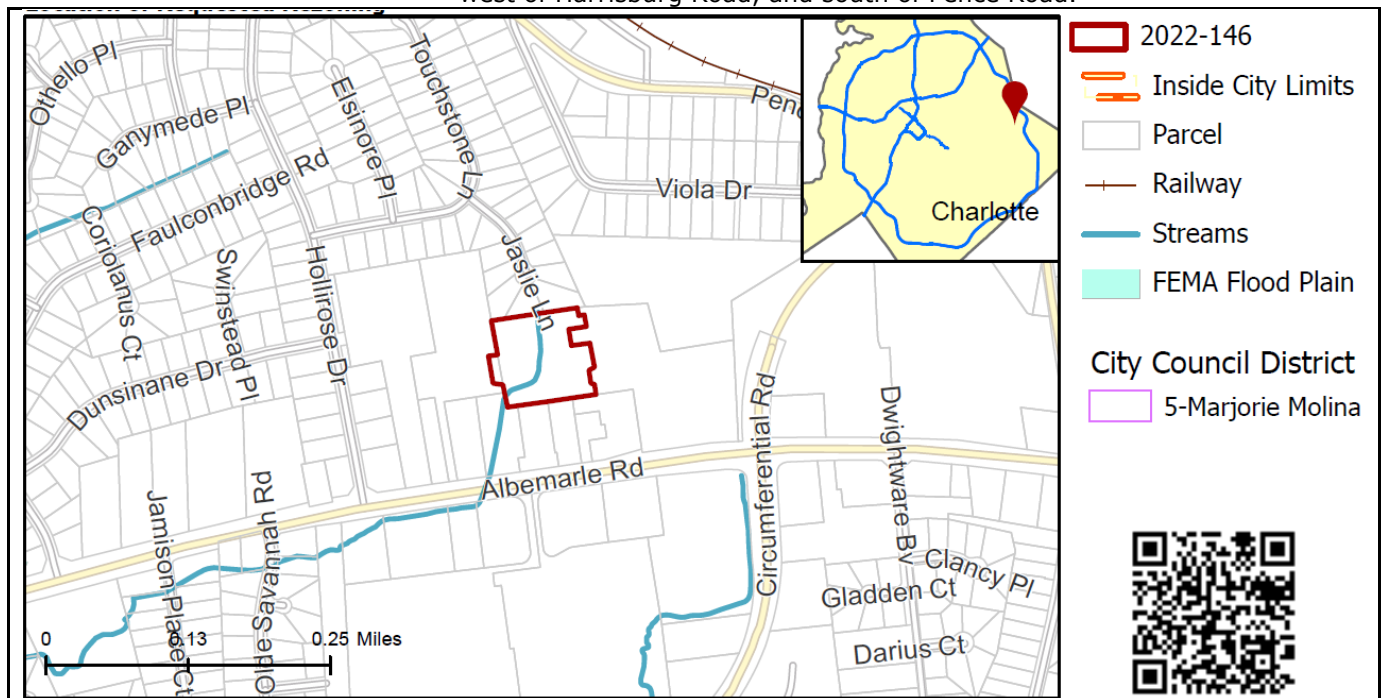


REQUEST

Current Zoning: IC-1 (institutional campus) and R-12MF(CD) (multi-family residential, conditional)
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional) and R-12MF(CD) SPA (multi-family residential, conditional, site plan amendment)

LOCATION

Approximately 3.9 acres located on the north side of Albemarle Road, west of Harrisburg Road, and south of Pence Road.



SUMMARY OF PETITION

The petition proposes to allow up to 47 single family attached residential (townhome) units on a vacant parcel located north of Albemarle Road and west of Circumferential Road.

PROPERTY OWNER

Cornerstone Baptist Church of Charlotte

PETITIONER

KTED Townhomes

AGENT/REPRESENTATIVE

Ed Ruele/Robert Davis

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 upon resolution of outstanding issues related to environment.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for the Community Activity Center Place Type and **inconsistent** with the Neighborhood 1 Place Type.

Rationale for Recommendation

- The Neighborhood 2 Place Type recommends higher density housing areas that provide a variety of housing types such as townhomes and apartments.

