

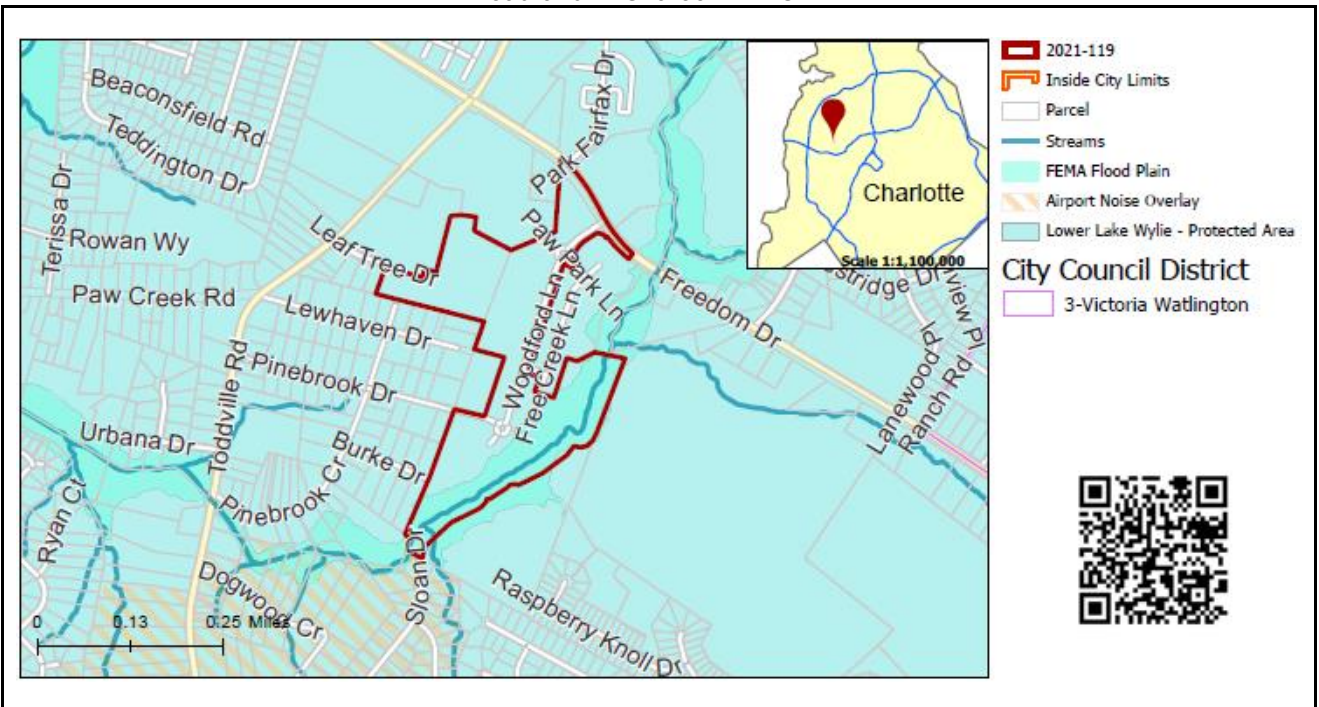
## REQUEST

**Current Zoning:** R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area), INST LLWPA (institutional, Lower Lake Wylie Protected Area), and MX-2(INNOV) LLWPA (Mixed-Use Innovative, Lower Lake Wylie Protected Area)

**Proposed Zoning:** MX-2(INNOV) LLWPA (Mixed-Use Innovative, Lower Lake Wylie Protected Area), MX-2(INNOV) LLWPA SPA (Mixed-Use Innovative, Lower Lake Wylie Protected Area, site plan amendment)

## LOCATION

Approximately 31.5 acres on Freedom Drive between Toddville Road and Allenbrook Drive.



## SUMMARY OF PETITION

The petition proposes to expand and amend a previously approved rezoning petition to allow for the development of up to 146 single family attached dwelling units at a density of 4.63 dwelling units per acre.

