

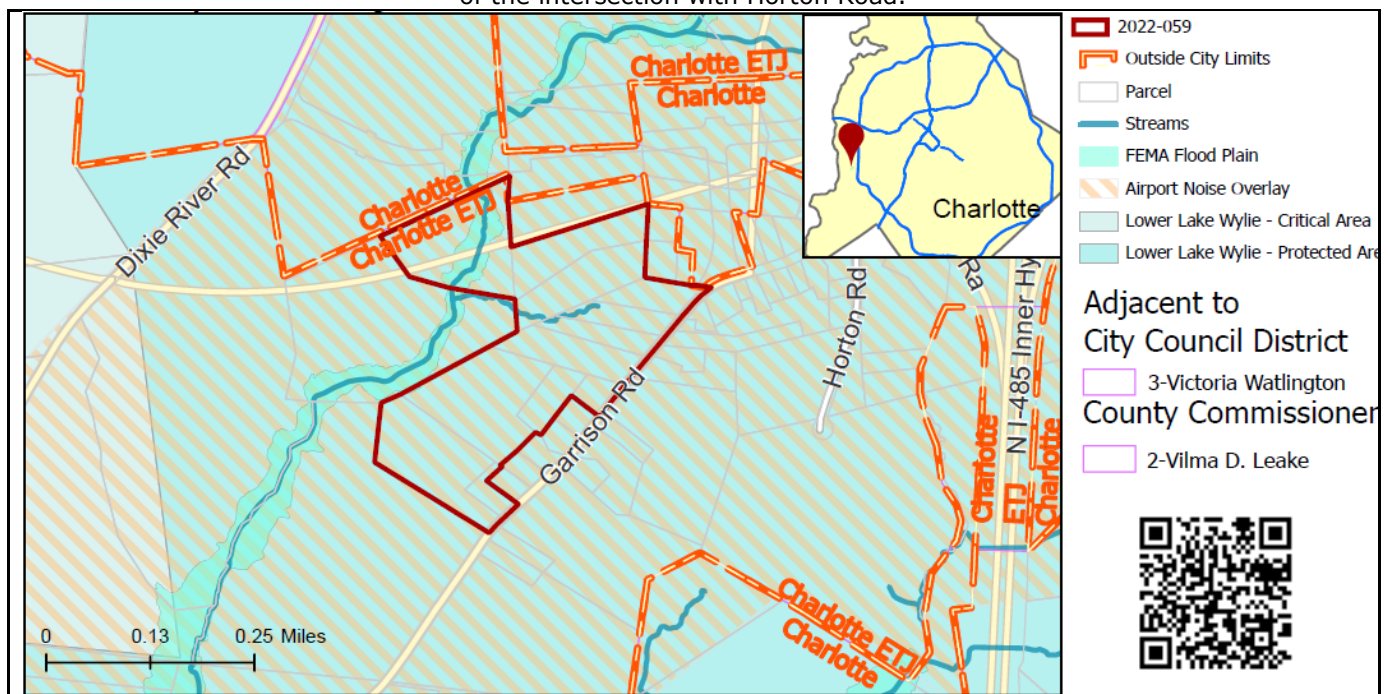
REQUEST

Current Zoning: MUDD-O AIR LLWPA (Mixed Use Development District-Optional, Airport Noise Overlay, Lower Lake Wylie Protected Area) and R-3 AIR LLWPA (Single Family Residential, Airport Noise Overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: MX-2 INNOV AIR LLWPA (Mixed Use District, Airport Noise Overlay, Lower Lake Wylie Protected Area)

LOCATION

Approximately 50.7 acres located on the north side of Garrison Road west of the intersection with Horton Road.



SUMMARY OF PETITION

The petition proposes to allow a mix of up to 335 single family detached, single family attached, and multifamily dwelling units on a site that is largely wooded but developed with seven single family detached dwellings. The site is adjacent to the River District.

