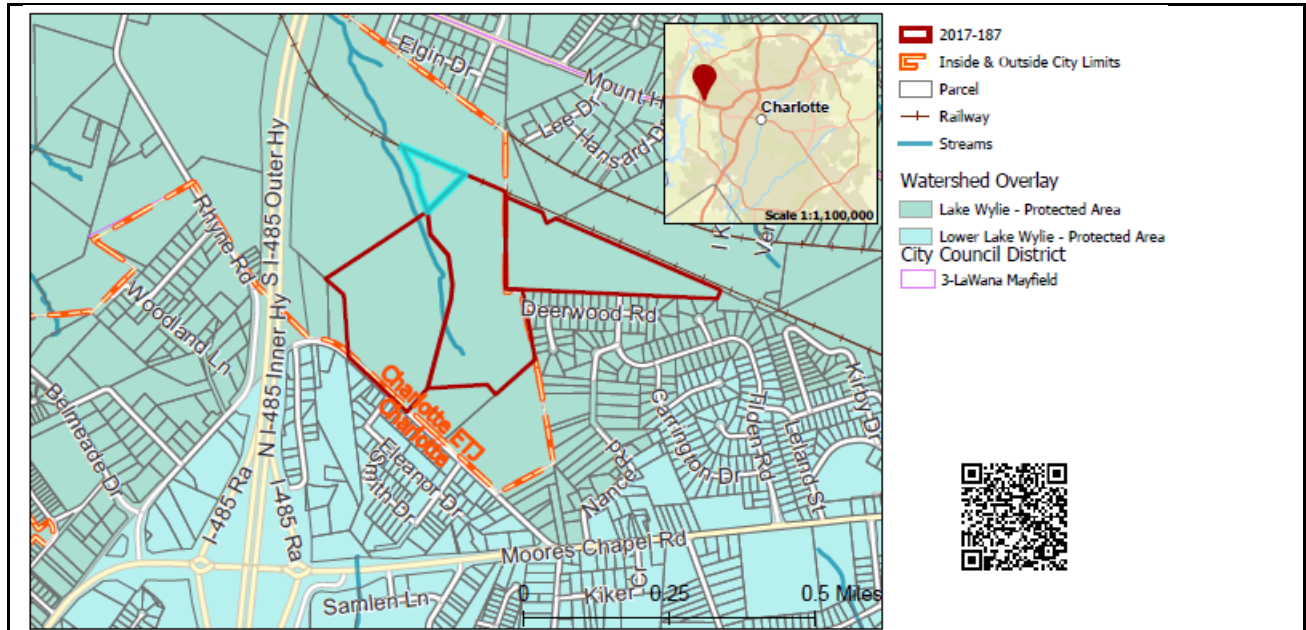


REQUEST

Current Zoning: R-3, R-4, R-5, R-8 LWPA (single family residential, Lake Wylie Protected Area)
 Proposed Zoning: R-6 LWPA (single family residential, Lake Wylie Protected Area)

LOCATION

Approximately 79.3 acres located on the northeast side of Old Moores Chapel Road, north of Moores Chapel Road, east of Interstate 485.
 (Council District 3 – Mayfield and Outside City Limits)



SUMMARY OF PETITION

The petition proposes to allow all uses permitted in the R-6 (single family residential) district. The site is undeveloped, primarily surrounded by single family homes and vacant land to the east and south, and bordered by the Piedmont and Northern Railroad to the north.

PROPERTY OWNER

Maga Development LLC

PETITIONER

Maga Development LLC

AGENT/REPRESENTATIVE

Ty Matthews, Maga Development LLC

COMMUNITY MEETING

Meeting is not required.

**STAFF
RECOMMENDATION**

Staff recommends approval of this conventional petition.

Plan Consistency

The petition is consistent with the *Northwest District Plan* recommendation for residential up to four units per acre, six units per acre, and eight units per acre.