## PROPERTY OWNER

NCMI Metro LMI LLC, Medical Facilities of America LXVIII (68) LIMI

## PETITIONER

TED Partnership

## AGENT/REPRESENTATIVE

Profile Homes

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 7

## STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of requested technical revisions related to the environment.

### Plan Consistency

- The petition is **consistent** with the portion of the site recommended for residential up to 8 dwelling units per acre (DUA) and the greenway designated portion (to be dedicated to Park & Recreation) as per the *Northwest District Plan* (adopted 1990).

However, it is **inconsistent** with the density recommendation for the portion recommended for single-family up to 4 DUA, and **inconsistent** with the portion recommended for Institutional land uses. The petition is consistent with the *General Development Policies* for consideration of density of up to 6 dwelling units per acre.

#### Rationale for Recommendation

- The petition is compatible with the general development pattern in the area, consisting of mixed residential uses near the intersection of Freedom Drive and Toddville Road.
- The majority of the site is already zoned to allow single family attached and multifamily residential. This petition would reduce the density of residential use from 7.99 DUA to 4.63 DUA.
- The proposed development would provide an alternative housing type for this section of the Freedom Drive corridor.
- The petition would improve the street network in the vicinity by connecting to street stubs and provide an 8' planting strip and 6' sidewalk along all public streets.

The approval of this petition will revise the adopted future land use as specified by the *Northwest District Plan*, from current recommended single-family at up to 4 DUA to residential up to 6 DUA land use for the site.

### **PLANNING STAFF REVIEW**

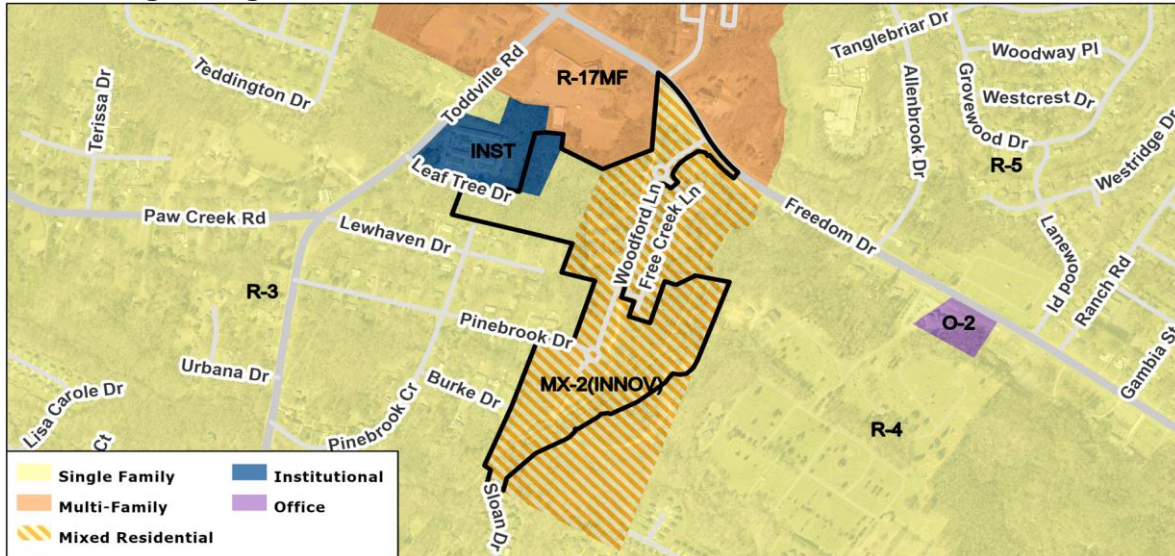
#### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows for the development of up to 146 single family attached dwelling units at a density of 4.63 units per acre.
- Limits building height to 48'.
- Requests the following innovative provisions:
  - 14' setback from existing or proposed back of curb.
  - 6' side yard and 6' rear yard.
  - Minimum subplot area of 1,200 square feet and width of 22'.
- Commits to several transportation improvements including:
  - Installation of an 8' planting strip and 6' sidewalk along all public street frontages.
  - Public street connections to Burke Drive, Pinebrook Drive, Woodford Lane, and Leaf Tree Drive.
  - Construction of ADA curb ramps at the intersection of Toddville Road and Leaf Tree Drive.
  - Construction of a left turn lane on northbound Freedom Drive at Woodford Lane.
- Commits to design standards including specified building materials, covered entryways, blank wall limitations, and porches and stoops on all corner units facing a public street.
- Commits to providing 3.12 acres of open space with landscaping, seating, and lighting.



