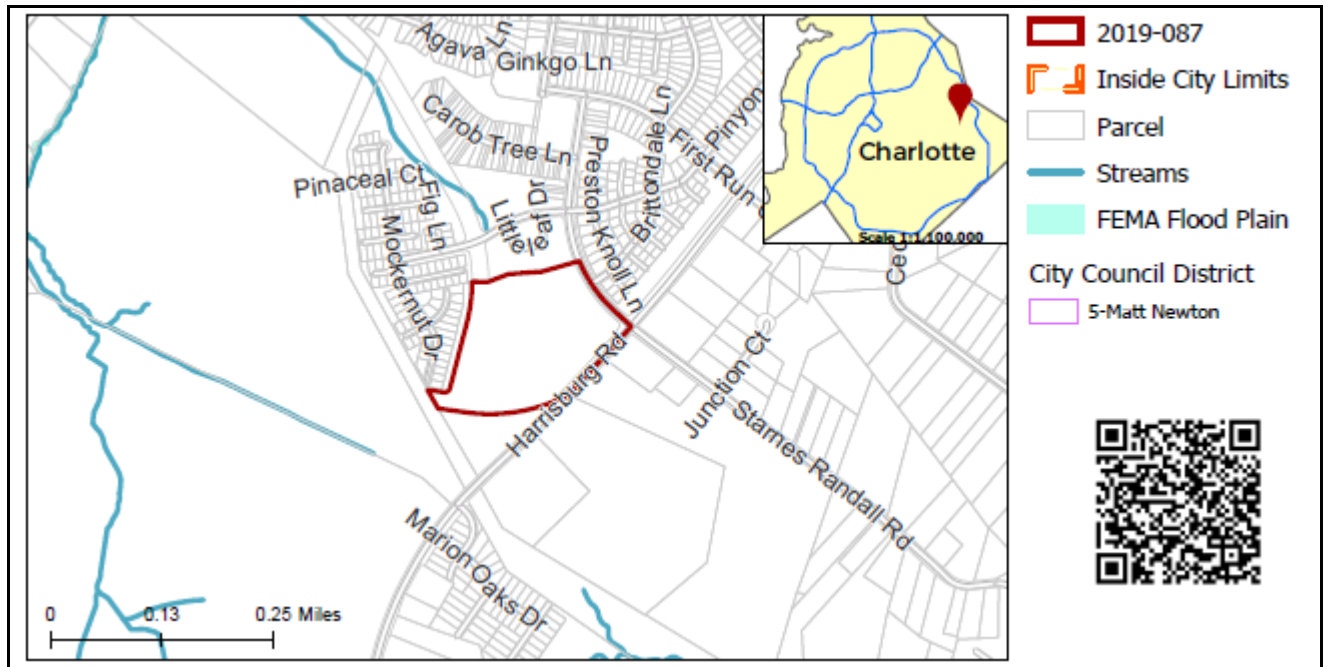


REQUEST

Current Zoning: NS (neighborhood services)
Proposed Zoning: R-8 (single family residential)

LOCATION

Approximately 14.25 acres located at the eastern portion of the intersection of Harrisburg Road and Stames Randall Road.



SUMMARY OF PETITION

The petition proposes to allow all uses permitted in the R-8 zoning district at a density of up to eight dwellings per acre.

PROPERTY OWNER

Michael Mulvaney, The Mulvaney Group, Ltd.

PETITIONER

JDSI, LLC

AGENT/REPRESENTATIVE

Judson Stringfellow

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *East District Plan's* future land use recommendation for retail or office uses for the majority of the site as well as residential uses up to four dwelling units per acre for the western edge of the site.

Rationale for Recommendation

- The East District Plan's recommendation for residential development at up to four dwelling units per acre was amended upon the approval of rezoning petitions 2001-024 and 2003-033.
- The current NS zoning under petition 2003-033 permitted retail and office uses. However, NS districts can allow for residential development at up to 22 dwelling units per acre.
- The petition is consistent with surrounding land uses while being less intense than what the existing NS zoning district's conditional

plan would allow per rezoning petition 2003-033 (100,000 SF of retail, service, and office uses).

- The petition is consistent with abutting residential land uses along Starnes Randall Road to the north which contain a mixture of residential uses including multi-family, single family attached, and single family detached residential.
- The uses permitted in the R-8 district are considered more compatible with the surrounding attached and detached single family development than the non-residential uses permitted under the current NS zoning district.

