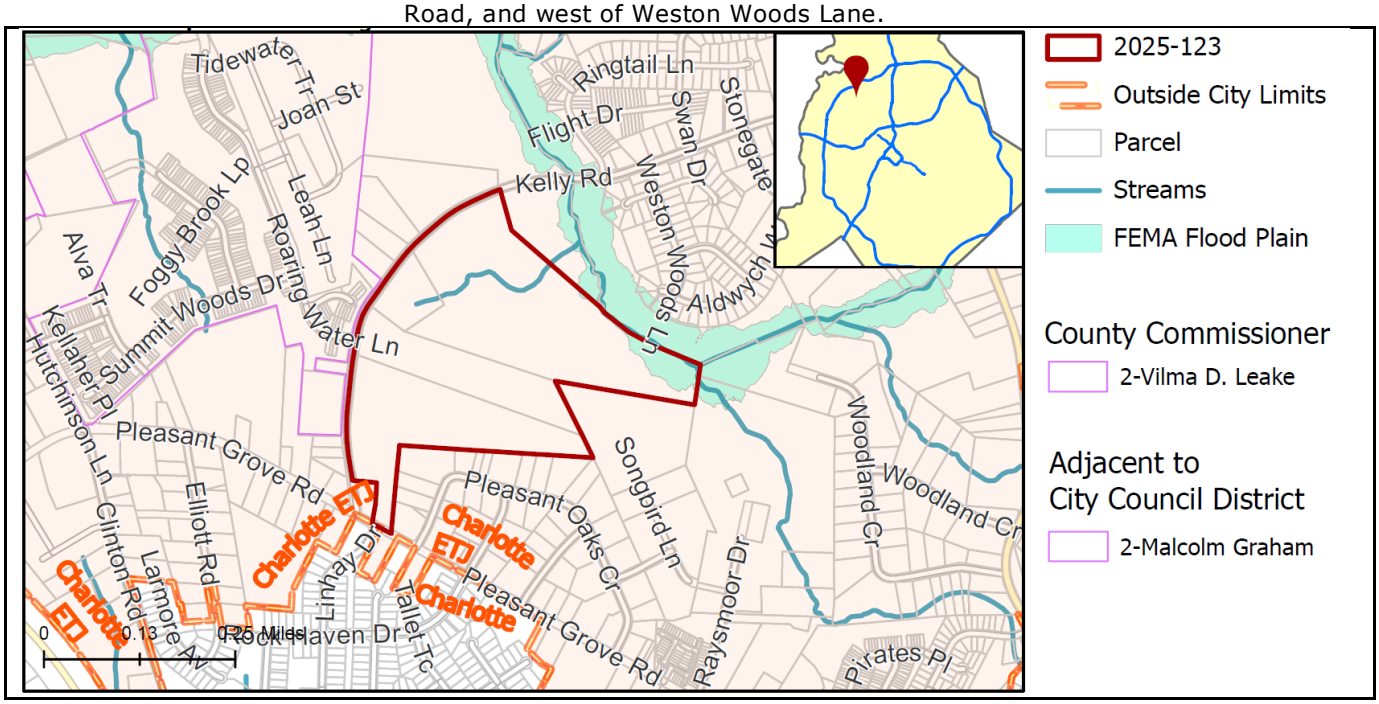
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2025-123
Final Staff Analysis

City Council Decision Date: September 21, 2026

REQUEST	Current Zoning: N1-A (Neighborhood 1-A) Proposed Zoning: N1-D(CD) (Neighborhood 1-D, conditional)
LOCATION	Address: 3000 Kelly Road Charlotte, NC 28216 Approximately 61.26 acres located east of Kelly Road, north of Pleasant Grove Road, and west of Weston Woods Lane.



