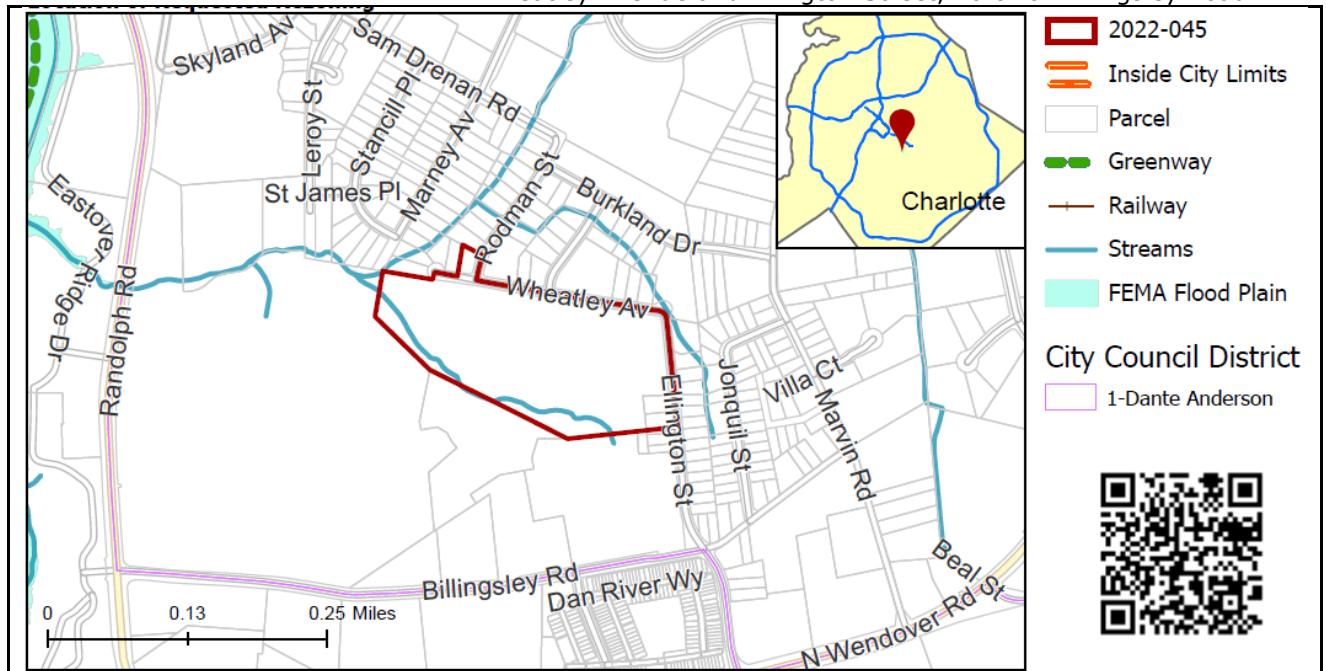


## REQUEST

Current Zoning: O-1, O-1(CD), and R-5 (office, office – conditional, and single family residential)  
Proposed Zoning: UR-2(CD) and UR-1(CD) (urban residential, conditional)

## LOCATION

Approximately 16.43 acres located at the southwest intersection of Wheatley Avenue and Ellington Street, north of Billingsley Road.



## SUMMARY OF PETITION

The petition proposes to allow for the redevelopment of the site with a mixture of residential housing types offered at 80% of the area's median income (AMI).

## PROPERTY OWNER

Mecklenburg County

## PETITIONER

DreamKey Partners

## AGENT/REPRESENTATIVE

Keith MacVean, Moore & Van Allen, PLLC

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meetings: 19

## STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and future trail connections.

### Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map (2022) recommendation for Campus and **consistent** with the 2040 Policy Map (2022) recommendation for Neighborhood 1 in Development Area C.

