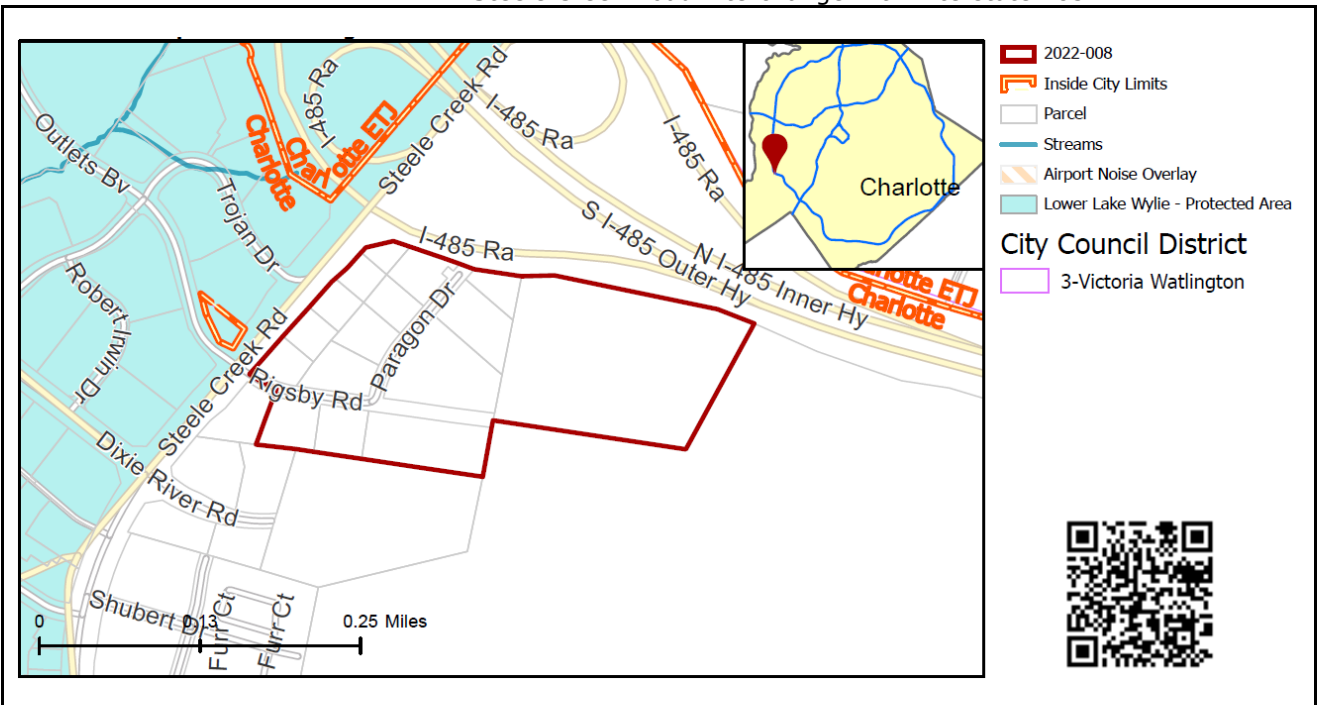


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: NS and MUDD-O (neighborhood services and mixed-use optional)

LOCATION

Approximately 26.9 acres located in the southeastern corner of the Steele Creek Road interchange with Interstate 485.



SUMMARY OF PETITION

The petition proposes to redevelop a site in the Steele Creek neighborhood with up to 375 residential dwelling units and uses permitted in the NS district.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE
COMMUNITY MEETING

Joan H Hoover
Ram Realty Acquisitions V LLC
John Carmichael, Robinson Bradshaw & Hinson

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 6.

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

Development Areas C and D of the petition are **consistent** with the 2040 Policy Map recommendation for a Community Activity Center place type. However, Development Areas A and B are **inconsistent** with the Community Activity Center place type recommendation.

Rationale for Recommendation

- Development Areas C and D are consistent with the Community Activity Center place type recommended for this site.
- The proposed rezoning would improve connectivity to the surrounding properties through extensions of both Rigsby Road and Paragon Drive.

- The proposed rezoning would enhance walkability through the site in the form of a 12' multi-use path along Steele Creek Road and 8' sidewalk along internal streets.
- The housing and neighborhood services proposed in this rezoning would help support the greater Community Activity Center and adjacent commercial node.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 8: Diverse & Resilient Economic Opportunity
 - 10: Fiscally Responsible

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map* for Development Areas A and B from Community Activity Center Place Type to Commercial Place Type for the site.

PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

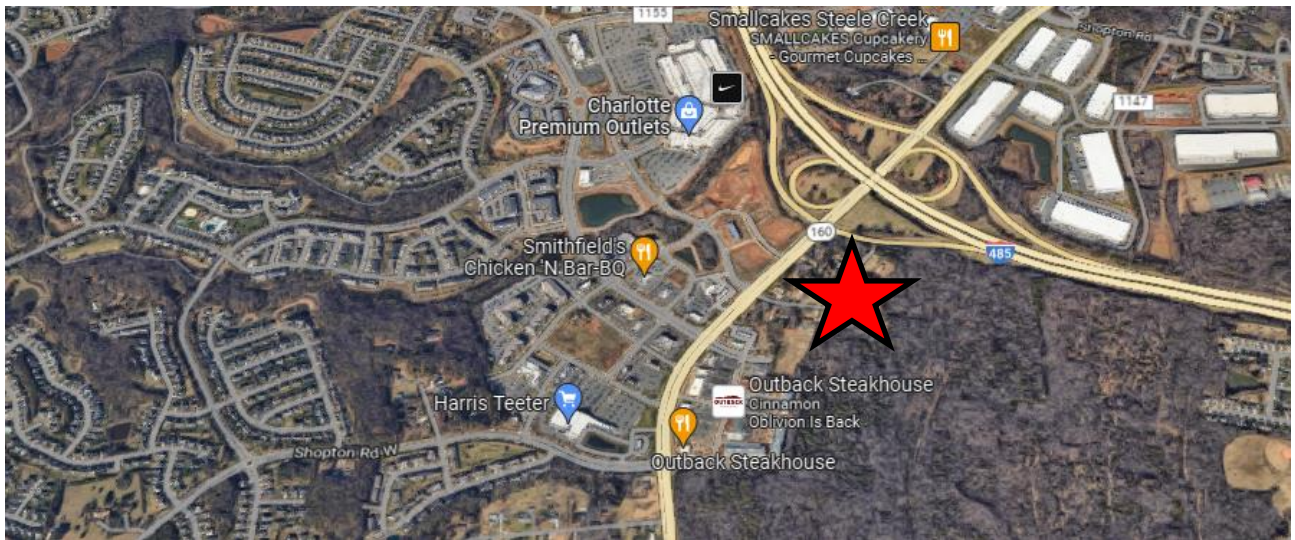
- Establishes four development areas: A (NS zoning), B (NS), C (MUDD-O), and D (MUDD-O).
- Development Areas A & B: proposes NS uses that may include one accessory drive through window with menu boards and/or speaker boxes and an additional accessory drive through window without menu boards and speaker boxes. Additionally, proposes to allow an accessory ATM drive through lane for financial services use.
- Development Areas C & D: proposes up to 375 residential dwelling units that may be multifamily and/or single family attached.
- Requests an optional provision for Development Area C to allow parking, vehicular circulation, and vehicular maneuvering between the buildings and structures and the I-485 setback.
- Requests an additional one year of vested rights for a total of three years vested rights.
- Limits building height to 70'.
- Transportation Commitments:
 - Dedication of right-of-way and construction of Rigsby Road between Steele Creek Road and the eastern property boundary.
 - Dedication of right-of-way and construction of Paragon Drive between Rigsby Road and the southern property boundary.
 - Installation of an 8' planting strip and 12' multi-use path along Steele Creek Road.
 - Installation of an 8' planting strip and 8' sidewalk along internal public streets.
- Commits to a combination of windows and operable doors for a minimum of 60% of each street facing frontage.

• **Existing Zoning and Land Use**



The site is zoned single family residential and is surrounded by a mix of districts including office, urban residential, neighborhood services, and commercial center.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single family residential)	N1-A (Neighborhood 1)	Community Activity Center



The site is adjacent to Interstate 485 and is surrounded primarily by commercial uses.