PROPERTY OWNER

Leonard Grier, et al.

PETITIONER

Taylor Morrison

AGENT/REPRESENTATIVE

Collin Brown & Brittany Lins, Alexander Ricks PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 5

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for the Neighborhood 1 place type portion of the site but **consistent** with the Community Activity Center recommended place types.

Rationale for Recommendation

- The site is adjacent to the previously rezoned River District, which is recommended for Community Activity Center place type.

- The proposed project falls within both the Neighborhood 1 and Community Activity Center place types. The project has worked to incorporate a transition in building forms/type in an effort to better align with those place types, particularly along the frontage of Garrison Rd.
- The petition is committing to public improvements including public streets with stubs to adjacent properties, 12' multi-use path along Garrison Rd, and easements for the future Beaverdam Creek Greenway.
- The petition proposes quadplexes nearest the approved River District in the northern portion of the site, transitioning to duplexes and single family style buildings along Garrison Road where adjacent to and across the street from existing single family residential.
- The proposed project could provide additional housing options in the area.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 4: Trail & Transit Oriented Development
 - 7: Integrated Natural & Built Environments

The approval of this petition will revise the recommended place type for the majority of the site as specified by the *2040 Policy Map*, from Neighborhood 1 to Neighborhood 2 for the site.

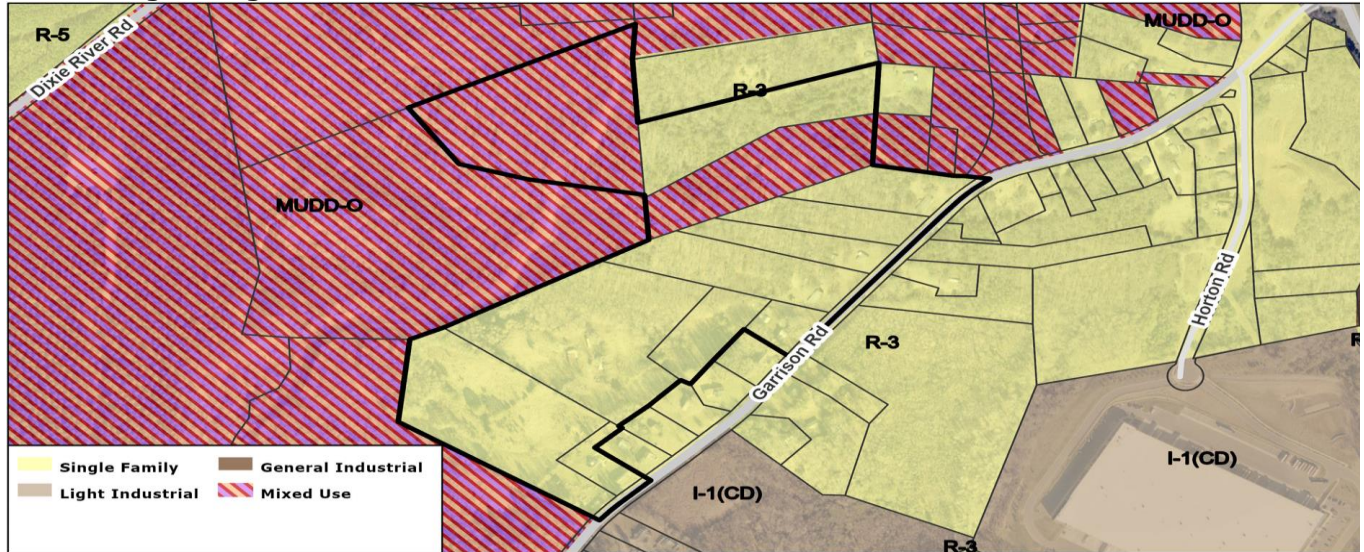
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes a mix of up to 335 single family detached, single family attached, and multifamily dwelling units (quadraplexes) at a density of 6.62 dwelling units per acre (DUA).
- Limits building height to 40'.
- Proposes the following innovative standards:
 - Internal private streets will have public access easements.
 - No minimum lot size.
 - No minimum lot width.
 - Public street frontage is not required for individual units. However, all units will be within 400' of a public or private street.
 - Setback of 14' from back of curb along private streets for individual units.
 - Minimum 30' setback from existing right-of-way of Garrison Rd.
 - Minimum 5' side yard and 10' rear yard from property line.
- Prohibits vinyl as a building material except on windows and soffits.
- Limits blank wall expanses for all corner/end units fronting a public or private street to 10'.
- Commits to the following transportation improvements:
 - North/south and east/west public streets with stubs to adjacent properties.
 - 60' right-of-way dedication from existing centerline of Garrison Rd.
 - 8' planting strip and 12' multi-use path along the site's Garrison Rd frontage.
 - 8' planting strip and 6' sidewalk along all other public streets.
- Proposes to include three of the following elements in amenity areas: covered pavilion/shelter, benches, picnic tables, fitness facility/yoga room, gathering room, pool butterfly garden, and dog park.
- Commits to providing a minimum of the 100' SWIM buffer or 60' beyond top of bank of both sides of Beaverdam Creek to Mecklenburg County for future greenway trail.
- Commits to providing one of the following community benefits prior to the issuance of the first building certificate of occupancy:
 - Donate \$500,000 to the ~~City of Charlotte's Housing Trust Fund~~ West Side Land Trust for affordable housing; or
 - Land donation of approximately 4.94 acres to a designated organization in coordination with the ~~City of Charlotte Housing and Neighborhood Services Department~~ for future affordable housing opportunities to the West Side Land Trust for future affordable housing opportunities (either on-site or off-site in alternative location and acreage as mutually agreed upon with the West Side Land Trust). A Memorandum of Understanding for such Land Donation shall be executed by the petitioner prior to the issuance of the first building certificate of occupancy for the site if this option is chosen.