- In addition to retail, restaurant and entertainment, and personal services, some multi-family and office may also be located in the Community Activity Center Place Type.
- The proposal for single family attached residential uses, at approximately 12 dwelling units per acre, is an appropriate transition between commercial uses to the south and low-density residential uses to the north.
- The request is of similar context to an adjacent parcel that was approved for a recent rezoning, 2020-079.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 9: Retain Our Identity & Charm

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

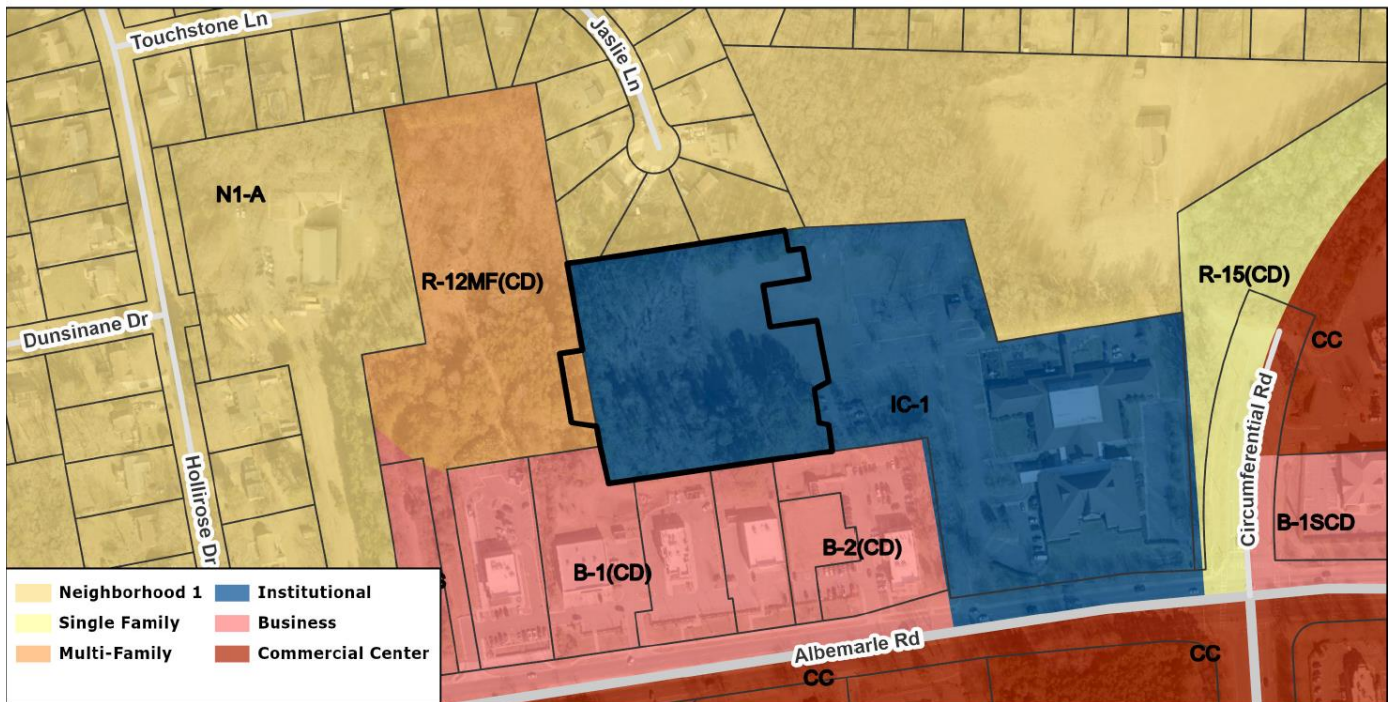
PLANNING STAFF REVIEW

• Proposed Request Details

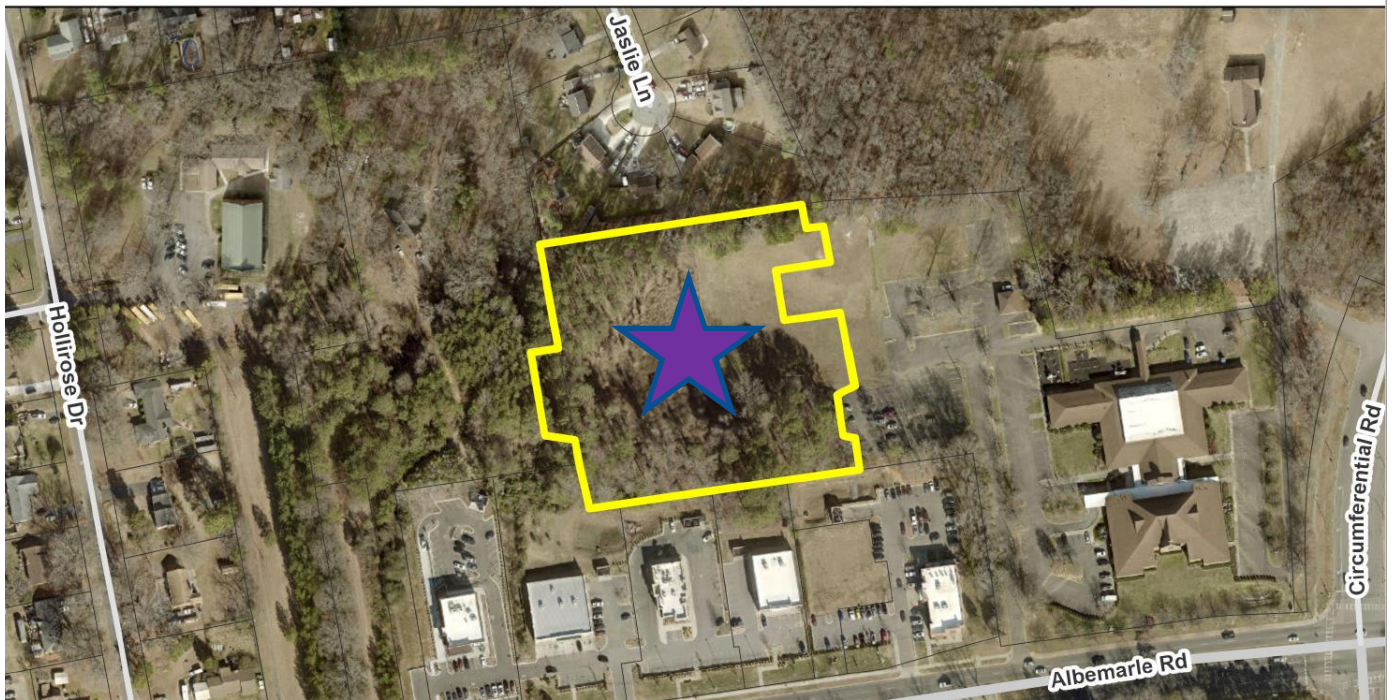
The site plan accompanying this petition contains the following provisions:

- Up to 47 single family residential attached (townhome) units to be located within illustrated building envelopes.
- Notes all residential units will have pedestrian connections to sidewalks.
- Proposes internal private drives connecting to proposed Dusinane Drive Extension. *Commits to five-foot sidewalk and eight-foot planting strip along Dusinane Drive Extension.*
- Provides 26-foot Class C buffer along property lines abutting existing single family residential and institutional uses (may be reduced 25% with a wall or a fence).
- *Notes useable porches and stoops shall form a predominate feature of the building design and be located on the front and/or side of the building.*
- *Notes all corner/end units facing a public or private street shall provide blank wall provisions that limit the maximum blank wall expanse to 20 feet on all building levels.*
- *Notes garage doors visible from public or private streets should minimize visual impact by providing a setback of 12 or more inches from the front wall plane and additional architectural treatments such as translucent windows or projecting elements over the garage door opening.*
- *Notes walkways will be provided to connect all residential entrances to sidewalks along public and private streets.*
- Illustrates 30-foot and 35-foot post construction control buffers, water quality easement, and open space.

• Existing Zoning



- The rezoning site is currently vacant and surrounded by a mix of residential, commercial, and institutional uses on parcels in various zoning districts.
- An approximate 0.126-acre portion of the site zoned R-12MF(CD) is part of a 5.99-acre parcel rezoned to R-12MF(CD) and NS via petition 2020-079 allowing up to 71 townhomes and 10,000 square feet of nonresidential uses.



The rezoning site (denoted by the purple star) is surrounded by a mix of residential, nonresidential, and institutional uses in various zoning districts.



North are single family residential homes.



East are Cornerstone Baptist Church and commercial uses.