### Rationale for Recommendation

- The petition could facilitate the following 2040 Comprehensive Plan Goals:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 3: Housing Access for All
  - 4: Trail & Transit Oriented Development

- 5: Safe & Equitable Mobility
- 6: Healthy, Safe & Active Communities
- 7: Integrated Natural & Built Environments
- This petition proposes a mixed-income community that commits to providing a variety of housing types at up to 80% AMI with at least a portion of the units being age-restricted.
- This site is adjacent to Neighborhood 1 areas along the north side of Wheatley Avenue and east side of Ellington Street. Although inconsistent with the adopted Place Type, the Neighborhood 2 uses proposed in this petition would be appropriate against the established Neighborhood 1, low-density areas. Additionally, the proposed development along Ellington St. and in Development Area C, which are the only areas with adjacency to existing single family detached homes, will be a mixture of single family attached and detached units. The multi-family buildings proposed in Development Area A are not adjacent to any existing single family uses.
- Included in the conditions of the rezoning is a commitment to dedicate and convey a 30' easement to MCPR for a pedestrian bike trail that will connect to Wheatley Ave. This facilitates future potential connections to Grier Heights Park and Randolph Road.
- The proposal includes ample useable common open space areas throughout the site, with a separate amenity space for the age-restricted multi-family building.

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Campus to Neighborhood 2.

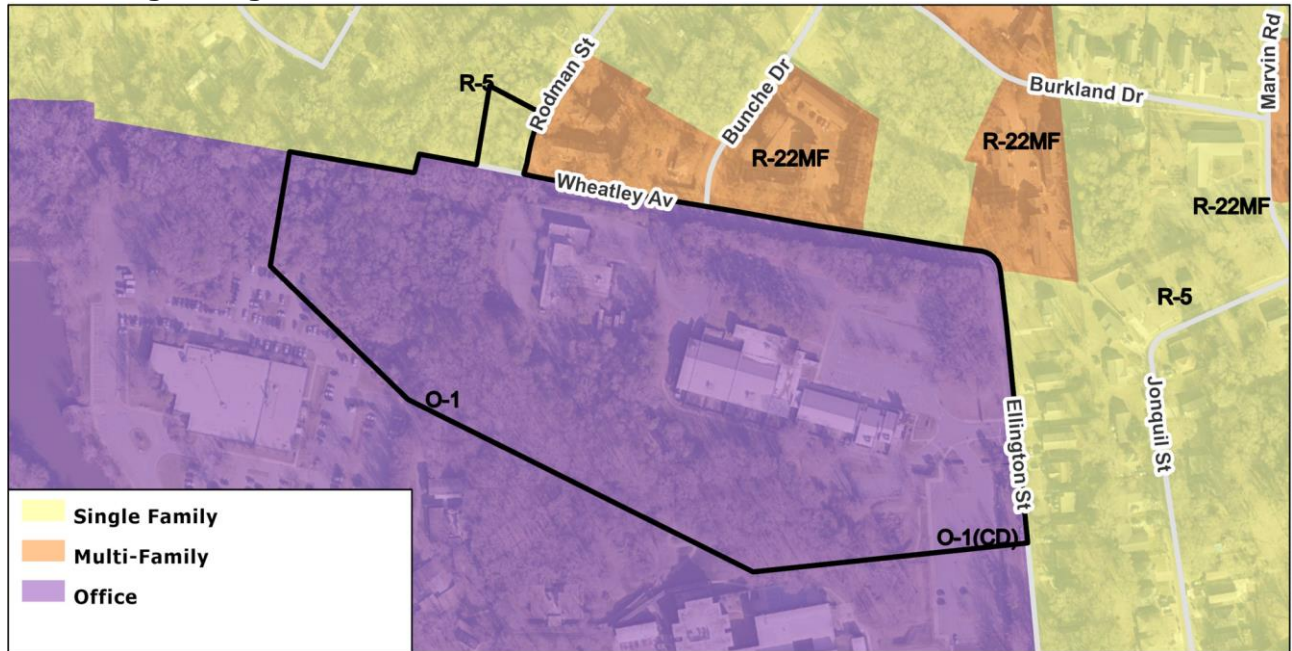
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Commits to sell or rent residential units at 80% AMI as further specified below.
- Development Area A:
  - Up to 160 multi-family units, up to 80 age-restricted independent living units in a building with up to 2,000 square feet of general or medical office uses, and up to 38 townhome-style attached dwelling units.
  - Requests an option to exchange or convert allowed unit types within this development area so long as the total number of allowed units is not increased.
  - Maximum height of 69' for all multi-family buildings (both age and non-age restricted).
  - Maximum height of 52' for single family attached units.
  - Will meet ordinance required parking standards and provide a minimum of 4 EV parking spaces for the multi-family community.
  - Will contain at a minimum 10,000 square feet of improved open space, as identified on the site plan as the Village Green.
  - The proposed age-restricted building will also have an additional minimum of 1,000 square feet of improved open space.
  - Attached dwelling units will have 400 square feet of private open space per unit or 10% of the site dedicated to useable common open space.
  - Attached dwelling units will be limited to no more than 6 units per building.
- Development Area B:
  - Up to 30 single family detached units and duplexes.
  - Maximum height of 42'.
- Development Area C:
  - One duplex unit.
  - Maximum height of 42'.
  - Will have 400 square feet of private open space per unit or 10% of the site dedicated to useable common open space.
- Provides the following transportation provisions:
  - Access to Development Areas A and B will be from Wheatley Avenue and Ellington Street which will connect via a new public street to be constructed through the site.
  - Townhomes along Ellington St. and Wheatley Ave. will have individual driveways. The proposed townhomes along the extension of Wheatley Drive will be rear loaded units, with no individual driveways to Wheatley Ave.

