan Consistency</u>		

This petition is **consistent** with the *Northeast District Plan* (2000) recommendation of industrial use.

Rationale for Recommendation

- The area plan recommends industrial uses for this site.
- This site is surrounded by industrially-zoned land, meaning the proposed use of an equipment rental business for this site would be compatible with the adjacent uses.
- This petition commits to complying with all city ordinance requirements and to installing or preserving a landscape screen along the front of the site to screen outdoor storage.

Petition 2020-136 (Page 2 of 6) Final Staff Analysis

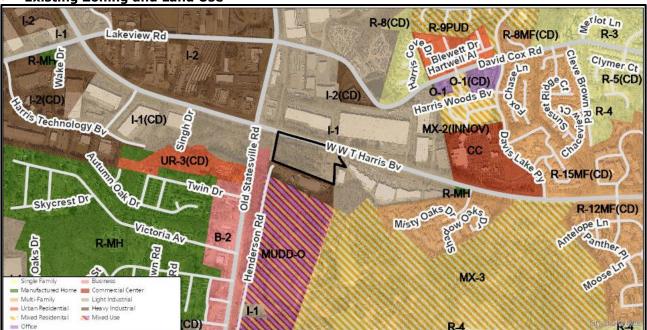
PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Limits uses to those allowed in the I-1 zoning district as well as a contractor's office and outdoor storage.
- Commits to maintain the landscape screening along West W.T. Harris.
- Provides an eastbound right turn lane on W.T. Harris Boulevard.
- Access is provided by an existing private drive off W.T. Harris Boulevard.

Existing Zoning and Land Use



The site is currently zoned for light industrial. The surrounding land uses include warehouses, offices, and retail uses.

Petition 2020-136 (Page 3 of 6) Final Staff Analysis



The subject property denoted by red star.



The property to the north along W.T. Harris Boulevard is developed with warehouse and office uses.

Petition 2020-136 (Page 4 of 6) Final Staff Analysis



The property to the south along Henderson Road is developed with a building materials warehouse and storage yard.



The property to the east along W.T. Harris Boulevard is developed with office uses.

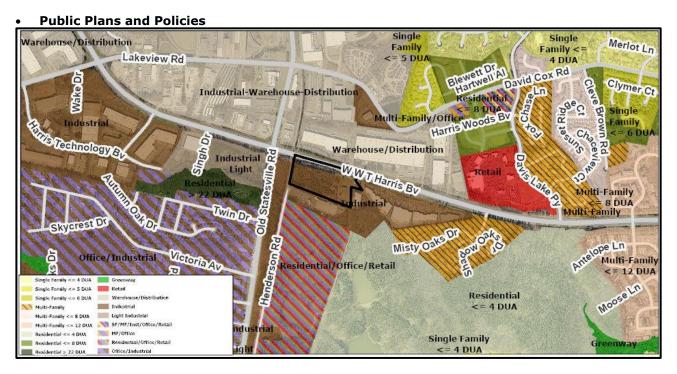


The property to the west along Old Statesville Road is undeveloped.

Petition 2020-136 (Page 5 of 6) Final Staff Analysis



Petition Number	Summary of Petition	Status
2015-107	Rezoned 12.99 acres to allow up to 103 townhomes.	Approved
2016-083	Rezoned 15.38 acres to allow up to 120 townhomes.	Approved
2018-092	Rezoned 14.5 acres to allow up to 280 apartments.	Approved



• The Northeast District Plan (1996) calls for industrial uses on this site.

Petition 2020-136 (Page 6 of 6) Final Staff Analysis

TRANSPORTATION SUMMARY

The site is located on a State-maintained, limited access arterial road. Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to clarifying the commitment to construct a right-turn lane on WT Harris Boulevard and reserving an easement for a future a 12-foot shared-use path. The petitioner has committed to construct a right-turn lane on WT Harris Boulevard and relocate the proposed vehicular access to accommodate NCDOT driveway stem length requirements.

Active Projects:

- o Old Statesville Rd (NC 115) Widening
- State project number: NCDOT TIP # U-5772
- o This project will widen NC 115's travel lanes from WT Harris Boulevard to I-485.
- o Right-of-way acquisition is scheduled 2029 / construction 2031

• Transportation Considerations

• See Outstanding Issues, Notes 1-2. Addressed

Vehicle Trip Generation:

Current Zoning:

Existing Use: 60 trips per day (based on 6,720 square-feet of warehouse uses). Entitlement: 175 trips per day (based on 80,950 square-feet of warehouse uses). Proposed Zoning: 260 trips per day (based on 134,250 square-feet of warehouse uses).

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No outstanding issues.
- Charlotte Department of Solid Waste Services: No outstanding issues.
- Charlotte Fire Department: See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** 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 WT Harris Boulevard. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along WT Harris Boulevard. 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:** See Outstanding Issues, Note 3. Addressed
- Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

OUTSTANDING ISSUES

<u>Transportation</u>

- 1.—Site plan and conditional note(s) revisions are needed to plan for future bicycle facilities by reserving an easement for a future 12-foot shared use path to meet the City of Charlotte BIKES Policy. The shared use path needs to be installed outside of the WT Harris controlled access limits, per NCDOT, and contained within a sidewalk utility easement, installed 2-feet back of shared use path. Addressed
- 2.—Conditional note Section 4.f. needs to be revised to remove "If required to do so by NCDOT."

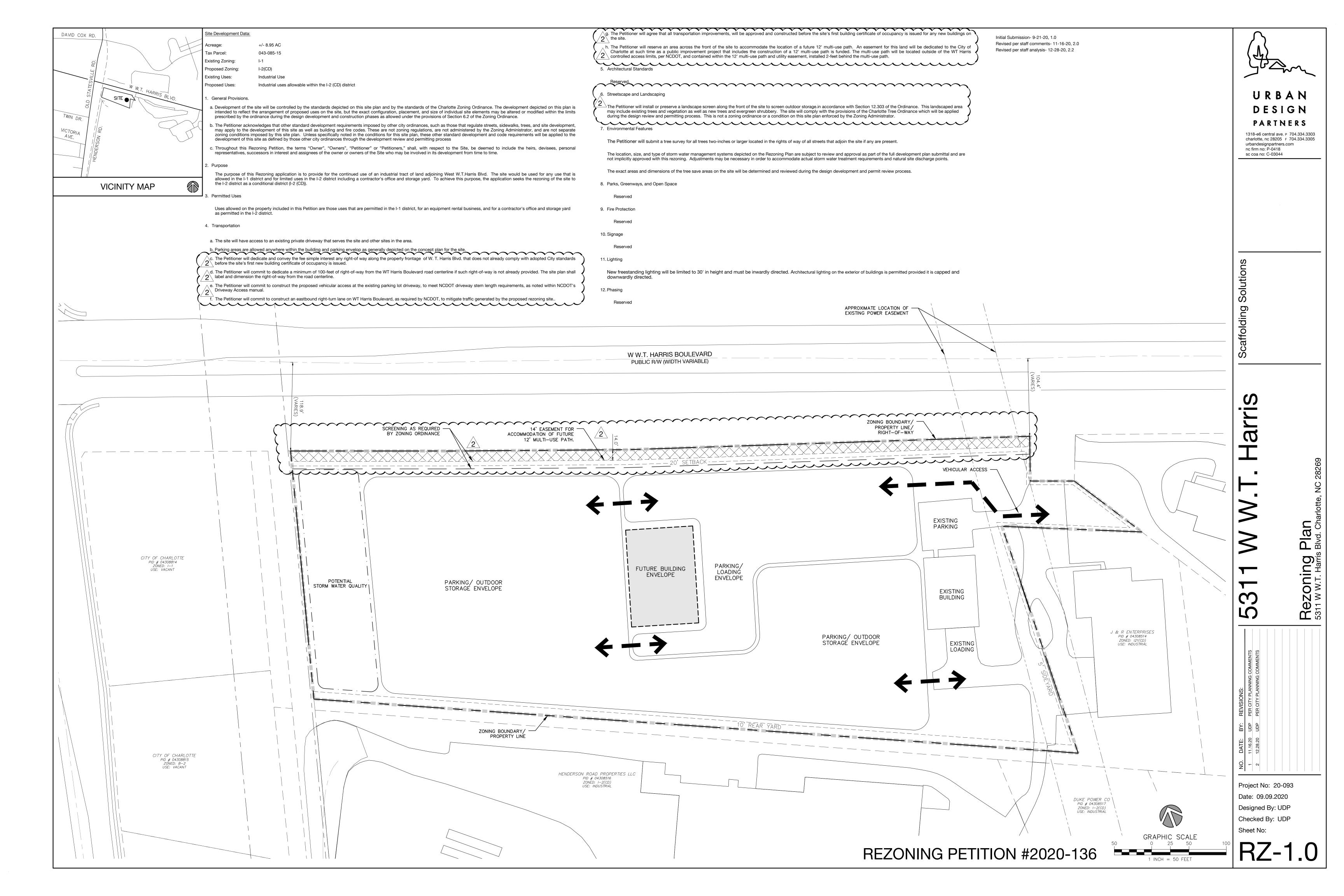
 Addressed

Environment

3. Add note: Site will comply with the City of Charlotte Tree Ordinance. Addressed

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: 1/19/2021

Agenda #: 22.File #: 15-14999 Type: Zoning Decision

Rezoning Petition: 2020-138 by Rosemary Burt

Location: Approximately 0.472 acres located along the south side of Rutgers Avenue, the east side of

Ligustrum Street, and west of Sugar Creek Road. (Council District 1 - Egleston)

Current Zoning: R-4 (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

ZCZoning Committee

Rezoning Petition 2020-138

January 5, 2021

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

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

LOCATION Approximately 0.472 acres located along the south side of

Rutgers Avenue, the east side of Ligustrum Street, and west of

Sugar Creek Road.

(Council District 1 - Egleston)

PETITIONER Rosemary Burt

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* (1993) land use designation of single family residential up to 4 dwelling units per acre, but **consistent** with the *General Development Policies*, which supports the requested residential density up to 12 dwelling units per acre based on the information from the staff analysis and the public hearing, and because:

- The plan recommends single family residential up to 4 dwelling units per acre.
- The petition meets the *General Development Policies* locational criteria for consideration of up to 12 dwellings per acre.

