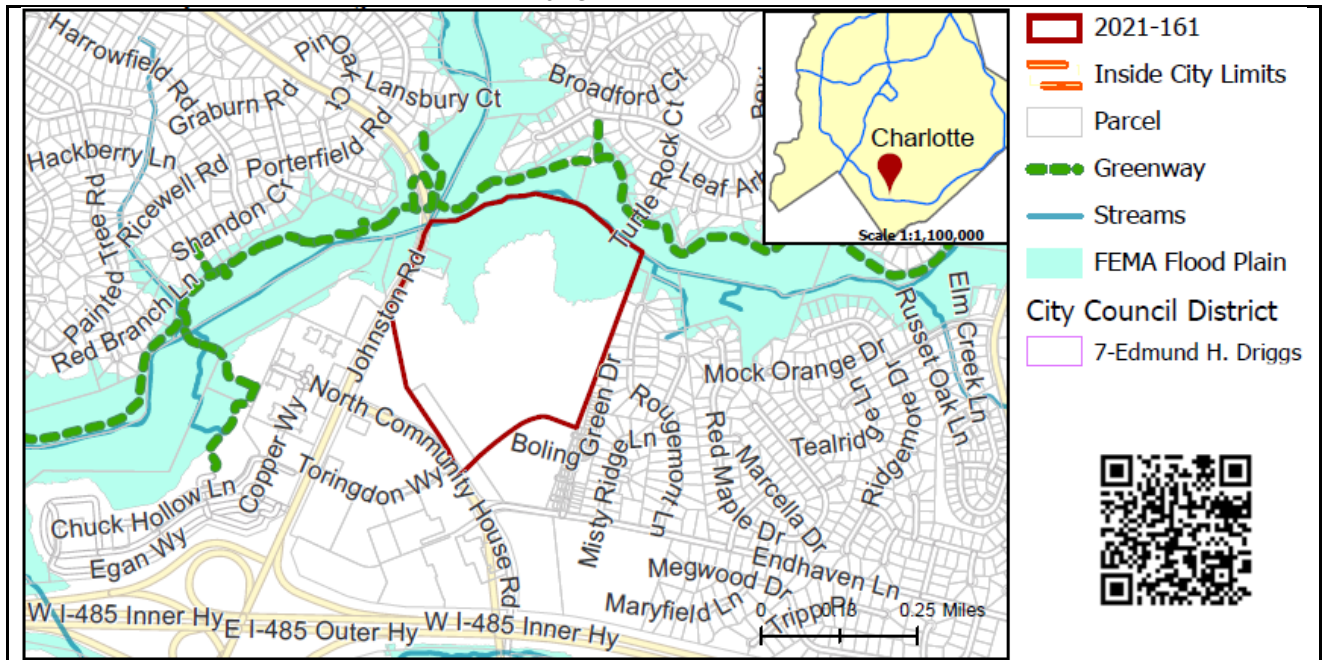


REQUEST

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

LOCATION

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



SUMMARY OF PETITION

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

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

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

COMMUNITY MEETING

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

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- Institutional uses, such as schools, are generally compatible with residential land uses.
- Provides a buffer along eastern property line abutting residential uses.
- The petition provides relief to the schools in the area.

- The proposal adds to the mixture of housing types in the area creating new housing choices.
- The site is located adjacent to Toringdon within the Ballantyne mixed use activity center and provides a transition between the intense uses south and west and the single family to the north and east of the site.

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

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

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

Area A (School)

