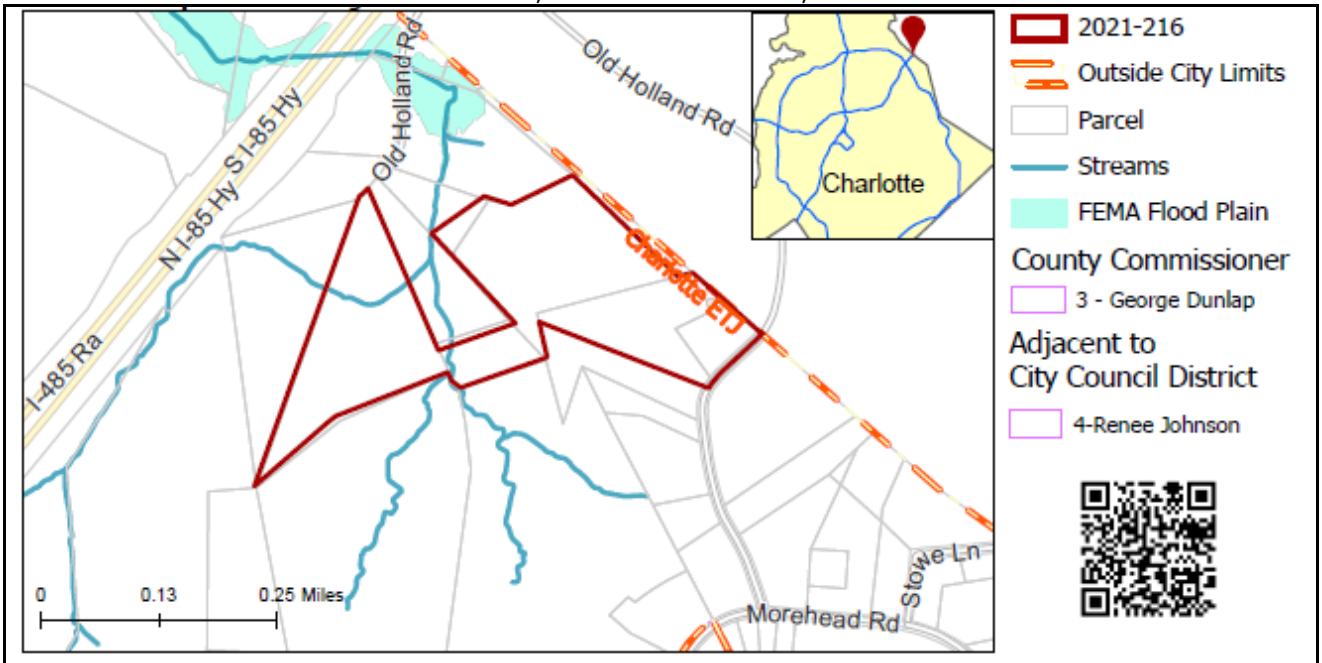
CHARLOTTE.
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-216
Final Staff Analysis
April 18, 2022

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)
LOCATION	Approximately 41.26 acres located on the west side of Old Holland Road, east of Interstate 85, and north of Morehead Road.



SUMMARY OF PETITION	The petition proposes to develop a residential community with up to 198 multi-family apartments and up to 50 duplex-styled attached dwelling units with a density of 6 dwelling units per acre on vacant land.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	William E. Caudle DHIC, LLC John Carmichael, Robinson Bradshaw, P.A.
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. <u>Plan Consistency</u> The petition is **inconsistent** with the *Northeast Area Plan* recommendation of residential uses of no more than 4 DUA. The petition meets the *General Development Policies* locational criteria for consideration of up to 6 dwellings per acre. <u>Rationale for Recommendation</u> • At 6 DUA, the petition proposes a slight increase in the recommended density. • The petition creates additional housing opportunities and housing diversity in the area. • The existing commercial amenities to the northeast of the site will support the proposed higher residential density at this site.

