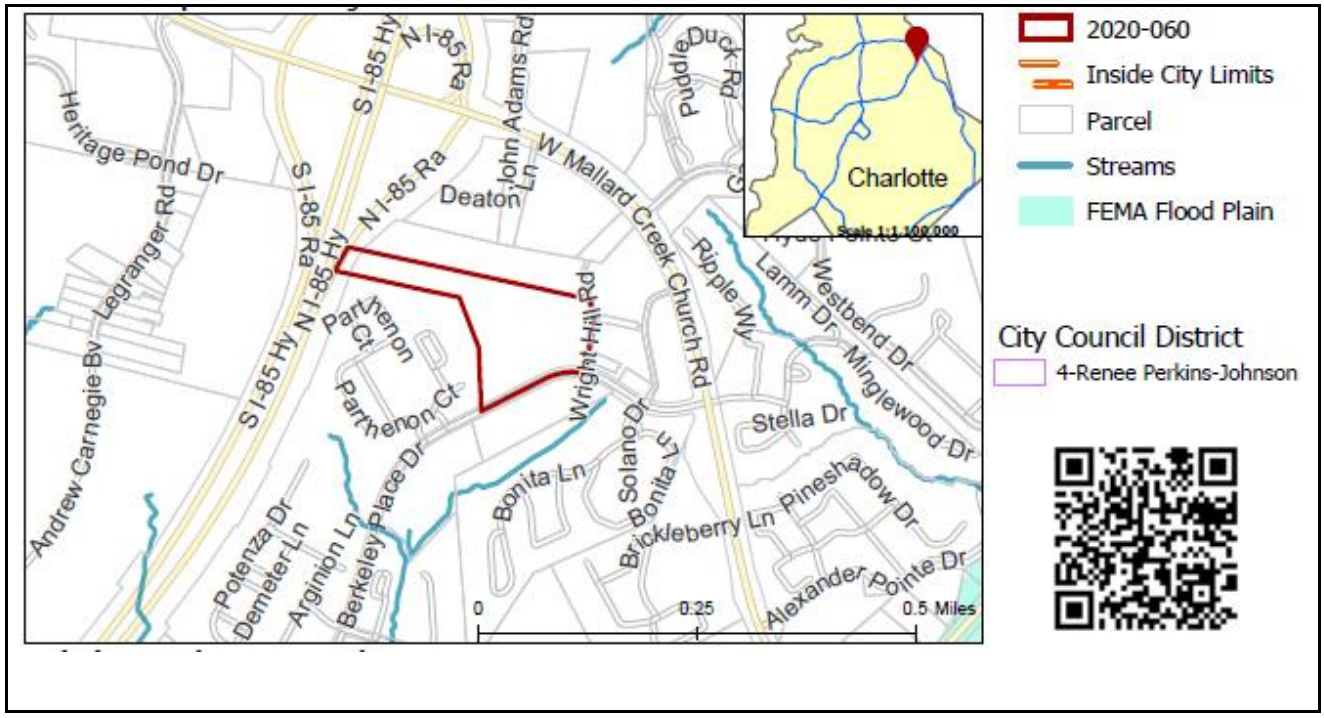
CHARLOTTE.
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-060
Final Staff Analysis
October 19, 2020

REQUEST	Current Zoning: CC (commercial center) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 11.65 acres located east of Interstate 85, north of Berkeley Place Drive, and south of Mallard Creek Church Road.



SUMMARY OF PETITION	The petition proposes to allow up to 198 multi-family residential dwelling units for a density of 17 dwelling units per acre and accessory uses on vacant land.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Meck-Pinnacle LLC Westplan Investors Keith MacVean, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION	Staff recommends approval of this petititon. <u>Plan Consistency</u> The residential use proposed in this site plan is **inconsistent** with the *Northeast District Plan (1996)* future land use recommendation of Office/Retail and Office/Retail/Industrial-Warehouse-Distribution. <u>Rationale for Recommendation</u> • The subject site sits on the corner of Berkeley Place and Wright Hill Road, to the east of an I-85 interchange, and proposes up to 198 multi-family residential units for a density of 17 dwelling units per acre. • Before the approval of rezoning petitions 2008-087 and 2015-015, which changed the land use to office/retail and

