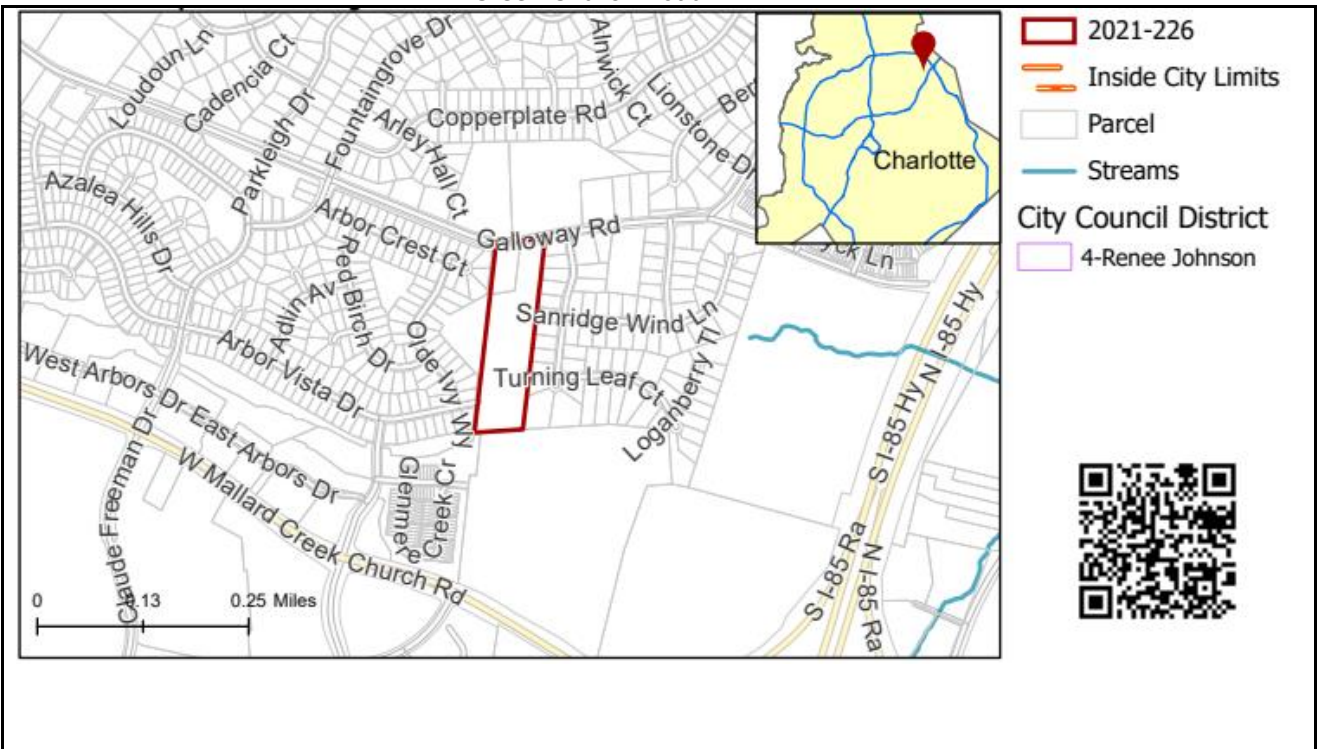


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 8.02 acres located on the south side of Galloway Road, east of Claude Freeman Drive, and north of West Mallard Creek Church Road.



SUMMARY OF PETITION

The petition proposes to develop a residential community with up to 48 townhome units with a density of 5.9 dwelling units per acre.

PROPERTY OWNER

Donald Henderson & Sherry Burnette

PETITIONER

AREP Galloway, LLC

AGENT/REPRESENTATIVE

Bridget Grant, Moore & Van Allen, PLLC

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 **inconsistent** with the *Northeast Area Plan* recommendation of residential land 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.

Rationale for Recommendation

- At 6 dwelling units per acre, this petition is inconsistent with the area plan's recommended density of 4 dwelling units per acre, but it is consistent with the area plan's recommendation of a residential use.

- The slightly increased density is appropriate for this infill site and is an appropriate adjacent use to the surrounding single-family neighborhoods.
- The proposed project is generally consistent with the existing development pattern in the area, in particular with the site to the southwest of the site.
- The petition commits to enhancing the pedestrian environment throughout the site through site design elements and creates improved street connectivity along Galloway Road as well as a pedestrian connection to Arbor Vista Drive in the neighborhood to the east.