SUMMARY OF PETITION	The petition proposes up to 212 single family detached residential dwellings on a site that is currently developed with 3 single family houses and accessory structures.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Sanders Partnership, LLC Sanders Partnership, LLC John Carmichael, Robinson Bradshaw
COMMUNITY MEETING	The community meetings were held on January 7, 2026 and June 30, 2026. 15 people from the community attended the first community meeting and 12 people from the community attended the second meeting. The community meeting report notes that items discussed at the first meeting included a review of the proposed rezoning plan that would permit up to 212 single family homes and outlined the traffic study and future community engagement steps. Community concerns centered on increased traffic and road capacity, stormwater and environmental impacts, tree removal, boundary buffers, school capacity, and the rezoning process. At the second meeting, the Petitioner presented revised rezoning plans including a finalized traffic study, added landscape buffers, and commitments for park and greenway dedications to support a 212 single family home development. Community concerns focused on traffic impacts and road widening, stormwater management, potential blasting and grading due to rocky terrain, annexation questions, and ensuring adequate screening along the southern boundary. The full meeting report is available online.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the goals and policies of the *West Middle Community Area Plan*. The petition may facilitate the following priority goal of the area plan:

- 7: Integrated Natural & Built Environments may be facilitated by dedicating a greenway easement and a 3-acre park site to Mecklenburg County Park and Recreation.

Rationale for Recommendation

- The proposed rezoning is consistent with the goals and policies of the recently adopted *West Middle Community Area Plan* (CAP). The plan aligns with Place Type 5 (PT-5).
- The PT-5 criteria establish standards to ensure that new development is compatible with surrounding residential patterns by evaluating factors such as lot size and configuration, street frontage types, and the location of the parcel within the block (e.g., mid-block or corner), with the goal of maintaining cohesive neighborhood character.
- The proposed rezoning aligns with the PT-5 criteria, as the petition covers more than 61 acres and is located outside any established neighborhood. Therefore, establishing its own consistent lot pattern. The site is located at the intersection of Kelly Road and Pleasant Grove Road. It is accessed via Kelly Road, which is designated as a Collector Street by the Charlotte Streets Map. The site has frontage on Pleasant Grove Road which is designated as a 2+ Lane Avenue.
- The plan proposes dedication of a greenway easement and a 3-acre park site to Mecklenburg County Park and Recreation.
- The site is in alignment with the *2040 Policy Map* designation of Neighborhood 1 Place Type.
- The plan proposes low-intensity, single family detached dwellings along streets built to the standards of the Charlotte Land Development Standards Manual (CLDSM).
- The site is not within walking distance of transit or Activity Center Place Types thereby conforming to the low-intensity character of the established residential area.

PLANNING STAFF REVIEW

- **Background and Zoning District Summary**
  - Existing Zoning:
    - N1-A: This district allows for single family, duplex, triplex, and quadraplexes in some situations, as well as a limited number of other uses on lots that are 10,000 square feet or greater.
  - Proposed Zoning:
    - N1-D: This district allows for single family, duplex, triplex, and quadraplexes in some situations, as well as a limited number of other uses on lots that are 3,500 square feet or greater.
    - Conditional (CD): This petition includes a site plan and proposes site-specific commitments that further restrict the use of the site.