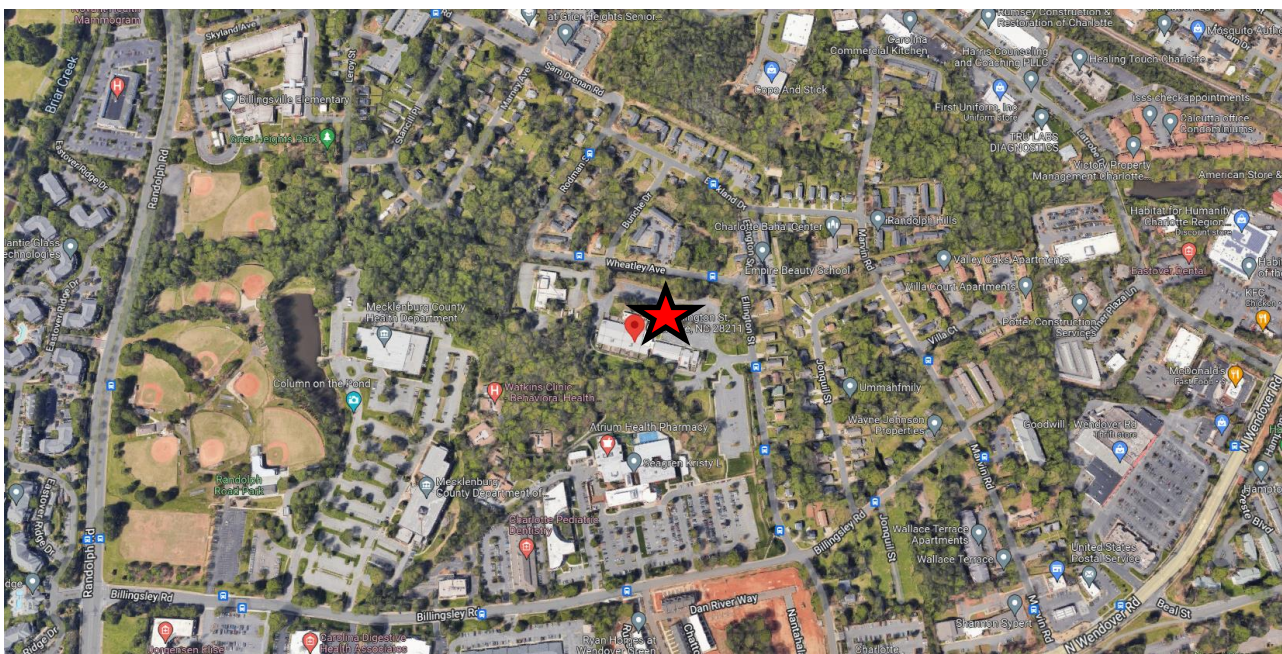
- Commits to improving the Ellington St. and Wheatley Ave. frontages with 8' sidewalks and 8' planting strips.
  - Provides accessible curb ramps along Wheatley Ave. and Ellington St.
- Development Areas A and B will have an 18' setback from FBOC for areas with frontage along Wheatley Ave. and Ellington St. The FBOC along these streets will be at a minimum 17.5' from the existing centerline. The setback for Development C will comply with UR-2 standards.
- Provides architectural standards for primary building material restrictions, blank wall expanse features, blank wall provisions, building frontages along streets or common open space areas, useable porches and stoops for single family attached and detached units, prominent pedestrian entrances, and pedestrian connections throughout the development to all sidewalks.
- Provides a 30' easement dedicated and conveyed to MCPR for the construction of a pedestrian bike trail that connects the sidewalk along Wheatley Ave. to the southwestern property boundary, as identified on the site plan.
- Existing Zoning and Land Use**



- The subject site is zoned O-1, O-1(CD), and R-5 and is in an area with R-22MF, O-1, R-5 and UR zoning.