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

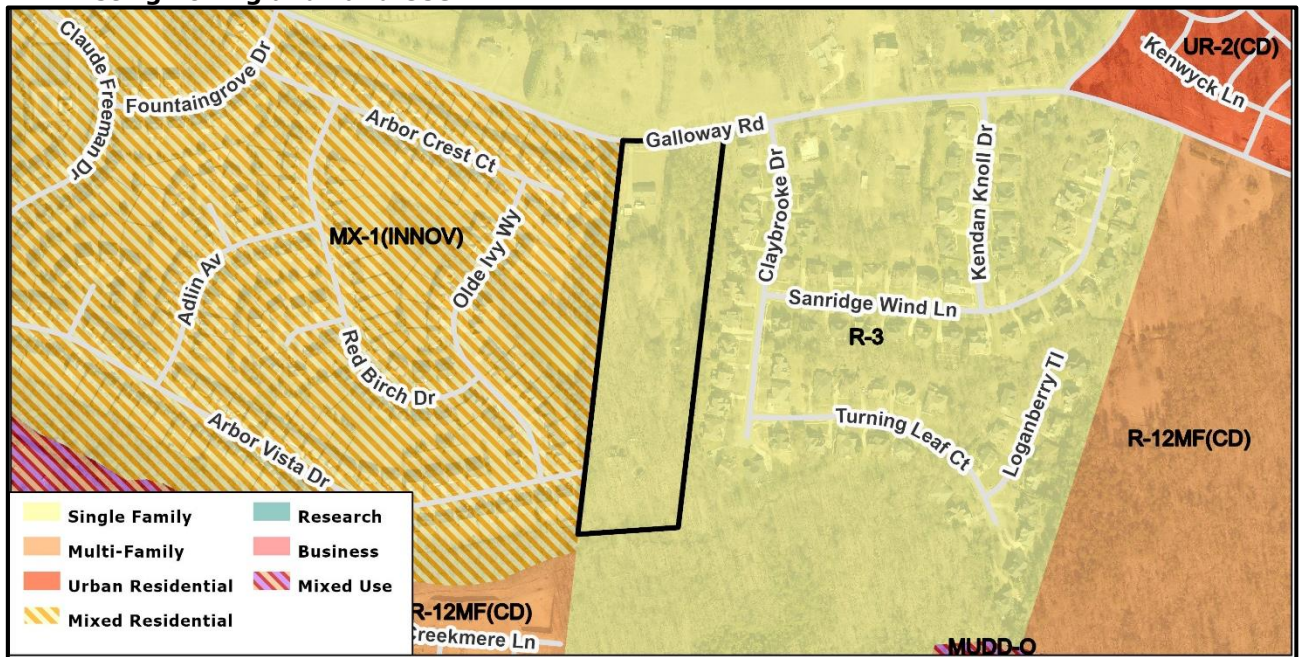
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 48 townhome units.
- Limits building height to 48-feet.
- Vehicular access to the site will be from Galloway Road only.
- Commits to 8 visitor parking spaces.
- Provides a 12-foot multi-use path connecting Arbor Vista Drive to the proposed public street.
- Provides an 8-foot planting strip and 8-foot sidewalk along Galloway Road.
- Provides landscape buffers along the property lines to neighboring single family residential homes.
- Each townhome will have a garage.
- Architectural details:
 - The primary building materials shall be a combination of brick veneer or similar masonry products, stone, manufactured stone, stucco, and cementitious siding.
 - 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.
 - 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 should be covered and be at least 5 feet deep. Stoops and entry-level porches may be covered but should not be enclosed.
 - All corner/end 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.
 - Walkways should be provided to connect all residential entrances to sidewalks along public and private streets.
 - Garage doors visible from public or private streets shall minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane and additional architectural treatments such as translucent windows or projecting elements over the garage door opening.

- Existing Zoning and Land Use



The surrounding land uses include single family homes, townhomes, and institutional uses.



The subject property is denoted by a red star.



The property to the west along Arbor Crest Court is developed with single family homes.