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

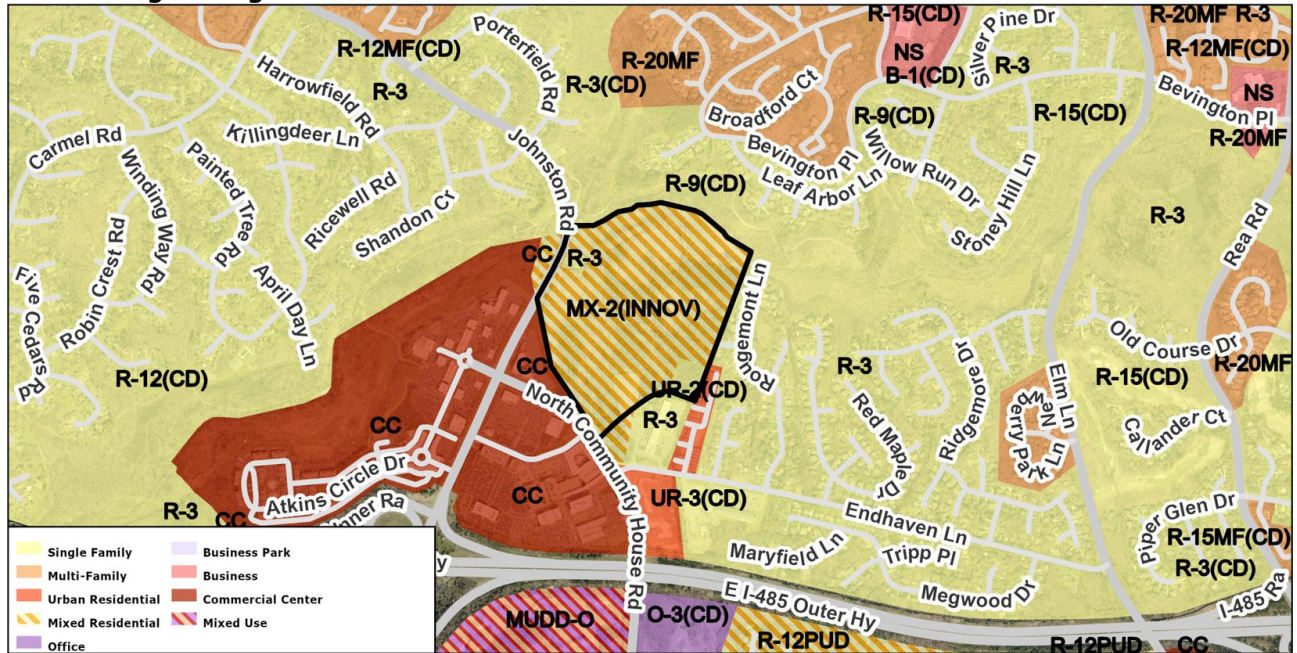
Area B (Multi-family)