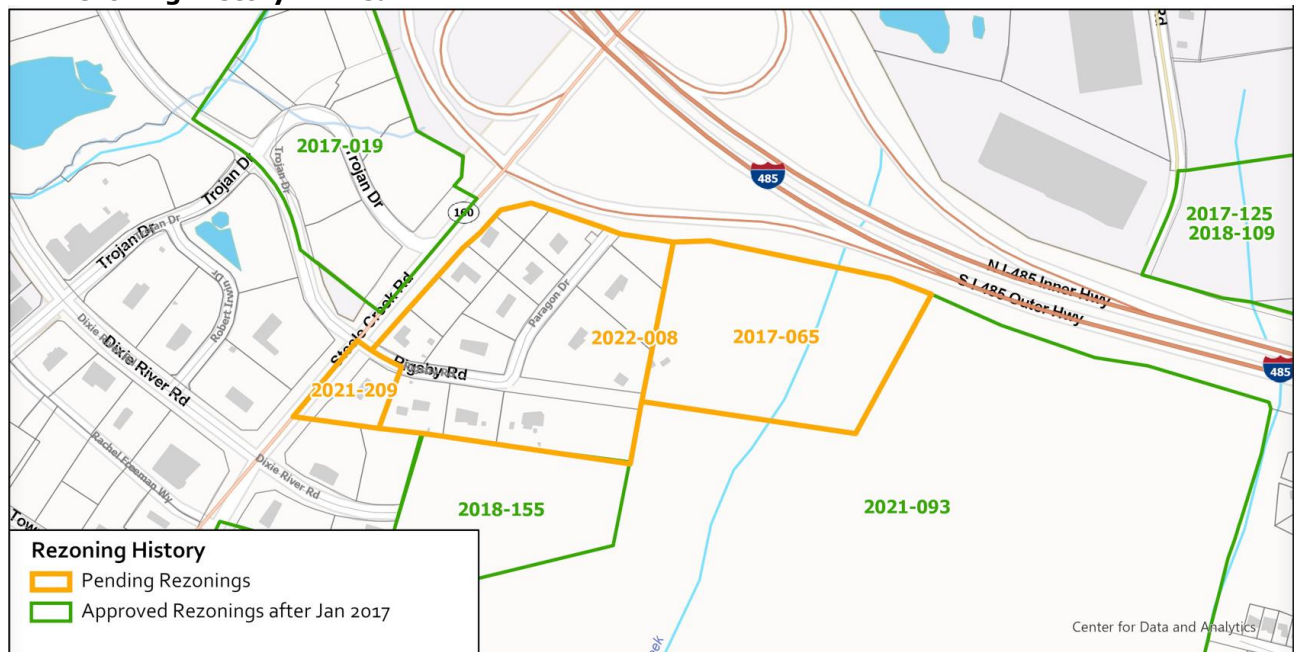


Street view of the site looking east from Steele Creek Road. There are 13 single family dwellings on the site that would be removed should the rezoning be approved.



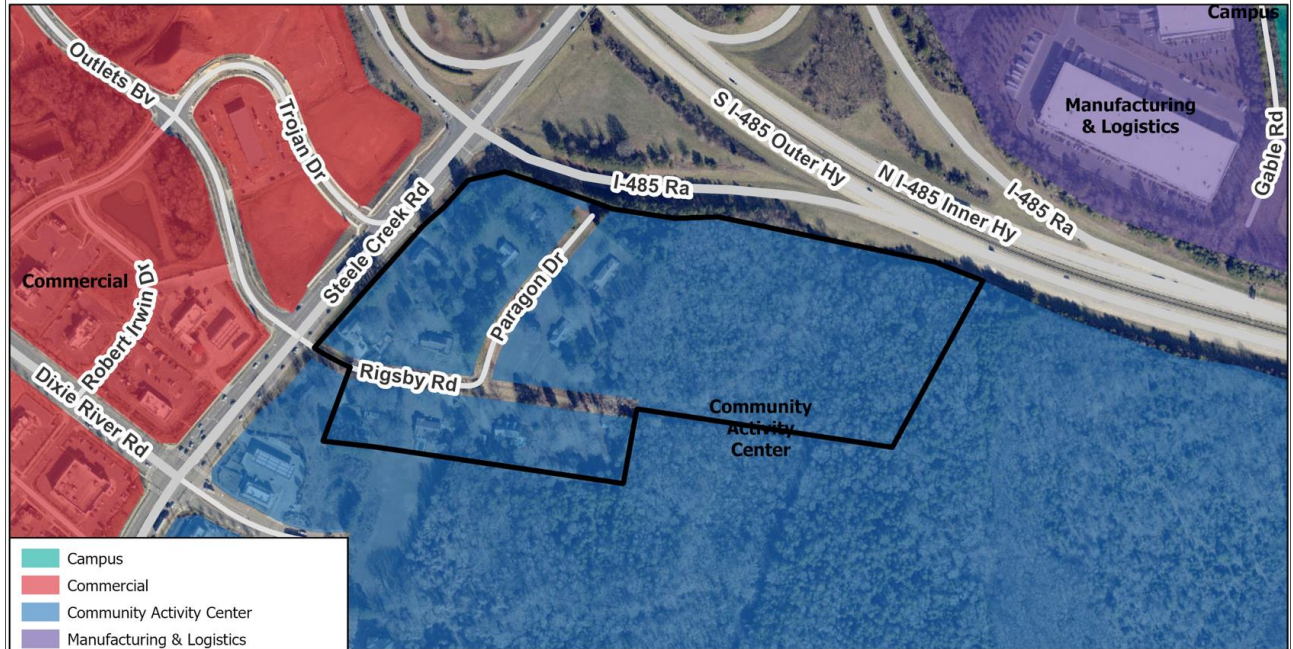
Street view of a single family dwelling near the intersection of Rigsby Rd & Paragon Drive, internal to the site. The site extends to the rear of the dwelling to include additional wooded acreage.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-209	Request to rezone to NS to permit 4,000 square feet of commercial uses.	Pending
2021-093	Request to rezone to O-2(CD), MUDD-O, and UR-2 with five years vested rights to all for a mixed use development containing office, hospital, commercial, hotel, multifamily residential, and single family attached residential uses.	Approved
2018-155	Request to rezone to I-1(CD) and MUDD(CD) to permit a mixed-use development.	Approved
2018-109	Request to amend a previously approved site plan to permit 255,750 square feet of gross floor area of I-1 uses.	Approved
2017-125	Request to rezone to I-1(CD) AIR to allow for 255,750 square feet of gross floor area of light industrial uses.	Approved
2017-065	Request to rezone to R-22MF(CD) to allow for the development of multifamily residential uses.	Pending
2017-019	Request to rezone to O-2(CD) LLWPA and NS LLWPA to allow for the development of hotel, retail, and office uses.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Community Activity Center Place Type for this site and surrounding area.