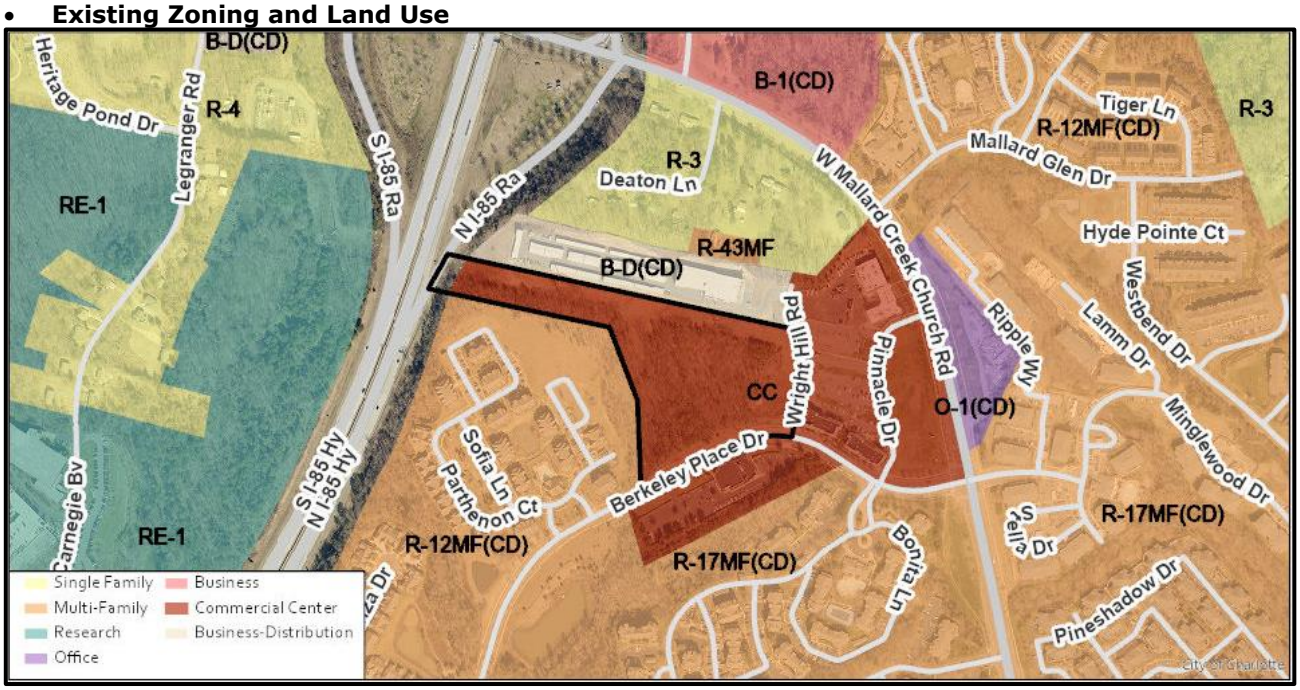
office/retail/industrial-warehouse-distribution, the *Northeast District Plan (1996)* recommended multi-family uses for the site.
- Both petitions 2008-087 and 2015-015 rezoned the site to be suitable for a storage facility. Only one part of this facility was built, leaving the rest of the parcel fit for a residential use. A residential use for this parcel will more appropriately fulfill the area plans' goal of concentrating high-density residential "close to or along the major thoroughfares, particularly at major intersections or interchanges, close to public transit (future), near public open spaces, and in close proximity to employment and retail centers."
- The petition meets the General Development Policies locational criteria for consideration of up to 17 dwelling units per acre.
- The petition proposes an open space area on the site with several amenities including landscaping, seating areas, walkways and lighting.
- The petition commits to providing pedestrian connectivity by proposing a sidewalk and cross-walk network that links to the building on the site along the site's internal parking area and to the sidewalks along the abutting public streets.

The approval of this petition will revise the adopted future land use from office/retail and office/retail/industrial-warehouse-distribution to residential use up to 17 DUA for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows up to 198 multi-family dwelling units.
  - Limits the total number of principle buildings to 8.
  - Limits height to 60-feet.
  - Access to the site will be from Berkeley Place Drive and Wright Hill Road.
  - Commits to an 8-foot planting strip and an 8-foot sidewalk along Berkeley Place Drive and Wright Hill Road.
  - Provides a 5-foot sidewalk and cross-walk network that links to the building on the site and to the sidewalks along the abutting public streets.
  - Provides a minimum of 6,000 square-feet of open space with landscaping, seating areas, shade structures, and lighting.
  - Building materials used on the principal buildings constructed on site will be a combination of portions of some of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
  - Buildings exceeding 135-feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10-feet wide and shall project or recess a minimum of 4-feet extending up and down through the building façade.
  - Buildings shall be placed so as to present a front or side façade to Berkeley Place Drive. Parking lots shall not be located between any residential building and Berkeley Place Drive.