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

- This petition proposes to construct an additional duplex on the site, for a total of four dwelling units and a density of 8.4 dwelling units per acre (DUA).
- The General Development Policies (GDP) provide policy guidance for evaluating proposed residential densities greater than four units per acre. The petition's request for residential up to 12 DUA is much less dense than the General Development Policies support of up to 17 dwelling units per acre.
- The construction of an additional duplex in this area is appropriate for the character of the neighborhood, as several other duplexes are present along Ligustrum street.

 While inconsistent with the Central Area Plan recommendation of single-family residential up to 4 DUA, this petition is appropriate in fulfilling the area plan's goals to increase the supply compatible infill housing, especially in vacant and underutilized properties.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from Single Family Residential up to 4 DUA to Residential up to 12 DUA for the site.

Motion/Second: Kelly / 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 inconsistent with the *Central District Plan* (1993) land use designation of single family residential up to 4 DUA, but consistent with the *General Development Policies*, which supports the requested residential density up to 12 DUA.

There was no further discussion of this petition.

PLANNER

Michael Russell (704) 353-0225





LOCATION

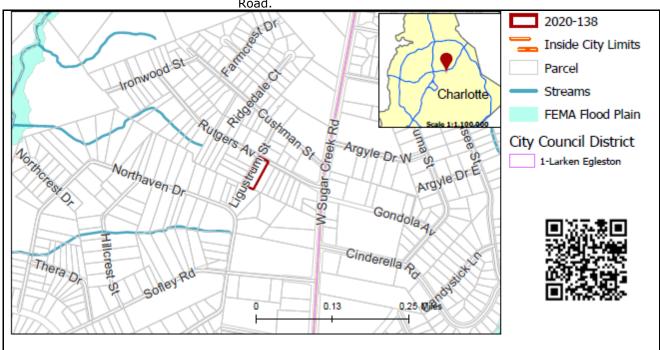
REQUEST

Current Zoning: R-4 (single family residential)

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

Approximately 0.472 acres located along the south side of Rutgers Avenue, the east side of Ligustrum Street, and west of Sugar Creek

Road.



SUMMARY OF PETITION

The petition proposes redevelopment of the site to allow a new duplex and the retention of an existing duplex with a density of 8.4 dwelling units per acre.

PROPERTY OWNER PETITIONER

AGENT/REPRESENTATIVE

COMMUNITY MEETING

Nevins Holdings Group, LC

Rosemary Burt Rosemary Burt

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

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the Central District Plan (1993) land use designation of single family residential up to 4 dwelling units per acre, but **consistent** with the *General Development Policies*, which supports the requested residential density up to 12 dwelling units per acre.

Rationale for Recommendation

- This petition proposes to construct an additional duplex on the site, for a total of four dwelling units and a density of 8.4 dwelling units per acre (DUA).
- The General Development Policies (GDP) provide policy guidance for evaluating proposed residential densities greater than four

Petition 2020-138 (Page 2 of 7) Final Staff Analysis

units per acre. The petition's request for residential up to 12 DUA is much less dense than the General Development Policies support of up to 17 dwelling units per acre.

- The construction of an additional duplex in this area is appropriate for the character of the neighborhood, as several other duplexes are present along Ligustrum street.
- While inconsistent with the Central Area Plan recommendation of single-family residential up to 4 DUA, this petition is appropriate in fulfilling the area plan's goals to increase the supply compatible infill housing, especially in vacant and underutilized properties.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from Single Family Residential up to 4 DUA to Residential up to 12 DUA for the site.

PLANNING STAFF REVIEW

• Proposed Request Details

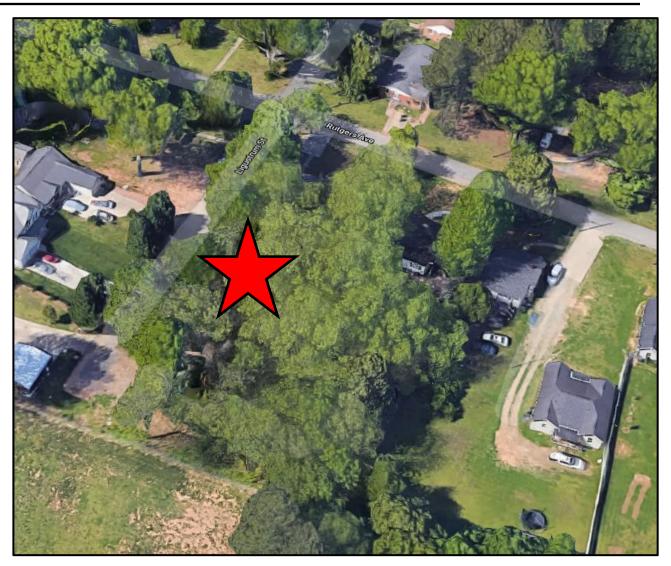
The site plan accompanying this petition contains the following provisions:

- Allows construction of a new duplex and retains the existing duplex for a total of 4 units.
- Commits to a 6-foot side walk along Ligustrum Street and Rutgers Avenue.
- Commits to an 8-foot planting strip on Rutgers Avenue and Ligustrum Street.
- Dedicates right-of-way along Ligustrum Street.
- Provides a privacy fence for a portion of the eastern property line.
- Provides a vegetative screen between the two duplexes.



The subject property contains an existing duplex. The surrounding land uses include single family dwelling units and multi-family dwelling units.

Petition 2020-138 (Page 3 of 7) Final Staff Analysis

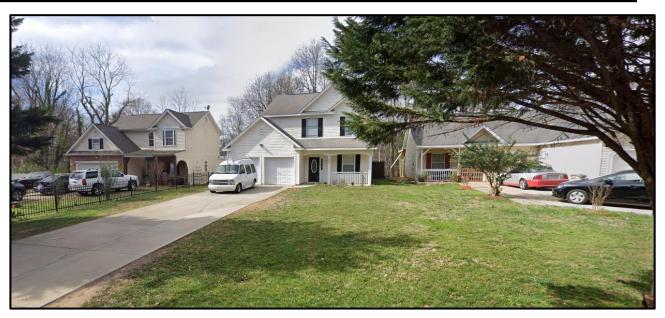


The subject property denoted with a red star.



The existing duplex.

Petition 2020-138 (Page 4 of 7) Final Staff Analysis



The property to the west along Ligustrum Street is developed with single-family homes.

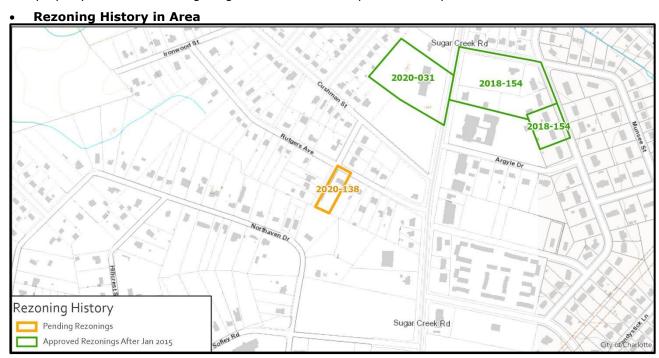


The property to the east along Rutgers Avenue is developed with a single-family home.

Petition 2020-138 (Page 5 of 7) Final Staff Analysis



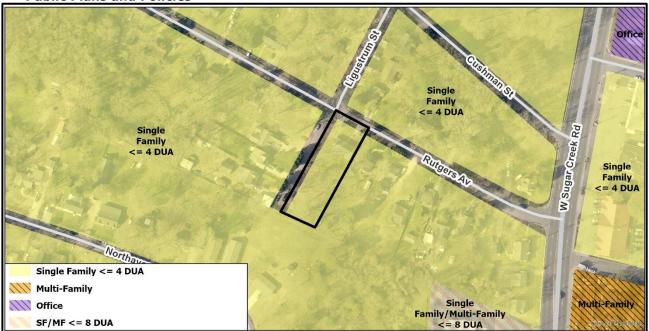
The property to the north along Rutgers Avenue is developed with a duplex.



Petition Number	Summary of Petition	Status
2018-154	Rezoned 4.48 acres to allow up to 50 multi-family dwelling units and retention of an existing single-family dwelling unit for reuse as a civic facility.	Approved
2020-031	Rezoned 3.1 acres to allow all uses permitted in the Institutional zoning district.	Approved

Petition 2020-138 (Page 6 of 7) Final Staff Analysis

Public Plans and Policies



- The Central District Plan (1993) calls for Single Family Residential up to 4 DUA 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 12 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 12 dua
Meeting with Staff	1
Sewer and Water Availability	3
Land Use Accessibility	3
Connectivity Analysis	2
Road Network Evaluation	1
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 14

TRANSPORTATION SUMMARY

The site is located adjacent to Rutgers Avenue (City-maintained, local street) and Ligustrum Street (City-maintained, local street). Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to providing an 8-foot minimum planting strip along Rutgers Avenue and Ligustrum Street and providing two accessible ramps at the intersection of Rutgers Avenue and Ligustrum Street to meet accessibility requirements.

• Active Projects:

- There are no active projects in the immediate area.
- Transportation Considerations
 - See Outstanding Issues, Notes 1-4. Addressed
- Vehicle Trip Generation:

Current Zoning:

Existing Use: 15 trips per day (based on 1 duplex). Entitlement: 15 trips per day (based on 1 duplex). Proposed Zoning: 30 trips per day (based on 2 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: No outstanding issues.

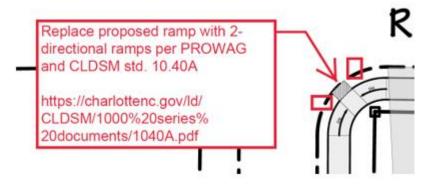
Petition 2020-138 (Page 7 of 7) Final Staff Analysis

- Charlotte Fire Department: See advisory comments at www.rezoning.org
- Charlotte-Mecklenburg Schools: The development allowed under the existing zoning could generate zero students, while the development allowed under the proposed zoning may produce zero 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:
 - Highland Renaissance Academy remains at 74%.
 - Martin Luther King, Jr. remains at 98%.
 - Garinger High remains at 122%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Rutgers Ave. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Rutgers Ave. 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 Outstanding Issues, Note 5. Addressed
- Mecklenburg County Land Use and Environmental Services Agency: No outstanding issues.
- Mecklenburg County Parks and Recreation Department: No outstanding issues.