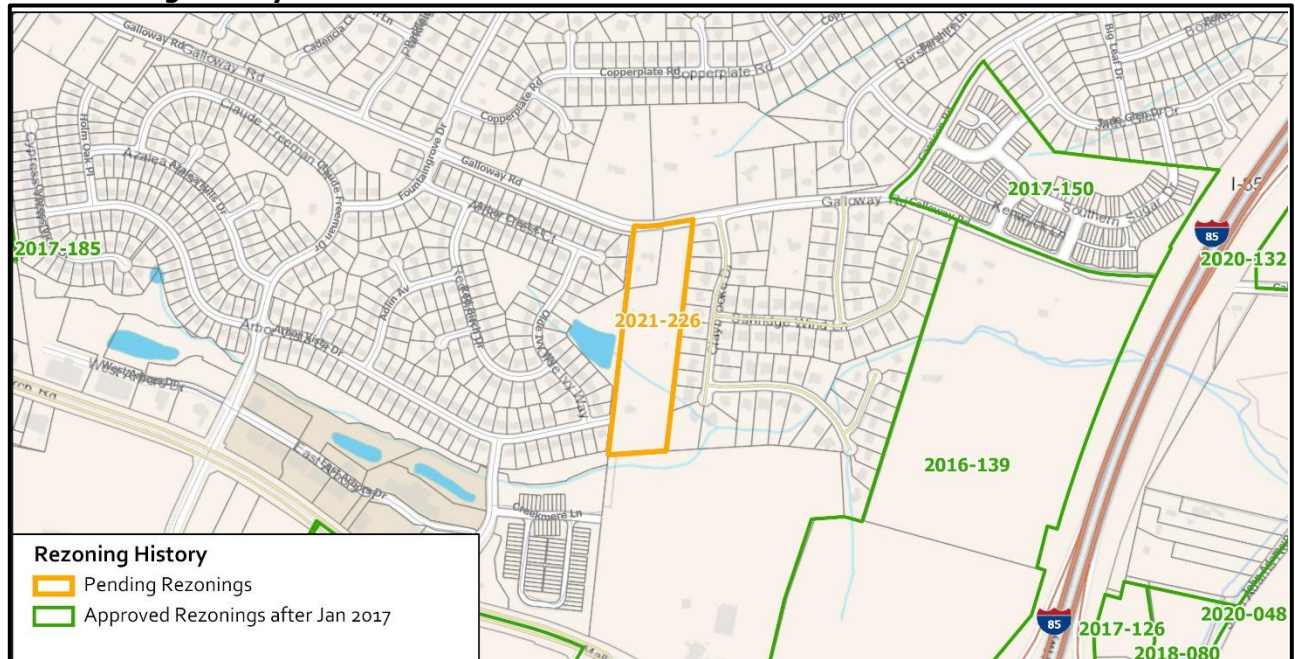


The property to the east along Sanridge Wind Lane is developed with single family homes.



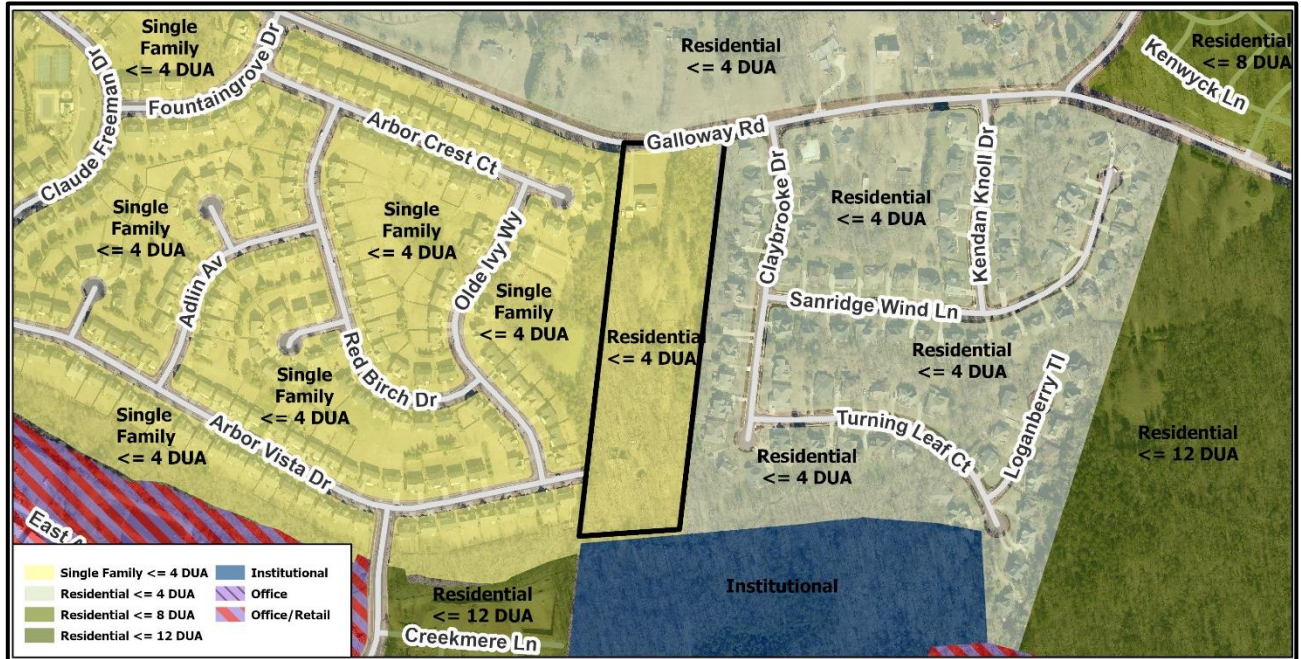
The property to the north along Galloway Road is developed with single family homes.