Rationale for Recommendation

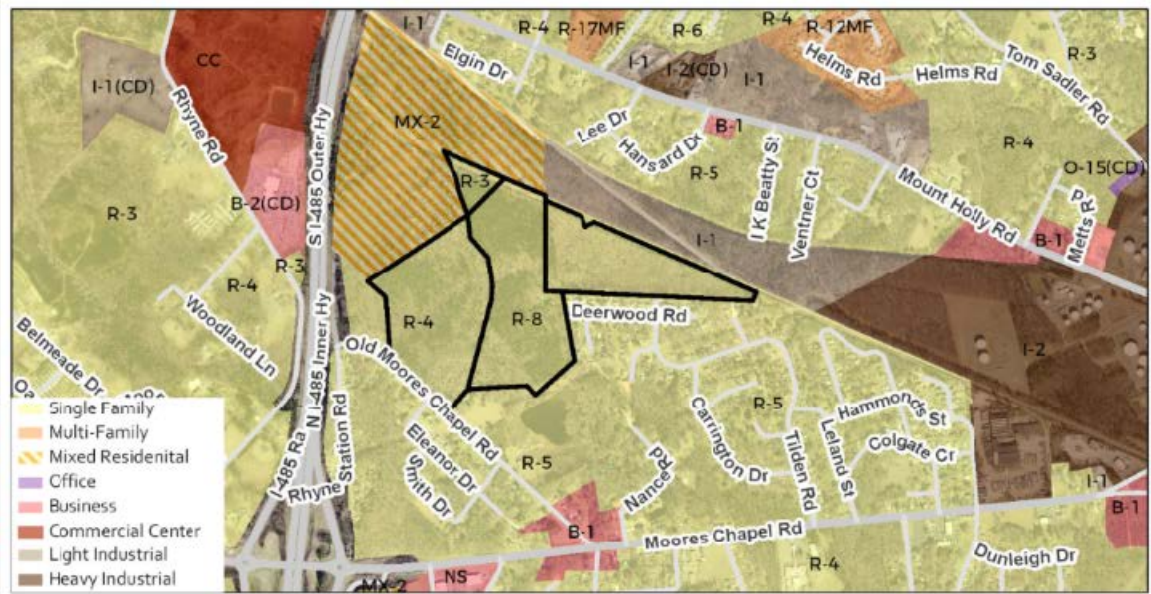
- The adopted plan recommends residential development for this site with varying densities, and the proposed rezoning petition seeks to rezone everything under one consistent single family zoning district.
- The area is within the lower Lake Wylie Protected Area Watershed overlay zoning district, which reduces the amount of built upon area to protect the public water supply.
- The proposed single family zoning district is consistent with the existing single family low density developments in the general area and with the R-5 (single family residential) originally planned for the area.

PLANNING STAFF REVIEW

• Proposed Request Details

This is a conventional rezoning petition with no associated site plan. The R-6 (single family residential) district is designed to protect and promote the development of single family housing and a limited number of public and institutional uses including: religious institutions, schools of various types, and government buildings.

• Existing Zoning and Land Use



- The site is currently undeveloped/vacant and primarily surrounded by single family homes, religious facilities, vacant land, and some industrial uses. The Piedmont and Northern Railroad abuts a portion of the site to the north.
- In 2003, a corrective rezoning (petition 2003-074) was filed to rezone approximately 81.54 acres to R-5 LWPA (single family residential, Lake Wylie Protected Area). The owners of one property protested the rezoning as it was inconsistent with their plans for the property. As a result, their portion of the property, which is included in the current request, was rezoned to R-8 LWPA (single family residential, Lake Wylie Protected Area).



The property is currently undeveloped/vacant.