OUTSTANDING ISSUES

Transportation

- 1.—Revise site plan and conditional note(s) to commit to construct an 8 foot planting strip, on Rutgers Avenue and Ligustrum Street, per Chapter 19 of the City Code and required within Chapter 9 of the Zoning Ordinance.
- 2.—Add site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2 feet behind back of sidewalk where feasible. Addressed
- 3. Add site plan note specifying that 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
- 4.—Revise site plan and conditional note(s) to commit to providing two accessible ramps at the intersection corner of Rutgers Avenue and Ligustrum Street. Addressed



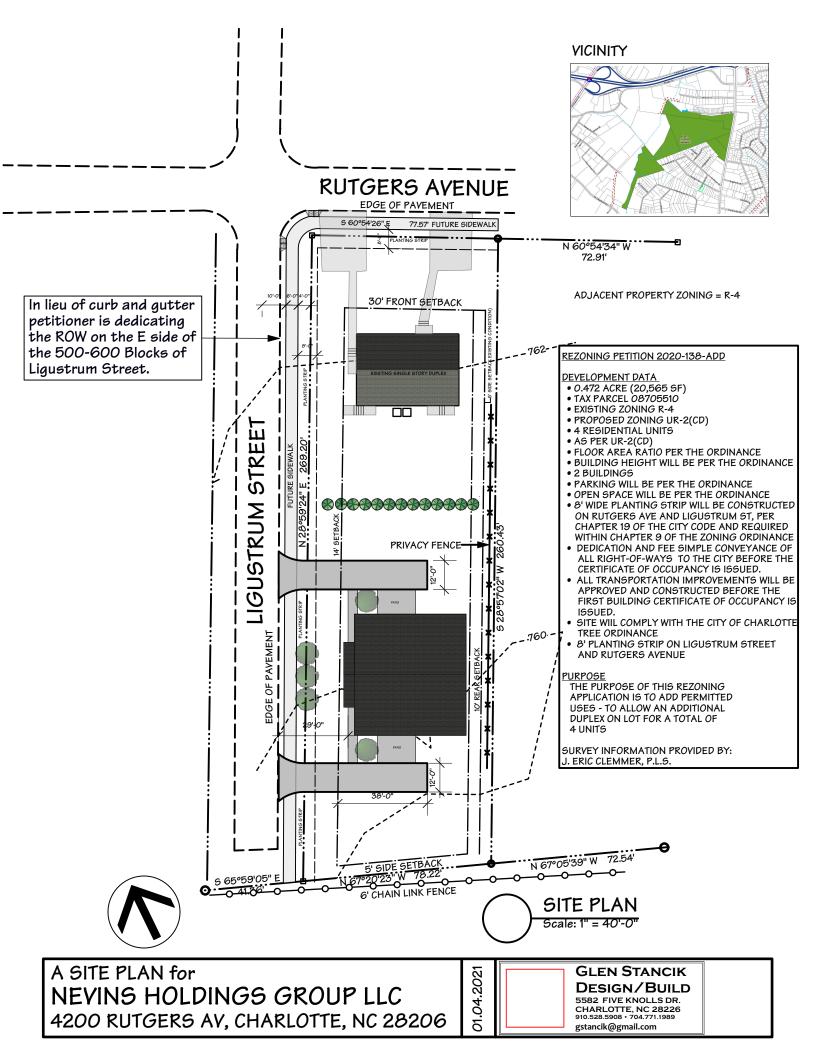
REQUESTED TECHNICAL REVISIONS

Environment

5. Add note that site must comply with the City of Charlotte tree Ordinance. Addressed

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: 1/19/2021

Agenda #: 23.File #: 15-15000 Type: Zoning Decision

Rezoning Petition: 2020-139 by Red Cedar Capital Partners

Location: Approximately 12.89 acres located along the west side of Browne Road, east of Sweetbriar Ridge Drive, and north of Hucks Road. (ETJ; Closest to District 4 -Johnson)

Current Zoning: R-3 (single-family residential) **Proposed Zoning:** R-4 (single-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 2020-139

January 5, 2021

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

Proposed Zoning: R-4 (single family residential)

LOCATION Approximately 12.89 acres located along the west side of

Browne Road, east of Sweetbriar Ridge Drive, and north of

Hucks Road.

(Council District 4 - Johnson) Red Cedar Capital Partners

PETITIONER Red

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 *Prosperity Hucks Area Plan (2015)*, 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.

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 plan recommends residential uses up to 4 dwelling units per acre (DUA) on this site.
- The parcels to west of the site are zoned R-4(CD) with singlefamily homes.
- Zoning this site to R-4 is in keeping with the intended lowerdensity residential character for this area.

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 consistent with the adopted area plan.

There was no further discussion of this petition.

PLANNER Michael Russell (704) 353-0225



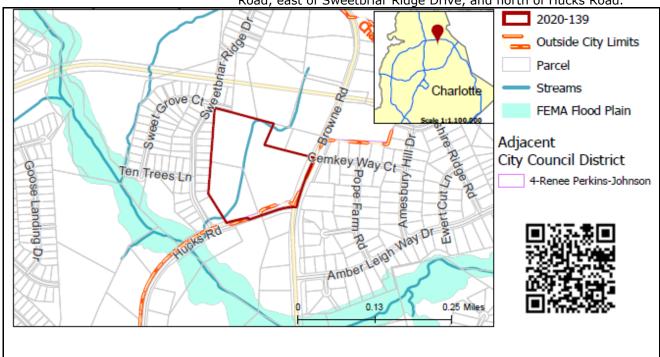


REQUEST

Current Zoning: R-3 (single family residential) Proposed Zoning: R-4 (single family residential)

LOCATION

Approximately 12.89 acres located along the west side of Browne Road, east of Sweetbriar Ridge Drive, and north of Hucks Road.



SUMMARY OF PETITION

The petition proposes to allow all uses in the R-4 zoning district.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Marcia L. Allen, Kenneth and Jean Helms Red Cedar Capital Partners Collin Brown, Alexander Ricks, PLLC

COMMUNITY MEETING Meeting is not required.

STAFF	Staff recommends approval of this petition.
RECOMMENDATION	<u>Plan Consistency</u> The petition is consistent with the <i>Prosperity Hucks Area Plan (2015)</i> recommendation of residential up to 4 dwelling units per acre (DUA).
	 Rationale for Recommendation This plan recommends residential uses up to 4 dwelling units per acre (DUA) on this site. The parcels to west of the site are zoned R-4(CD) with single-family homes. Zoning this site to R-4 is in keeping with the intended lower-density residential character for this area.

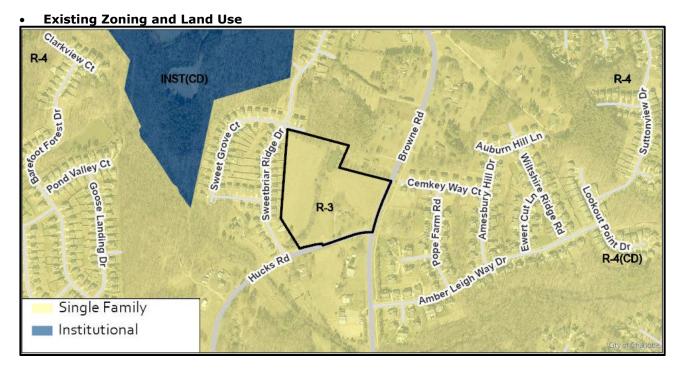
PLANNING STAFF REVIEW

Proposed Request Details

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

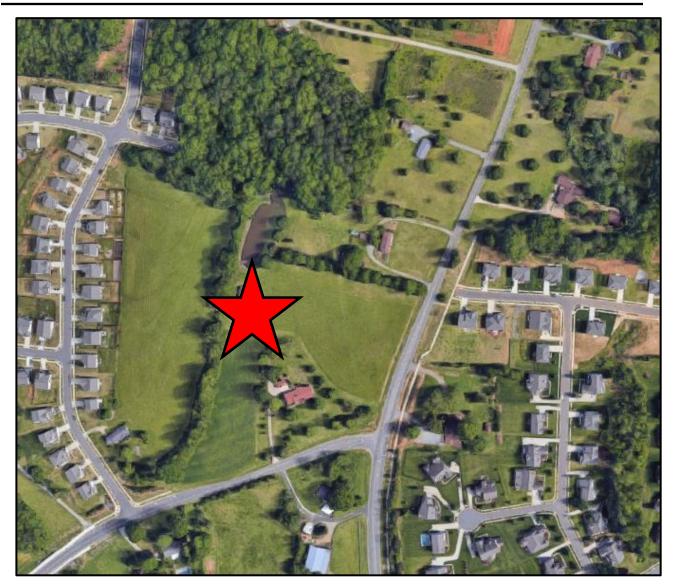
• The proposal would allow all uses in the R-4 zoning district.

Petition 2020-139 (Page 2 of 6) Final Staff Analysis



The site is zoned R-3. The surrounding land use is single-family residential.

Petition 2020-139 (Page 3 of 6) Final Staff Analysis



The subject property denoted by red star.



The property to the north along Browne Road is developed with large lot single family residential homes.

Petition 2020-139 (Page 4 of 6) Final Staff Analysis



The property to the south along Hucks Road is developed with large lot single family residential homes.

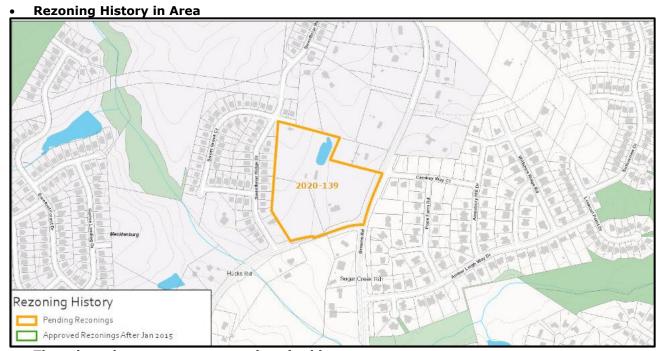


The property to the west along Sweetbriar Ridge Drive is developed with single family homes.

