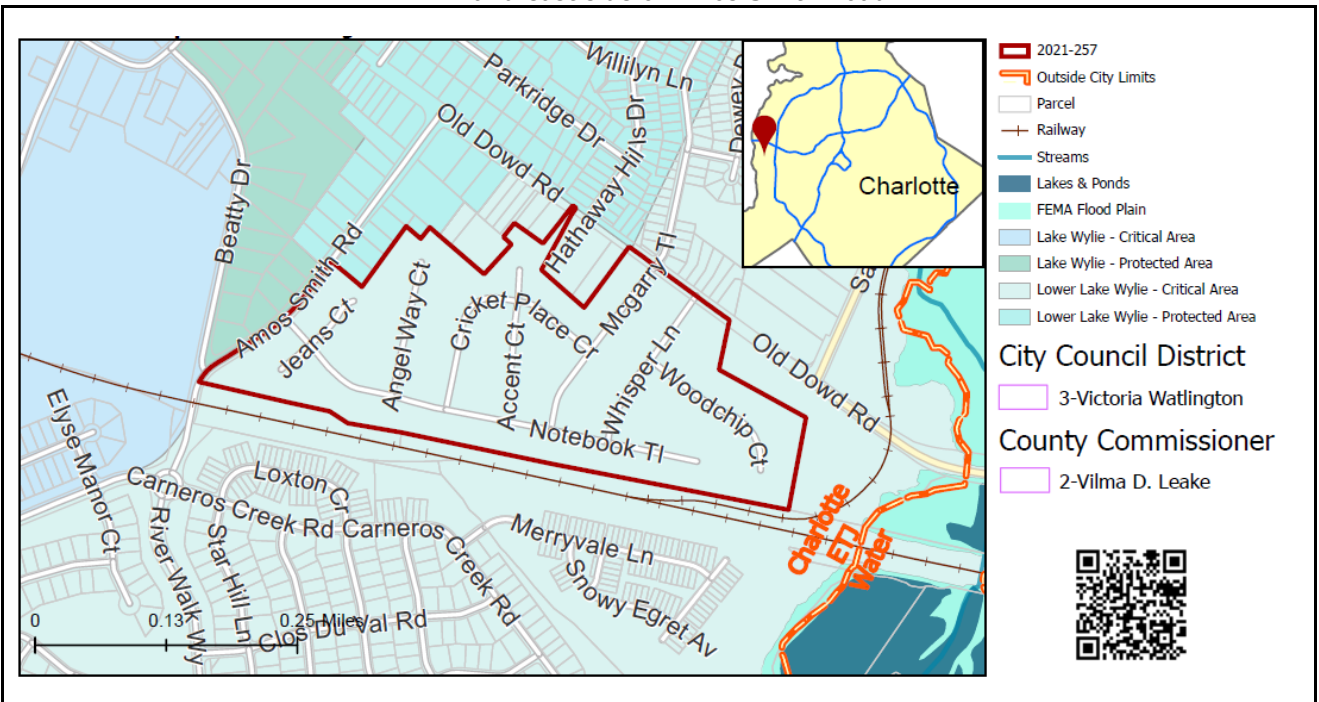


**REQUEST**

Current Zoning: MX-2 (INNOV) LLWCA, mixed use (innovative)  
Lower Lake Wylie Critical Area  
Proposed Zoning: MX-2 (INNOV) LLWCA SPA, mixed use  
(innovative) Lower Lake Wylie Critical Area Site Plan Amendment

**LOCATION**

Approximately 52.67 acres located on south side of Old Dowd Road and east side of Amos Smith Road.



**SUMMARY OF PETITION**

The petition proposes to amend a previously approve site plan to allow the development of up to 316 single family attached dwelling units at a density of 6 dwelling units per acre (DUA) on a vacant site near the Catawba River.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

West Bloomfield Commons LLC  
Lennar Carolinas, LLC  
Collin Brown & Brittany Lins, Alexander Ricks, PLLC

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 14.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition upon resolution of an outstanding issue related to site and building design.

Plan Consistency

The petition is **consistent** with the Neighborhood 1 Place Type recommended for this site as per the *2040 Policy Map*.

Rationale for Recommendation

- The proposed site plan amendment is consistent with the Neighborhood 1 Place Type for lower density housing. The Neighborhood 1 Place Type may consist of smaller lot single-family detached developments, small townhome buildings, and small multi-family buildings.

