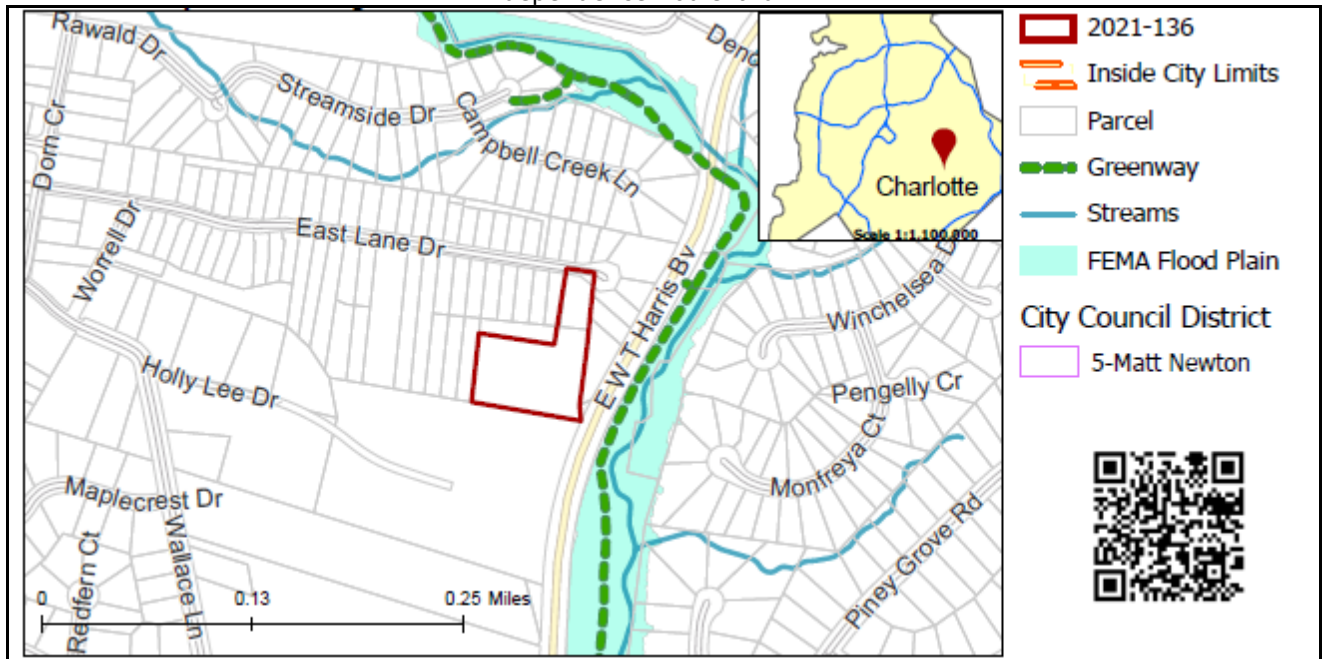


**REQUEST**

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

**LOCATION**

Approximately 2.38 acres located on the south side of East Lane Drive, west of East W.T. Harris Boulevard, and east of Independence Boulevard.



**SUMMARY OF PETITION**

The petition proposes to develop the vacant site with a residential community containing up to ~~17-18~~ **17-18** single family attached multi-family dwellings for a density of about ~~7.14~~ **7.56** units per acre east of Independence Boulevard near East WT Harris Boulevard.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Habitat for Humanity of the Charlotte Region, Inc.  
Habitat for Humanity of the Charlotte Region, Inc.  
Bridget Grant, Moore & Van Allen

**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 *Independence Boulevard Area Plan* density recommendation for residential up to 4 units per acre.

Rationale for Recommendation

- The proposed residential land use aligns with the adopted plan policy; however, the proposed density is **7.14** ~~7.56~~ DUA.
- The parcel shape and location at the end of the cul-de-sac make it difficult to continue the single family lot pattern that currently exists in the neighborhood.
- The proposal provides housing options and a mix of housing types in the area.

- The proposal develops a vacant parcel and does not eliminate existing housing in the neighborhood.
- The plan provides buffers adjacent to single family homes and building design standards to ensure compatibility with surrounding residential uses.

The approval of this petition will revise the adopted future land use as specified by the *Independence Boulevard Area Plan*, from residential use up to 4 dwellings per acre to residential up to 8 units per acre for the site.