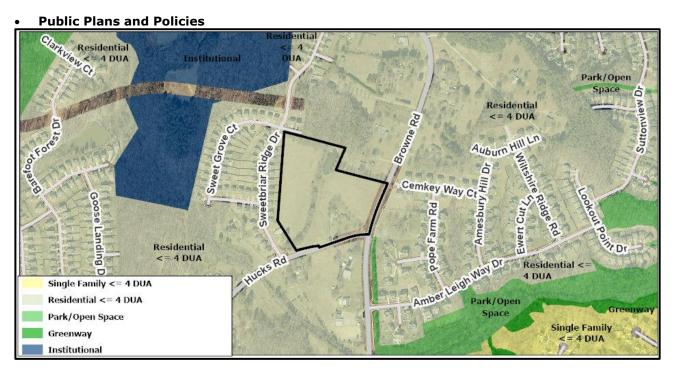


The property to the east along Cemkey Way Court is developed with single family homes.

Petition 2020-139 (Page 5 of 6) Final Staff Analysis



There have been no recent rezonings in this area.



• The Prosperity Hucks Area Plan (2015) calls for residential uses up to 4 DUA.

Petition 2020-139 (Page 6 of 6) Final Staff Analysis

TRANSPORTATION SUMMARY

o The site is located adjacent to Hucks Road (City-maintained, major thoroughfare) and Browne Road (State-maintained, major thoroughfare). Site plan review of ordinance requirements will occur during the land development permitting process, since this is a conventional rezoning request. Chapter 19 of the City Code may apply and require the developer to construct the curb at the future location: 30-feet from the centerlines of Hucks Road and Browne Road. During permitting, CDOT will also request multi-use paths to be constructed along both streets, in accordance with Charlotte BIKES.

Active Projects:

- There are no active projects near this petition.
- Transportation Considerations
 - o No outstanding issues.

Vehicle Trip Generation:

Current Zoning:

Existing Use: 10 trips per day (based on 10 single family dwellings). Entitlement: 430 trips per day (based on 38 single family dwellings). Proposed Zoning: 560 trips per day (based on 51 single family dwellings).

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: No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 17 students, while the development allowed under the proposed zoning may produce 23 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 6 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Croft Community School from 79% to 82%
 - J.M. Alexander Middle remains at 87%
 - North Mecklenburg High remains at 114%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Hucks Road. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Hucks 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.

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: 1/19/2021

Agenda #: 24.File #: 15-15001 Type: Zoning Decision

Rezoning Petition: 2020-140 by RJS Properties, Inc.

Location: Approximately 0.53 acres locaed in the southeast quadrant of the intersection of Zebulon Avenue and Rozzelles Ferry Road and west of Trade Street. (Council District 2 - Graham)

Current Zoning: I-2 (CD) (industrial, conditional)

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 2020-140

January 5, 2021

Zoning Committee

REQUEST Current Zoning: I-2(CD) (industrial, conditional)

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

LOCATION Approximately 0.53 acres located at the SE corner of the

intersection of Zebulon Avenue and Rozzelles Ferry Road.

(Council District 2 - Graham)

PETITIONER Leslie Hunter Miller, Miller & Hall PA

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* (1993) land use recommendation but **consistent** with the *General Development Policies*, which supports the requested residential density up to 17 dwelling units per acre based on the information from the staff analysis and the public hearing, and because:

- The plan recommends heavy industrial and greenway uses for the site.
- The petition meets the General Development Policies locational criteria for consideration of up to 17 dwellings per acre.

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

- The proposed residential uses, while inconsistent with the adopted land use, are compatible with the existing residential development pattern in the area.
- Recent rezoning adjacent to this site rezoned the property from industrial to residential uses, making the petition more compatible with development on surrounding properties.
- The proposed residential density is supported by the General Development Polices.
- The petition would maintain recently installed streetscape improvements on Rozzelles Ferry Road.
- The site has direct access to a pair of CATS bus stops on Route 1. The petitioner has committed to improving the stop adjacent to the site with a waiting pad.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from heavy industrial uses to residential uses up to 17 dwelling uses per acre for a portion of the site not recommended for greenway uses.

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 a portion

of the site is inconsistent with the adopted area plan but

consistent with the General Development Policies.

Committee Member Kelly commented that this petition was a good example of medium density housing in an appropriate location that can help maintain affordability in the area.

There was no further discussion of this petition.

PLANNER

Joe Mangum (704) 353-1908

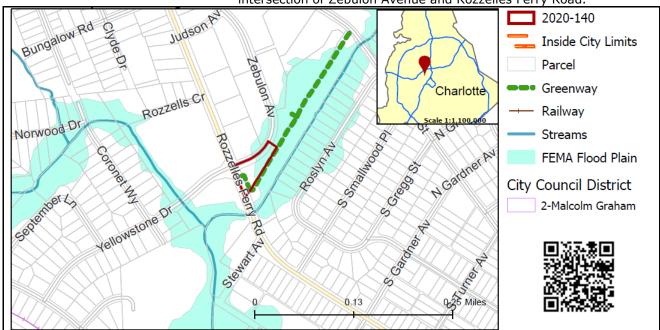


REQUEST

Current Zoning: I-2(CD) (industrial, conditional)

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

LOCATION Approximately 0.53 acres located at the SE corner of the intersection of Zebulon Avenue and Rozzelles Ferry Road.



SUMMARY OF PETITION

The petition proposes to rezone .53 acres of land to permit the development of up to eight single family attached residential units at a density of approximately 15 DUA (dwelling units per acre).

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVI

RJS Properties, Inc. Leslie Hunter Miller, Miller & Hall PA

AGENT/REPRESENTATIVE Leslie Hunter Miller, Miller & Hall PA

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

Number of people attending the virtual Community Meeting: 7

COMMUNITY MEETING

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Central District Plan's* (1993) recommendation for heavy industrial and greenway uses for the site, but is **consistent** with the *General Development Policies* (GDP) that support up to 17 dwelling units per acre on the site.

Rationale for Recommendation

- The proposed residential uses, while inconsistent with the adopted land use, are compatible with the existing residential development pattern in the area.
- Recent rezoning adjacent to this site rezoned the property from industrial to residential uses, making the petition more compatible with development on surrounding properties.
- The proposed residential density is supported by the General Development Polices.

Petition 2020-140 (Page 2 of 7) Final Staff Analysis

- The petition would maintain recently installed streetscape improvements on Rozzelles Ferry Road.
- The site has direct access to a pair of CATS bus stops on Route 1. The petitioner has committed to improving the stop adjacent to the site with a waiting pad.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from heavy industrial uses to residential uses up to 17 dwelling uses per acre for a portion of the site not recommended for greenway uses.

PLANNING STAFF REVIEW

Background

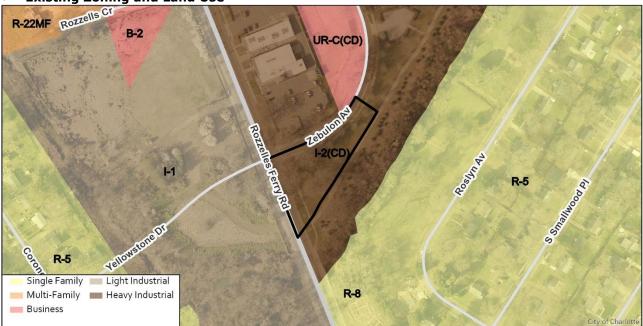
• The site, as part of a 28 acre assemblage, was rezoned via petition 2007-106 to accommodate uses permitted in the I-2 zoning district.

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

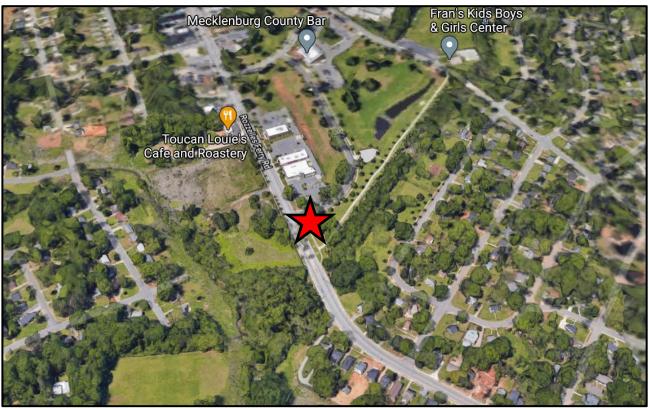
- Limits the site to only a maximum of 8 single family attached dwelling units and any other incidental or accessory uses allowed within the UR-2 district.
- Limits height of the structures to 60 feet.
- Commits to preferred building materials while limiting the use of vinyl and aluminum.
- Limitations of blank wall expanses to 15 feet for the front elevation only.
- Usable porches and stoops to be at least 5 feet deep if provided.
- Recessed garage doors with translucent windows
- Sidewalks provided to connect between residential entryways public and private sidewalks.
- Limits total width of attached dwelling units fronting a public or private network street to 100 feet.
- Fully capped detached lighting.

Existing Zoning and Land Use



The site was most recently rezoned in 2007. An approved rezoning request by the Charlotte Mecklenburg Development Corporation (2007-106) updated the site's current zoning (I-2(CD)) from R-22MF. The site is nestled in between industrially-zoned parcels and another UR-2(CD) project (referenced in the rezoning history notes below). Single family detached residential units are located east of the subject site. The site is also proximal to multi-family uses.

Petition 2020-140 (Page 3 of 7) Final Staff Analysis



General location of subject property denoted by red star.



Looking east along Rozzelles Ferry Road toward the subject property.