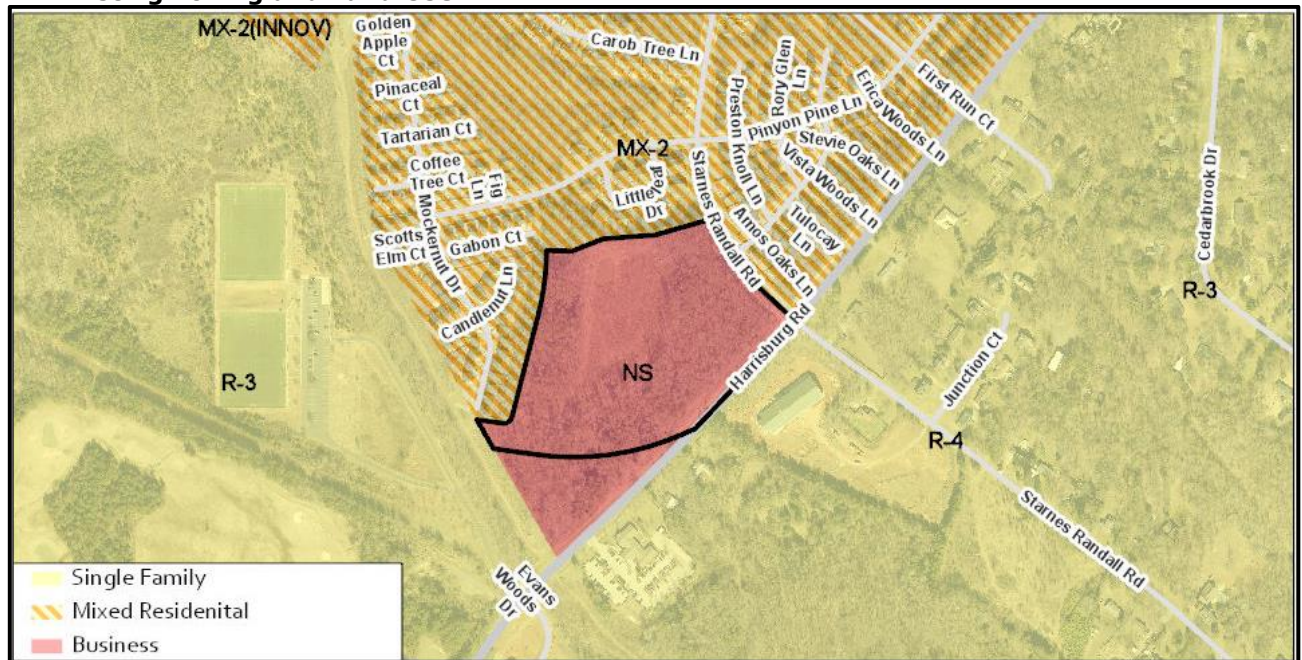
The approval of this petition will revise the adopted future land use as specified upon the approval of rezoning petition 2003-003, from retail or office uses and residential uses up to four dwelling units per acre to residential uses at up to eight dwelling units per acre for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**

This is a conventional rezoning petition with no associated site plan.

- **Existing Zoning and Land Use**



The surrounding land use is single family residential to the east and west, with multi-family residential to the north.



General location of subject property and surrounding land use context.



