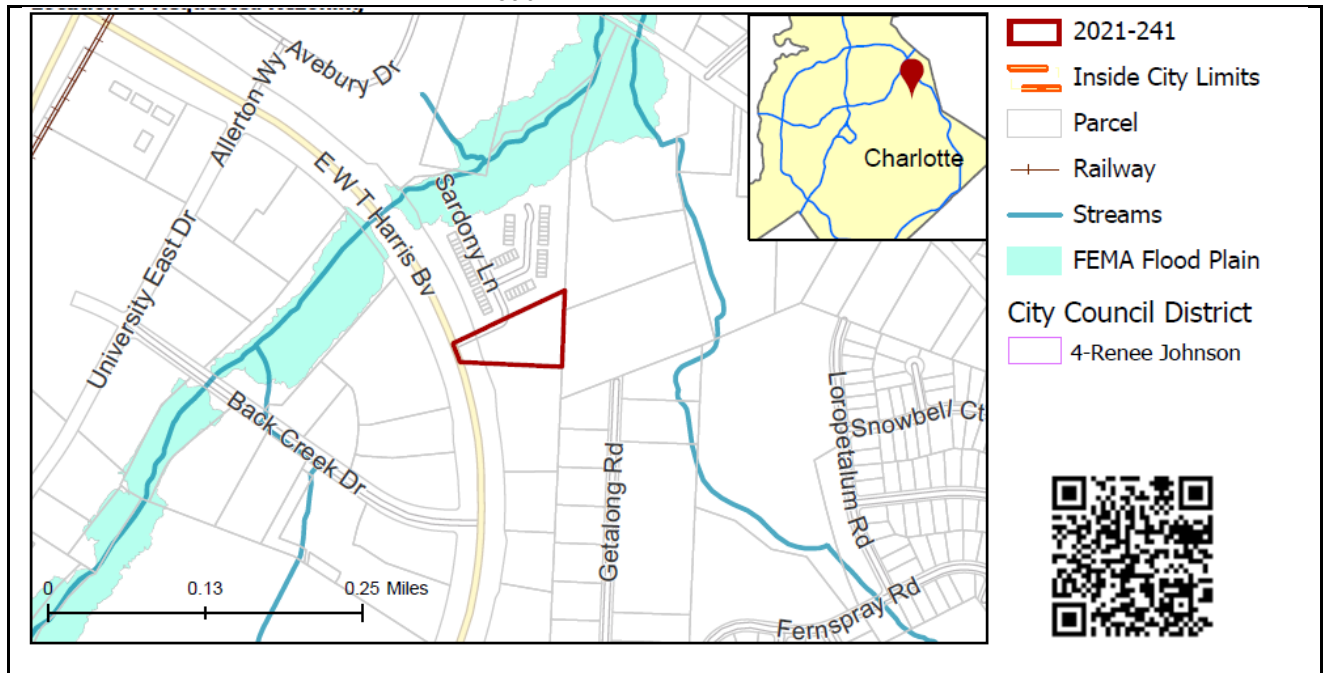


REQUEST

Current Zoning: O-1(CD) (office, conditional)
Proposed Zoning: R-17MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 1.85 acres located at the southeast intersection of Sardony Lane and East W.T. Harris Boulevard, north of Rocky River Road.



SUMMARY OF PETITION

The petition proposes to allow a 27-unit multi-family residential development on a vacant parcel at a density of ~~16.22~~ 14.6 units per acre.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

University East LLC, c/o MPV Properties
Jung Yim
Walter Fields

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 2

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Newell Small Area Plan (2002)* recommendation for office and multi-family uses up to 12 dwelling units per acre for the site.

Rationale for Recommendation

- The petition is generally consistent with the existing development pattern in the area and is in context with the current use of the site.
- There is existing multi-family development to the north.
- The proposed location, use and density help to achieve the area plan's land use goal stating, "new development should be comparable in scale to existing neighborhoods".

The approval of this petition will revise the adopted future land use as specified by the *Newell Small Area Plan*, from office and multi-family uses up to 12 DUA to residential uses up to 17 DUA for the site.