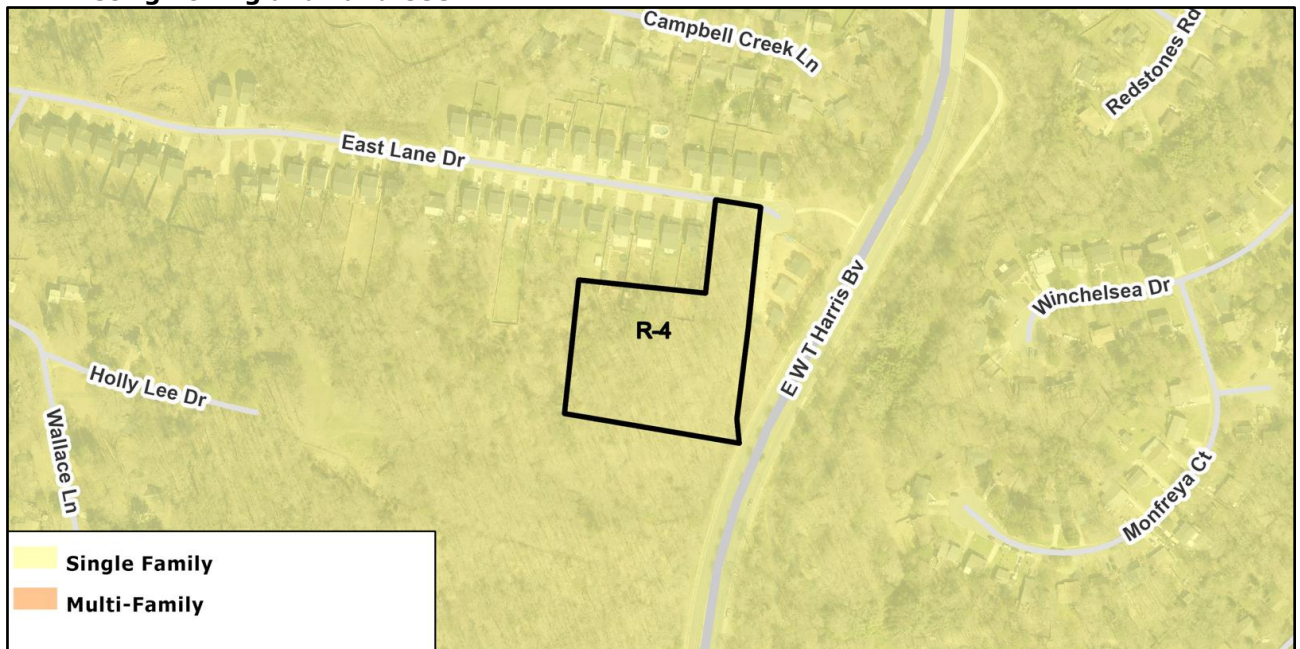
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