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

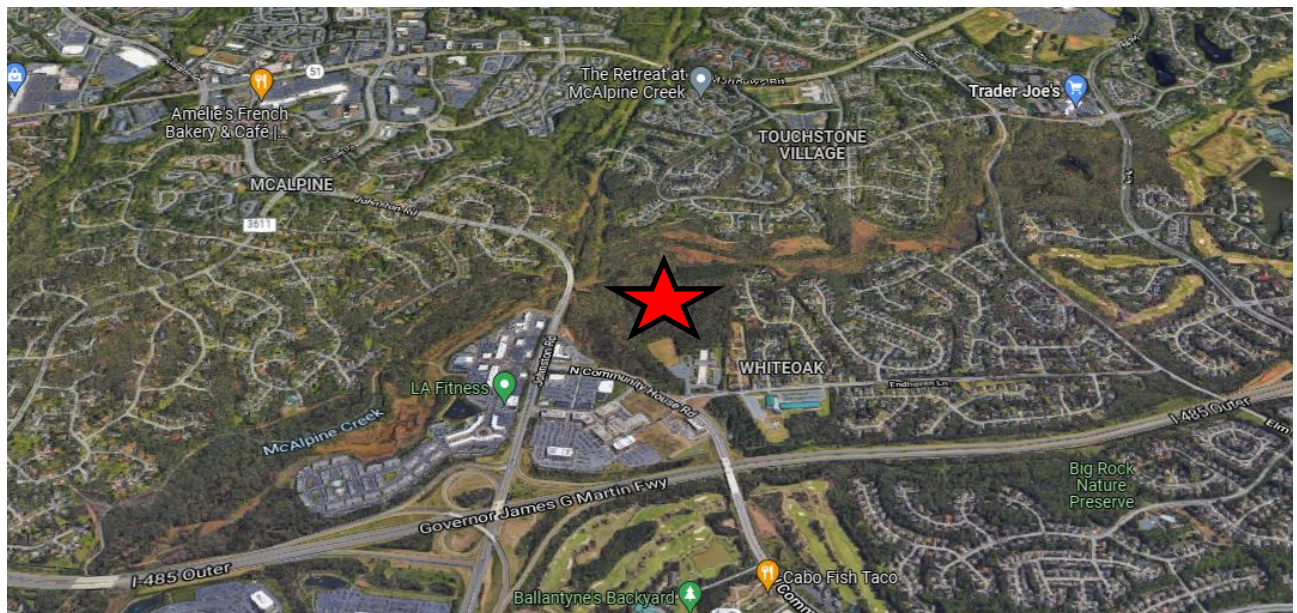
General Details

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

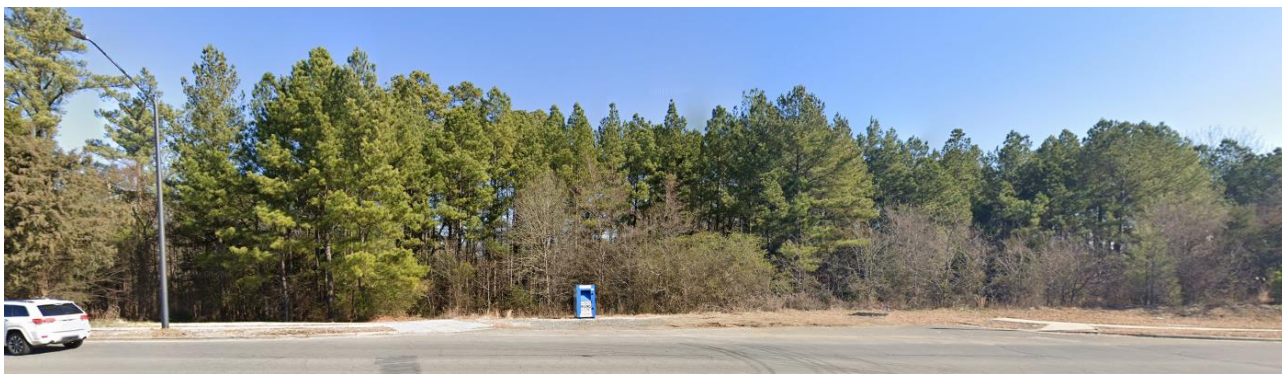
• **Existing Zoning and Land Use**



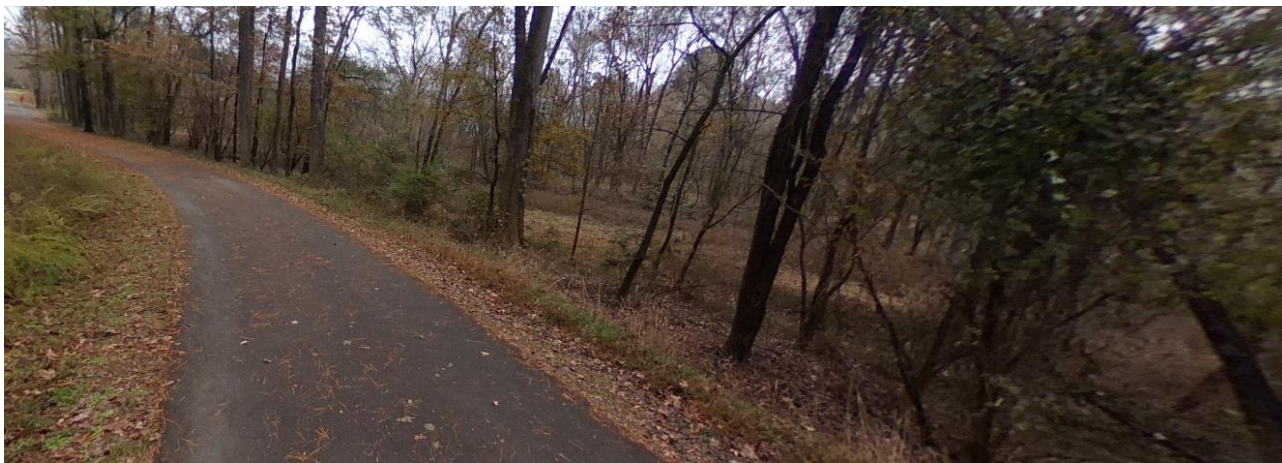
The majority of the site was rezoned by 2006-108 to MX-2(INNOV) to allow a mixture of 429 single family attached duplex and townhome dwelling units for a density of 5.68 units per acre. A small portion of the site in the southeast corner is zoned R-3. The site is located in an area with a mixture of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



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



The site is currently undeveloped.



