

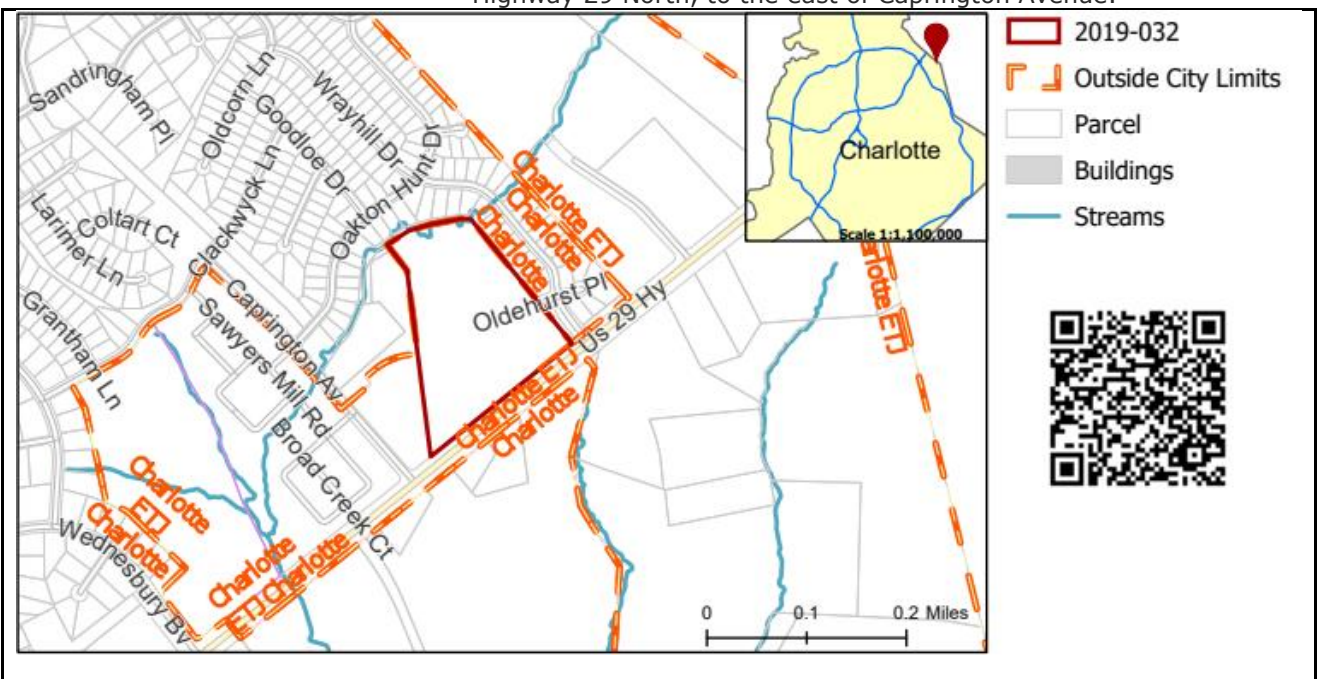
**REQUEST**

Current Zoning: R-3 (single-family residential), R-17MF(CD) (multi-family residential, conditional), and MX-2 (mixed-use)

Proposed Zoning: R-17MF(CD) (multi-family residential, conditional) and R-17MF(CD) SPA (multi-family residential, conditional, site plan amendment)

**LOCATION**

Approximately 14.72 acres located on the northwest side of Highway 29 North, to the east of Caprington Avenue.



**SUMMARY OF PETITION**

The petition proposes to allow up to 248 multi-family dwelling units with a density of 16.8 units per acre.

**PROPERTY OWNER**

Christenbury Family, LLC

**PETITIONER**

US Developments, Inc.

**AGENT/REPRESENTATIVE**

Walter Fields

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 11

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment.

Plan Consistency

The petition is **inconsistent** with the *Northeast Area Plan* recommendation for residential land uses up to eight dwelling units per acre and/or institutional land uses.

Rationale for Recommendation

- The *Northeast Area Plan* recommends a mix of housing types for this site. While more dense than what is permitted, the petition's commitment to providing both multifamily and attached singlefamily development on the site is consistent with the plan's recommendation.