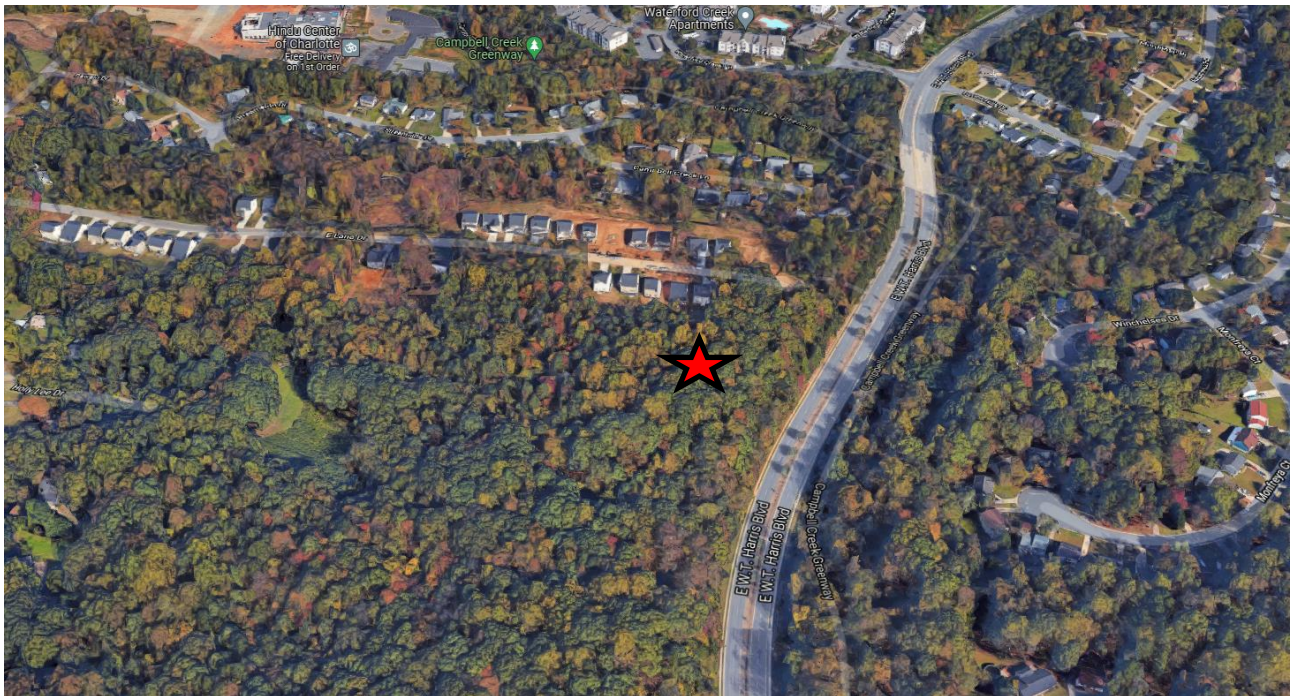
- Allows up to ~~17~~ ~~18~~ ~~multi-family~~ ~~single family attached~~ dwellings, for a density of ~~7.14~~ ~~7.56~~ units per acre.
- Limits the building height to two stories or ~~40~~ ~~48~~ feet.
- Specifies no more than 4 buildings allowed on the site.
- Provides a 20ft Class C buffer reduced by 25% with a fence along the property boundaries adjacent to single family homes.
- States that initial sale of units will be to those earning up to 80% area median income.
- Vehicular and pedestrian access to the site from East Lane Drive via a private drive and sidewalk.
- Provides 8ft planting strip and 6 ft sidewalk along the site frontage of East Lane Drive.
- Provides architectural standards related to allowed building façade materials, minimum size of porches/stoops, pitched roofs and screening of mechanical equipment and meter banks from view at grade.
- Limits height of detached lighting to 21 feet in height.

### • Existing Zoning and Land Use



The site is located in the residential area developed with single family homes. There are several larger mostly vacant parcels south of the site.





The site (indicated by the red star above) is located at the end of East Lane Drive in a residential area. There is access to Campbell Creek Greenway via sidewalk connection at the end of East Lane Drive and a pedestrian crossing south of the site on E WT Harris.



The site is currently vacant.



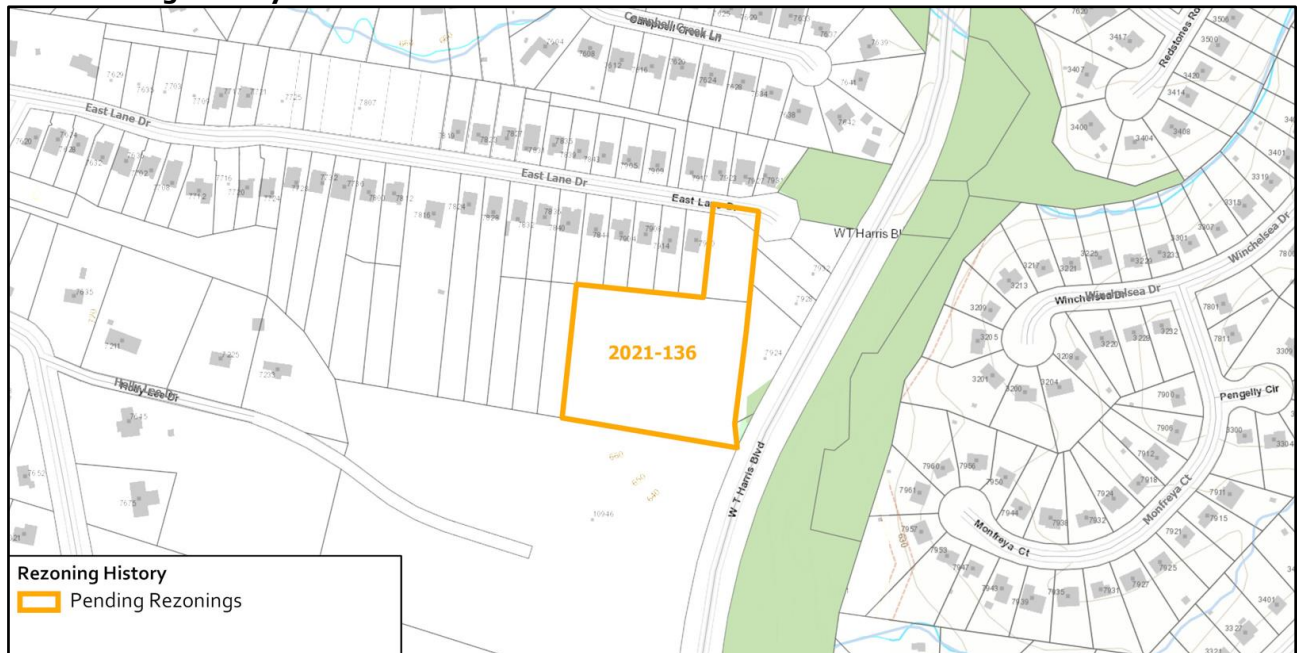
There are single family homes to the north, east and west of the site portion of the site that provides access to East Lane Drive. The single family homes are located north of the area where the proposed townhomes will be located.