- **Existing Zoning and Land Use**



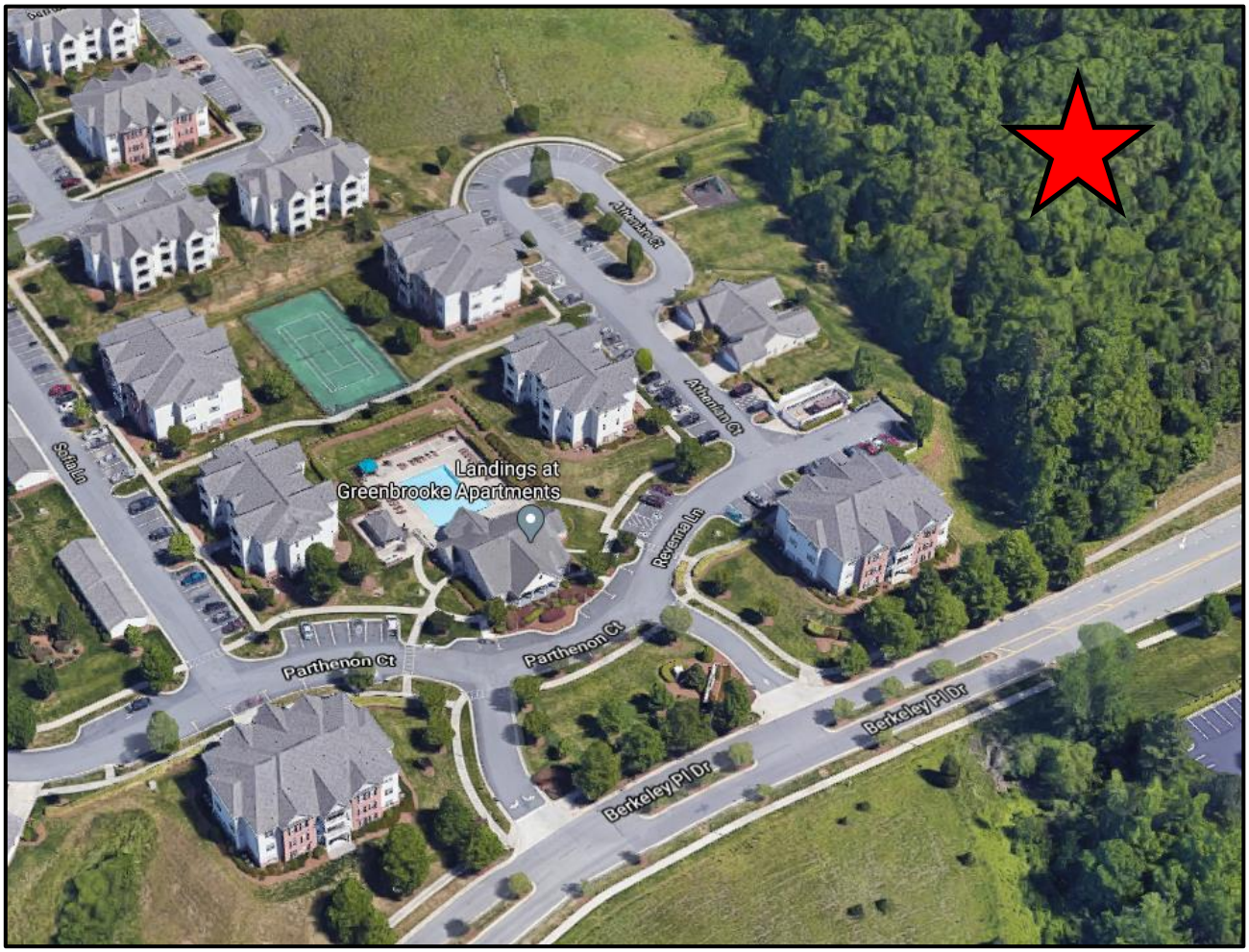
There were two previous rezoning petitions for this site. Petition 2008-087 rezoned 27.2 acres for up to 58,000 square feet of retail space, up to 200,000 square feet of office space and a self-storage facility of up to 130,000 square feet. Petition 2015-015 rezoned 18.03 acres to CC and BD(CD) to exchange existing development rights and zoning for a 130,000 square self-storage facility with the development rights and zoning for a 258,000 square foot retail/office component. Only one part of this facility was built. The surrounding land uses include multi-family, office, retail, and warehouse uses.