- **Proposed Request Details**

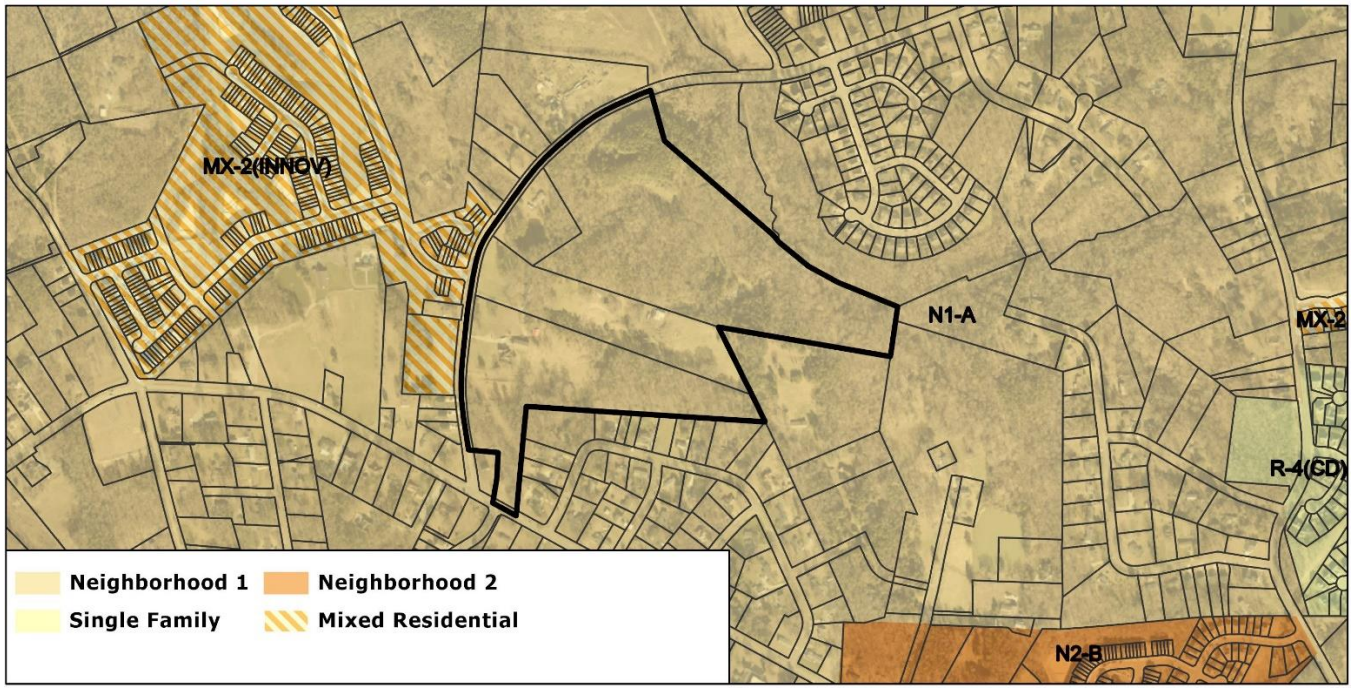
  The site plan accompanying this petition contains the following provisions:
  - Permits the development of up to 212 single family detached dwelling units.
    - The minimum lot size will be 4,800 square feet.
  - The following transportation and streetscape improvements are proposed:
    - 3 access points into the development are proposed from Kelly Road.
      - The southern access point, Access B proposes, a northbound right turn lane on Kelly Road into the development with 100 feet of storage.
      - The middle access point, Access A, proposes a southbound left turn lane on Kelly Road with 100 feet of storage.
    - A 6-foot sidewalk and 8-foot planting strip will be installed along the site's frontage with Kelly Road and Pleasant Grove Road as well as all streets internal to the site.
  - The following open space, landscaping, and park improvements are proposed:
    - Common open space will include a minimum of 4 potential enhancements:
      - Enhanced plantings require at least 18 trees per acre of open space.

- specialty paving, shading elements, seating options, interactive sensory elements, and decorative lighting.
- Seating will be provided at a minimum rate of one bench per 4,000 square feet of common open space.
- Amenity space will have a minimum dimension of 50 feet in all directions

- A 25-foot Class B landscape yard will be provided along the southern property lines as depicted on the site plan.
- A greenway and stormwater easement, plus a 100-foot connection easement will be dedicated to Mecklenburg County to support a future accessible trail.
- A minimum of 3 acres for a future public park site will be dedicated to Mecklenburg County.