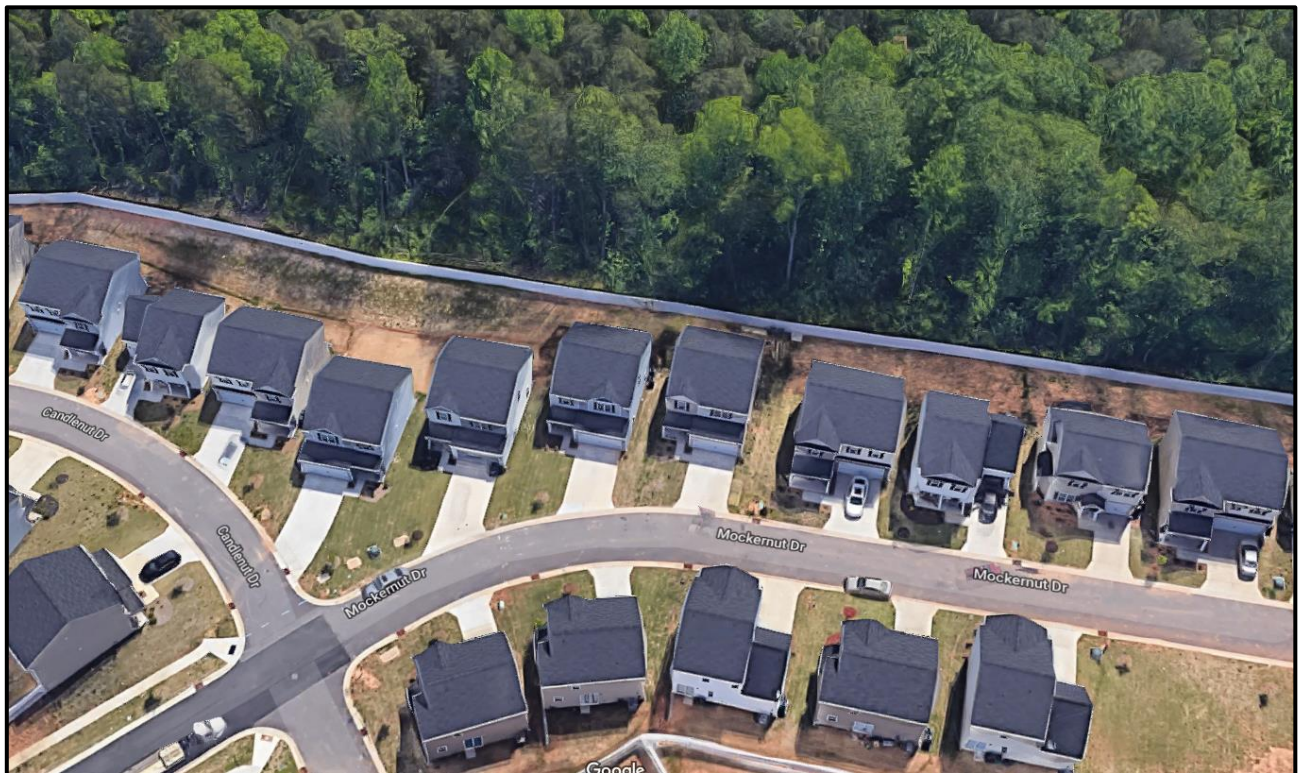
Facing away from site looking south toward institutional land use.



Looking south toward site. This side of the subject property abuts multi-family residential.