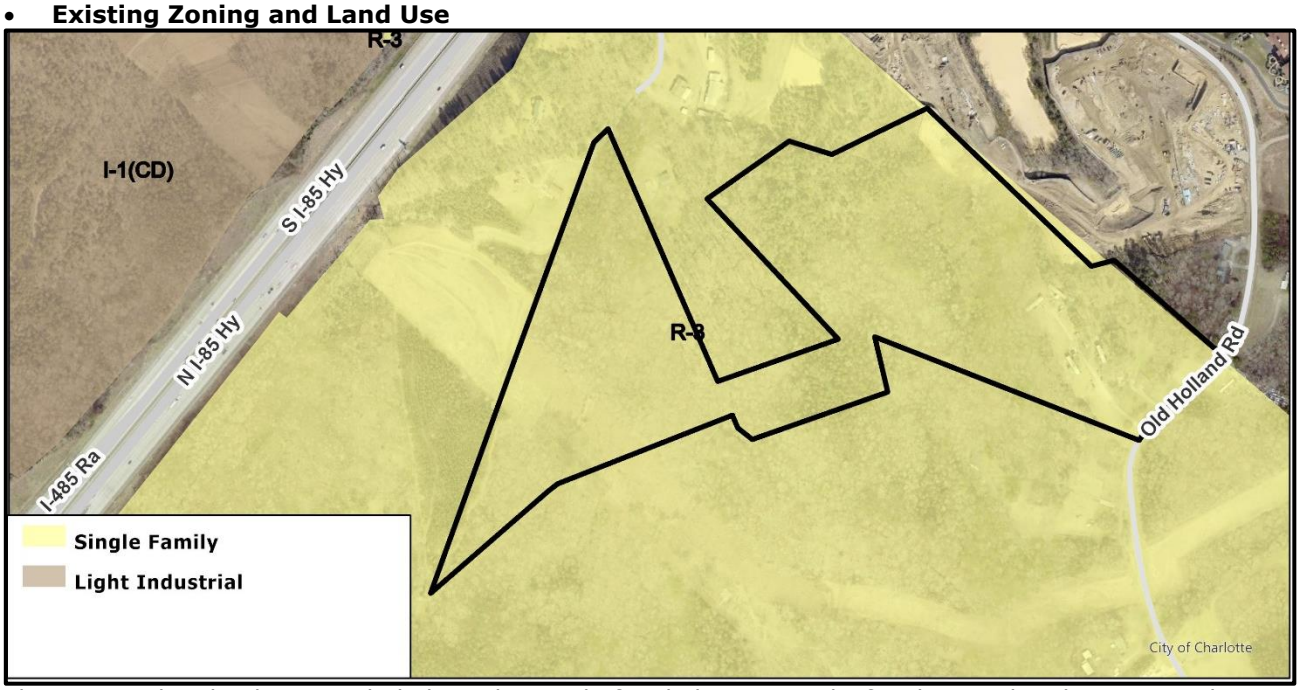
- This petition fulfills the area plan's goals of recognizing and encouraging compatible land uses across county lines.
- The petition commits to building street and sidewalk connections to the adjacent parcels to increase street connectivity and the pedestrian experience for future developments.
- The site plan proposes an amenity area for future residents, as well as a 0.15-acre pocket park that is open to the public.
- The site proposes a 50-foot class C buffer where the site abuts adjacent parcels areas to the south/southwest, ensuring an appropriate transition between the sites.
- The proposal commits to a donation of 18.33 acres to the Catawba Land Conservancy for a conservation easement.

The approval of this petition will revise the adopted future land use as specified by the *Northeast Area Plan*, from low density residential of no more than 4 DUA to multifamily residential uses of up to 6 DUA for this site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Access to the site is provided by Old Holland Road and a Lapis Lane.
  - Provides public access easements over and across the two private streets within the site.
  - Provides a northbound left-turn lane with 150-feet of storage on Old Holland Road.
  - Provides a 100-foot right turn lane on Old Holland Road at the southern intersection.
  - Commits to a donation of 18.33 acres to the Catawba Land Conservancy for a conservation easement.
  - Commits to a 12-foot-wide multi-use path along the site's frontage on Old Holland Road.
  - Provides an 8-foot-wide planting strip and an 8-foot-wide sidewalk along the private streets with public access easements.
  - Commits to a 0.15-acre public pocket park with a public access easement.
  - Provides a swimming pool and clubhouse.
  - Limits maximum height for the duplex style units to 35-feet.
  - Limits maximum height of multi-family units to 50-feet.
  - Architectural details for the duplex-style units:
    - Primary exterior building materials include brick veneer, stone, manufactured stone, stucco, and cementitious siding. Vinyl may be used on windows, doors, garage doors, soffits, and trim.
    - Pitched roofs, if provided, shall be symmetrically sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.
    - Walkways shall be provided to connect all residential entrances to sidewalks along the street.
  - Architectural details for the multi-family units:
    - Buildings will be placed as to present a front or side façade to all network required streets.
    - Buildings exceeding 120-feet in length will include modulations of the building massing/façade plane. Modulations will be a minimum of 10-feet wide and project or recess a minimum of 6-feet through the building.
    - Pitched roofs shall be symmetrically sloped no less than 4:12, excluding buildings with a flat roof and parapet walls.
    - Roof top HVAC and mechanical equipment will be screened from public view.

- **Existing Zoning and Land Use**



The surrounding land uses include large lot single family homes, multi-family, retail and commercial uses and vacant land.