- Existing Zoning and Land Use



The majority of the site was rezoned by petition 2008-017 to permit up to 77 single family residences, 374 multifamily dwellings, and 24,000 square feet of non-residential uses. Rezoning 2008-017 (shown in orange and yellow stripes in the map above) included additional acreage outside of the boundaries of the current petition.

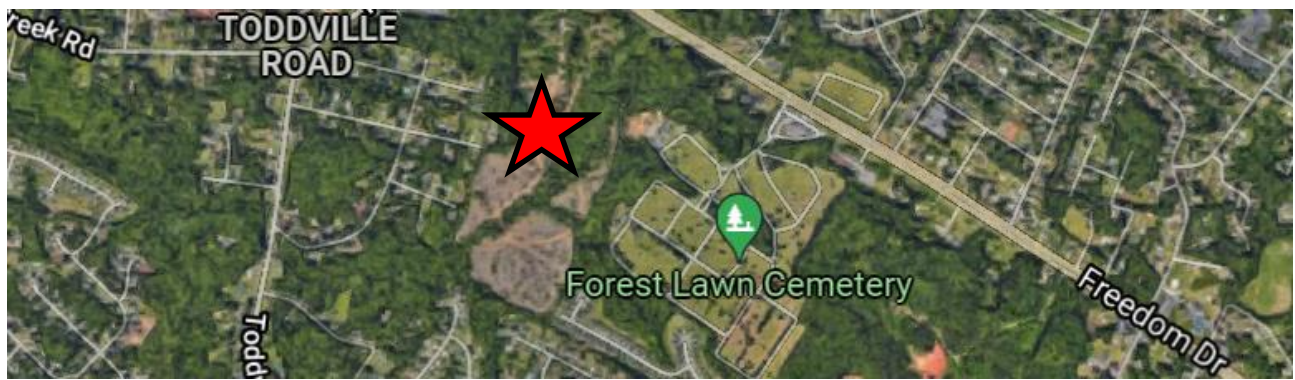


The site, marked by a red star, is surrounded by a mixture of uses including single family residential, institutional, and senior apartments.



The property to the north of the site at the intersection of Freedom Drive and Toddville Road is developed with an institutional use.





The property to the east of the site, marked by a red star is developed with an institutional use.