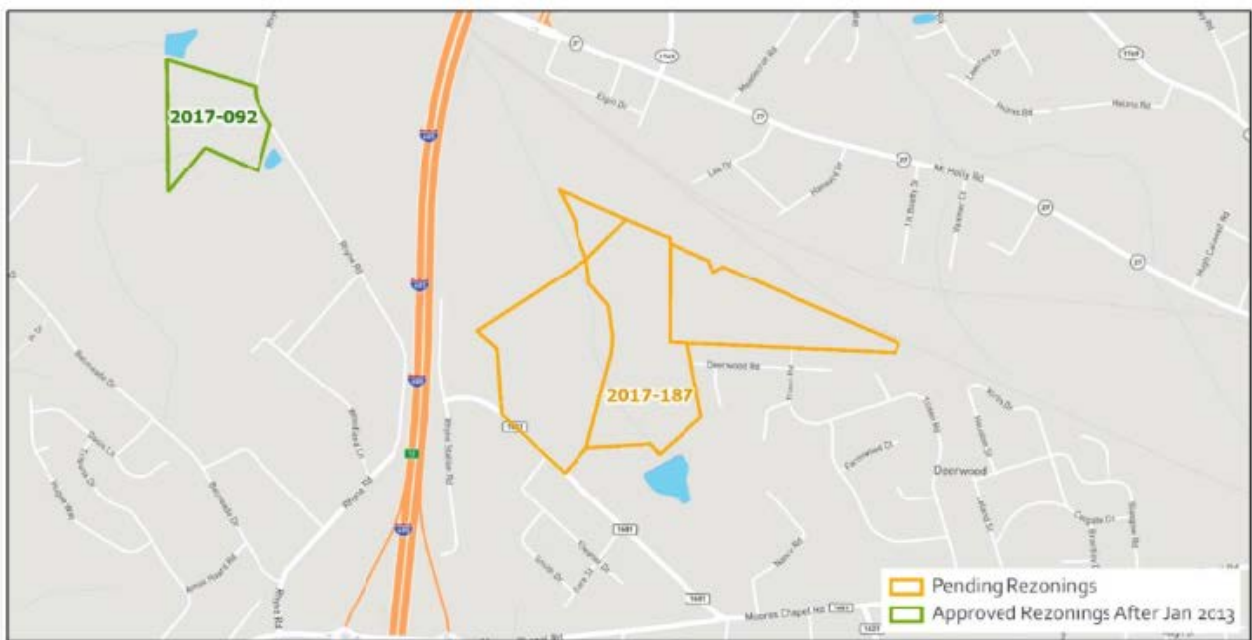


To the east of the site is a single family subdivision.



To the south of the site is a single family subdivision.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-092	Rezoned 14 acres to I-1(CD) LWPA (light industrial, conditional, Lake Wyle Protected Area) to allow the development of a business/industrial park.	Approved

• Public Plans and Policies



- The Northwest District Plan (1990) recommends residential up to four dwelling units per acre for a portion of the site, single family up to eight dwelling units per acre for a portion of the site, and single family residential up to six dwelling units per acre for another portion of the site.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located on a local street and bordered by a rail line on the north side. CDOT will work with the petitioner during permitting to connect to existing street stubs and improve Old Moores Chapel Road along the site frontage. CDOT will also seek travel lane, bike facility, and pedestrian improvements to the 1800 feet of Old Moores Chapel Road leading to the site and intersection improvements at the Moores Chapel. However, in the absence of conditional zoning commitments, these improvements are not guaranteed under existing regulations and the existing stop-controlled intersection and 2-lane ditch-section road may not be improved beyond its current condition.
 - A Traffic Impact Study/Transportation Technical Memorandum is not needed for the complete review of this petition. However, CDOT anticipates a TIS will be needed for permitting review.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 4,190 trips per day (based on 450 dwellings).
 - Proposed Zoning: 4,400 trips per day (based on 474 dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No on-street parking. Dead end access exceeding 150 feet requires approved Charlotte Fire Department turnaround. See charlottefire.org for other requirements.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 269 students, while the development allowed under the proposed zoning will produce 282 students.
 - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Whitewater Academy from 124% to 143%
 - Whitewater Middle from 100% to 100%
 - West Mecklenburg High from 112% to 116%.

Charlotte Water: Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing six-inch distribution main located along Deerwood Road. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. A Willingness to Serve application has been received and currently under review. Correspondence will be maintained with the applicant.

Development is encouraged to contact Installation Development Services at (704) 336-5499 to review service connection design requirements and City Ordinances (e.g., backflow, separate meter Ordinance, public/private pipeline extensions). Comments: Development will need to submit a CAP application, will need to send plans to NC-DEQ Mooresville Regional Office (704) 663-1699 for sewer permitting, will need to make internal streets public in order to allow for the extension of public water/sewer, and will require water/sewer extension through a donated project section to serve site.

Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development. Contact the New Services Group at (704) 432-5801 for further information on reserving capacity up to 12 months.

- **Engineering and Property Management:**

- **Arborist:** No comments received.
- **Erosion Control:** Stream/wetland delineation required. Parcel lies within the LWPA (Lake Wylie Protected Area), subject to enhanced controls for erosion control.
- **Land Development:** No issues.
- **Storm Water Services:** No issues.
- **Urban Forestry:** Site is in a wedge and will be required to provide 15% tree save area based on gross acreage. 15% of 79.3 acres = 11.89 acres tree save. Show tree save area on site map in common open space. Tree save must contain existing healthy tree canopy. Tree save must be 30' width minimum.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.

- **Mecklenburg County Parks and Recreation Department:** No comments received.

OUTSTANDING ISSUES

1. ~~Provide a wetland determination letter prior to the Zoning Committee Work Session.~~ Addressed
-

Attachments Online at www.rezoning.org

- Application
- Locator Map
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Transportation Review

Planner: Claire Lyte-Graham (704) 336-3782