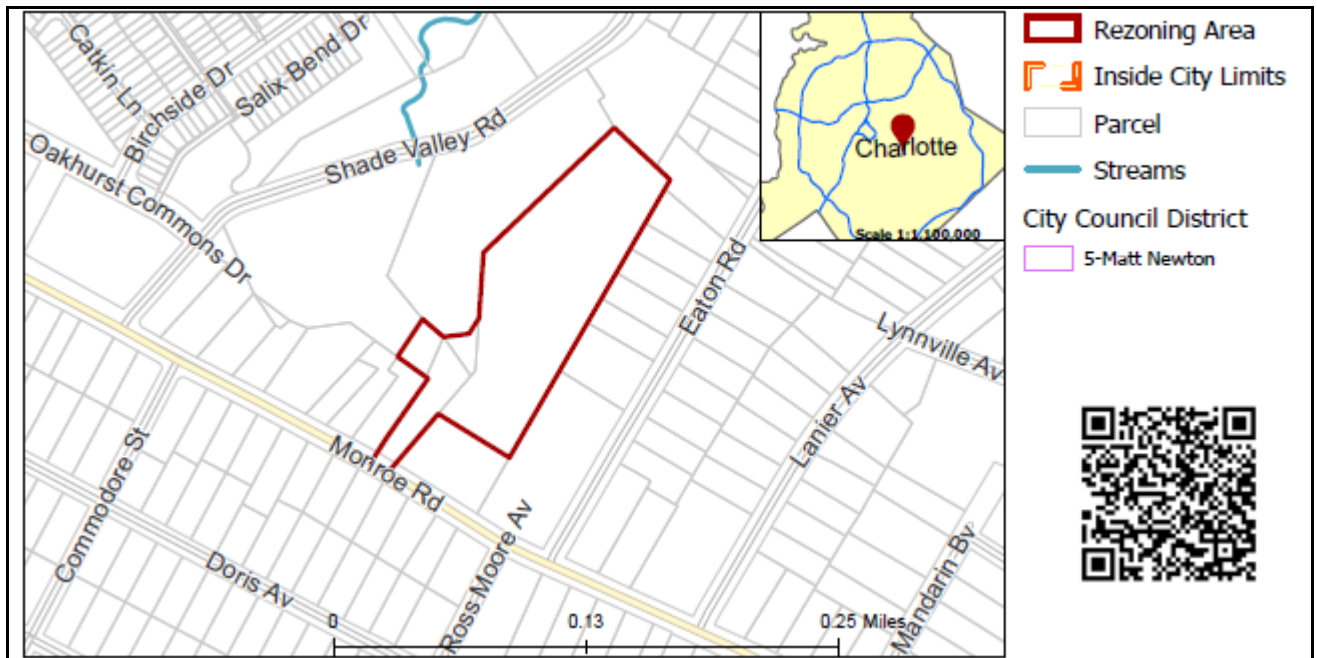


**REQUEST**

Current Zoning: O-6(CD) (office, conditional) and R-17MF (multi-family)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 5.86 acres north of Monroe Road, west of Eaton Road and east of Shade Valley Road.



**SUMMARY OF PETITION**

The petition proposes up to 75 townhomes for an infill residential community accessed from Monroe Road through a new public street connection.

**PROPERTY OWNER**

Lake Hills Apartments LP & Lake Hills Corp c/o Lerner & Company Real Estate

**PETITIONER**

Gvest Capital LLC

**AGENT/REPRESENTATIVE**

Bridget Grant, Dujuana Keys & Jeff Brown, Moore & Van Allen, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 7.

**STAFF  
RECOMMENDATION**

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

Plan Consistency

The petition is **consistent** with the *Independence Boulevard Area Plan* recommendation for residential land uses up to 22 units per acre for the majority of the site, however, it is **inconsistent** with the recommendation for office/retail land uses on the portion of the site abutting Monroe Road.

Rationale for Recommendation

- This petition proposes 75 new townhomes, resulting in a density of 12.8 units per acre, a density lower than the plan would support.

- The project provides a transition from the single family residential areas along Eaton Road to the R-17MF multi-family along Shade Valley Road.
- The project preserves the existing office buildings adjacent to Monroe Road.
- The site plan mitigates impacts to existing single family homes by committing to a 20-foot landscape area and limits the height of units to 42 feet abutting single family homes to the east.

The approval of this petition will revise the adopted future land use as specified by the *Independence Boulevard Area Plan*, from office/retail to residential up to 17 DUA for the portion of the site abutting Monroe Road.