- **Existing Zoning**



- The site is surrounded by a mix of districts including R-3, MUDD-O, and I-1(CD).

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 AIR LLWPA (Single Family Residential, Airport Noise Overlay, Lower Lake Wylie Protected Area) MUDD-O AIR LLWPA (Mixed Use Development District, Airport Noise Overlay, Lower Lake Wylie Protected Area)	N1-A ANDO (Neighborhood 1, Airport Noise Disclosure Overlay)	N1, CAC (Neighborhood 1, Community Activity Center)

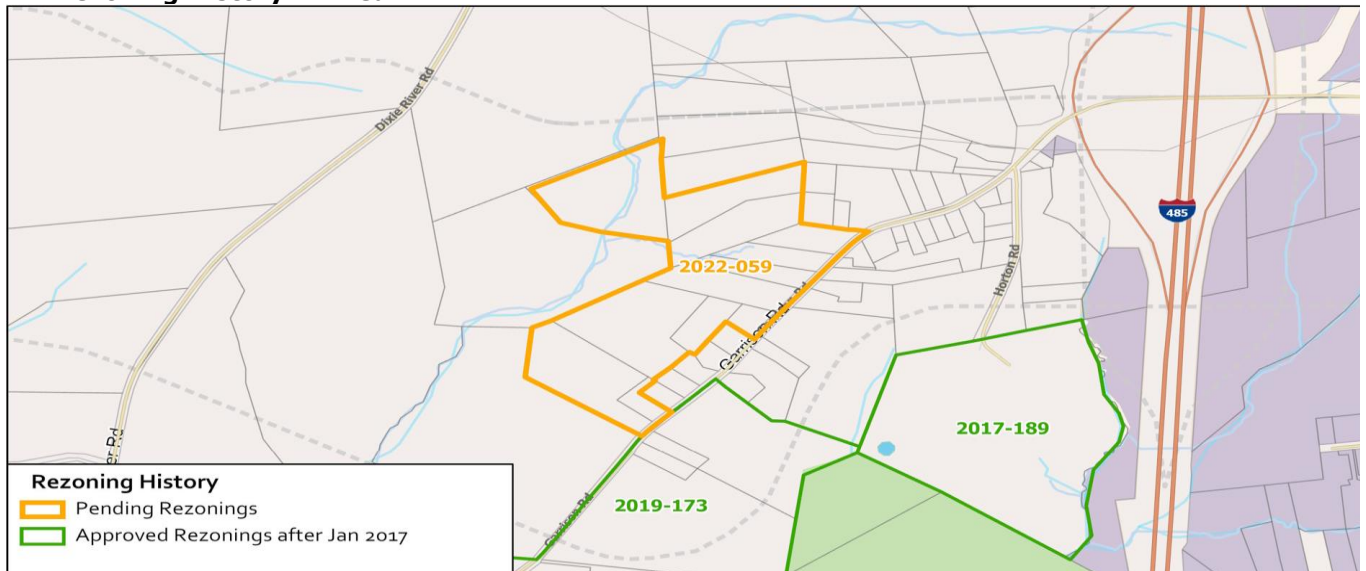