- **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Steele Creek Road, a State-maintained major thoroughfare, I-485 Outer Highway, a State-maintained freeway, and Rigsby Road, a City-maintained collector street. A Traffic Impact Study (TIS) is needed for this site and CDOT and NCDOT approved the scope on March 21, 2022, and the TIS is pending final approval. Additionally, in accordance with City Ordinances and Charlotte WALKS and BIKES policies, CDOT is coordinating with the petitioner to provide bicycle and pedestrian improvements the site's public street frontages. Lastly, CDOT is coordinating with the petitioner to provide multi-modal connectivity to the adjacent 2021-093 and 2021-209 rezoning petitions.
- Site plan and conditional note revisions are needed and the outstanding items are including, but not limited to the final approval of the TIS. Further details are listed below.

Active Projects:

- STIP U-5766 - NC 160 Widening
 - The N.C. Department of Transportation proposes widening of a seven-mile section of N.C. 160 (Steele Creek Road) from the South Carolina Line to I-485 in Charlotte.
 - Project is currently in the design phase
- CNIP PM51216019 - Brown-Grier Road Upgrades
 - This project will widen Brown-Grier Road between Steele Creek Road and Whitehall Park Drive. Potential improvements include additional lanes, medians, bicycle facilities, planting strips and other amenities.
 - Project is currently in the Real Estate Acquisition phase.
- Steele Creek Rd at Shopton Rd West
 - Add left turn lanes at Riverdale Drive and Shopton Rd West for northbound traffic on Steele Creek Rd
 - Start date 2021/Estimated completion 2023
 - GS PM: Brooke England
- **Transportation Considerations**
 - See Outstanding Issues, Note 4.
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 155 trips per day (based on 13 single family dwellings).

Entitlement: 825 trips per day (based on 80 single family dwellings).

Proposed Zoning: 5,865 trips per day (based on 375 multifamily dwelling units, 12,000 SF day care center, 13,500 SF high-turnover sit down restaurant, 4,500 SF fast food with drive-thru).

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:** See advisory comments at www.rezoning.org
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at 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 47 students, while the development allowed under the proposed zoning may produce 124 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 77.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Steele Creek Elementary from 91% to 103%
 - Kennedy Middle from 116% to 120%
 - Olympic High from 130% to 131%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Rigsby Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located at the intersection of Paragon Dr and Rigsby Rd. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** See Outstanding Issues, Note 2.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** No comments submitted.

OUTSTANDING ISSUESSite and Building Design

- ~~1. Provide a maximum square footage for NS uses or incorporate NS square footages from TIS into conditional notes.~~ **ADDRESSED**
- ~~2. Dedicate a minimum of one acre to Mecklenburg County for a future neighborhood park. This park shall be adjacent to public right-of-way for access and conducive to the development of typical amenities found in a neighborhood park and cannot include tree save areas or stormwater BMPs.~~ **ADDRESSED**
- ~~3. Amend note 4.J to commit to providing cross vehicular access between the site and tax parcel 201-091-03.~~ **RESCINDED**

Transportation

- ~~4. Incorporate final TIS improvements into site plan and conditional notes. Petition may not move forward to decision prior to final TIS approval by both CDOT and NCDOT.~~ **ADDRESSED**
- ~~5. Add conditional note that access to Rigsby Road will need to be maintained for Tax Parcel #201-091-03 as a result of the potential of shifting of Rigsby Road to the north 50 feet.~~ **ADDRESSED**
- ~~6. Amend conditional note 4.E to state that right-of-way dedication for the Rigsby Road extension will occur with submittal of the 1st plat, prior to 1st certificate of occupancy.~~ **ADDRESSED**

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org
Planner: Joe Mangum (704) 353-1908