Petition 2020-140 (Page 4 of 7) Final Staff Analysis

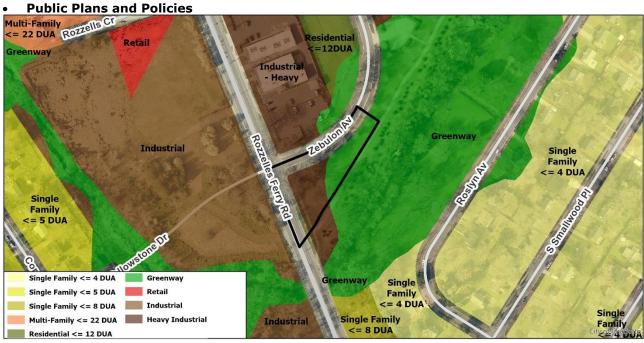


Streetview from Zebulon Avenue looking north away from the subject property.



Petition Number	Summary of Petition	Status
2019-178	Request to rezone from I-2(CD) urban residential, commercial.	Approved
2016-112	Request to rezone 28 acres of land from industrial and office zoning to a mixed use development district (MUDD) zoning district.	Approved

Petition 2020-140 (Page 5 of 7) Final Staff Analysis



- The Central District Plan (1993) as amended by rezoning petition 2007-106 recommends industrial and greenway uses for the subject property.
- 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	2	
Land Use Accessibility	3	
Connectivity Analysis	4	
Road Network Evaluation	0	
Design Guidelines	4	
Other Opportunities or Constraints	NA	
Minimum Points Needed: 13	Total Points: 14	

TRANSPORTATION SUMMARY

The site is located adjacent to Rozzelles Ferry Road (City-maintained, minor thoroughfare) and Statesville Road (City-maintained, local street). Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to adding clarifying conditional note language for dedication of right-of-way and construction of transportation improvements prior to first CO. The City recently constructed a project, named Yellowstone Drive and Zebulon Drive Street Connectivity, within the Comprehensive Neighborhood Improvement Program (CNIP), that installed streetscape improvements along the site's frontage. Further details are listed below.

• Active Projects:

- Rozzelles Ferry Pedscape
 - This project provided refuge medians at key locations along Rozzelles Ferry Road from South Garner Avenue to the intersection of Rozzelles Ferry, 5th Street, Beatties Ford Road and West Trade Street. Wheelchair ramp improvements and street resurfacing will also be implemented, and sidewalk repair in key locations will take place during construction.
 - Construction just completed.
- Yellowstone Drive and Zebulon Drive Street Connectivity
 - This project included a bridge, street resurfacing, sidewalks, and pedestrian lighting from the Rozzelles Ferry Road & Zebulon Avenue intersection to the Yellowstone Drive & Coronet Way intersection.
 - Construction just completed.

Petition 2020-140 (Page 6 of 7) Final Staff Analysis

Transportation Considerations

See Outstanding Issues, Notes 1-3. Addressed

• Vehicle Trip Generation:

Current Zoning:

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

Entitlement: 55 trips per day (based on 5,300 SF warehouse use).

Proposed Zoning: 60 trips per day (based on 8 townhomes).

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 0 students, while the development allowed under the proposed zoning may produce 0 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0 students
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Bruns Avenue Academy remains at 60%
 - Ranson Middle remains at 120%
 - West Charlotte High remains at 94%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Zebulon Ave. 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. No outstanding issues.
- Engineering and Property Management:
 - Arborist: No outstanding issues.
 - Erosion Control: See advisory comments at www.rezoning.org
 - Land Development: See advisory comments at www.rezoning.org
 - 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.

OUTSTANDING ISSUES

<u>Transportation</u>

- 1.—Add site plan note(s) specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights of way set at 2' behind back of sidewalk where feasible. Addressed
- 2.—Add site plan note specifying that 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
- 3. Label and dimension curb and gutter from the centerline of the road. Addressed

REQUESTED TECHNICAL REVISIONS

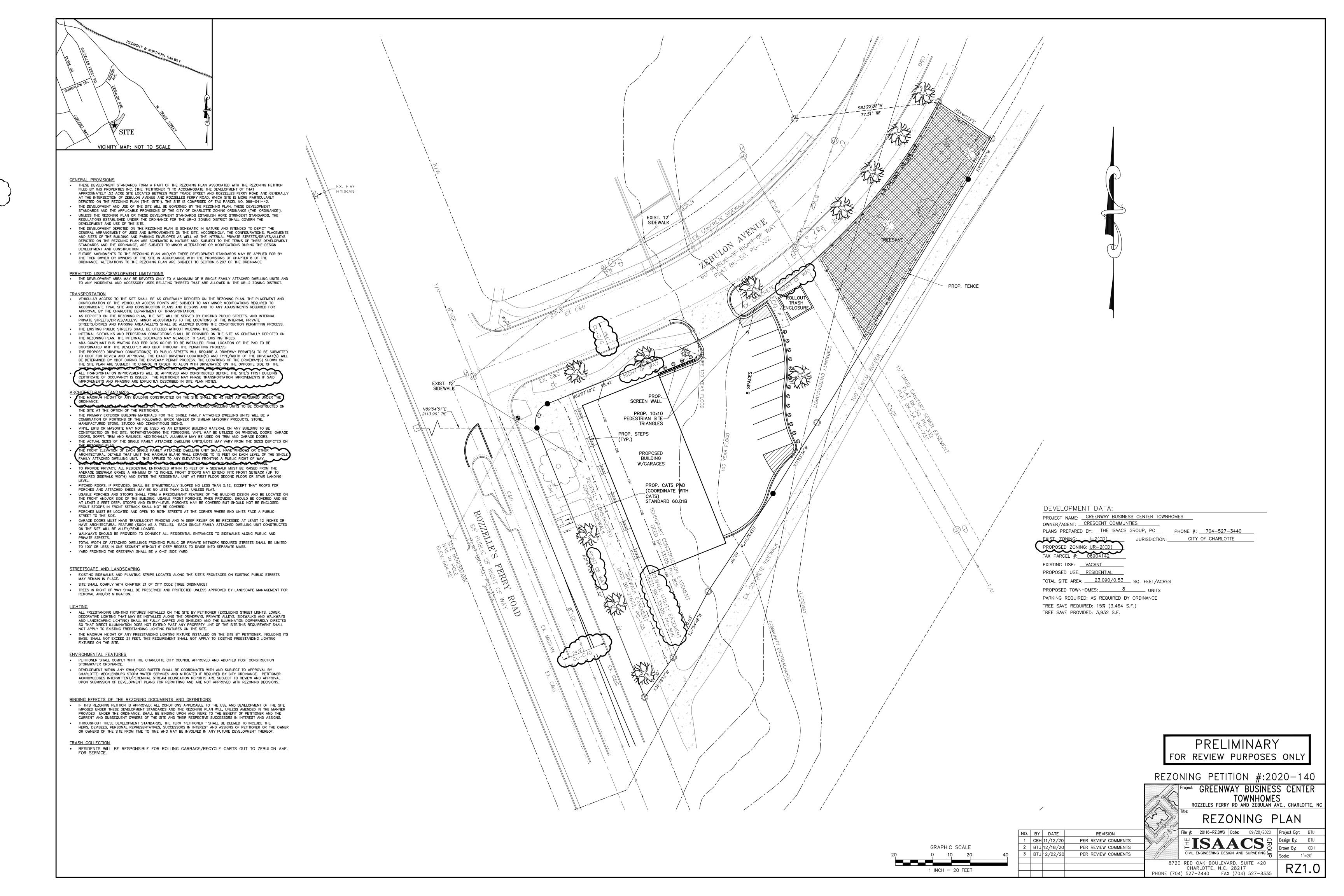
Site and Building Design

- 4.—Proposed zoning district is labeled as existing. Please revise. Addressed
- 5.—Revise maximum proposed building height to be a maximum of 45' to be compatible with single family residential building heights. Addressed
- 6. Reword architectural standard note stating "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" to apply to any elevation fronting a public right of way. Addressed

Petition 2020-140 (Page 7 of 7) Final Staff Analysis

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

Planner: Joe Mangum (704) 353-1908





City of Charlotte

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

Agenda Date: 1/19/2021

Agenda #: 25.File #: 15-15002 Type: Zoning Decision

Rezoning Petition: 2020-149 by White Point Partners

Location: Approximately 1 acre located in the western quadrant of the intersection of Kingston Avenue and south Boulevard, east of Camden Road. (Council District 3 - Watlington)

Current Zoning: MUDD-O (mixed-use development, optional) and TOD-M (O) (transit-oriented

development - mixed use, optional)

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 2020-149

January 5, 2021

REQUEST

Current Zoning: MUDD-O (mixed use development, optional) and TOD-M(O) (transit oriented development-mixed use, optional) Proposed Zoning: TOD-UC (transit oriented development – urban center)

LOCATION

Approximately 1 acre located in the western quadrant of the intersection of Kingston Avenue and South Boulevard, east of

Camden Road.

(Council District 3 - Watlington)

PETITIONER

White Point 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 consistent with the *South End Transit Station Area Plan*, based on the information from the staff analysis and the public hearing and because:

• The plan recommends transit supportive development.

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 within 0.50-mile walk of the East/West Boulevard Station on the LYNX Blue Line.
- The proposal permits a site previously used for commercial uses to convert to transit supportive land uses.
- Use of conventional TOD-UC (transit oriented development urban center) 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.

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.

A Commissioner inquired about the Dilworth Historic District location in relation to the rezoning site, and staff pointed out a segment of its general boundary on a map. A Commissioner inquired about height and staff responded that historic district regulations override certain requirements. A Commissioner questioned transitioning from TOD zoning to residential neighborhood. There was no further discussion of this petition.