South of the site is vacant land accessed from Holly Lee Drive.

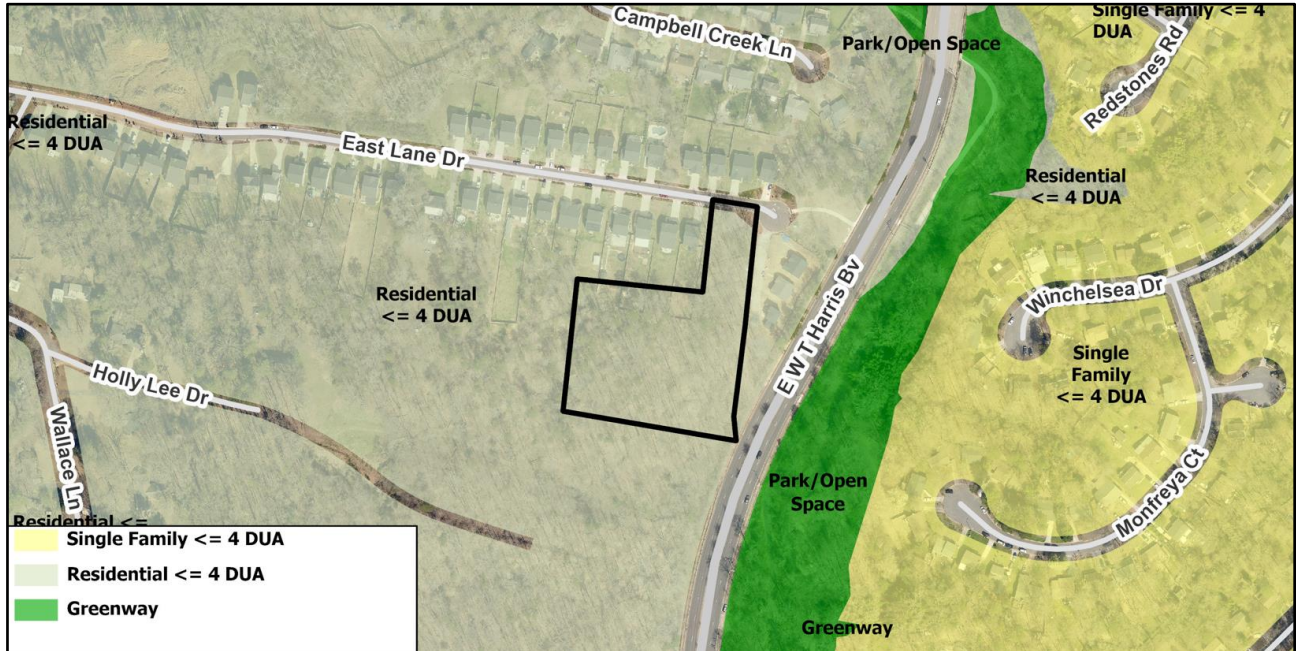
- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-025	13.05 acres about ½ mile west of the site (off map) on Wallace Lane to UR-2(CD) to allow a townhome community.	Approved