Neighborhood 1 Zoning District Lot Standards				
	N1-A	**N1-B**	**N1-C**	**N1-D**
Minimum Lot Area	10,000	8,000	6,000	3,500
Minimum Lot Width	70′	60′	50′	40′
Minimum Front Setback	27′	27′	17′	17′
Minimum Side Setback	5′	5′	5′	5′
Minimum Rear Setback	40′	35′	30′	25′
Maximum Residential Height	48′	48′	40′	40′

- **Site Context and Imagery**



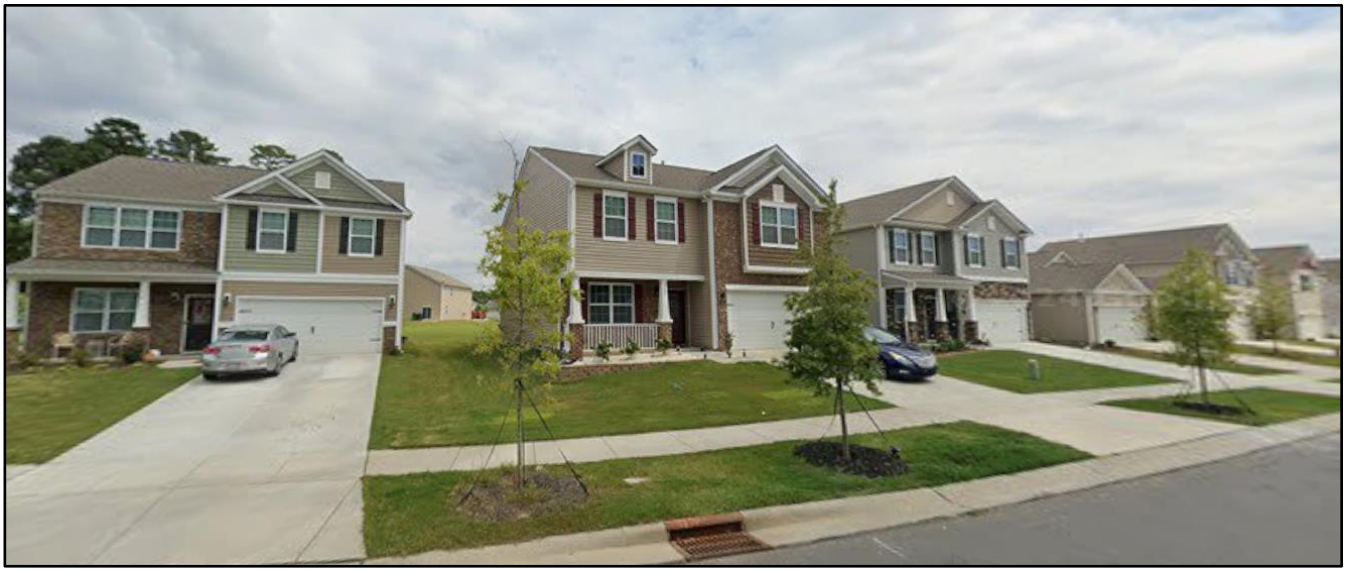
- The site is zoned N1-A (Neighborhood 1-A). A site zoned MX-2 INNOV (Mixed-Use Innovative, conditional) is located to the west across Kelly Road. The site is surrounded by properties that are also zoned N1-A on all other sides.

The site (indicated by red star above) is located on the east side of Kelly Road and the north side of Pleasant Grove Road. The site is 1/3-mile east of Brookshire Boulevard and 1 and ¾-mile southeast of Interstate I-485. The site is accessed from Kelly Road and has frontage on Pleasant Grove Road. The site is predominantly surrounded by single family development, with some multi-family attached projects spread throughout.

View of the site looking east from Kelly Road. The site is developed with 3 single family houses and accessory structures.

View of the site looking north from Pleasant Grove Road.

View of the multi-family attached subdivision zoned MX-2 INNOV (Mixed-Use Innovative, conditional) located across Kelly Road. The subdivision is currently under construction.