Existing Zoning	Translated Zoning	Recommended Place Type
O-1 (office)	OFC (office flex campus)	Campus
O-1(CD) (office, conditional)	N/A	Campus
R-5 (single family residential)	N1-C (neighborhood 1 C)	Neighborhood 1





- The subject site is denoted with a red star and is in an area with single family, multi-family, institutional, and mixed-uses.



- North of the site are multi-family developments and some vacant lots.



- East of the site are single family homes.



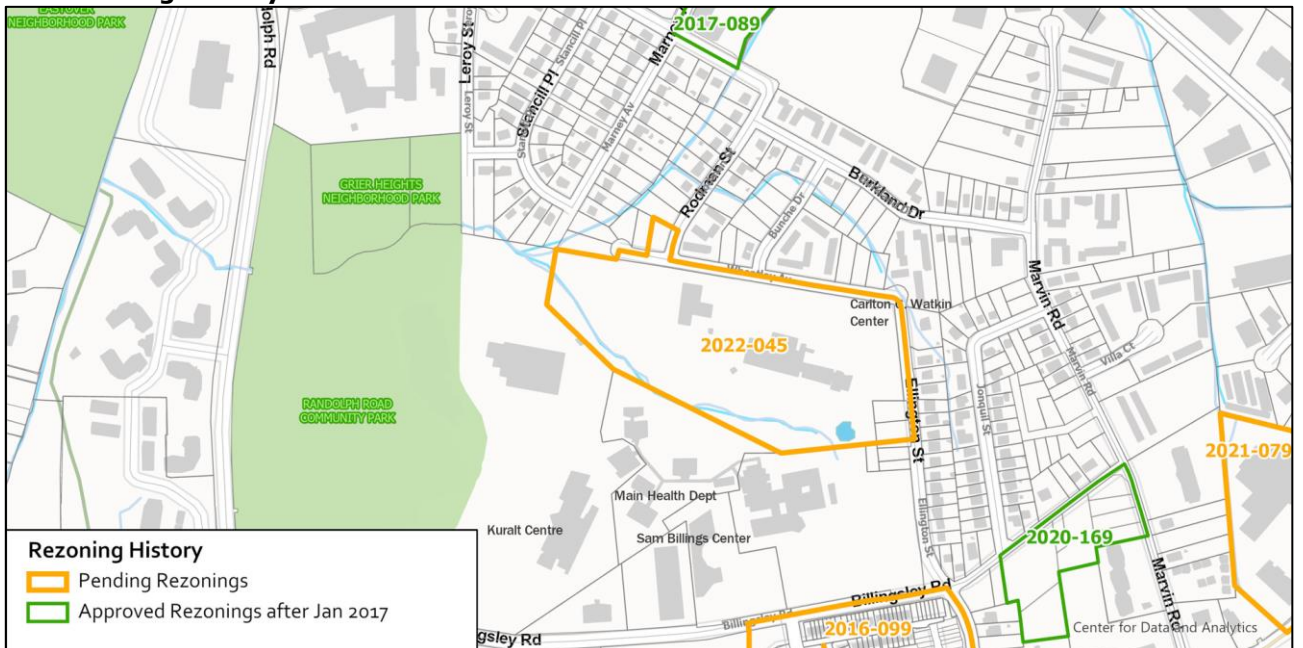


- South of the site is an Atrium Health facility.