PLANNER

Claire Lyte-Graham (704) 336-3782



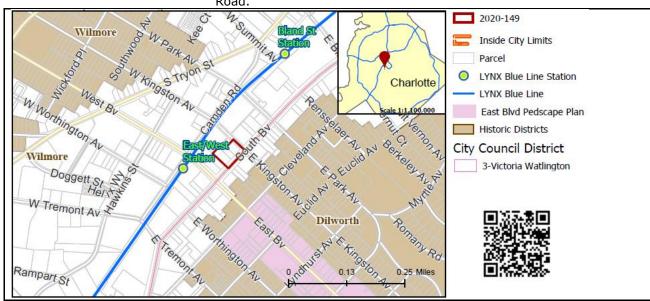


REQUEST

Current Zoning: MUDD-O (mixed use development, optional) and TOD-M(O) (transit oriented development-mixed use, optional) Proposed Zoning: TOD-UC (transit oriented development – urban center)

LOCATION

Approximately 1 acre located in the western quadrant of the intersection of Kingston Avenue and South Boulevard, east of Camden Road.



SUMMARY OF PETITION

The petition proposes to allow all transit supportive uses per TOD-UC (transit oriented development – urban center) zoning for a 1-acre site that is within a 0.50 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Jomar of Charlotte LLC; ABW Charlotte LLC White Point Partners, LLC

Collin Brown & Brittany Lins, Alexander Ricks PLLC

COMMUNITY MEETING Meeting is not required.

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *South End Transit Station Area Plan* land use recommendations for transit supportive development.

Rationale for Recommendation

- The subject site is within 0.50-mile walk of the East/West Boulevard Station on the LYNX Blue Line.
- The proposal permits a site previously used for commercial uses to convert to transit supportive land uses.
- Use of conventional TOD-UC (transit oriented development urban center) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

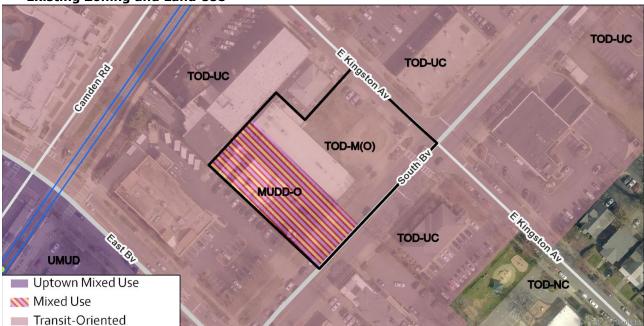
TOD (transit oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

PLANNING STAFF REVIEW

Proposed Request Details

• This is a conventional rezoning petition, which applies all the standards, regulations and uses in the TOD-UC (transit oriented development – urban center) zoning district. Uses allowed in the TOD-UC district include residential, retail, and civic uses.

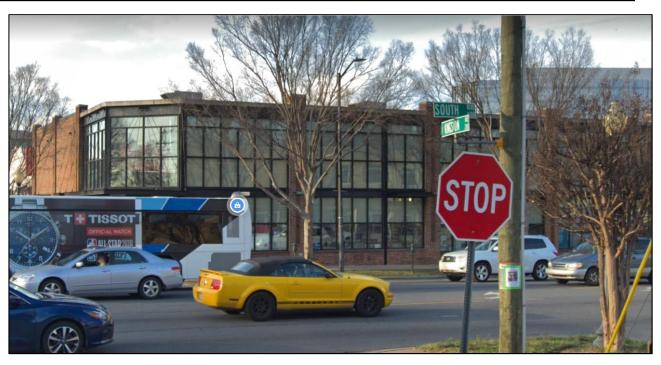
Existing Zoning and Land Use



• The rezoning site is surrounded by TOD and UMUD zoning districts and uses. A 0.52-acre portion of the site was rezoned to TOD-M(O) via petition 2017-149 to to allow the reuse of existing 18,946 square foot building and vacant lot to allow all uses in the TOD-M district and 10,700 square feet for a patio and outdoor entertainment space. A 0.26-acre portion was rezoned from B-1 to TOD-M via petition 2015-074 to allow all uses in that zoning district. A 0.45-acre portion was rezoned to MUDD-O via petition 2013-081 to allow the reuse and expansion of an existing building and site in a more urban form.



The subject property is developed with commercial and retail uses.



North, across Kingston Avenue, is a commercial building.



East, along South Boulevard, are commercial and retail uses.



West are commercial and warehouse uses, apartments, condominiums, and the Lynx Blue Line.



South is a retail drug store.

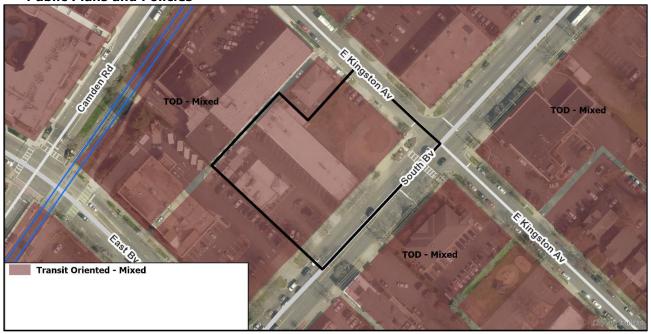
Petition 2020-149

Petition 2020-149



Petition Number	Summary of Petition	Status
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR.	Approved
2019-025	Rezoned 1.20 acres from B-1 to TOD-UC.	Approved
2018-169	Text amendment to modify TOD requirements	Approved

Public Plans and Policies



• The South End Transit Station Area Plan (2005) recommends mixed-use transit supportive development for the subject site.

TRANSPORTATION CONSIDERATIONS

• The site is located on a major thoroughfare road, [South Boulevard] and a local road [Kingston Avenue]. A Traffic Impact Study (TIS) is not required for this review as this is a conventional rezoning petition. CDOT will work with petitioner during permitting to review how this project

may affect the South Boulevard Corridor Implementation project, which includes a HAWK signal at South Blvd and Kingston Ave.

Active Projects Near the Site:

- South Boulevard Corridor Implementation.
 - Pedestrian and Bikes project, which provide a HAWK signal at South Blvd and Kingston Ave.
 - Construction was completed in early 2019. However, there are potential cross-section requirements to relocate the signal controller.
 - Valerie Hanes, Project Manager, vhanes@charlottenc.gov, (980) 214-7624.
- Charlotte City Pedestrian and Bike project along South Blvd and East Blvd.
 - o Chapter 15 Transit Oriented Development Districts. South End Vision Plan.
 - o Construction is estimated for 2018 to 2020 for completion.
 - Monica Holmes with the City of Charlotte; Monica.Holmes@charlottenc.gov
- No outstanding issues. See advisory comments at www.rezoning.org.

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 702 trips per day (based on 4,423 square feet of office use and 18,112 square feet of restaurant).

Entitlement: 1,575 trips per day (based on 14,000 square feet of MUDD uses).

Proposed Zoning: Too many uses to determine with TOD-UC zoning.

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. See advisory comments at www.rezoning.org.
- Charlotte Department of Solid Waste Services: No outstanding issues.
- Charlotte Fire Department: No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Kingston Ave. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along South Blvd. 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. See advisory comments at www.rezoning.org.
 - Urban Forestry: No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues. 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: Claire Lyte-Graham (704) 336-3782