- **Public Plans and Policies**



- The *Independence Boulevard Area Plan* (2011) recommends residential use up to 4 dwellings per acre.
- **TRANSPORTATION SUMMARY**
  - The site is located on East Lane Drive, a City-maintained local street and adjacent to East W.T. Harris Boulevard, a State-maintained major thoroughfare. A Traffic Impact Study (TIS) is not needed for this petition due to the site generating 100 daily trips, 15 less trips than the Entitled use and significantly less than CDOT's TIS threshold of 2,500 daily trips. In accordance with the Charlotte WALKS Policy and City Ordinances, the petitioner commits to construct an 8-foot planting strip and 6-foot sidewalk along East Lane Drive. CDOT has no outstanding comments.
  - **Active Projects:**
    - No projects near the site.
  - **Transportation Considerations**
    - ~~See Outstanding Issues, Note 6-7 and Technical Revisions 18-19.~~ Addressed
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant use).
      - Entitlement: 115 trips per day (based on 9 single family homes).
    - Proposed Zoning: 100 trips per day (based on 18 multi-family dwellings).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** ~~See Outstanding Issues, Note 6~~ Addressed
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 5 students, while the development allowed under the proposed zoning may produce 4 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:
    - Piney Grove Elementary at 128%
    - Albemarle Road Middle at 117%
    - Butler High at 106%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along WT Harris Blvd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via

an existing 8-inch gravity sewer main located along East Lane Dr. See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 11. **Addressed**

## OUTSTANDING ISSUES

### Site and Building Design

1. Amend all references to multi-family dwellings to say single family attached dwellings if the units will be for sale townhomes. **Addressed.**
2. Amend the data table to provide maximum building height in feet. A two-story unit is usually less than 48 feet. Staff requests the maximum height be reduced to 40 feet. **Addressed**
3. If exterior doorways are located along the drive/parking curb then a minimum of 15 ft of separation is required between the building and the drive/parking curb. **Addressed**
4. Provide raised entrances when facing the sidewalk along the drive. **Addressed**
5. Commit to a proposed location and minimum area for usable open space. **Addressed**
6. Ensure appropriate Fire access is provided. For non-sprinkled buildings Fire department must be able to reach 150' to all exterior portion of building. Ensure the width of the drive is approved by Fire and turning radius and turnarounds meet Fire access requirements. **Addressed.**
7. Add a commitment to provide landscape screening along the western side of the entrance drive between the drive and the single family home. **Addressed**
8. Amend the site plan to clearly depict the following: tree save areas, buffer area, rezoning boundary and usable open space. **Addressed**

### Transportation

9. Revise site plan and conditional note(s) to commit to label and dimension the right-of-way from the road centerline. Petitioner to provide a 2-foot sidewalk utility easement (S.U.E.) at the back of sidewalk per CLDSM U-02. **Addressed**
10. Revise site plan to show an 8-foot planting strip, and 6-foot sidewalk on East Lane Drive per Chapter 19. The site plan should label and dimension both items from the back of curb and gutter and road centerline. **Addressed**

### Environment

11. Clearly show tree save calculations and area on plan. **Addressed**

## REQUESTED TECHNICAL REVISIONS

### Site and Building Design

12. Identify/label the box in the lower-left corner of the site at the edge of the parking. **Addressed**
13. Clarify if the wood fence shown on the plan is to be provided or exists. **Addressed**
14. Amend label for buffer to say "20ft Class C buffer reduced 25% by 6ft fence" **Addressed**
15. Show/label 20-ft side yard along the eastern property line, along the western property next to the entrance drive and label the setback along East Lane Drive. Minimum is 27ft. **Addressed**
16. Amend note 5 e. to replace "per Ordinance" with per "Section 9.303(19)(e)."  
**Addressed**
17. Ensure site area listed in the development table is accurate; according to GIS the site appears to be about 2.5 acres. **Addressed, acreage provided is accurate per survey.**

### Transportation

18. Add a site plan note(s) specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued is needed. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible. **Addressed**
19. 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.**

**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**





**Planner:** John Kinley (704) 336-8311









## Goals Relevant to Rezoning Determinations

### Rezoning Petition # 2021-136

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

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

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

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