• **Rezoning History in Area**



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 MUDD.	Approved
2017-126	Rezoned 2.5 acres to allow all uses permitted in the B-1 (neighborhood business) district.	Approved
2017-150	Rezoned 20.6 acres to allow up to 137 townhome units.	Approved
2017-185	Rezoned 11.75 acres to allow up to 260 multi-family units.	Approved
2018-080	Rezoned 3.22 acres to allow development of the site with all uses permitted in the office district.	Approved
2020-048	Rezoned 24.6 acres to allow up to 366 multi-family residential dwelling units, 56 single family attached townhome units, and up to 10,000 square feet of office and non-office commercial uses.	Approved
2020-132	Rezoned 8.0 acres to allow up to 63 townhome units.	Approved

• **Public Plans and Policies**



- The *Northeast Area Plan* recommends residential land uses of no more than 4 DUA.
- 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	2
Connectivity Analysis	5
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 10	Total Points: 14

• **TRANSPORTATION SUMMARY**

- The petition is located south of Galloway Road, City-maintained minor collector and west of Claybrooke Drive, a State-maintained local road. The petition is located in the Northeast Wedge outside Route 4. A Traffic Impact Study (TIS) is not necessary for the complete review of this petition due to the site generating less than 2,500 daily trips. CDOT has coordinated with the petitioner to provide an 8-ft sidewalk and planting strip along Galloway Road and a 12ft multi-use path connecting the proposed private street to Arbor Vista Drive. All outstanding CDOT comments have been addressed.
- **Active Projects:**
- N/A
- **Transportation Considerations**
 - ~~See Outstanding Issues, Note 8~~ Addressed
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 20 trips per day (based on 2 single family dwellings).
 - Entitlement: 280 trips per day (based on 24 single family dwellings).
 - Proposed Zoning: 325 trips per day (based on 48 townhome units).

- **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 12 students, while the development allowed under the proposed zoning may produce 8 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:
 - Mallard Creek Elementary remains at 75%.
 - Ridge Road Middle remains at 125%.
 - Mallard Creek High remains at 121%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Galloway Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Galloway Road. 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:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES

Transportation

1. ~~Add centerline of roadway to Galloway Road and callout the proposed right-of-way line as "Proposed ROW".~~ Addressed
2. ~~Revise site plan to show the proposed 8-foot sidewalk and 8-foot planting strip located along Galloway Road per the conditional note 4.B.~~ Addressed
3. ~~Revise site plan and conditional note(s) to commit to construct a 12-foot multi-use path that connects the Arbor Vista Drive stub street to the proposed street per Chapter 20. Provide a public access easement for the multi-use path route. CDOT may request the existing Arbor Vista Drive be extended with a public road if the existing building will be removed.~~ Addressed
4. ~~Provide a public access easement for the multi-use path route. In addition, CDOT recommends stairway/path connecting MUP.~~ Addressed
5. ~~Revise site plan to provide a minimum 50-foot stem between the proposed right-of-way and the first residential driveway. Dimension stem length.~~ Addressed
6. ~~Revise site plan to provide curb ramps for the sidewalk along Galloway Road crossing the proposed private street.~~ Addressed
7. ~~Remove language from conditional note 3.H.~~ Addressed
8. ~~Revise site plan to remove note regarding stairs allowed for steep grades. The required multi-use path must be accessible, and the request to add stairs between the jogged path was in addition to the required ADA accessible route.~~ Addressed

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 # 2021-226

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.	✓
	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

	<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>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>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>