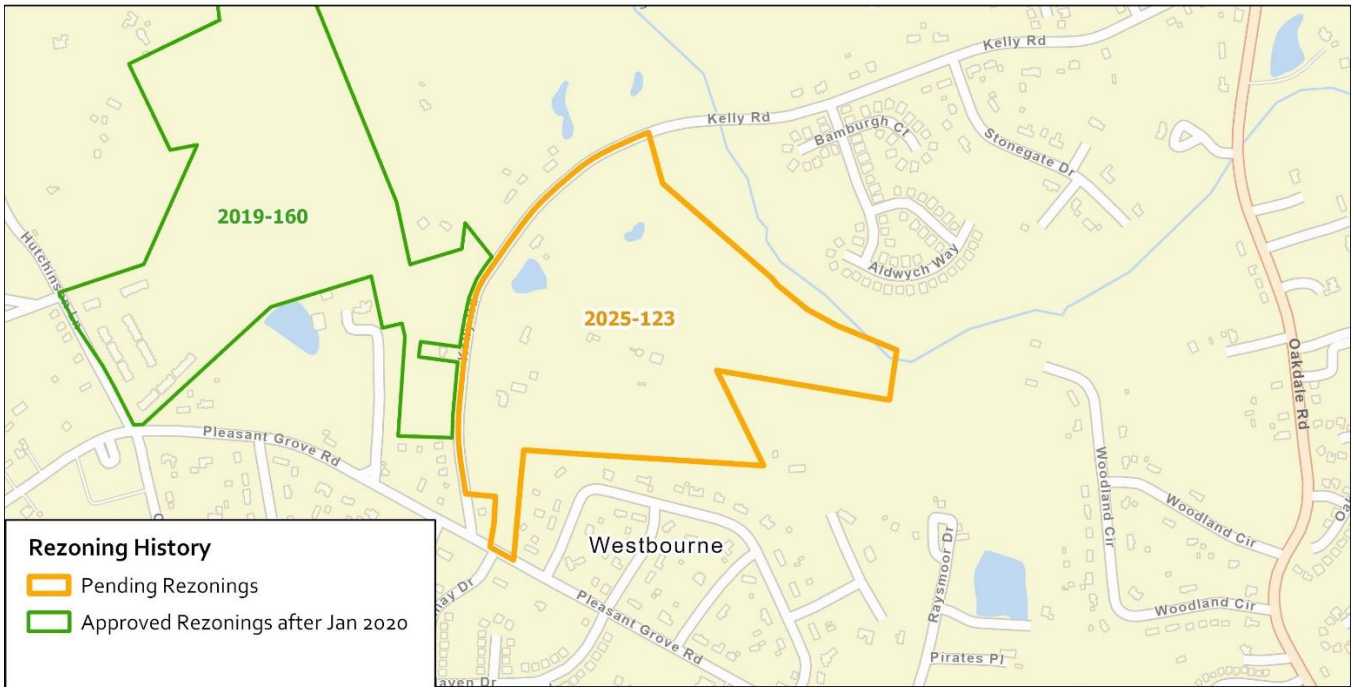


View of a single family subdivision zoned N1-A (Neighborhood 1-A) located across Pleasant Grove Road to the south of the site.

View of rural single-family housing located along Kelly Road adjacent to the subject site.