The subject property (denoted by red star) is undeveloped.



The property to the north along Wright Hill Road is developed with a self-storage use.



The property to the west along Berkeley Place Drive is developed with apartments.

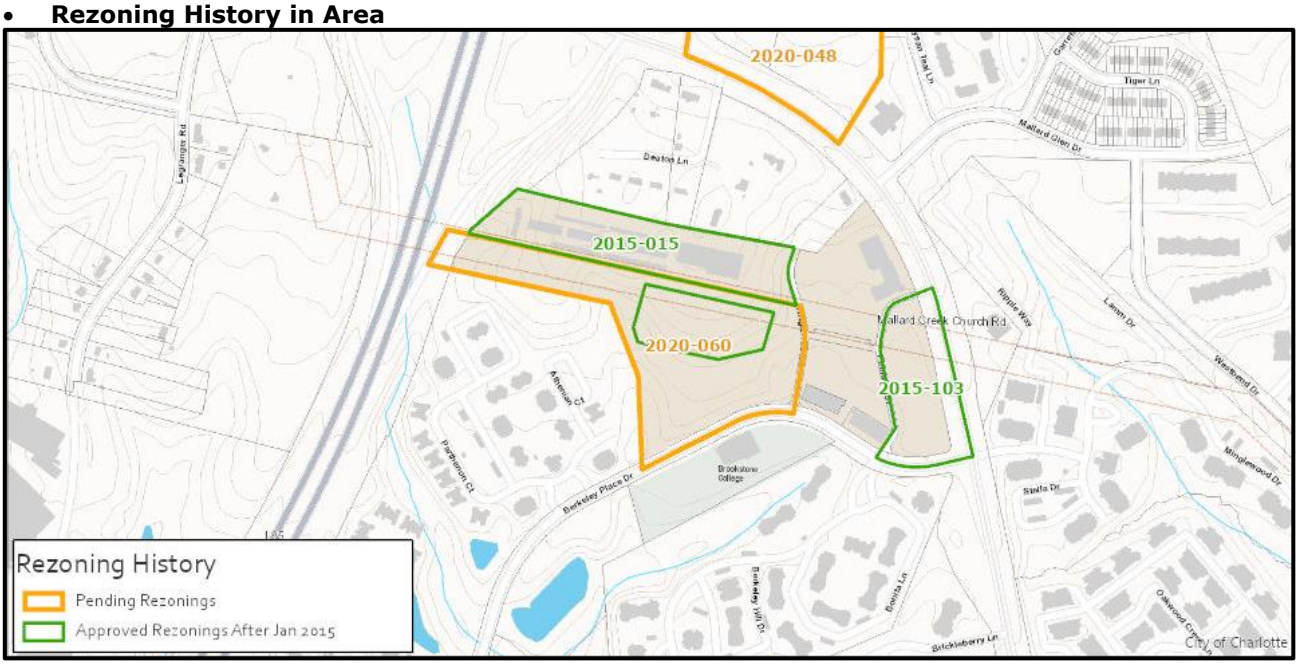


The property to the south along Berkeley Place Drive is developed with an office use.