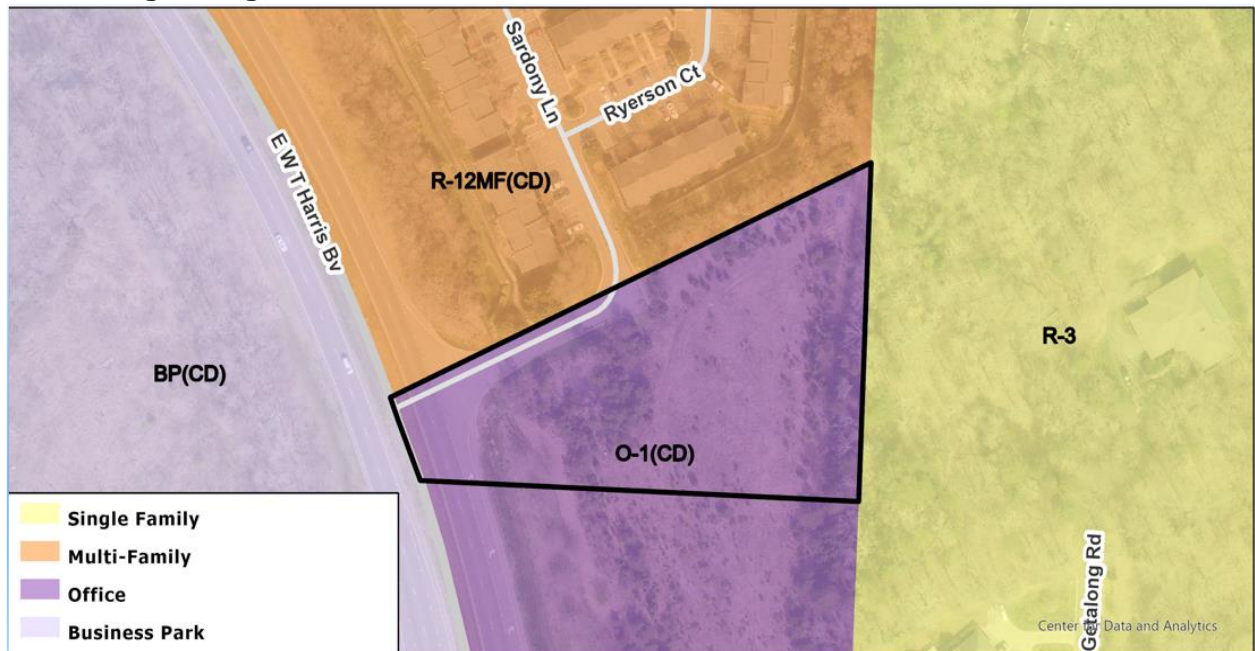
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Illustrates 27 multi-family residential units in 2 buildings (~~proposes a maximum of 30 units at a density of 16.22 units per acre~~); **at a density 14.6 units per acre.**
- **Notes no more than 33% of the units will be larger than 2 bedrooms.**
- Limits building height to 40 feet.
- Proposes access via existing private driveway to E. W.T. Harris Boulevard.
- **Constructs a sidewalk to allow pedestrian connection from this site to the right-of-way for Harris Boulevard if consent from the holders of a 25-foot drainage easement and of a 20-foot sanitary sewer easement grant access for such a sidewalk.**
- Proposes the following building materials: brick, natural stone (or its synthetic equivalent), stucco or other durable material such as cementitious board such as hardy board.
- Prohibits vinyl siding (excluding vinyl handrails, windows or trim) and unfinished concrete masonry materials to be used as exterior finishes.
- Addresses design of building elevations via vertical bays or articulated features (wall offsets, projections, recesses, pilasters, banding and change in materials or colors).
- Limits blank wall expanses to no more than 20 feet.
- Proposes a 50-foot rear yard (landscaped resident passive open and activity area).
- Proposes a 25-foot undisturbed and Class C buffer.
- **Preserves a man-made grade transition berm on the rear of the site created by prior grading of the site as part of a 25-foot undisturbed buffer. Grading within the area of the berm between the undisturbed buffer area and the 50-foot rear yard will be minimized to the greatest extent practicable with the intent of preserving trees within this area. Minor grading to provide for passive open space for the residents will be permitted between the undisturbed buffer area and the rear of the buildings. Additional trees and shrubs consistent with the buffer planting requirements will be added within the buffer area where it may be determined that the existing vegetation does not comply with those standards. If any grading in or near the grade transition would result in newly created slopes that exceed a 3 to 1 slope, the Petitioner will construct additional structural support to maintain the grade, trees, and vegetation within the undisturbed buffer area.**
- **Installs a 6-foot ornamental metal fence as part of the buffer area along the rear property line and along the northern and southern property lines for a distance of 50 feet to define the corners of the site and top further restrict movement from the site onto adjoining properties. The exact location of the fence will be determined during the design and development review process but will articulate within and along the buffer area. The fence along the portion of the site that adjoins the Morrison Place community will extend to the area of the entrance gate for Morrison Place. The exact location of the fence will be coordinated with the Morrison Place HOA but will not extend beyond the property line of the Petitioner's site. This coordination will allow for Morrison Place to construct or extend the fence onto their site to connect to their entrance gate at their cost if they choose to do so.**
- **Notes the petitioner will use best efforts in working with Duke Energy in providing service to the site that creates the least practicable disturbance to adjoining parcels where existing Duke rights-of-way exist, recognizing that the petitioner cannot dictate to Duke Energy how service is provided.**