The property is denoted with a red star.

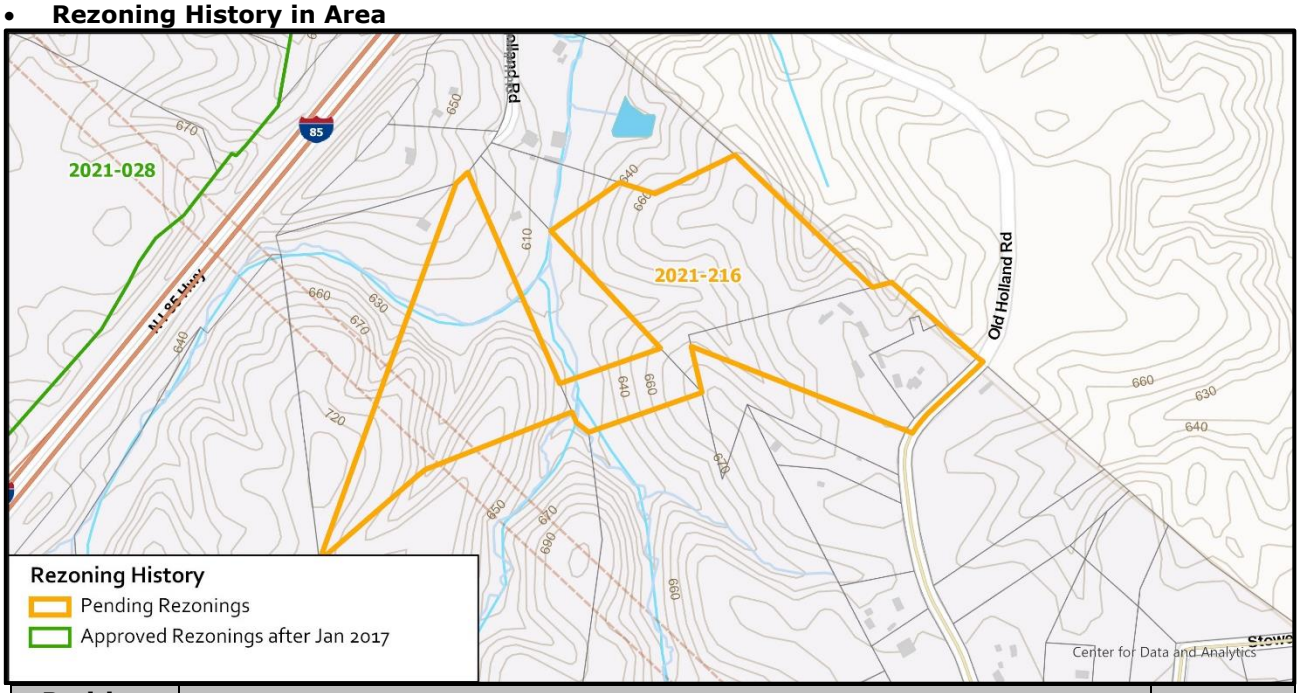


The property to the southeast along Old Holland road is developed with single family homes.