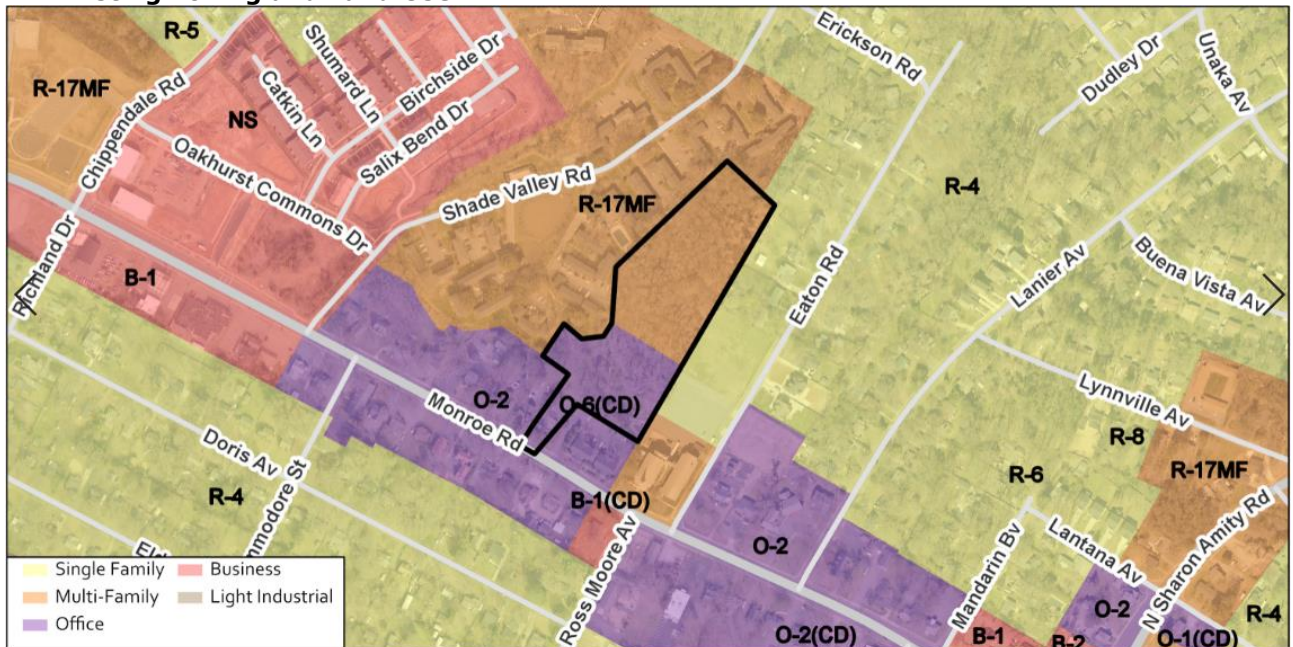
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 75 attached and/or detached residential dwelling units for a density of up to 12.8 units per acre.
- Limits the total number of principal buildings on the site to 20 with 6 units or less per building.
- Limits the maximum building height to 3 stories and 50 feet except for the individual units abutting existing single family homes which are limited to 42 feet.
- Provides architectural standards related to allowed building materials, limits on blank walls, usable porches/ stoops and screening of meter banks and mechanical equipment from adjacent properties at grade.
- Provides a 16 foot setback with 8 foot planting strip and 8 foot sidewalk along both sides of a new public street connecting to Monroe Road and stubbing to the existing multi-family parcel on the northwest edge of the site.
- Commits to a 20 foot landscape buffer planted to Class C standards abutting single family parcels east of the site.
- Establishes a driveway connection to the new public street from the existing offices on Monroe Road (not included in the rezoning).
- Provides a private street stub to the eastern property line abutting the existing church in R-17MF zoning.

### • Existing Zoning and Land Use



The southern portion of the site was previously rezoned in the 1980's for O-6(CD) to allow office uses. The proposed plan was never fully built out.



The site (indicated by red star below) is developed with one office building on Monroe Road; the remainder of the parcel is vacant.



There is a mix of uses in the area including commercial and office uses along the Monroe Road corridor multi-family and single family attached uses west of the site off Shade Valley Road and single family residential east and south of the site along Eaton Road, Lanier Avenue and Doris Avenue.



Parcels east of the site along Eaton Road are developed with single family homes.



