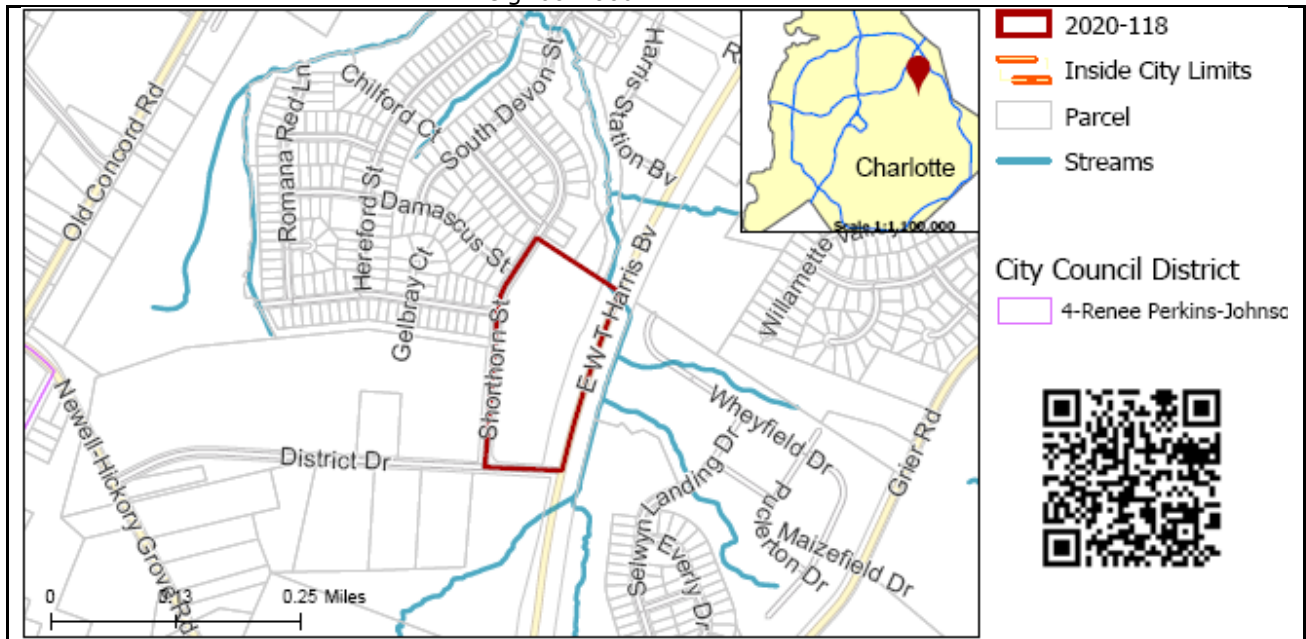


REQUEST

Current Zoning: O-1 (CD) (office, conditional)
Proposed Zoning: R-12 MF (CD) (multi-family residential, conditional)

LOCATION

Approximately 9.042 acres located off District Drive between W.T. Harris Boulevard and Shorthorn Street in the University City neighborhood.



SUMMARY OF PETITION

The petition proposes to develop a greenfield site in the University City area to permit up to 96 multi-family residential dwelling units (at an approximate density of 10.42 dwelling units per acre (DUA)).

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

Grier Newell Properties
TWG Development
Travis Vencel, TWG Development

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number that attended Virtual Community Meeting: 34

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of a requested technical revision.

Plan Consistency

The petition is **inconsistent** with the *Newell Area Plan's* (2002) recommendation (as amended by rezoning petition 2005-024) for office uses at the site.

Rationale for Recommendation

- Multi-family housing can provide an appropriate transitional land use between the established single family neighborhood to the northwest and W.T. Harris Boulevard.
- The request for residential uses in this location is reasonable as the site is proximal to existing neighborhood services and may be accessed through adjacent single-family neighborhoods pedestrian infrastructure by means of a .75 mi. walk. Building community

around neighborhood services is an overall objective of the *Newell Area Plan*.

- The petition achieves the Plan's land use objective of "encouraging a range of housing types and densities that will meet the need of different types of households".

The approval of this petition will revise the adopted future land use as specified by the *Newell Small Area Plan* from office uses to residential uses up to 12 DUA for the site.