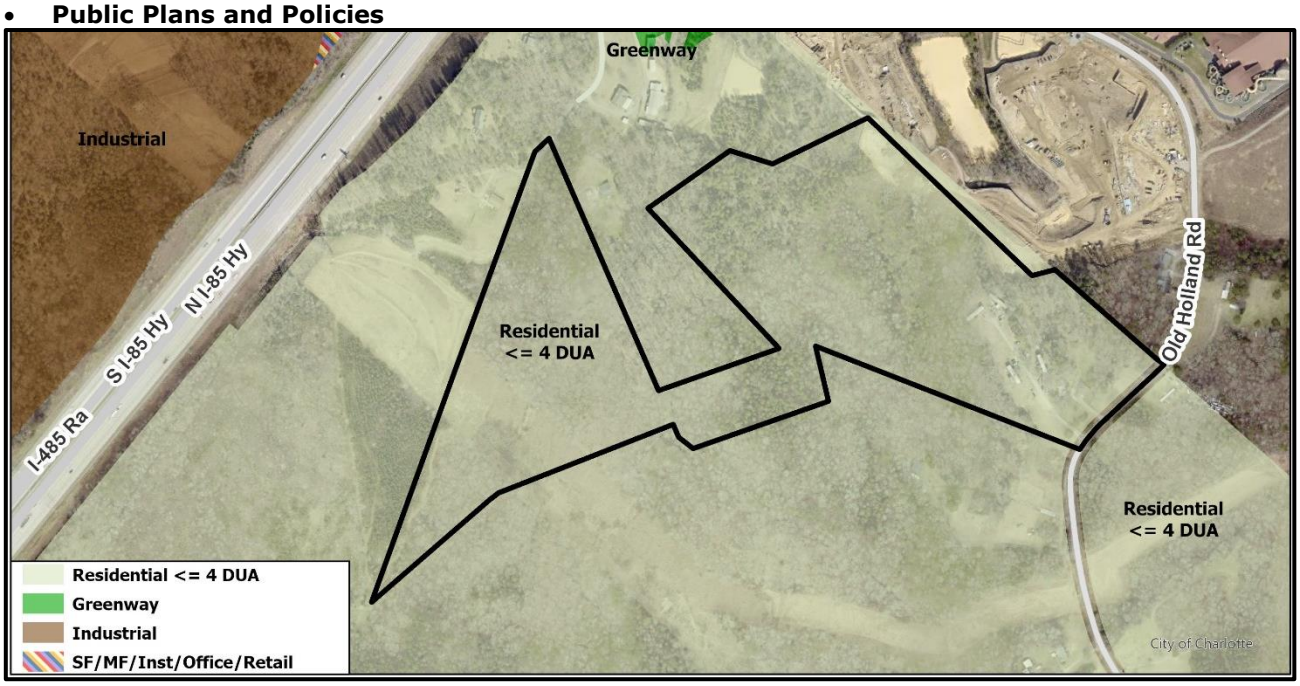
The property to the north across the Cabarrus County is a mixture of retail, hotel, and commercial uses. Subject property denoted by red star.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-028	Rezoned 287.71 acres into two development areas. Development area 1 (274.33 acres) proposes 2,750,000 square-feet of warehousing, distribution, logistics, office, manufacturing, and all other uses permitted by right as allowed in the I-1 zoning district. Development area 2 (36.67 acres) proposes up to 488 multi-family residential units.	Approved

- **Public Plans and Policies**



- The *Northeast Area Plan* recommends residential uses of no more than 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 6 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 6 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	1
Connectivity Analysis	3
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 10	**Total Points: 11**

- **TRANSPORTATION SUMMARY**
  - This petition is located adjacent to Old Holland Road, a State-maintained local street and north of Morehead Road, a State-maintained major thoroughfare. CDOT did not require a Traffic Impact Study (TIS) for this site, however a TIS was required for this site by the City of Concord. CDOT has coordinated transportation improvements for this petition which include the installation of a 12-ft multi-use path on Old Holland Road in accordance with the Charlotte WALKS and BIKES policies, and the installation of a left turn lane on Old Holland Road at the site driveway. Per coordination with NCDOT and the findings of the TIS, a right turn lane on Old Holland Road at the site driveway is also required. All outstanding CDOT comments have been addressed.
  - **Active Projects:**
  - N/A
- **Transportation Considerations**
  - ~~See Outstanding Issues, Notes 1 and 2~~ Addressed
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 95 trips per day (based on 7 single family dwellings).

  Entitlement: 1,270 trips per day (based on 124 single family dwellings).

  Proposed Zoning: 1,420 trips per day (based on 198 apartments and 50 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:** 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 63 students, while the development allowed under the proposed zoning may produce 33 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Stoney Creek Elementary from 110% to 113%
    - James Martin Middle remains at 65%.
    - Example High from remains at 126%.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 1500-feet south of the rezoning boundary along Morehead Road. A developer donated project will be required in cases there is not direct service. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 3000- feet southeast of the rezoning boundary along Morehead Road. A developer donated project will be required in cases there is not direct service. 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 comments submitted.

OUTSTANDING ISSUES

Transportation

1. ~~Revise site plan to provide accessible on street parking space(s) in accordance with CLDMS 50.09D and 50.10A~~ Addressed
2. ~~Remove "under this section C of the development standards for note C.7. because all the required transportation improvements are not listed under section C such as the 12-foot multi-use path on Old Holland.~~ Addressed
3. ~~Per coordination with NCDOT and the findings of the TIS, provide a 100-foot right turn lane on Old Holland Road at the southern intersection~~. Addressed

Site and Building Design

4. ~~Revise building form from multi-family dwellings to single family attached dwelling units~~. Rescinded by staff

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

Planner: Michael Russell (704) 353-0225

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-216

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

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

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

	**Goal 5: Safe & Equitable Mobility** 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.	✓
	**Goal 6: Healthy, Safe & Active Communities** 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.	✓
	**Goal 7: Integrated Natural & Built Environments** 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.	✓
	**Goal 8: Diverse & Resilient Economic Opportunity** 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.	**N/A**
	**Goal 9: Retain Our Identity & Charm** Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.	**N/A**
	**Goal 10: Fiscally Responsible** 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	**N/A**