- The R-17MF(CD) zoning adjacent to the west has the uses limited to a day care center, an assisted living facility, and/or a community recreation center. However, these are neighborhood serving uses that are considered compatible with the residential uses in this petition.
- There are similar multi-family units on the other side of Caprington Avenue, the units in that project were separated from adjacent single family uses with similar site plan conditions.
- The site abuts a lower density, single family residential neighborhood (4.5 DUA) to the north and east. However, the site plan includes additional commitments to ensure compatibility. The multifamily component of this petition is sensitive to the seven existing single family homes on Wrayhill Drive by locating lower density townhomes between the existing homes and the more dense multifamily development. In addition to a class C buffer, the location of the water quality area and tree save create further spatial separation between the multifamily development and the existing single family homes to the north of the site.

The approval of this petition will revise the adopted future land use as specified by *The Northeast Area Plan*, from mixed use – residential (8 DUA) and Institutional uses to residential uses at up to 17 dwelling units per acre.

#### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

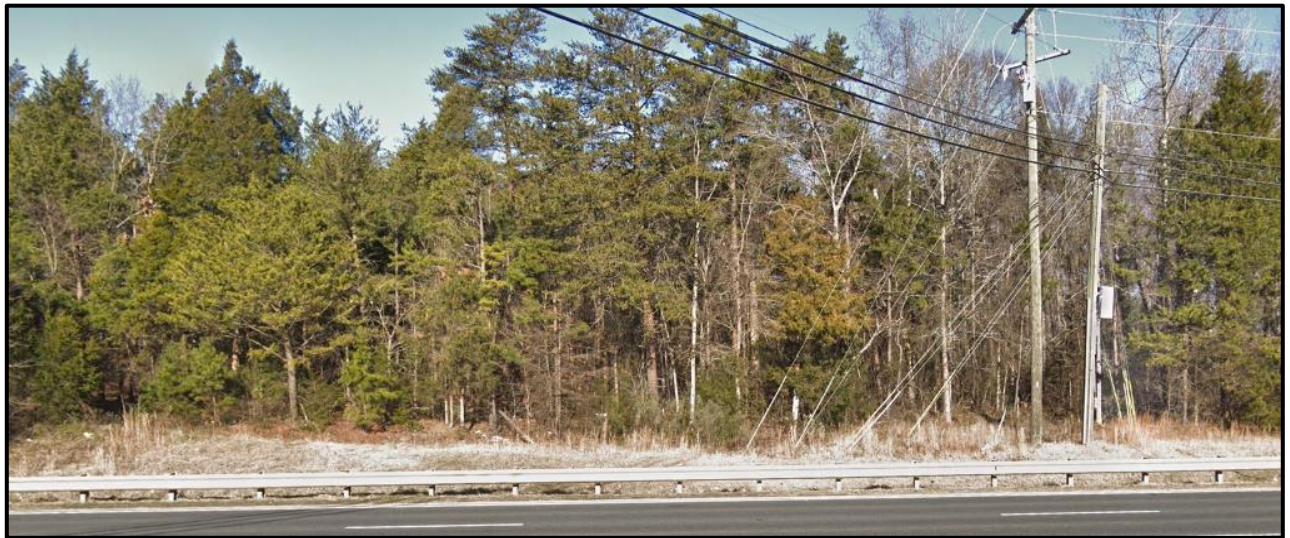
- Up to 248 multi-family units with a density of 16.8 dwelling units per acre.
- Provides a 50-foot Class C buffer adjacent to existing single-family homes and single-family zoned property.
- Commits to dedicate all rights-of-way in fee simple conveyance.
- Access will be from Oldehurst Place and a right-in/right-out along North Tryon Street.
- Provides a future street connection on the western part of the site.
- A combination of building materials that include a minimum of 20% brick, stone, precast stone, synthetic stone, or stucco.
- Vinyl or aluminum only on windows, soffits, handrails and/or railings.
- Limitations on blank walls.
- Façade variations required for any building over 120 feet in length.
- Residential building entrances architecturally treated through various features.
- Buildings oriented to present a front or side façade to all public or private network streets
- Screened rooftop mechanical equipment.
- Variation in roof lines.