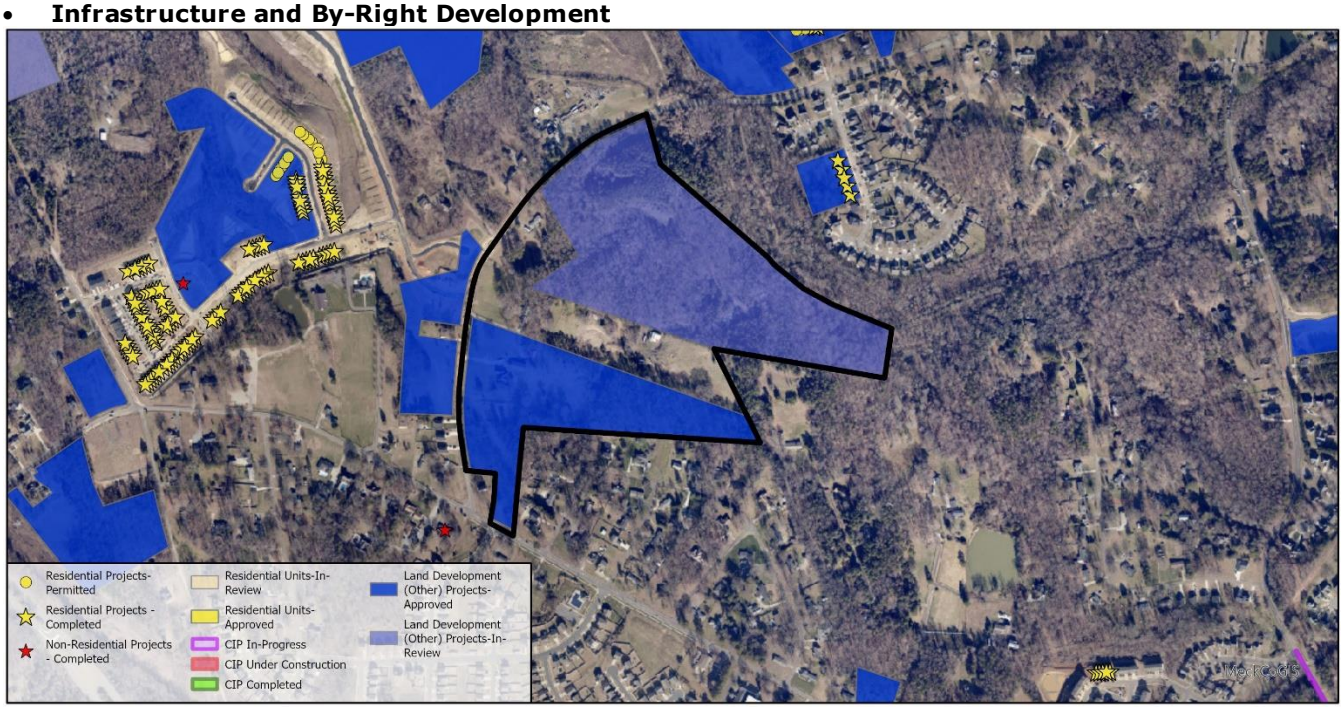
View of institutional uses located along Pleasant Grove Road east of the site. These uses include the Charlotte Fire Department and a church.

- **Rezoning History in Area**



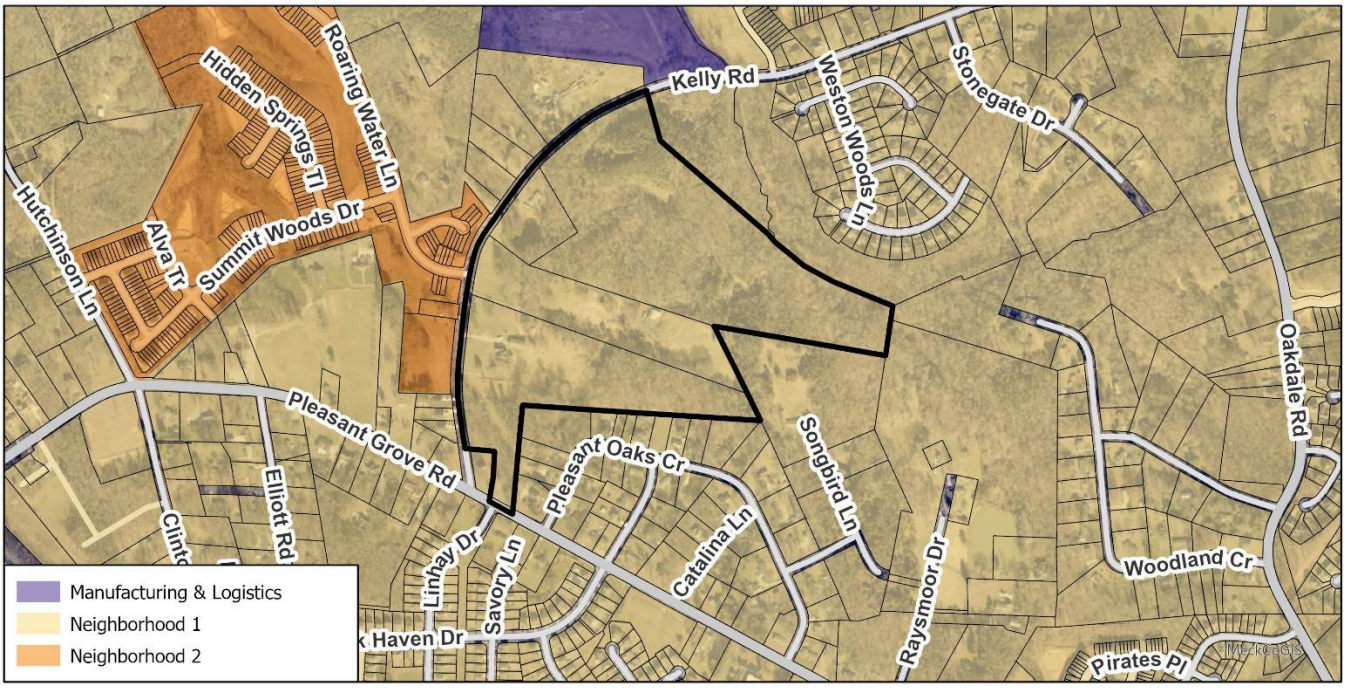
Petition Number	Summary of Petition	Status
2019-160	Rezoned 80.78 acres from R-3 LWPA (Single-Family Residential, Lake Wylie Protected Area) to MX-2 (Innov) LWPA (Mixed-Use, Innovative Standards, Lake Wylie Protected Area) with five years vested rights for the development of 280 multi-family attached townhome units.	Rezoning approved. SDRMF-2021-00146 approved for 280-unit townhome subdivision – construction underway. LDCP-2024-00783 – approved for subdivision amenity area – construction complete.