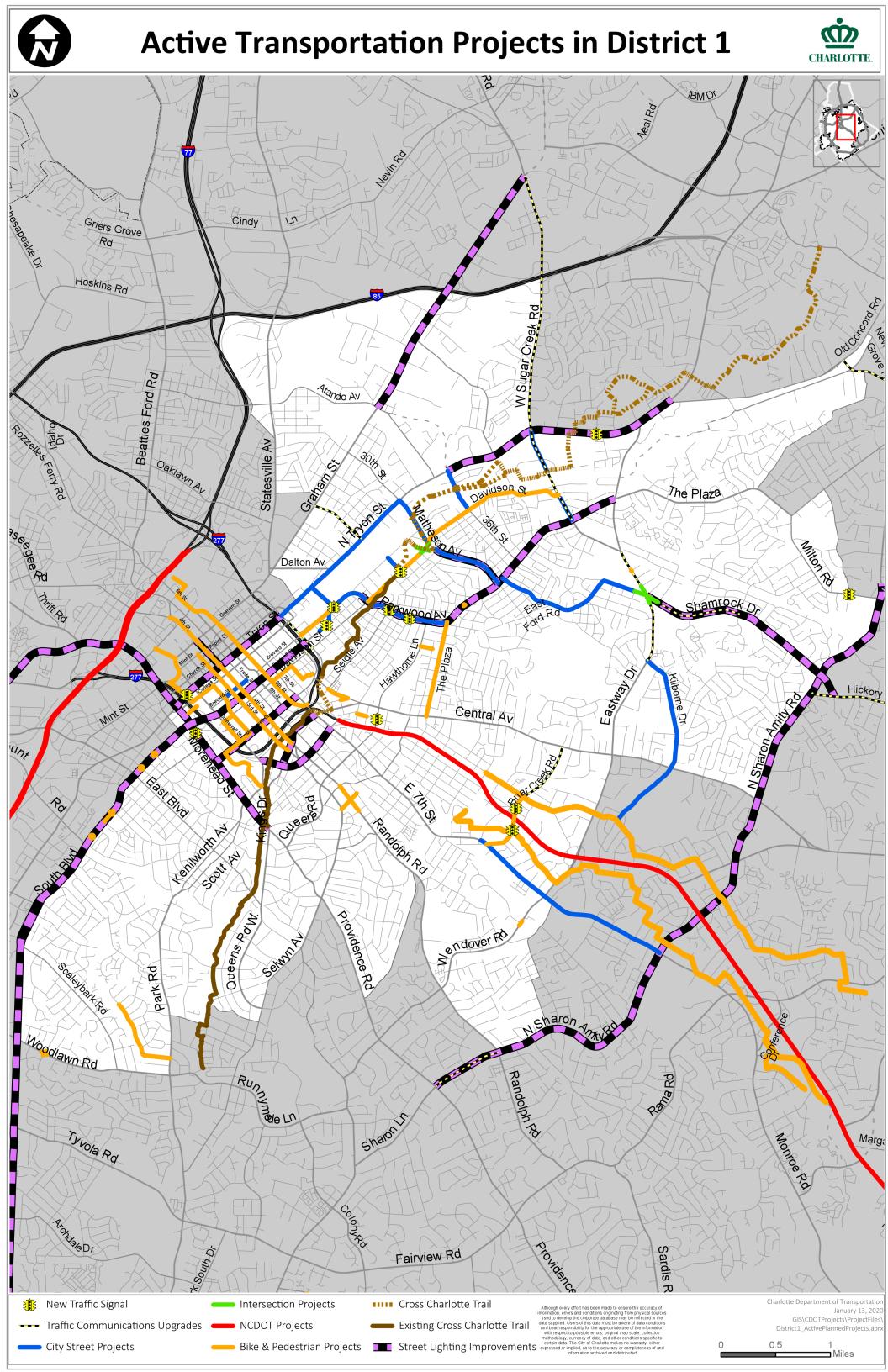
City of Charlotte

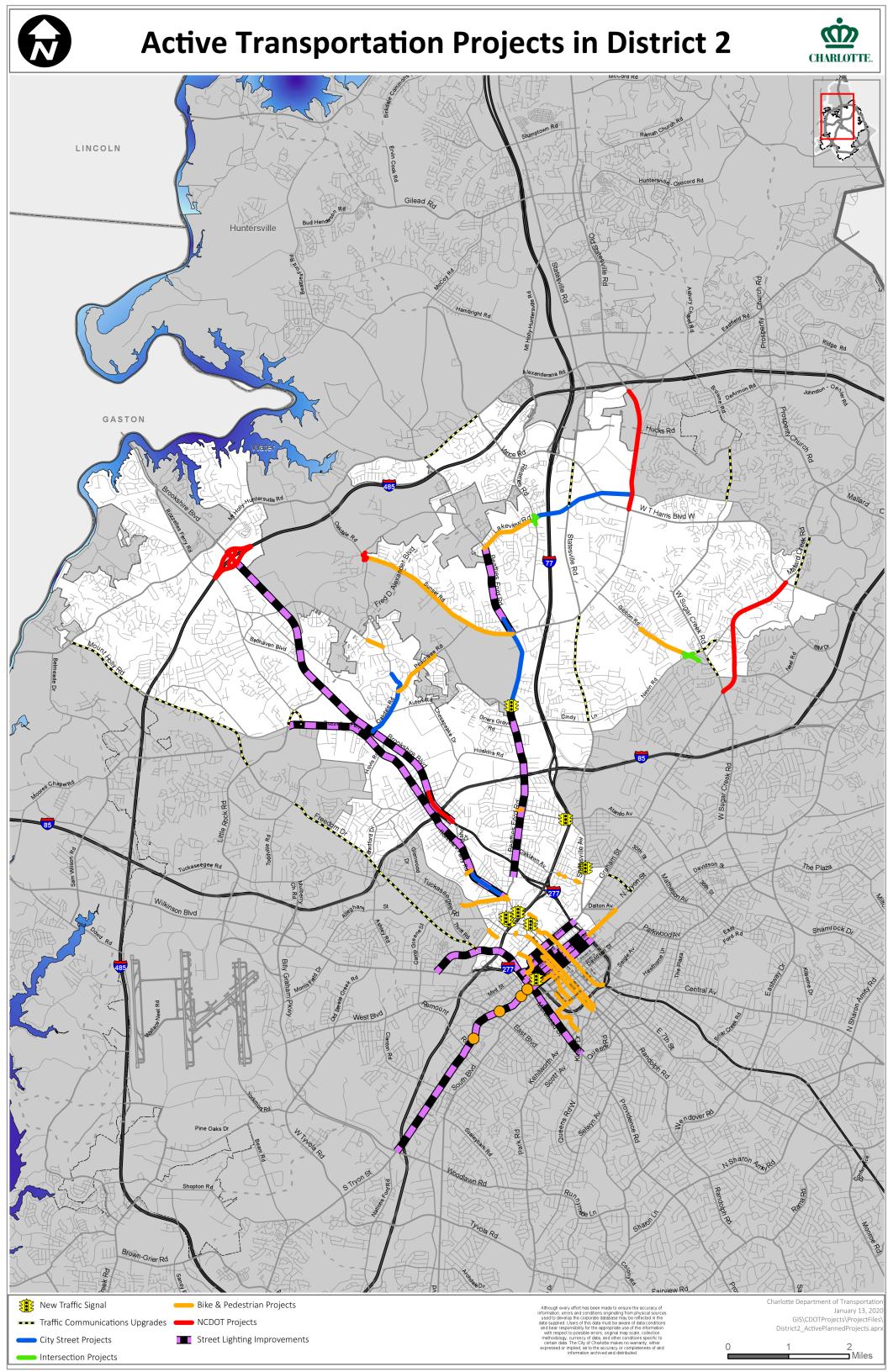
Charlotte-Mecklenburg Government Center 600 East 4th Street Charlotte, NC 28202