- **Existing Zoning and Land Use**



- The site is currently vacant and is surrounded by a mix of single family and multi-family communities, non-residential uses and vacant land zoned R-3, R-12MF(CD), and BP(CD).
- The site is part of a larger 18.58-acre parcel rezoned from R-3 to O-1(CD) and R-12MF(CD) via petition 1999-016C to allow a mix of residential and non-residential uses.

The approved rezoning allows general office uses and/or medical office uses and/or a daycare facility on Parcel 1, and a religious institution containing no more than 750 seats, or a retirement home accommodating no more than 150 beds; or a townhouse for sale development containing no more than 50 dwelling units.



The rezoning site is currently vacant.



North are multi-family residential dwellings.

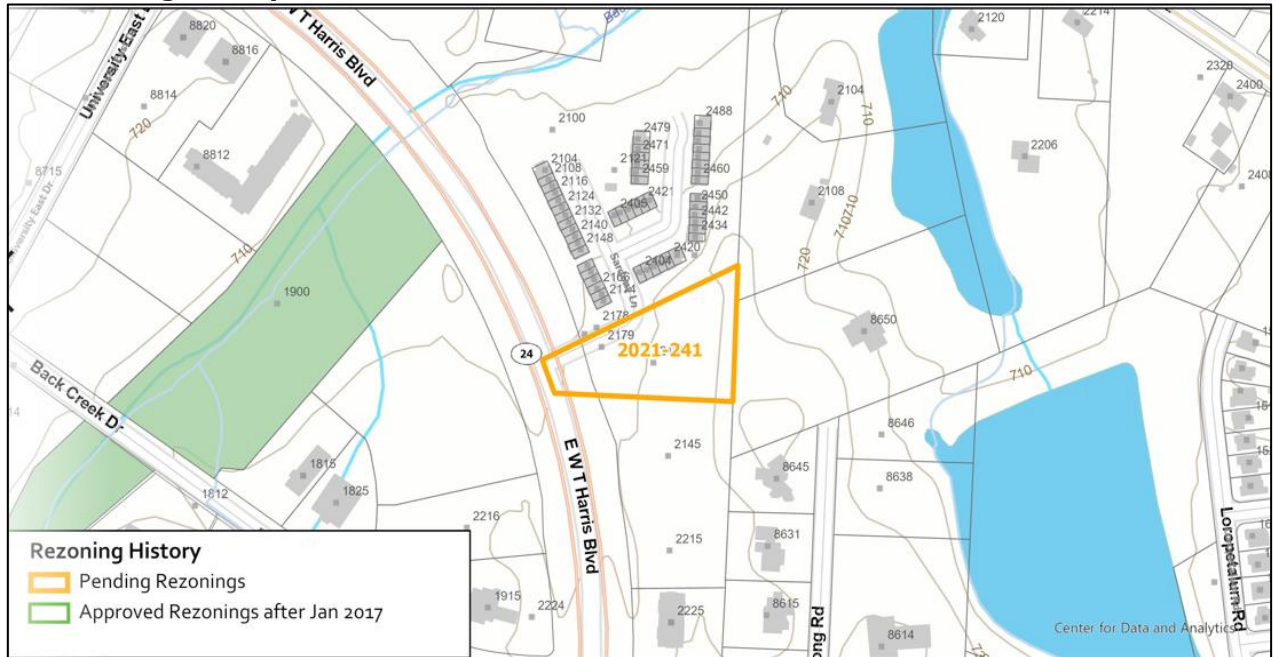


East are single family residential dwellings.