North of the site is the 4 Mile Creek greenway.



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

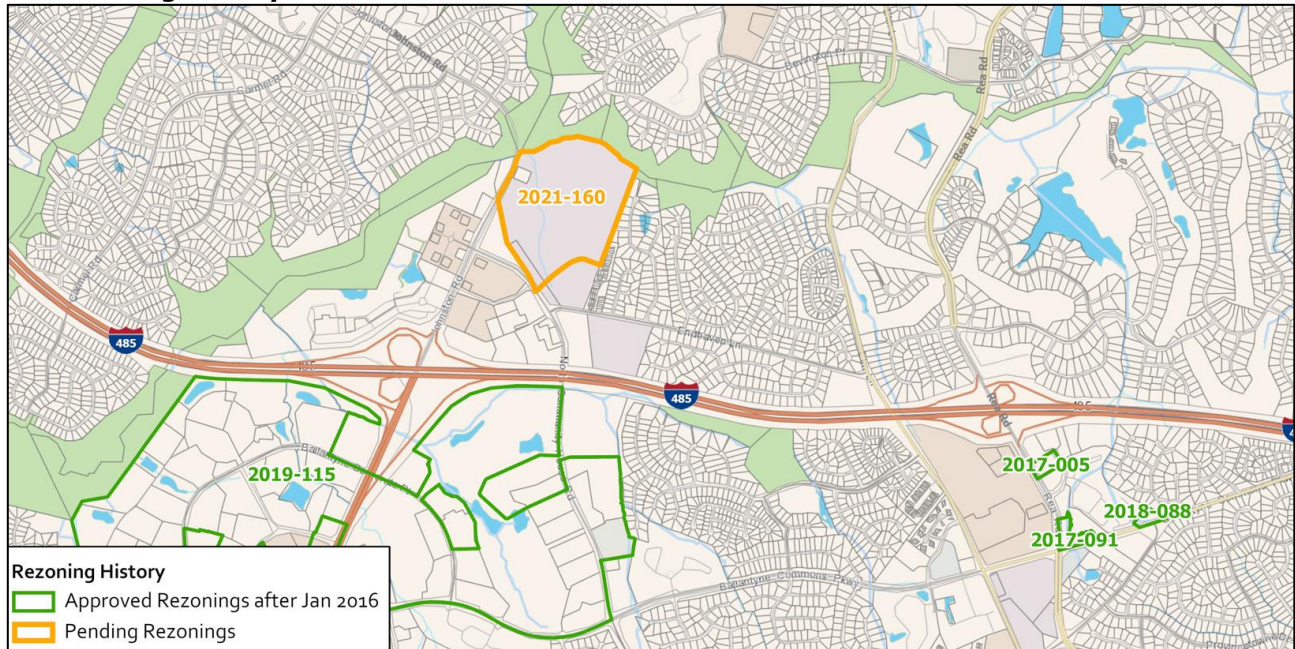


East of the site are single family detached homes along Endhaven Village Dr., Rougemont Ln, and Barret Pl. accessed from Endhaven Lane.