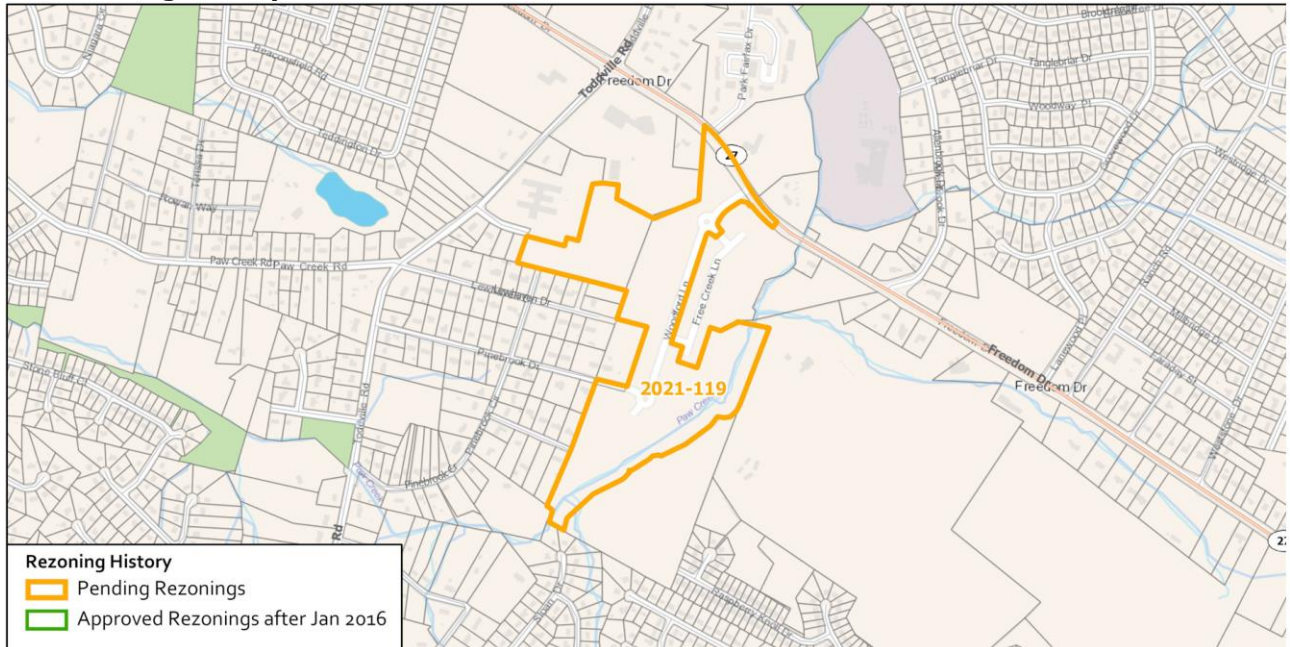
The properties to the south of the site are developed with single family residential uses.



The properties to the west of the site are developed with single family residential and institutional uses.