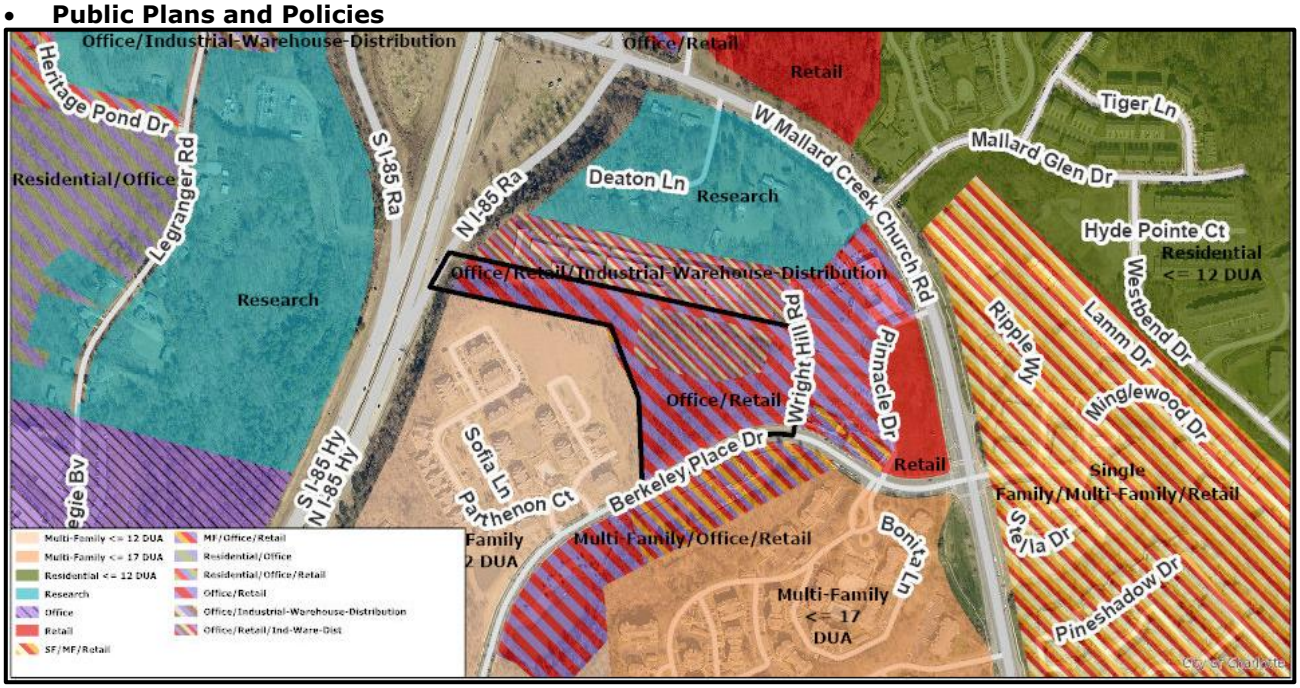
The property to the east along Wright Hill Drive is developed with retail and office uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-048	Proposes to rezone 24.605 acres to MUDD-O to allow 366 apartments and 56 townhomes.	Pending
2015-103	CC site plan amendment for part of Pinnacle Point development to allow an additional 31,000 square feet of retail.	Approved
2015-015	Rezoned 18.03 acres to CC and BD(CD) to exchange existing development rights and zoning for a 130,000 square self-storage facility with the development rights and zoning for a 258,000 square foot retail/office component.	Approved

- **Public Plans and Policies**



  - The *Northeast District Plan (1996)* recommends Office/Retail and Office/Retail/Industrial-Warehouse-Distribution for this site.

- **TRANSPORTATION SUMMARY**
  - The site is located on a local road. The petitioner commits to installing an 8-foot planting strip and 8 and 6-ft sidewalks on Berkeley Place Drive and Wright Hill Road, respectively, in accordance with City Charlotte WALKS Policy. CDOT requests the petitioner to convert the existing on-street parking spaces to comply with PROWAG requirements.
  - **Active Projects:**
    - Mallard Creek Church Rd. interchange reconfiguration
      - Scope: Not yet identified
      - Phase: Not started
      - ROW year: 2029 or later
      - Construction year: 2030 or later
      - PM: NCDOT
      - TIP #: I-6017
  - **Transportation Considerations**
    - ~~See Requested Technical Revisions, Note 1.~~ ADDRESSED
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land).
    Entitlement: 6,430 trips per day (based on 58,000 square feet of retail; 200,000 square feet of office; 130,000 square feet of mini-warehouse).
    Proposed Zoning: 1,460 trips per day (based on 198 apartment units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate zero students while the development allowed under the proposed zoning may produce 24 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 24.
  - 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 112%.
- James Martin Middle remains at 74%.
- Vance High remains at 129%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Berkeley Place Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along the center of the parcel. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

REQUESTED TECHNICAL REVISIONS

Transportation

~~1. Technical Clarification (site plan dated 8-17-20) The petitioner should revise the site plan to revise the existing marked on-street parking spaces, along the petitioner's site frontage, to provide PROWAG required on-street parking spaces, according to CLDSM standard detail number 50.09D.~~ ADDRESSED

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

Planner: Michael Russell (704) 353-0225