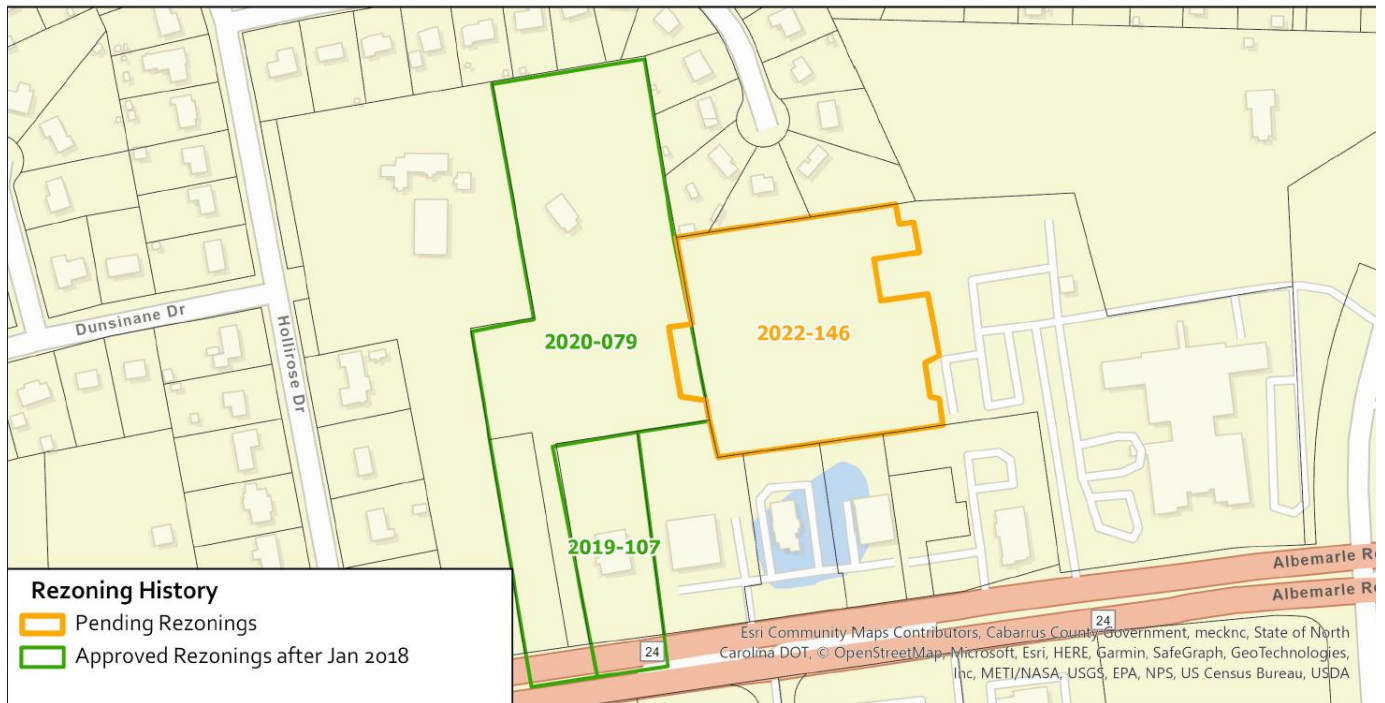


South are commercial uses.