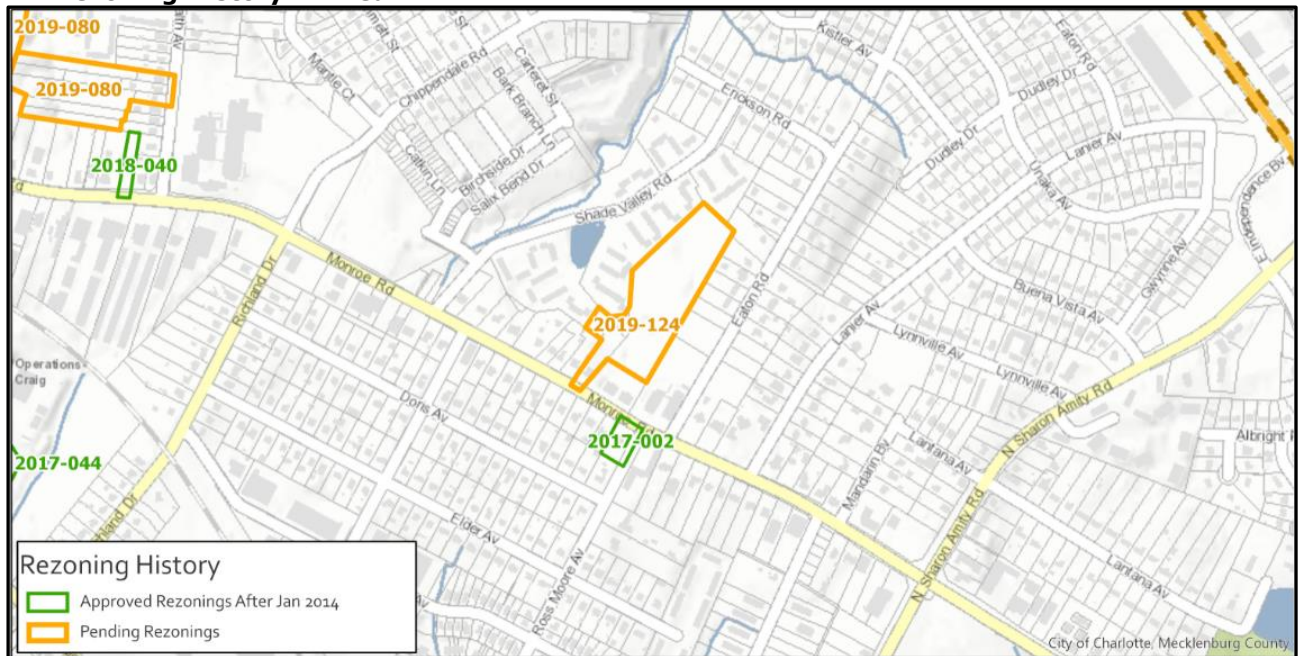


Parcels south of the site along Monroe Road are developed with office uses.



West and north of the site is an existing multi-family apartment community.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-002	0.39 acres across Monroe Road from the site to B-1(CD) to allow a tattoo parlor	Approved
2017-044	3.31 acres on Craig Avenue, west of the site to UR-2(CD) to allow 15 single family detached lots	Approved
2018-040	0.38 acres west of the site, on Monroe Road to B-1 to allow business uses	Approved
2019-080	11.15 acres west of the site, west of Commonwealth Avenue to UR-2(CD) to allow up to 134 townhomes	Pending



- **Public Plans and Policies**



- The *Independence Boulevard Area Plan* (2011) recommends residential development up to 22 units per acre, and office/retail adjacent to Monroe Road.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a major thoroughfare. The petitioner has committed to improving street connectivity in the area by providing a public street and stub connection in accordance to the Subdivision Ordinance. CDOT is requesting the petitioner assist in the Monroe Road Streetscape Project to include a 10-foot shared use path on the Monroe Road frontage.
  - See Outstanding Issues and Technical Revisions, Notes 2-4 and 9.
  - **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 30 trips per day (based on 2,670 square feet of office).  
Entitlement: 460 trips per day (based on 62 dwellings and 2,670 square feet of office).  
Proposed Zoning: 530 trips per day (based on 75 townhomes).

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

- **Charlotte Area Transit System:** See Outstanding Issues, Note 1.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 12 students, while the development allowed under the proposed zoning may produce 9 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Oakhurst Steam Academy at 103%
    - Eastway Middle at 108%
    - Garinger High at 117%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Monroe Road and via an existing 6-inch water distribution main located along Shade Valley Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Shade Valley Road. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** See Outstanding Issues, Note 5 and 6
  - **Storm Water Services:** See Outstanding Issues, Note 6.

- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Transportation

1. Commit to construction of ADA compliant bus amenities along the site's frontage to serve the proposed higher density residential development. See standard detail 60.04A to include concrete pads, bike rack, and shelter. The exact location will be determined with CATS staff during the permitting process.
2. Revise the site plan and conditional note(s) to commit to construct a 10-foot shared use path, at the back of curb, on Monroe Road property frontage (Parcel ID 161-05-113 and 161-05-114) to meet the City's Monroe Road Streetscape Project. The site plan should label and dimension both items from the back of curb and gutter and road centerline.
3. NCDOT will require a left turn restriction during peak hours (7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.) at the Monroe driveway allowing for right turns in, right turns out, and left turns into the site. Update the site plan and conditional note(s) committing to the installation of signage at the entrance of the proposed driveway access.
4. Revise the site plan to add a 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. Include the following note under Environmental Features: *"Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions."*
6. Add the following note under the Environmental Features: *For parcels receiving storm water discharge from the site, the petitioner shall analyze the adequacy of the existing storm water conveyance on the parcels between the site and Shade Valley Road. If the existing storm water conveyance on the referenced parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.*

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

7. Modify maximum building height under site development data to say "as set forth below in note 5.g and generally depicted on sheet RZ-2."
8. Modify note 5.g under General Design Guidelines and the label on RZ-2 to clarify that the reduced height applies to units adjacent to existing single family zoning.

Transportation

9. Label and dimension the right-of-way from the road centerline.

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

**Planner:** John Kinley (704) 336-8311