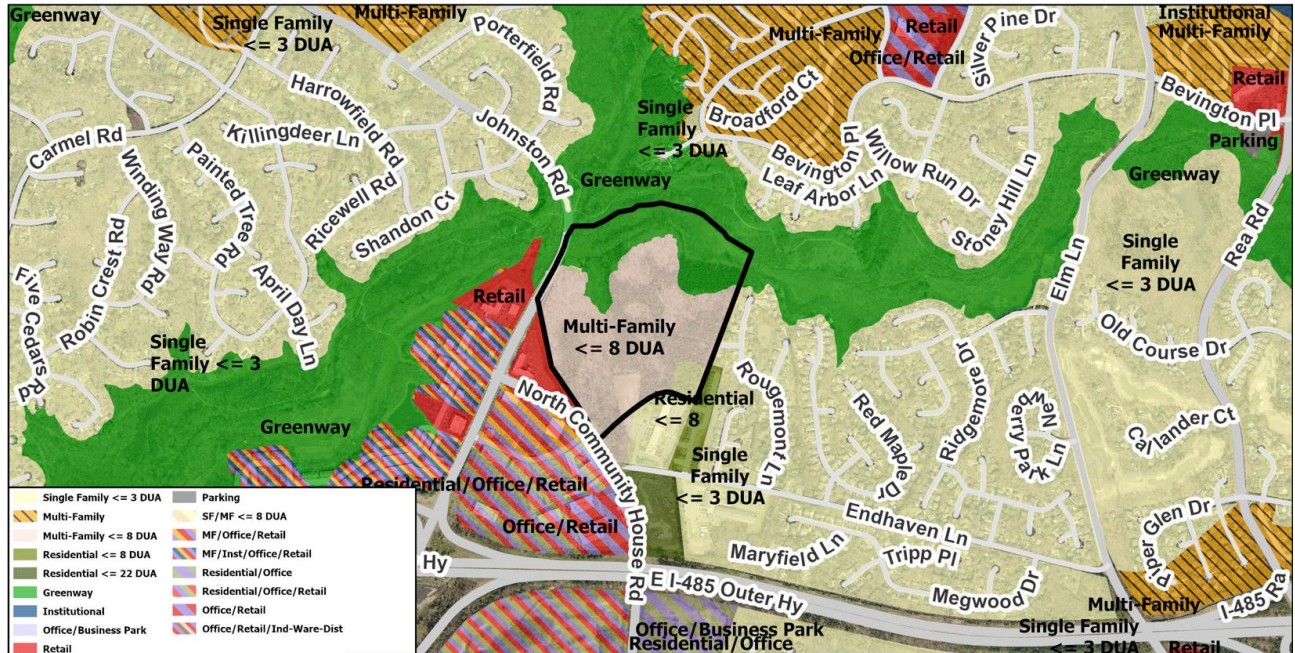
West of the site, across Johnston Rd. are business uses in Toringdon.

- **Rezoning History in Area**



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

• Public Plans and Policies



- The *South District Plan* (1993) recommends greenway use, multi-family up to 8 units per acre and single family residential up to 3 units per acre across the site.
- **TRANSPORTATION SUMMARY**
 - The site is located on North Community House Road, a City-maintained major thoroughfare, and Johnston Road, a City-maintained major thoroughfare. The project is located on 73.97 acres and proposes two development areas with land uses as shown in the trip generation table below. Per the City's Traffic Impact Study (TIS) Guideline's thresholds, a the final TIS was submitted on July 22, 2021 and was approved by CDOT on September 7, 2021. The TIS-Recommended transportation improvements, detailed on page RZ-2 of the Rezoning site plan include signal installations, signal modifications and intersection reconfigurations along Johnston Road and Community House Road. The site plan commits to providing internal public streets and pedestrian connectivity throughout the site in accordance with the City's Ordinances and Charlotte WALKS Policies. The petitioner also commits to constructing a 12-foot multi-use path along Johnston Road and sidewalks along both sides of the proposed local public streets per Chapter 19 and 20 of the City's Ordinances and in accordance with the Charlotte BIKES Policy. Site plan and conditional notes revisions are needed to specify the referenced transportation improvements and responsible party as mentioned in Section IV. Transportation.
 - **Active Projects:**
 - No active projects in the area.
 - **Transportation Considerations**
 - See Requested Technical Revisions, Note .
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 3205 trips per day (based on 429 townhomes).
 - Proposed Zoning: 3,995 trips per day (based on 420 apartments and 2,500 student high school).

DEPARTMENT COMMENTS (see full department reports online)

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

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

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

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

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

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

REQUESTED TECHNICAL REVISIONS

Transportation

1. ~~Remove "on site roundabout and roadway along the school frontage" from Transportation Note #7.~~ Addressed
2. ~~Add improvement responsibility for each of the TIS recommended improvements at each intersection under Section IV.5 in the conditional notes.~~ Addressed
3. ~~Revise conditional note under Section IV.7 by revising the final sentence to read: "...as it relates to the responsible party listed in Section IV.5"~~ Addressed

Site and Building Design

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

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





Planner: John Kinley (704) 336-8311









Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-160

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

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

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

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