- **Existing Zoning and Land Use**

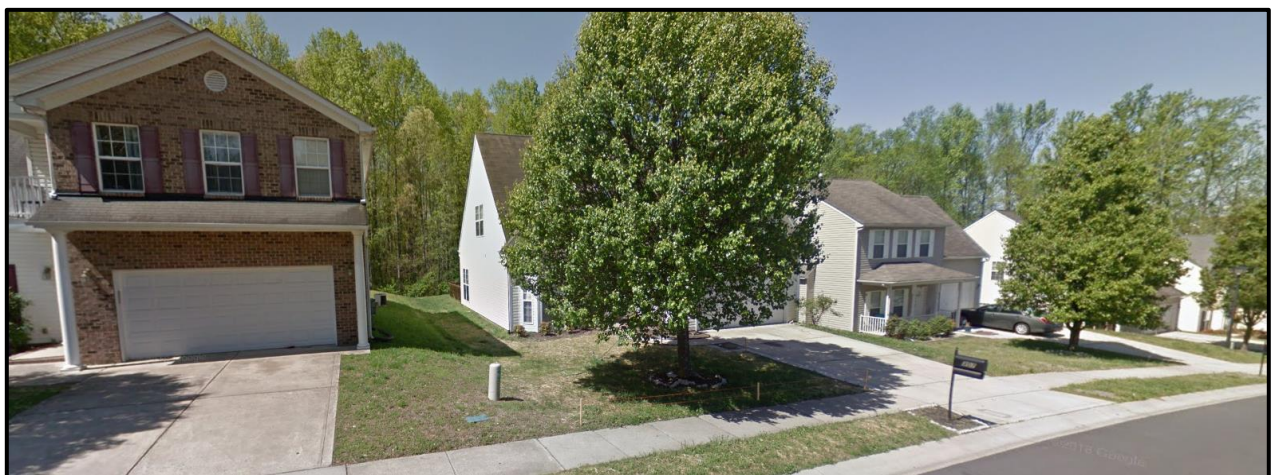




The subject site is vacant. It is surrounded by a mixture of residential and commercial zoning and land uses. See images below for more details.

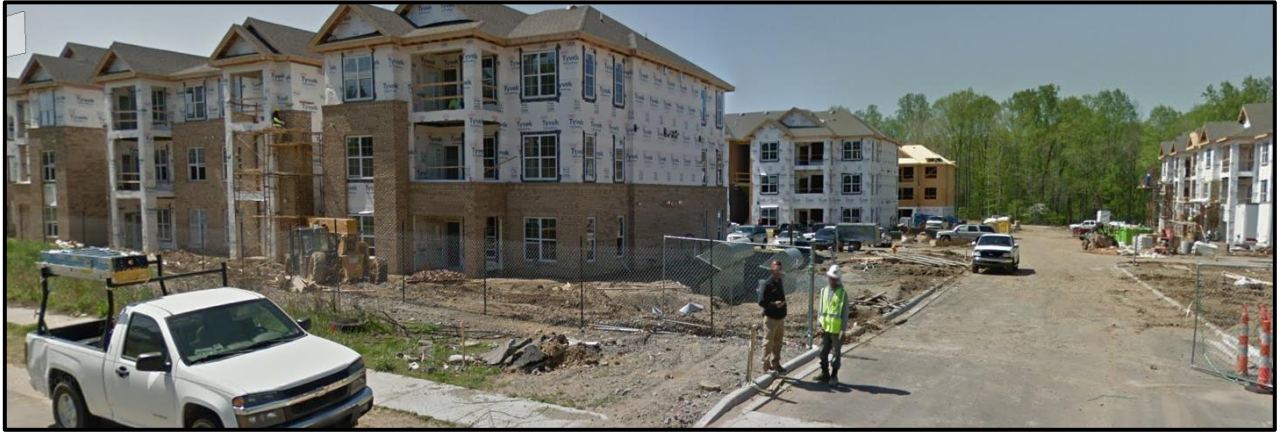


The subject property is undeveloped.



The property to the northeast along Wrayhill Drive is developed with single-family homes.