The site, marked by a red star, is surrounded primarily by wooded, undeveloped land and some single family dwellings.



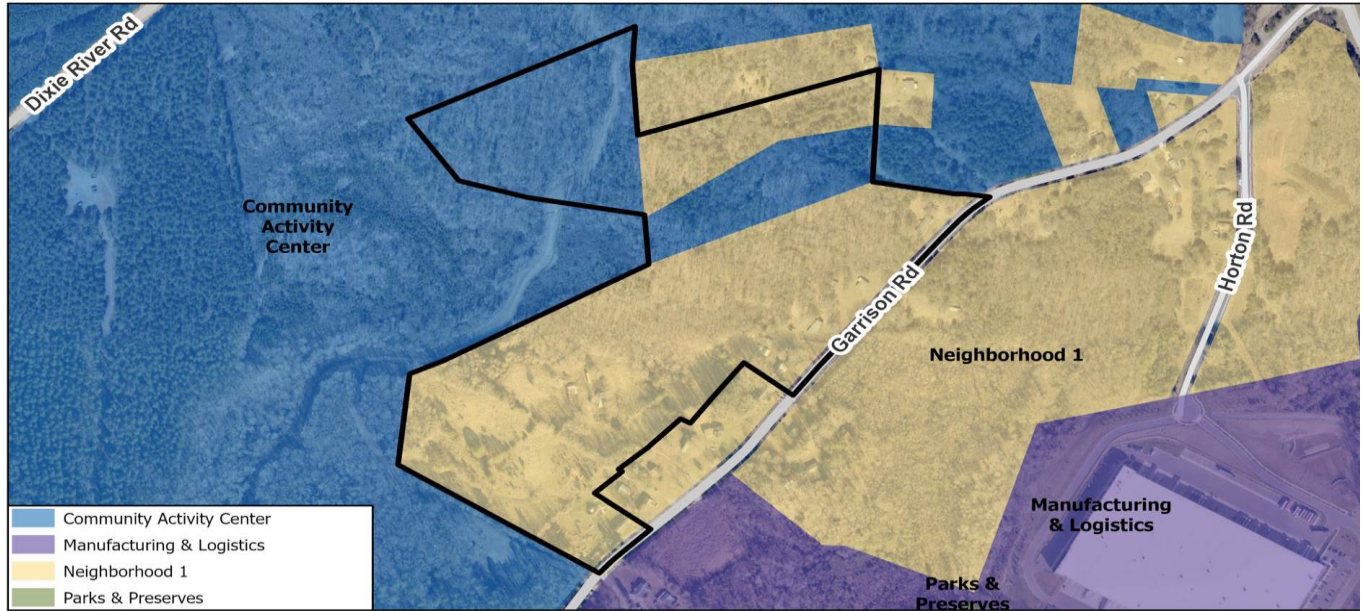
Streetview of the site looking west from Garrison Road.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-173	Petition to allow 1,450,000 SF of light industrial uses.	Approved
2017-189	Petition to allow 450,000 SF of light industrial uses.	Approved

- **Public Plans and Policies**



- The *2040 Policy Map* (2022) recommends Neighborhood 1 and Community Activity Center place types for this site.