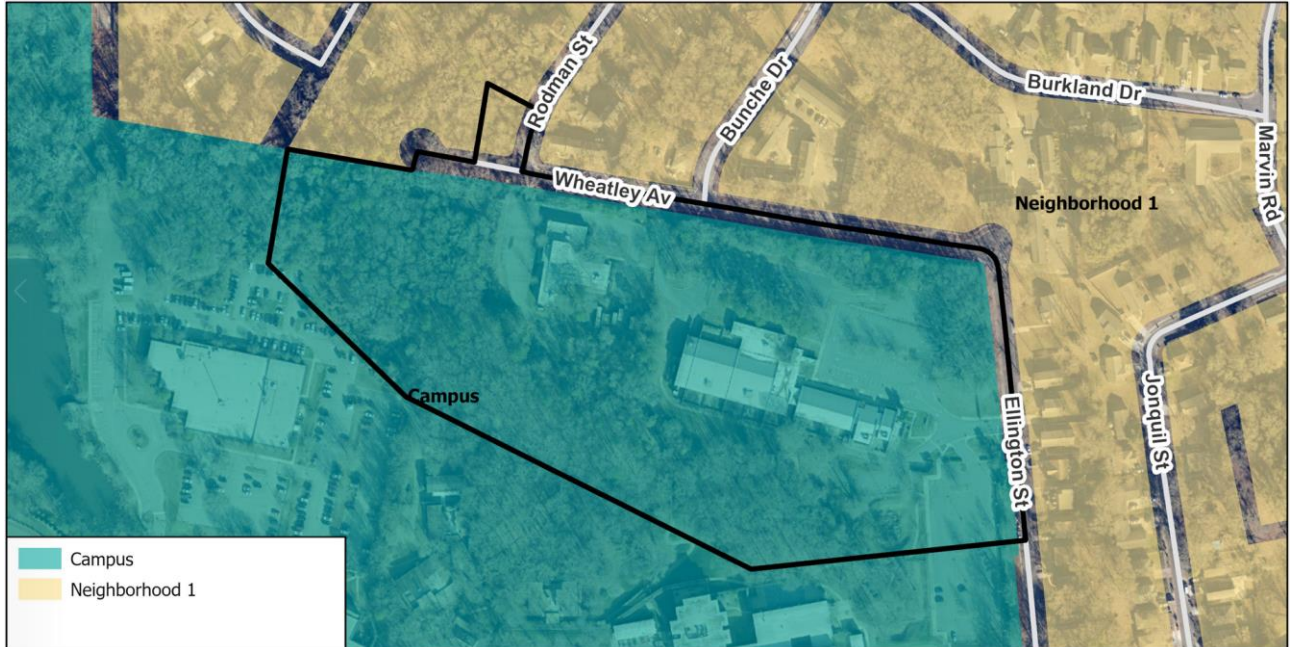
- West of the site is the Mecklenburg County Health Department.

#### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2016-099	Rezoning 10 acres from R-22MF to NS and BD(CD).	Indefinite Deferral
2020-169	Rezoned 3.556 acres from R-22MF to UR-2(CD).	Approved
2021-079	Rezoning 7.88 acres from B-1(CD) to NS.	Pending

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Campus and Neighborhood 1 for the site.
- **TRANSPORTATION SUMMARY**
  - The site is located at the southwest intersection of city-maintained local roads, Wheatley Avenue and Ellington Street. A Traffic Impact Study (TIS) is not needed for this site.
  - **Active Projects:**
    - There are no active projects near the site.
  - **Transportation Considerations**
    - See Outstanding Issues 1, 2, 4 & 5
  - **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 9,850 trips per day (based on 273,564 square feet of medical office uses).  
Entitlement: 1,550 trips per day (based on office and single family zoning).  
Proposed Zoning: 1,540 trips per day (based on 310 dwelling units and 1,540 square feet of office uses).

#### DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No comments submitted.
- **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 Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 120 students, while development allowed with the proposed zoning may produce an additional 46 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Billingsville Elementary from 63% to 66%
    - Cotswold Elementary at 75%
    - Alexander Graham Middle at 108%
    - Myers Park High at 120%.
- **Charlotte Water:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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:** See 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 / City Arborist:** No comments submitted.

**OUTSTANDING ISSUES**Transportation

1. Revise curb and gutter construction notes for Wheatley Ave. and Ellington St. and label and dimension the curb and gutter on the site plan.
2. Dimension the typical driveway along Wheatley Ave. and Ellington St. for the single family attached units.

Parks and Recreation

3. Extend the greenway easement to Wheatley Ave. for access to future trails.

**REQUESTED TECHNICAL REVISIONS**Transportation

4. Remove conditional note 3f.

Transportation

5. Update conditional note 3h. to call for dedication of the ROW 35.5' from the centerline.
- 

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Holly Cramer (704) 353-1902