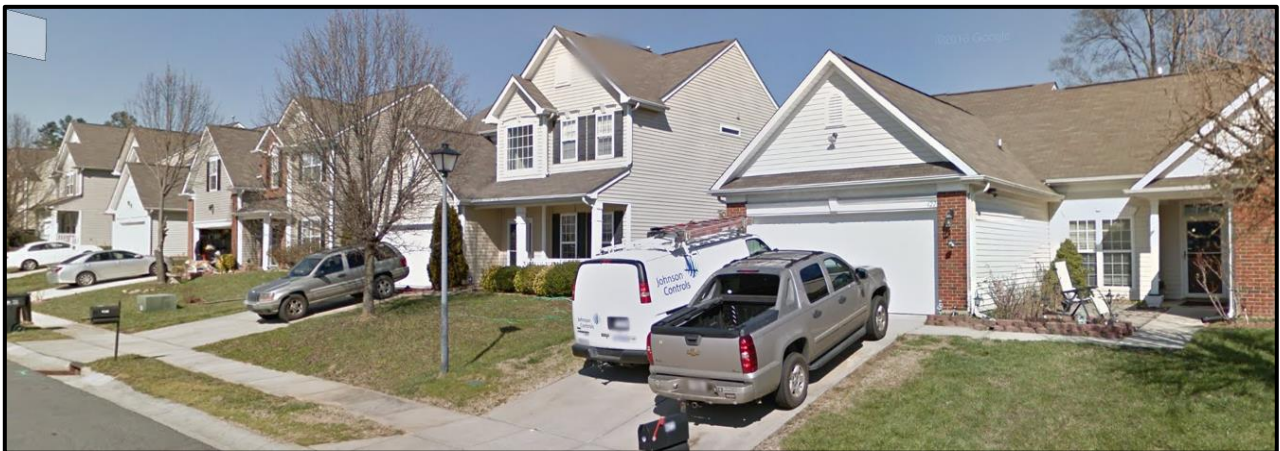




The property to the southwest along Caprington Avenue is developed with apartments.



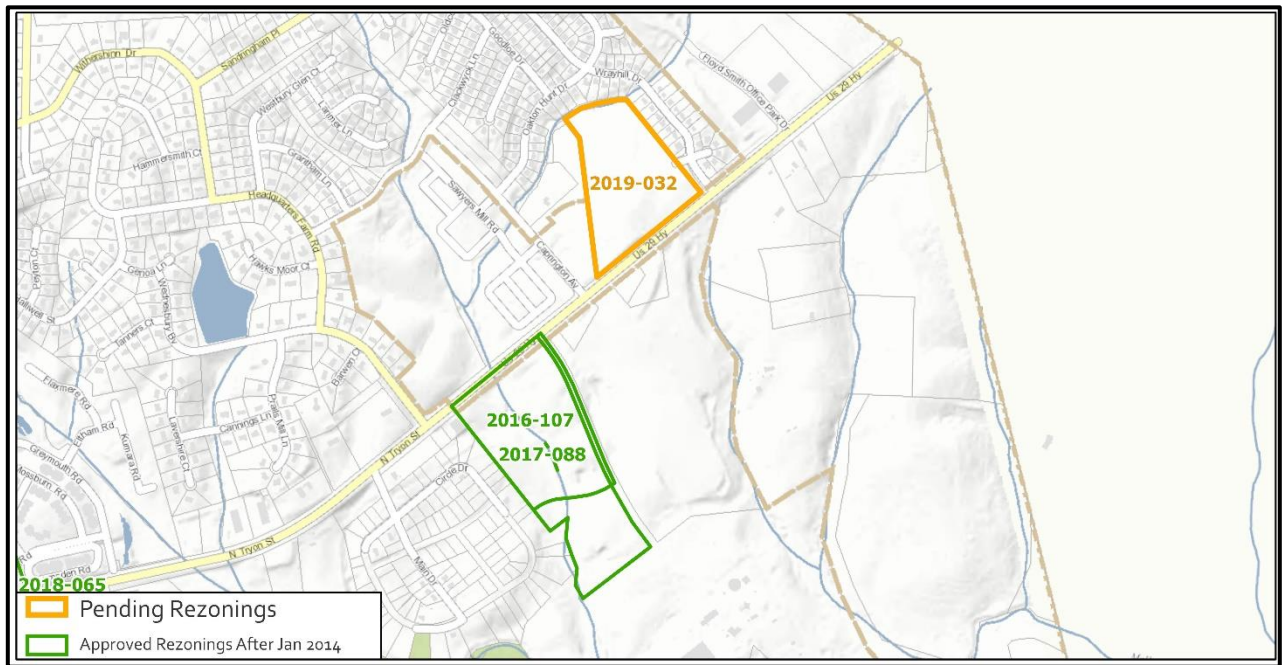
The property to the southeast along Hwy 29 is being developed with a senior living community with residential and commercial uses. It is currently under construction.



The property to the northwest along Goodloe Drive is developed with single-family homes.