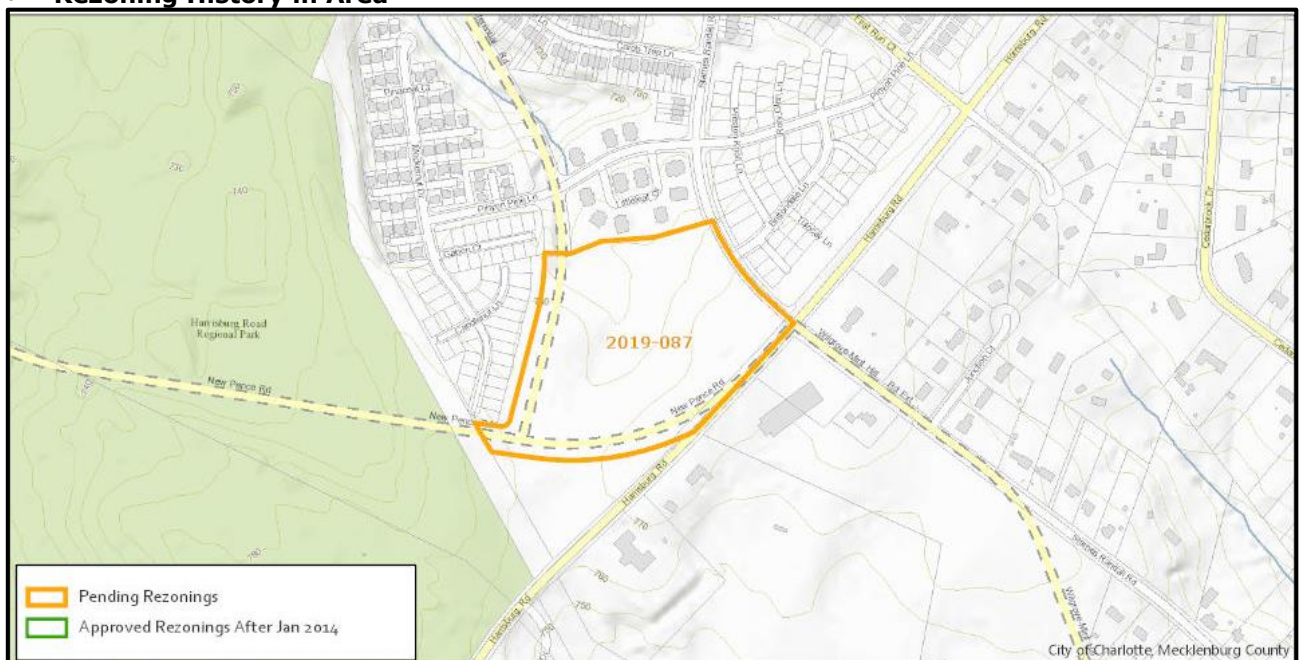


Facing subject property looking SW toward site. This area contains medium density, detached single family homes.



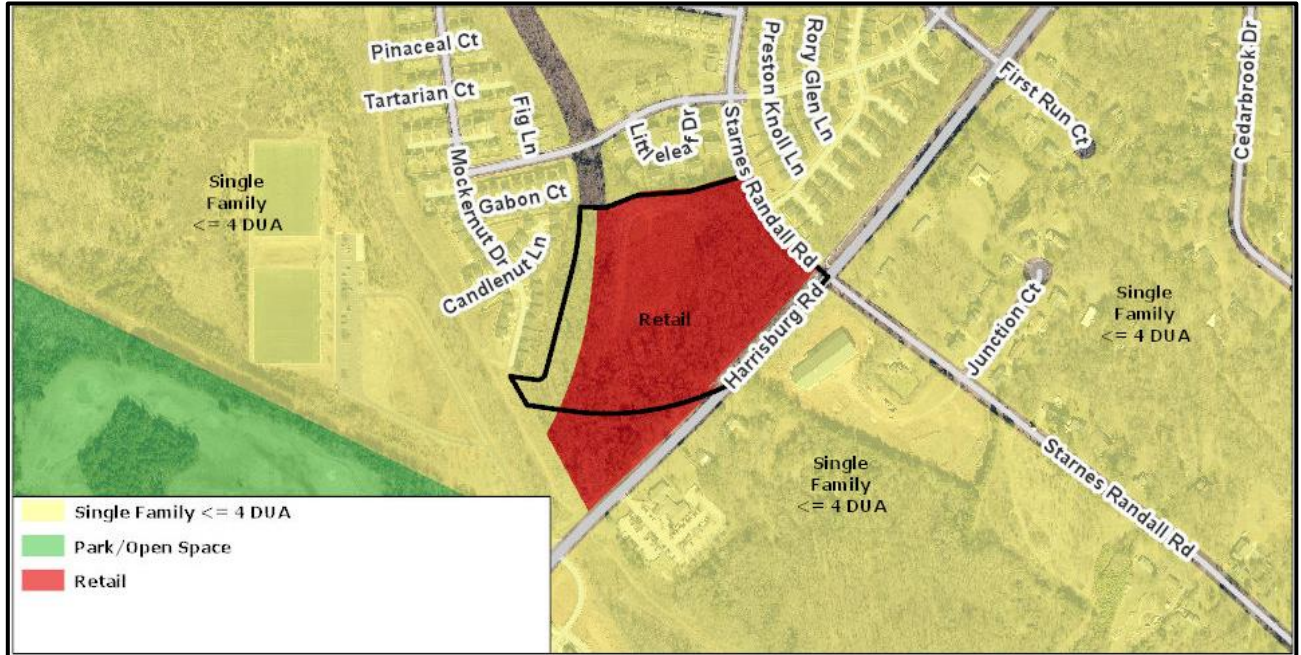
Mockernut Drive facing east towards site. This area has medium density, detached single family homes

- **Rezoning History in Area**



There have been no rezonings for this or any surrounding parcel over the last 5 years. However, portions of the site have been part of past rezoning petitions in 2000, 2001, and 2003. The latest rezoning (2003-033) rezoned the site from R-3 single family and MX-3 mixed-use district to its current zoning (NS).