- The petition meets 2040 Comprehensive Plan Goal 2: Neighborhood Diversity and Inclusion and Goal 7: Integrated Natural & Built Environments.
- The petition commits to implementing an 8' planting strip and 8' sidewalk along Old Dowd Rd and 8' planting strip and 6' sidewalk along Amos Smith Rd.
- The proposed development would only increase the number of daily trips by 20 over the existing conditional zoning that would permit 240 single family detached dwellings.

## PLANNING STAFF REVIEW

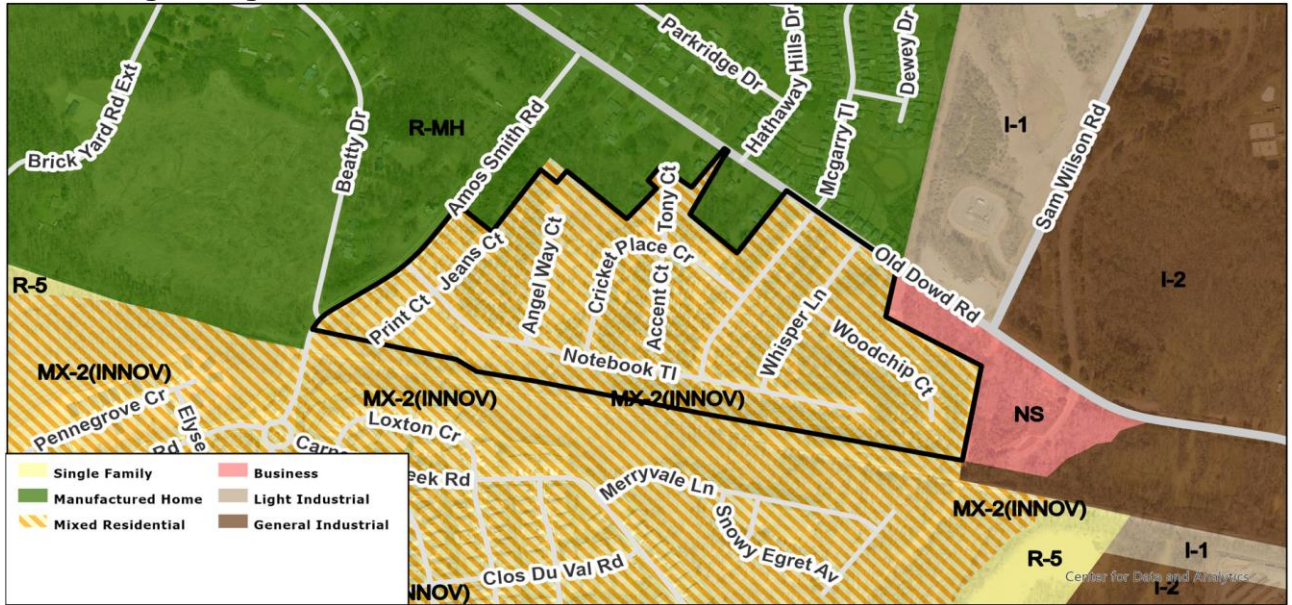
### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes up to 316 single family attached dwelling units at density of 6 DUA.
- Maximum building height of 40'.
- Proposes the following innovative provisions:
  - Minimum lot (unit)width of 19'.
  - Minimum individual lot area of 1,700 SF.
  - Minimum building footprint of 1,600 SF.
  - Minimum individual unit heated area of 1,200 SF.
  - Minimum side setback width of 10' adjacent to rights-of-way and alleyways.
- Provides a minimum 35' Class C buffer along the site's southern property boundary adjacent to the Norfolk Southern Railroad right-of-way.
- Provides a minimum 50' Class C perimeter buffer, which may be reduced to 37.5' with a berm or fence/wall along other property boundaries not adjacent to rights-of-way.
- Commits to a minimum of 2.5 acres of common space which may include amenities such as a clubhouse, pool, landscaping, mail kiosk, dog park, and other similar amenities.
- Lists several preferred architectural standards including pitched roofs, raised entrances, and recessed garage doors.
- Commits to the following transportation improvements:
  - 8' planting strip and 8' sidewalk along the site's Old Dowd Rd frontage.
  - 8' planting strip and 6' sidewalk along the site's Amos Smith Rd frontage.
  - 100' protected driveway stem from Old Dowd Rd.
  - Eastbound and Westbound left turn lanes with 150' of storage on Old Dowd Rd at McGarry Trail / Access A.
  - Signal phasing modifications at the future traffic signal (by others) at Old Dowd Rd & Sam Wilson Rd.
  - Southbound left turn lane on Amos Smith Rd at Access B with 150 of storage.