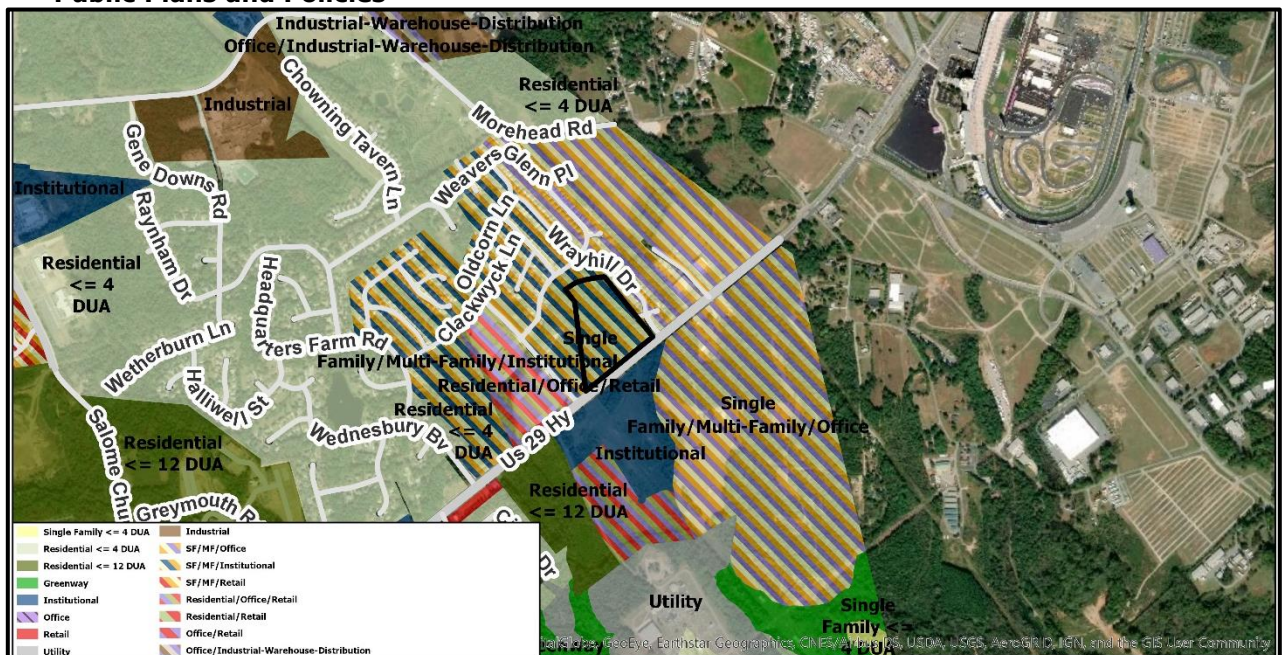
- **Rezoning History in Area**





Petition Number	Summary of Petition	Status
2016-107	Rezoned 15.86 acres to UR-C(CD) and UR-C(CD) SPA to allow up to 275 multi-family dwelling units.	Approved
2017-088	Rezoned 23.3 acres to UR-C(CD) and UR-C(CD) SPA to amend the existing development rights on an undeveloped parcel to retain the 275 multi-family dwelling units and eliminate the non-residential uses previously approved.	Approved
2018-065	Rezoned 2.63 acres to NS SPA to amend previously approved petition 2007-047 to allow one accessory drive through window.	Approved

#### • Public Plans and Policies



- The *Northeast Area Plan* (2000) recommends residential uses at up to eight dwelling units per acre and/or institutional uses for this site.

**TRANSPORTATION CONSIDERATIONS**

- The site is located on a major thoroughfare that lacks curb, gutter, and sidewalk. CDOT will work with the petitioner during permitting to implement streetscape improvements in accordance with city standards. Additionally, CDOT will work with the petitioner and Subdivision to design a street network to serve the site.
- See outstanding issues, notes
- **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 0 trips per day (based on vacant land).  
Entitlement: 490 trips per day (based on 44 dwellings).  
Proposed Zoning: 1,830 trips per day (based on 232 dwellings and 16 townhomes).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 23 students, while the development allowed under the proposed zoning will produce 131 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 108.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Stoney Creek Elementary from 110% to 121%
    - James Martin Middle from 78% to 81%
    - Zebulon Vance High from 119% to 121%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along US 29. The property will need to extend public sewer through a donated project. Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See Outstanding issue, Note 3.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Transportation

1. The petitioner should update the site plan and conditional notes to construct curb and gutter approximately 41-feet from centerline as in accordance with Chapter 20, in the city ordinance.
2. The petitioner should update the site plan and conditional notes to show an 8-foot planting strip and an 8-foot Sidewalk as in accordance with Chapter 20, in the city ordinance.
3. The petitioner should update the site plan and conditional notes to have public easement for private street stubbing east/west on the site.
4. The petitioner should update the site plan and conditional notes to show building the East/West required road to a residential medium standard. A residential wide standard should be applied if on street parking is wanted by the petitioner.
5. The petitioner should update the site plan and conditional notes to move East/West street south to better align with existing road west of the site.
6. Revise site plan to include language committing to internal pedestrian connectivity.

**REQUESTED TECHNICAL REVISIONS**Environment

7. Label Water Quality buffers on the site plan.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Michael Russell (704) 353-0225