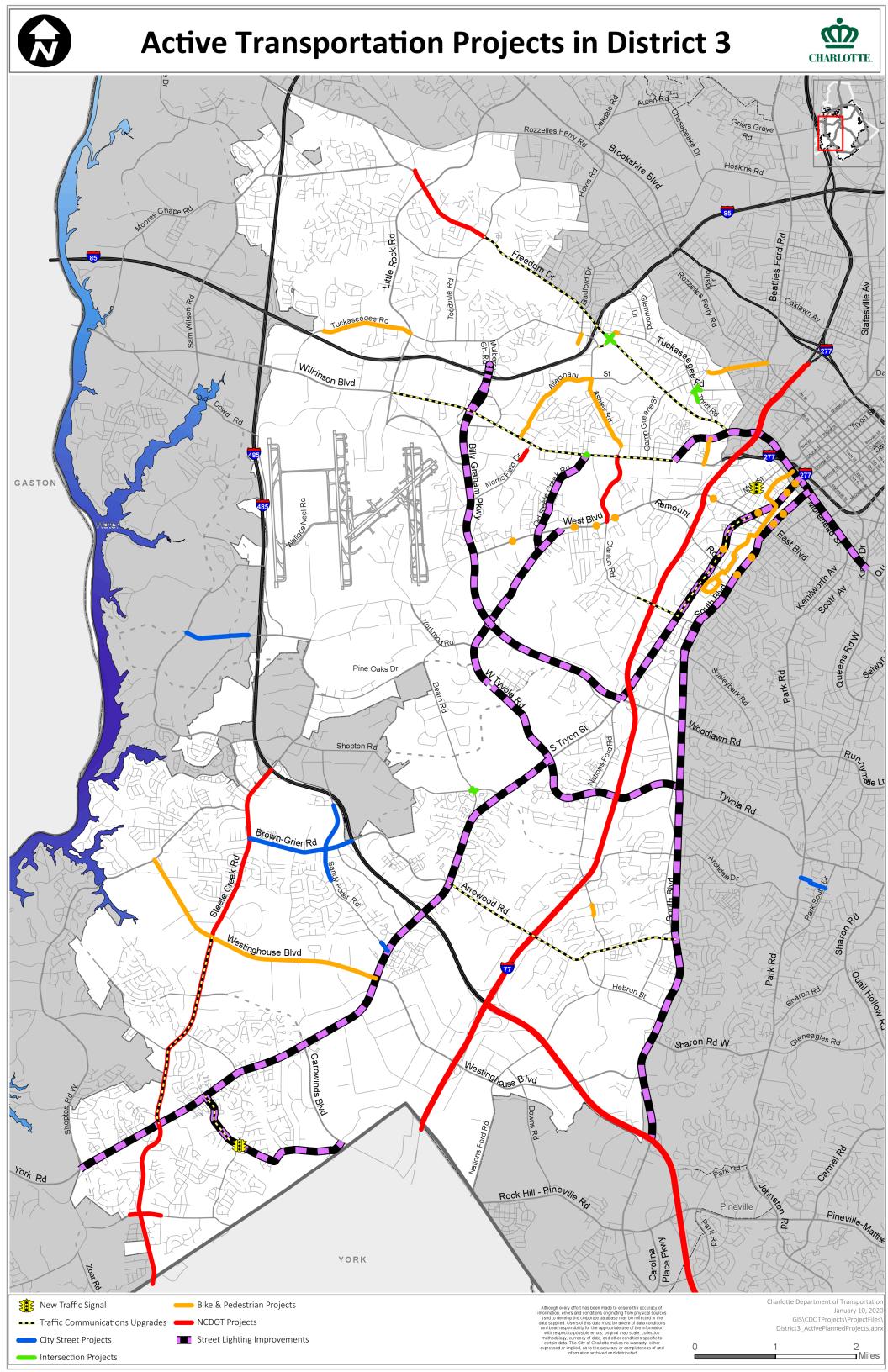
Agenda Date: 1/19/2021

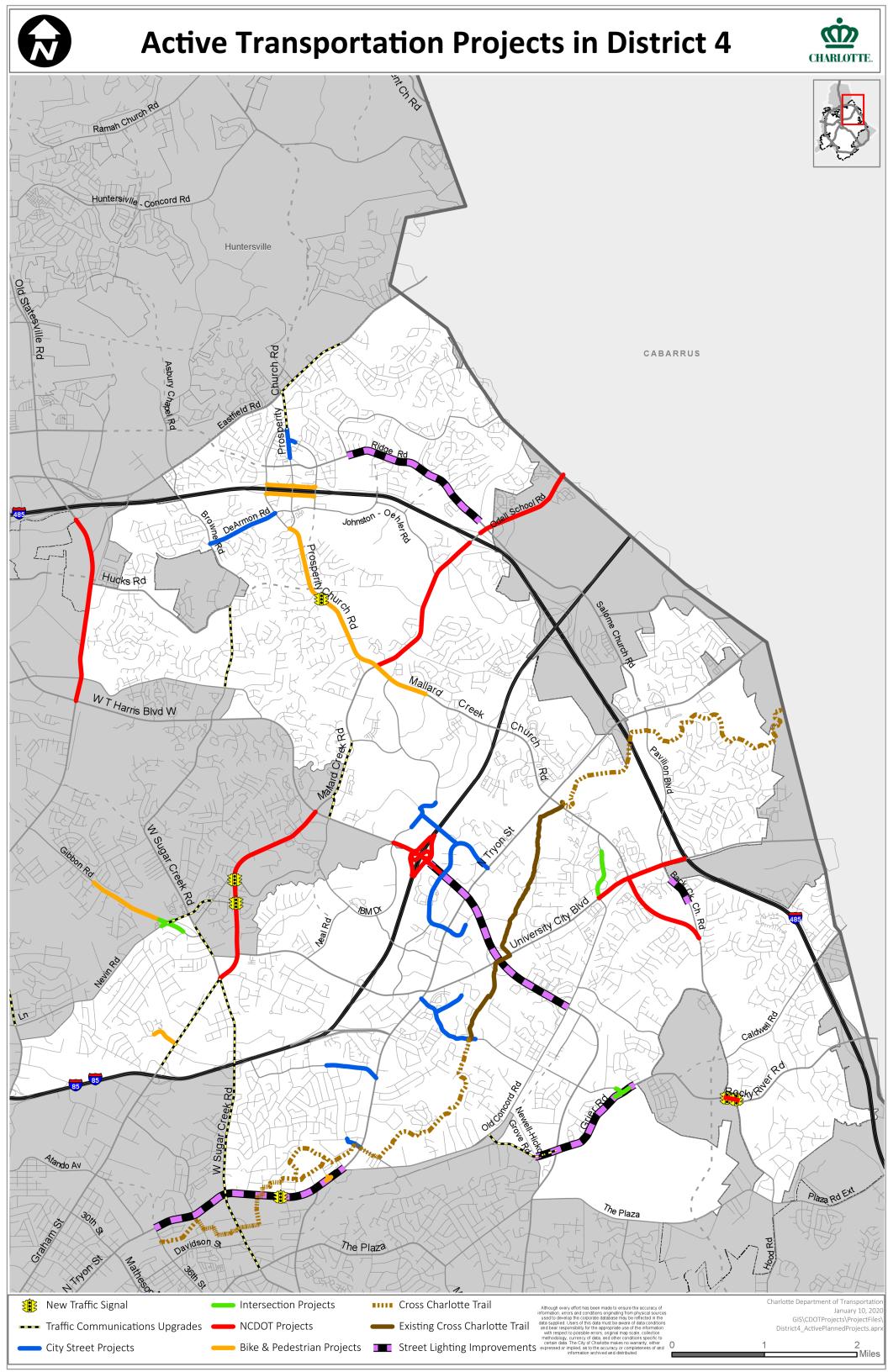
Agenda #: 26.File #: 15-15003 Type: Zoning Item

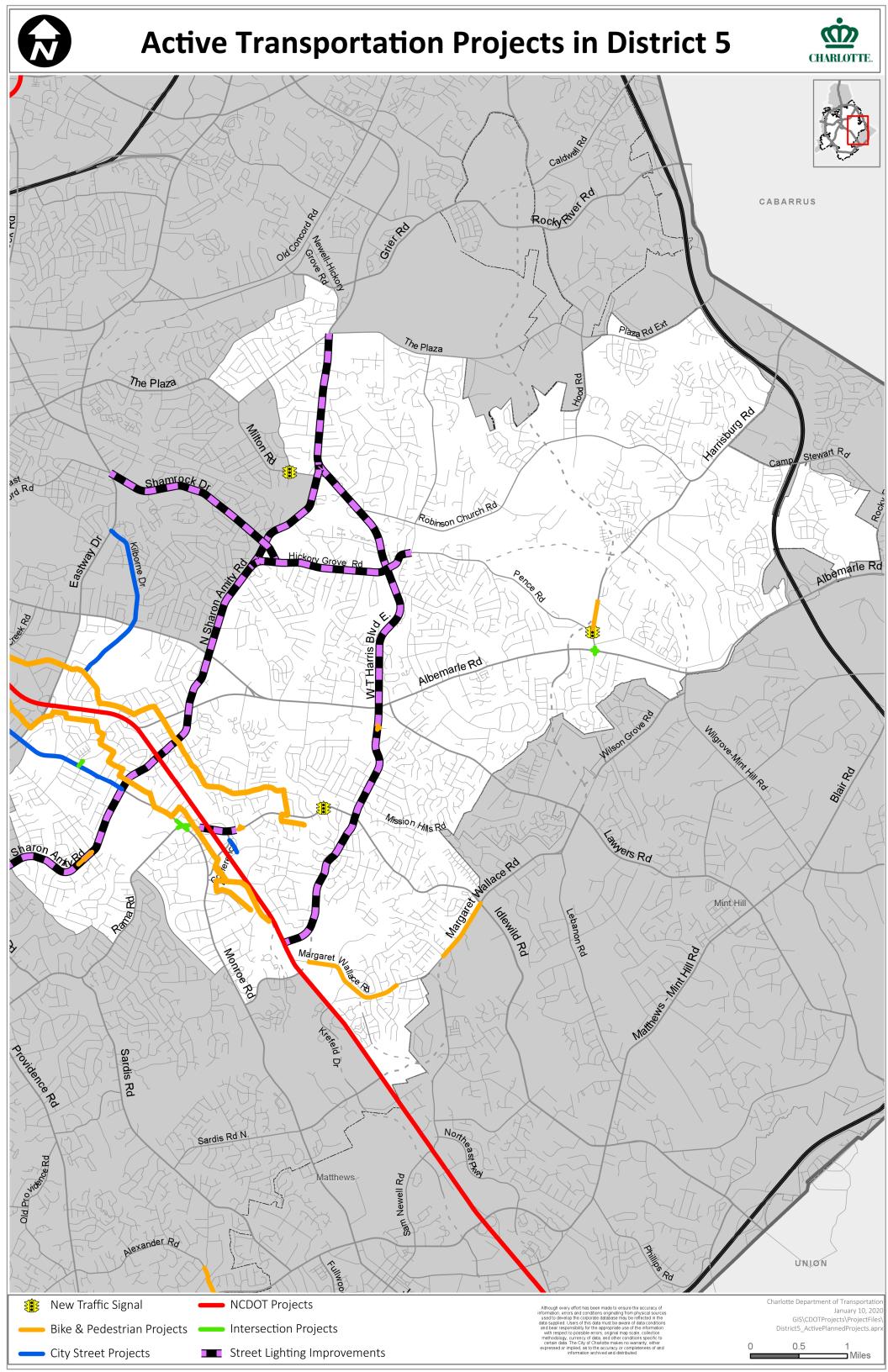
Active Transportation Projects





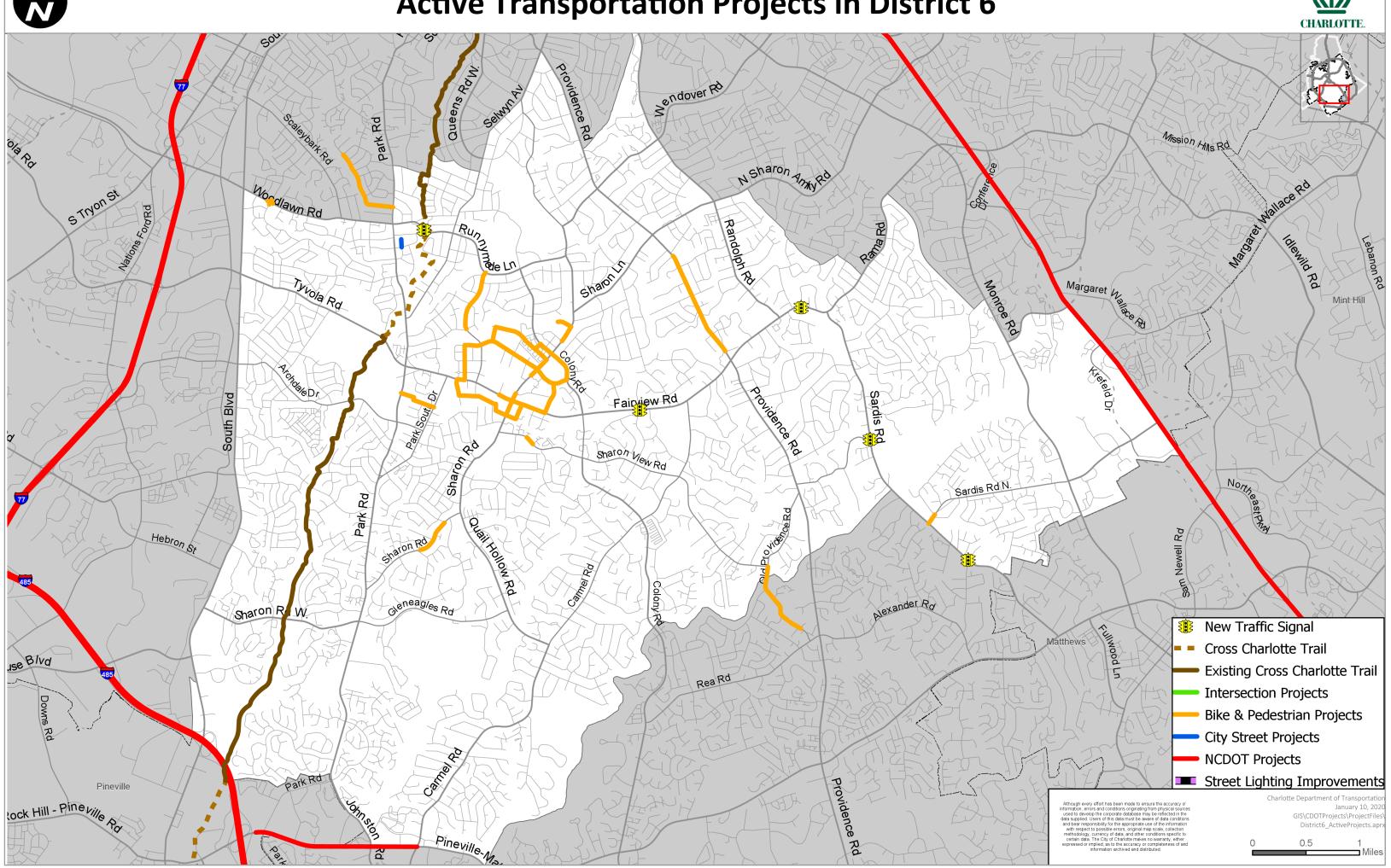






Active Transportation Projects in District 6







Active Transportation Projects in District 7