- Existing Zoning and Land Use



The site is surrounded primarily by single family detached and single family attached residential uses but also some industrial uses.



The site, marked by a red star, is adjacent to railroad right of way and surrounded by a mixture of uses including single family detached, single family attached, and industrial uses.



The properties to the north of the site across Old Dowd Rd are developed with single family detached homes.





The property to the east of the site is vacant but zoned for neighborhood services uses.

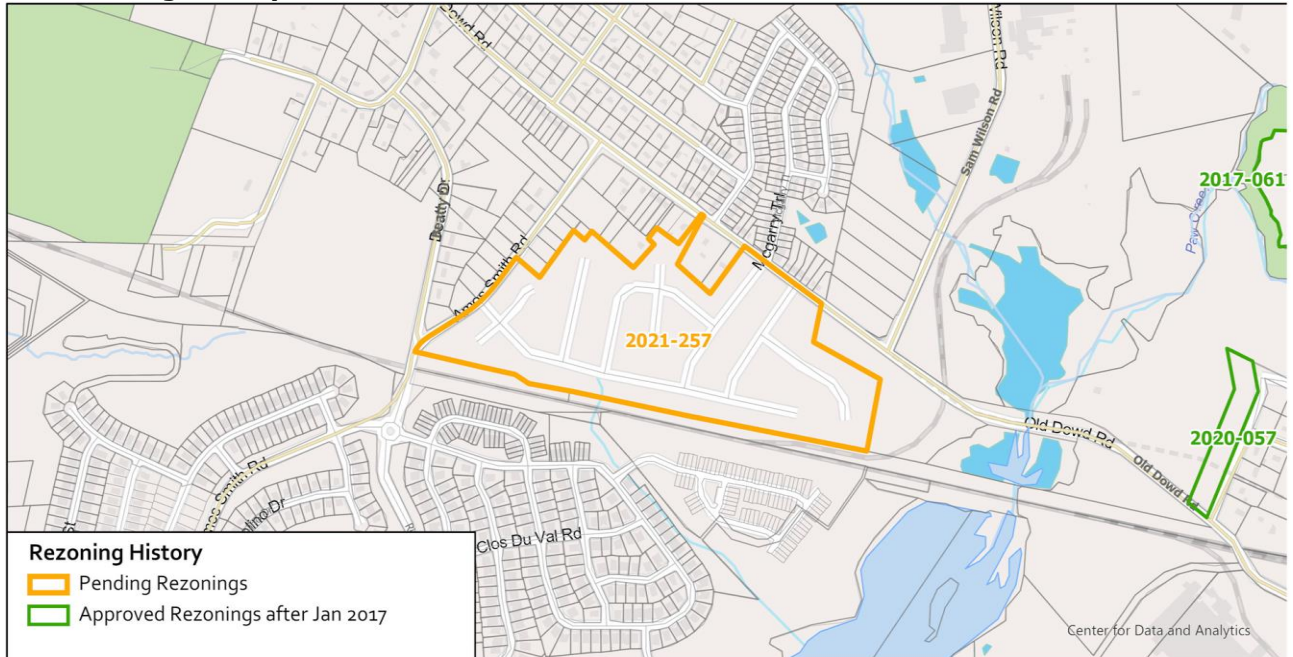


The properties to the south of the site, opposite the railroad right of way, are developed with single family attached and single family detached residential uses.