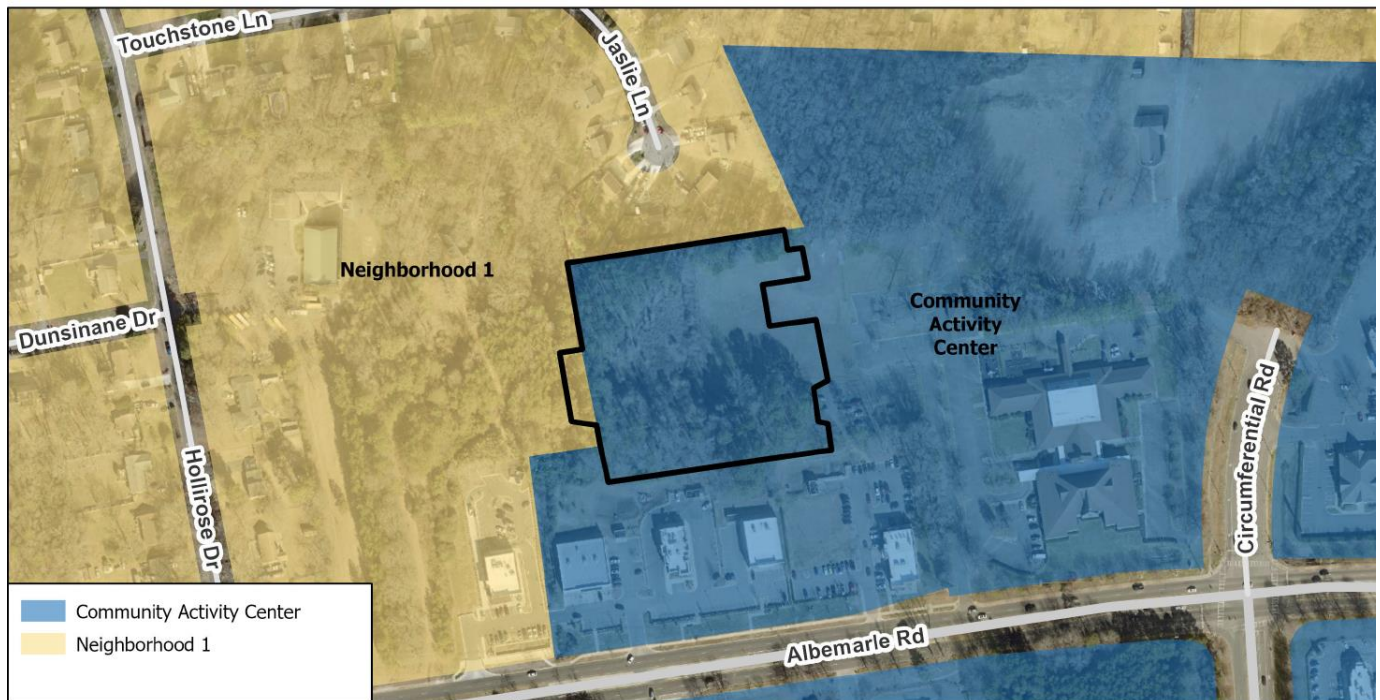
West are single family homes and New Heaven Community Church.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-079	Rezoned 5.99 acres from N1-A to R-12MF(CD) and NS to allow 51 townhomes and 10,000 sq ft nonresidential uses.	Approved
2019-107	Rezoned 1.217 acres from B-1(CD) to NS and allow up to 4,700 square feet of all uses in the NS district.	Approved

- Public Plans and Policies**



- The *2040 Policy Map* (2022) recommends the Community Activity Center and Neighborhood 1 Place Types for this site.
- **TRANSPORTATION SUMMARY**
The petition is located on the north side of Albemarle Road, a State-maintained major throughfare west of Circumferential Road, a City-maintained major throughfare. This project is adjacent to the Central/Albemarle Corridor of Opportunity. A Traffic Impact Study (TIS) is not required for this site due to the site generating less than 2,500 trips. All Outstanding CDOT issues have been addressed.
 - **Active Projects:**
 - N/A
 - **Transportation Considerations**
 - See Outstanding Issues, Notes 1-4. Addressed
 - **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 0 trips per day (vacant land based on tax record)
Entitlement: too many uses to determine (based on 3.9 acres IC-1).
Proposed Zoning: 310 trips per day (based on 47 single family attached residential units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate one student, while development allowed with the proposed zoning could generate eight students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - J. H. Gunn Elementary remains at 103%
 - Albemarle Road Middle remains at 107%
 - Rocky River High remains at 85%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Albemarle Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located within parcel 109-10-206. 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:** See Outstanding Issues, Note 5.

OUTSTANDING ISSUES

Transportation Addressed

- ~~1. Update conditional notes to commit to constructing Dusinane as a U-02 and constructing the 8-foot planting strip and 5-foot sidewalk.~~
- ~~2. Add a conditional note specifying "A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements."~~
- ~~3. Add a conditional note specifying "the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible."~~
- ~~4. Add a conditional note specifying "All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes."~~

Environment

5. Site must show a minimum of 15% of the overall site as tree save. This requirement must be shown on the site plan.
- ~~6. **New Outstanding Comment resulting from most recent site plan:** Remove notes under Environmental Features as marked up. Please include notes from previous versions of the rezoning plan (see ACCELA):~~
 - ~~a. The petitioner shall comply with the Charlotte City Council Approved and Adopted Post-Construction Stormwater Regulations. Addressed~~
 - ~~b. The location, size, and type of stormwater management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points. Addressed~~
 - ~~c. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte Mecklenburg Stormwater Services and mitigated if required by ordinance. Stream delineation reports are subject to review and approval by Charlotte Storm Water Services. Addressed~~

Site and Building Design Addressed

- ~~7. Please provide architectural standards as listed on previous version of site plan.~~

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Claire Lyte-Graham (704) 336-3782