- **Infrastructure and By-Right Development**



  - This map depicts infrastructure projects, rezonings, and projects occurring by-right in the vicinity of the subject rezoning. By-right development is development that without exception complies with all standards of the zoning district in which the development is taking place. A project occurring by-right denotes that the development is allowed on the property and needs only to show that the development will meet the ordinance standards).
  - More information on the specific projects in this area can be found using Development Near Me

- **Public Plans and Policies**



  - The *West Middle Community Area Plan* and accompanying *2040 Policy Map* recommends the Neighborhood 1 Place Type. The proposed rezoning is in alignment with the adopted Neighborhood 1 Place Type.
    - Neighborhood 1 places are the lower density housing areas across Charlotte, where most of the city's residents live, primarily in single-family or small multi-family homes or ADUs.
    - This site is within the *West Middle Community Area Plan*. The rezoning petition may help facilitate the priority goal 7 given its commitment to convey a Greenway and Stormwater Easement to Mecklenburg County over the portion of the site covered by either the 100-foot

stream buffer or the FEMA floodplain of Gutter Branch, as shown on the site plan. The petitioner will also dedicate and convey at least three acres of the site to Mecklenburg County for a future public park.

- Petitions requesting a higher Neighborhood 1 zoning classification are reviewed using the Creating Complete Communities policy guidance. This framework outlines key criteria to help ensure that the scale and massing of new development or redevelopment fits within established areas. While not exhaustive, these criteria guide staff's analysis. The table below summarizes how they apply to the proposed change from N1-A to N1-D(CD) for this site.

Place Type-5 Criteria Creating Complete Communities Recommendations	**Site Information**
Existing Lot Patterns in the Area	The petition covers more than 61 acres and is located outside any established neighborhood. Therefore, establishing its own consistent lot pattern.
Average Lot Dimensions	The subject site proposes a minimum lot size of 4,800 square feet, which is larger than the N1-D requirements. However, the lot size is smaller than the surrounding single family detached home developments in the area built to the N1-A zoning district standards. Though the most recent rezoning in the area, located to the west across Kelly Road, established a multi-family attached townhome subdivision.
Road Frontage Classification	The subject site is accessed via Kelly Road which is designated as a Collector Street by the Charlotte Streets Map. The site has frontage on Pleasant Grove Road which is designated as a 2+ Lane Avenue.
Location of the Subject Parcel	The rezoning site is made of multiple parcels primarily fronting Kelly Road at the intersection of Pleasant Grove Road. The site is in an area with single family subdivisions, a townhome subdivision, and rural single family lots.