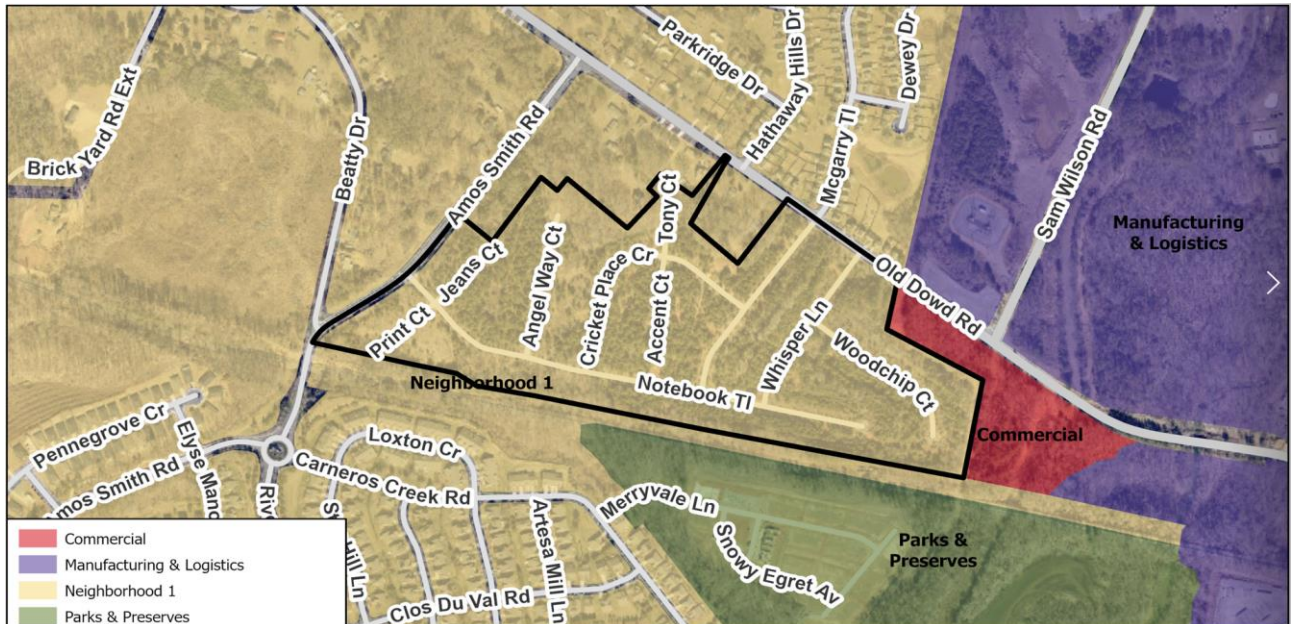
The properties to the west of the site are a mix of vacant land and properties developed with single family detached homes.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-057	Petition to rezone to I-2(CD) to allow up to 600,000 square feet of industrial uses.	Approved
2017-061	Petition to amend a previously approved site plan eliminate a restriction on the amount of permitted warehouse/distribution space.	Approved

- Public Plans and Policies**



The 2040 Policy Map recommends Neighborhood 1 Place Type for this site.



- **TRANSPORTATION SUMMARY**

- This site is located off Amos Smith Road, a State-maintained collector street, and Old Down Road, a State-maintained minor thoroughfare. A Traffic Impact Study (TIS) was required for this site, and CDOT and NCDOT approved the TIS on March 21, 2022. In accordance with the Charlotte WALKS and BIKES Policies, the petitioner has committed to provide pedestrian infrastructure along each existing and proposed public street, and a bicycle lane along the site's frontage of Old Dowd Road. CDOT has no outstanding issues.
- **Active Projects:**
  - N/A
- **Transportation Considerations**
  - No Outstanding Issues.
- **Vehicle Trip Generation:**

Current Zoning:  
Existing Use: 0 trips per day (based on vacant land).  
Entitlement: 2,330 trips per day (based on 240 single family detached dwellings).  
Proposed Zoning: 2,350 trips per day (based on 316 single family attached dwellings).

**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](http://www.rezoning.org)
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **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 134 students, while the development allowed under the proposed zoning may produce 47 students. Therefore, the net decrease in the number of students generated from existing zoning to proposed is 87.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Berryhill Pre-K-8 from 120% to 127%
    - West Mecklenburg High from 78% to 79%.
- **Charlotte Water:** The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Old Dowd Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Old Dowd Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.
- **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:** See Outstanding Issues, Note 3.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

**OUTSTANDING ISSUES**Site and Building Design

1. ~~Provide a 50' buffer, which can be reduced 25% with a berm or wall, in the southeastern corner of the site adjacent to the railroad right of way.~~ **ADDRESSED**
2. Dedicate and convey a minimum 2.5 acres to Mecklenburg County for a future neighborhood park. The park land should be adjacent to public right of way and conducive to the types of amenities typically found in a neighborhood park. **OUTSTANDING**

Transportation

3. ~~Verify proposed phasing of improvements at Amos Smith Rd & Access B with NCDOT and provide documentation to CDOT.~~ **ADDRESSED**
  4. ~~Confirm with NCDOT that tying the roadway improvements to the 100<sup>th</sup> certificate of occupancy is acceptable. Provide documentation to CDOT of NCDOT approval.~~ **ADDRESSED**
- 

**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







### Rezoning Petition # 2021-257

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. The Charlotte Future 2040 Policy Map was adopted March, 28<sup>th</sup>, 2022 and became effective July 1<sup>st</sup>, 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.	X
	<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.	X
	<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.	N/A



	<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>N/A</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>N/A</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>✓</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>	<p>N/A</p>