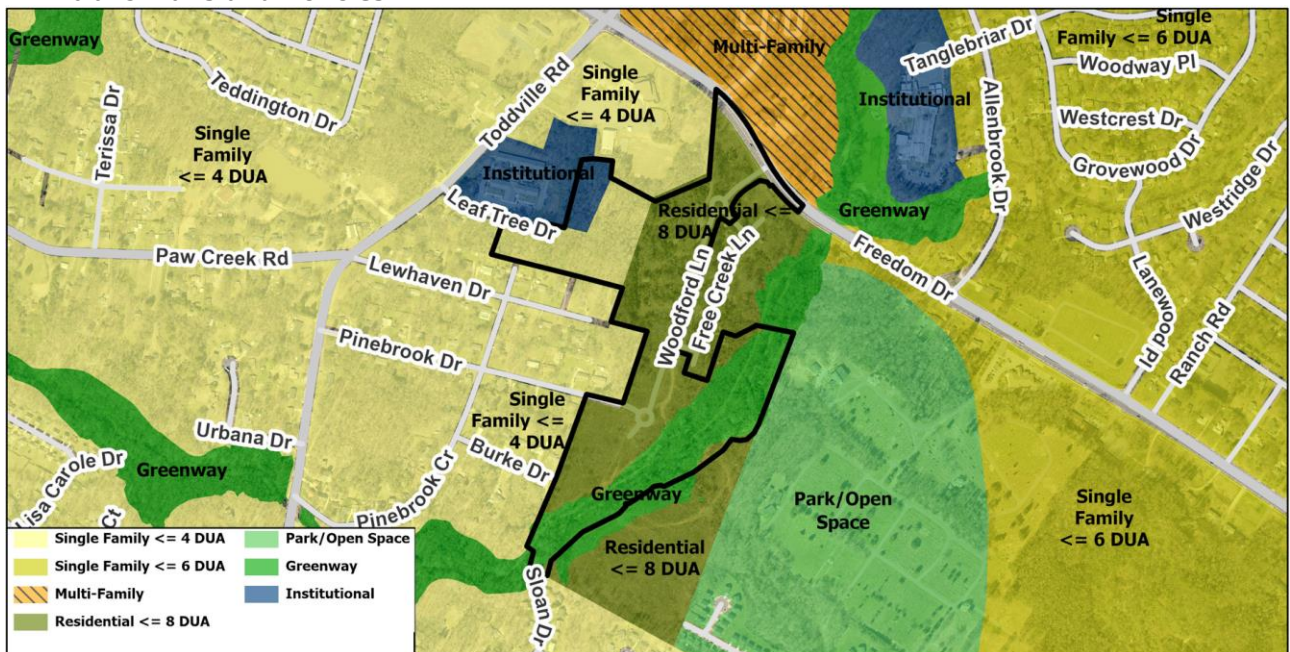


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
	There are no recent rezonings in the vicinity of the site.	

- Public Plans and Policies**



- The Northwest District Plan (adopted 1990) recommends residential up to 8 dwelling units per acre (DUA), single-family up to 4 DUA, and greenway 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	3
Connectivity Analysis	4
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 10</b>	<b>Total Points: 14</b>

- TRANSPORTATION SUMMARY**

- This site is located adjacent to Freedom Drive, a State-maintained major thoroughfare and Pinebrook Circle, a City-maintained local street. The petitioner has committed to improve the transportation network by providing additional connectivity to the surrounding local residential streets and committing to coordinate with NCDOT to construct a left-turn lane on Freedom Drive. Additionally, in accordance with City Ordinances and the Charlotte WALKS Policy, the petitioner has committed to providing an internal pedestrian network that will connect to the adjacent, approved, Freedom Flats Multifamily Development, and connect to the existing pedestrian network on Toddville Road.
  - CDOT has no outstanding issues.
- Active Projects:**
  - There are no active projects in the vicinity of this site.
- Transportation Considerations**
  - No outstanding issues.
- Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 0 trips per day (based on vacant land).
    - Entitlement: 5,420 trips per day (based on 374 townhomes, 96 single family dwellings, 24,000 square feet of retail, and 20 senior apartments).
    - Proposed Zoning: 1,170 trips per day (based on 160 townhomes).

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

- Charlotte Area Transit System:** No comments submitted.
- Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- Charlotte Department of Solid Waste Services:** No outstanding issues.
- Charlotte-Douglas International Airport:** No comments submitted.
- Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://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 112 students, while the development allowed under the proposed zoning may produce 24 students. Therefore, the net decrease in the number of students generated from existing zoning to proposed is 88.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Tuckaseegee Elementary from 111% to 113%
    - Whitewater Middle from 92% to 93%
    - West Mecklenburg High to remain at 78%.
  - Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Freedom Dr. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Freedom Dr. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- City Arborist:** No outstanding issues.

- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry:** See Requested Technical Revisions, Note 8.

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

- ~~1. Correct buffer adjacent to private alley D to arc as opposed to taking a hard angle as graphically depicted in the plan room comments.~~ **ADDRESSED**
- ~~2. Confirm that building facing Pinebrook Drive meets the 14' setback.~~ **ADDRESSED**
- ~~3. Delete building pad dimensions from site plan.~~ **ADDRESSED**
- ~~4. Confirm that all setbacks and yards are appropriately measured and in compliance with the zoning ordinance and that notes match the site plan.~~ **ADDRESSED**
- ~~5. Confirm that driveway lengths meet minimum and maximum standards in relationship to sidewalk for front loaded units.~~ **ADDRESSED**
- ~~6. Add language regarding greenway easement to conditional notes.~~ **ADDRESSED**
- ~~7. Move notes that don't comply with R-22MF standards to the innovative section.~~ **ADDRESSED**

Environment

- ~~8. Correct tree save calculations to be consistent with SDRSFR-2021-00023, indicating a minimum 11.62 acres.~~

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

**Planner:** Joe Mangum (704) 353-1908








## Goals Relevant to Rezoning Determinations Petition 2021-119

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 (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 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.	✗



	<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><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>	