- **INFRASTRUCTURE COMMENTS**
  - **Charlotte Department of Transportation**
    - The site is located adjacent to Kelly Road, a State-maintained major collector, north of Pleasant Grove Road, a State-maintained minor arterial. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the low intensity development area. Based on the 2,242 daily trips, this will trigger a Traffic Impact Study Site and Tier 3 multimodal assessment. The TIS was approved on 05/26/2026. Site plan and/or conditional notes commit to showing TIS required improvements such as re-marking for and new constructing turn lanes.
    - **Active Projects:**
      - N/A
    - **Transportation Considerations:**
      - No outstanding issues.
    - **Vehicle Trip Generation:**
      - Current: N1-A.
        - Existing Use: 40 trips per day (based on 3 single family dwelling units).
        - Existing Zoning Entitlements: 1,759 trips per day (based on 183 single family dwelling units).
      - Proposed Zoning: N1-D(CD). 2,242 trips per day (based on 212 single family dwelling units).

- **Storm Water Services**
  - The petitioner provided notes regarding 100+1 stormwater protection study and development within any SWIM or water quality buffers as requested and standard provisions committing to comply with Stormwater Articles 23 through 28 in the UDO.
  - NC Division of Waste Management records indicate that a closed demolition landfill (Site ID: 60D-DEMO) is located on this property. Stormwater Services is concerned about the potential for surface water contamination resulting from construction activities and soil disturbance in and around the landfill area. It is recommended that the developer conduct soil characterization testing to determine the extent of any contamination prior to the placement of stormwater infrastructure.
  - **Considerations:**
    - See advisory comments at www.rezoning.org
- **Charlotte Water**
  - Accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main along Pleasant Grove Rd. And accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Pleasant Grove Rd.
  - **Considerations:**
    - See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools**
  - The development may add 109 students to the schools in this area. The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Mountain Island Academy K-8 currently at 116% utilization, would increase to 128%
    - West Mecklenburg High currently at 66% utilization, would increase to 68%.
  - **Considerations:**
    - The proposed rezoning may add 109 students to the schools in this area based on 212 single family detached dwelling units. This represents an increase in the number of students verses the 183 potential single family detached units under the current N1-A zoning.
    - One or more schools serving this development are projected to exceed 100% utilization as a result of the proposed development. While utilization above 100% indicates enrollment exceeds permanent building capacity, schools may continue operating through the use of mobile classrooms, program adjustments, boundary changes, or future capital investments.
    - See advisory comments at www.rezoning.org
- **Charlotte Area Transit System**
  - **Considerations:**
    - No comments submitted.

CITY DEPARTMENT COMMENTS

- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at www.rezoning.org
- **Urban Forestry:** No outstanding issues.

MECKLENBURG COUNTY COMMENTS

- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Park and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~CDOT: Remove Note D under general provisions. 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."~~ Addressed
2. ~~CDOT: Revise site plan and conditional note(s) to update Note "I" to remove "For a New Dwelling – Single Family Detached Unit".~~ Addressed
3. ~~CDOT: Revise site plan and conditional note(s) to update note J. under "Transportation" to state "THE TRANSPORTATION IMPROVEMENTS SET OUT BELOW SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY AS DICTATED BY APPROVED TIS". Remove portion stating "For a New Dwelling – Single Family Detached Unit".~~ Addressed
4. ~~CDOT: Revise site plan and conditional note(s) by showing the required turn lanes on the site plan as required by the Traffic Impact Study. Show all required improvements on the site plan and final design is to be coordinated during permitting.~~ Addressed

Environment

5. ~~Urban Forestry: Specify heritage trees on tree survey.~~ Addressed

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Maxx Oliver 704-336-3818