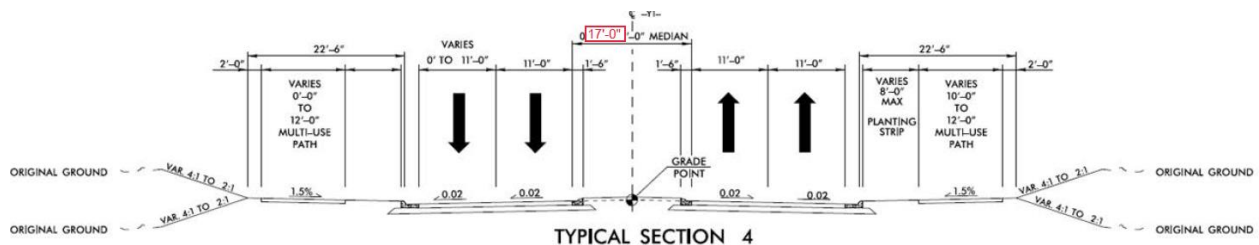
- **Public Plans and Policies**



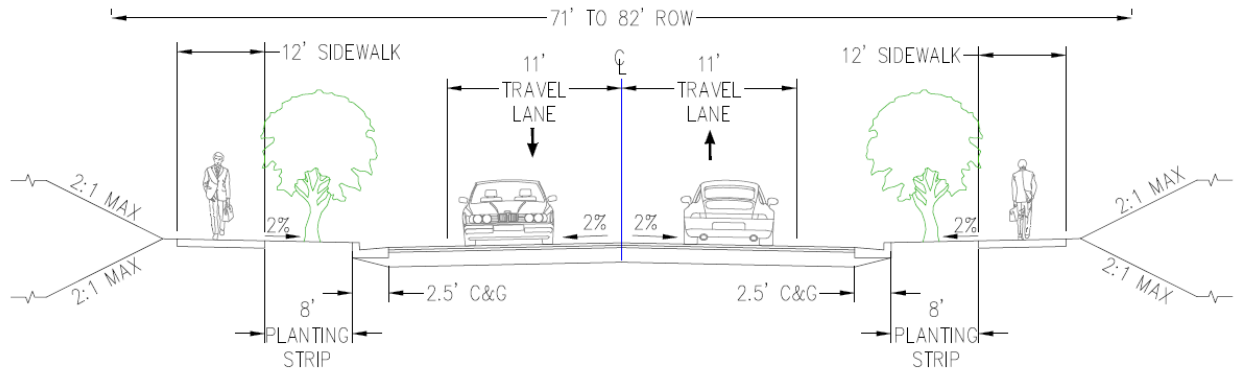
- The *East District Plan's* (1990) recommendation for residential uses at up to four dwelling units per acre was amended to retail and office uses for the majority of the site upon the approval of rezoning petitions 2001-024 and 2003-033. The remainder of the subject property is recommended for single family residential up to 4 dwelling units per acre.

- **TRANSPORTATION CONSIDERATIONS**

- The site is at the unsignalized intersection of Harrisburg Road (major thoroughfare, state maintained) and Starnes Randall Road (local, city maintained) and is located in a wedge outside Route 4.
- The Eastern Circumferential Road (major thoroughfare) is planned to extend along the project's western property line. Section 20-22 of the Subdivision Ordinance requires a minimum of 100-feet of right-of-way to be reserved or dedicated for major thoroughfares. The City's proposed cross section is provided below, and the proposed right-of-way is 106-feet, to accommodate for multiple modes of transportation.



- Pence Road (minor thoroughfare) is planned to extend along the project's southern boundary and current approved Rezoning Petition 2003-33 commits to the dedication of the right-of-way. A minimum of 70-feet of right-of-way is required to be reserved or dedicated for minor thoroughfares. A minimum of 71-feet is required, per the cross section provided below.



PENCE RD REALIGNMENT

TYPICAL SECTION

HORIZONTAL SCALE: 1" = 5'

VERTICAL SCALE: 1" = 5'

- Additional right-of-way will be required to accommodate turn lanes at the proposed Pence Road Realignment and Eastern Circumferential Road intersection. Future temporary construction easements may be required to tie the proposed roads into existing grade.
- See additional advisory comments at www.rezoning.org.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 0 trips per day (based on vacant land).
Entitlement: 6,010 trips per day (based on 100,000 SF retail).
Proposed Zoning: 1,150 trips per day (based on 112 single family dwelling units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 69 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 69 students
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Reedy Creek Elementary from 108% to 112%
 - Albemarle Road Middle from 125% to 126%
 - Rocky River High from 86% to 87%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Wilgrove Mint Hill Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Wilgrove Mint Hill Road. No outstanding issues.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** See advisory comments at www.rezoning.org
 - **Storm Water Services:** No comments submitted.
 - **Urban Forestry:** See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: William Linville (704) 336-4090