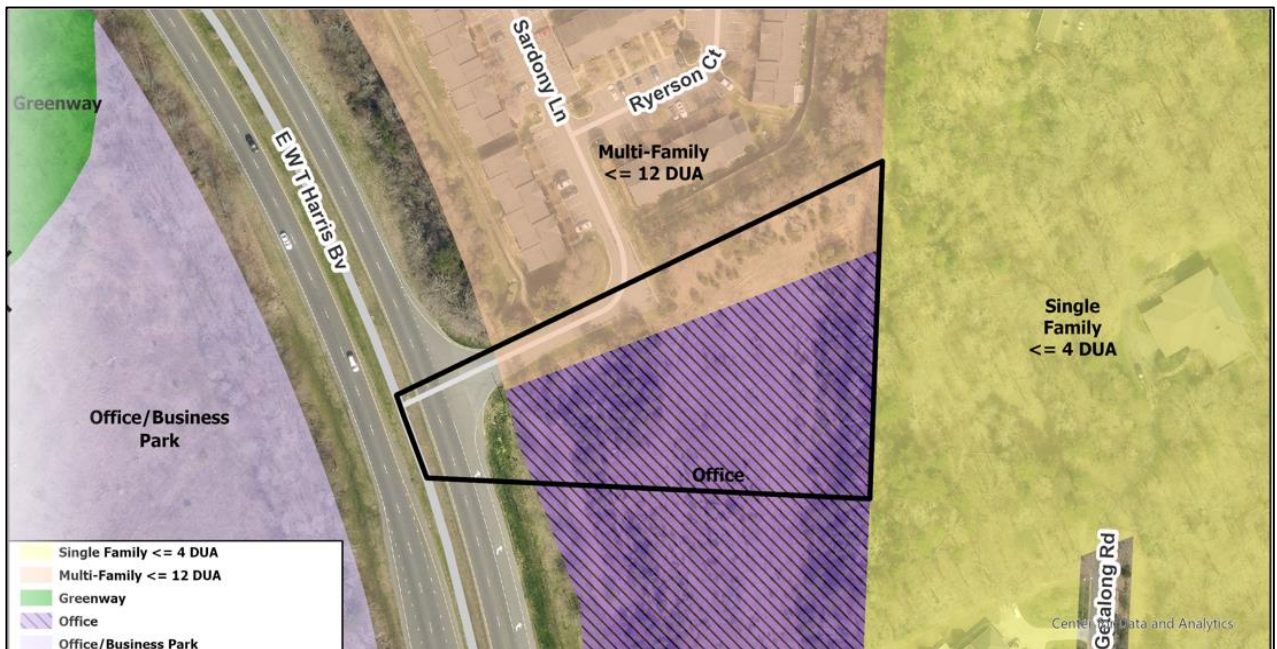
West and south, along E. W.T. Harris Boulevard, are businesses and vacant land.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
	There have been no recent rezonings in the immediate area.	

- Public Plans and Policies**



- The Newell Small Area Plan recommends office and multi-family uses up to 12 DUA for the site.

- TRANSPORTATION SUMMARY**

- The site is located on WT Harris Blvd, a State-maintained Class-II major thoroughfare, and Sardony Lane, a private local street. A Traffic Impact Study (TIS) is not needed for this site. The petitioner has committed to dedicating 100' of right of way along WT Harris Blvd, measured from the road centerline and aligning the proposed driveway with existing Sardony Lane. CDOT has no outstanding issues.

- Active Projects:**

- No active projects near the site

- Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 210 trips per day (based on 18,500 sq ft office).

Proposed Zoning: 165 trips per day (based on 30 multi-family units; site plan).

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
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could produce 0 students, while the development allowed under the proposed zoning may produce 7 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - JW Grier Elementary remains at 120%
 - Northridge Middle remains at 113%
 - Rocky River High remains at 85%.
 - See advisory comments at www.rezoning.org.
- **Charlotte Water:** The site has direct access to sewer and direct access to water. Contact CLT Water New Services Department for water/sewer services. 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.

OUTSTANDING ISSUES

Site and Building Design

- ~~1. Remove additional vesting years from application.~~ Addressed
 - ~~2. Provide a sidewalk connection throughout the site to E. W.T. Harris Boulevard.~~ Addressed
 - ~~3. Site plan illustrates 27 multi-family residential while the development note proposes a maximum of 30 units. Please revise so notes and graphics match. Notes cannot request more units than shown graphically.~~ Addressed
 - ~~4. Provide development notes committing to the Class C buffer and 50-foot rear yard (landscaped resident passive open and activity area).~~ Addressed
-

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





Planner: Claire Lyte-Graham (704) 336-3782

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-241

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.	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>X</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>X</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>✓</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>