- **TRANSPORTATION SUMMARY**

- This petition is located on the west side of Garrison Road, a State-maintained minor throughfare, south of Horton Road, a State-maintained local street. The petitioner has committed to installing a 12-foot shared-use path along the frontage of Garrison Road per the Chapter 19 ordinance and supporting Charlotte WALKS and BIKES policies. The petitioner has committed to improving Garrison Road along the site's frontage. CDOT has no outstanding comments with this petition.

Active Projects:

- PMES171515 – West Boulevard Extension
 - Extend West Boulevard from I-485 to Dixie River Road, with bicycle and pedestrian accommodations.
 - Project is currently under construction with an anticipated completion date of 4th Quarter, 2023.

- **Transportation Considerations**

- No Outstanding Issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 50 trips per day (based on 5 single family detached dwellings and 1 mobile home).

Entitlement: 955 trips per day (based on 94 single family dwelling units).

Proposed Zoning: 2,225 trips per day (based on 335 multifamily dwelling units).

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
- **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:** Development allowed with the existing zoning could generate 64 students, while development allowed with the proposed zoning may produce 197 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 133.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Berewick Elementary from 108% to 116%
 - Southwest Middle from 133% to 136%

- Olympic High from 130% to 133%.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections. Sewer is accessible for this rezoning boundary. 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. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise the site plan and conditional notes to commit to construct a 16' shared use path along the site's frontage of Garrison Road, to be located at the future back of curb, if allowed by CDOT and NCDOT. Add a conditional note that the location of and design of future bicycle and pedestrian facilities along Garrison Road will be in coordinated with CDOT in accordance with the latest adopted Charlotte Streets Map. Add a conditional note to indicate that if construction of the multi-use path is not allowed by NCDOT that the development will grade the final location of the multi-use path to accommodate construction in its final location.~~ ADDRESSED
2. ~~Remove reference to 2' bike lane along Garrison Road frontage (note IV.3).~~ ADDRESSED
3. ~~Revise the site plan and conditional notes by committing to improve and widen existing Garrison Road, from Horton Road to the southern property line. Garrison Road should be widened to provide two 11 foot lanes with a pavement section in accordance with CLDSM 11.09, Major Thoroughfare Pavement Section.~~ ADDRESSED
4. ~~Clarify that the network required streets are public by adding "Public" to each street callout and add the following conditional note: "Internal private streets shall have public access easements."~~ ADDRESSED

Site and Building Design

5. ~~Revise site plan and conditional notes to confirm that the greenway easement includes either a minimum 100' from the creek center line or 60' beyond the top of the creek bank on both sides of the creek.~~ ADDRESSED
6. ~~Provide a minimum of 2 acres to be dedicated and conveyed to Mecklenburg County for a future local park.~~ ADDRESSED
7. ~~Remove note II.2.c, which is not an innovative standard.~~ ADDRESSED
8. ~~Confirm compliance with Zoning Ordinance Chapter 9.303(19)(c) regarding percentage of proposed private streets with angled parking.~~ ADDRESSED
9. ~~Remove private street label from areas with more than 50% angled parking.~~ ADDRESSED

Land Use

10. ~~Reduce unit count and number of units per building to a maximum of three units per building with a mix of single family, duplexes, and triplexes to be consistent with the Neighborhood 1 place type.~~ ADDRESSED

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Joe Mangum (704) 353-1908