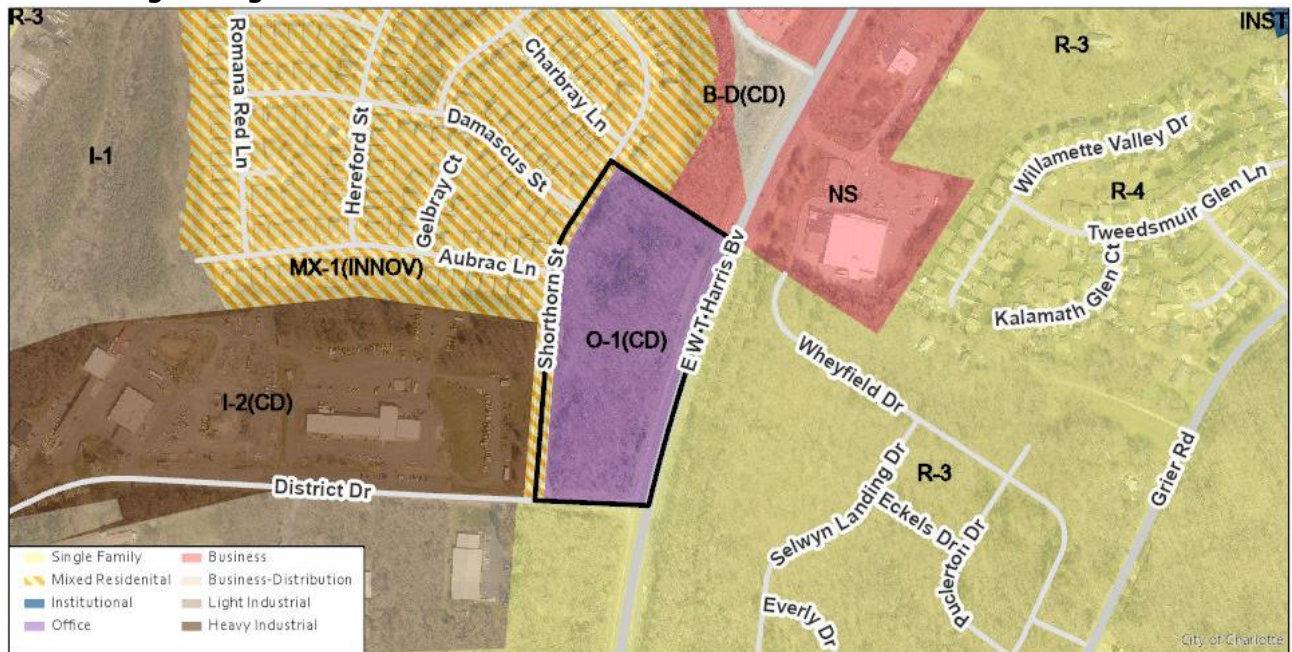
PLANNING STAFF REVIEW

• Proposed Request Details

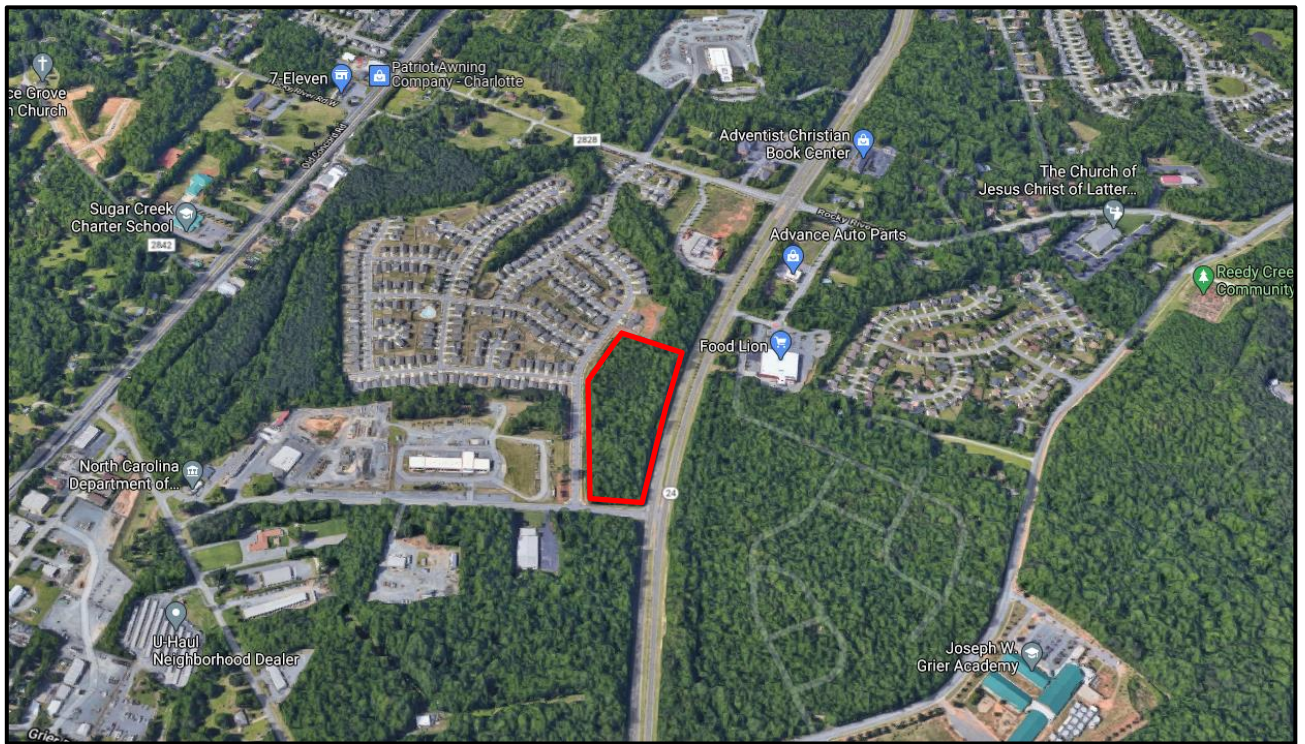
The site plan accompanying this petition contains the following provisions:

- Up to 98 multi-family dwelling units located within five primary structures.
- Commits to architectural standards that include:
 - Commits to utilizing 10 percent preferred building materials (stone, brick, or equivalent) along a building's façade that faces network-required public street.
 - Modulいたions along facades for buildings exceeding 120 feet.
 - Elevations designed with bays or articulated architectural features such as projections, offsets, recesses, and etc.
 - Buildings designed with a recognizable architectural base.
- Fully capped and downwardly directed detached and attached lighting fixtures.

• Existing Zoning and Land Use



This parcel was most recently rezoned in 2005 (2005-024) which entitled this parcel for office uses up to 99,000 SF. The residential portion of this planned development was constructed and is the area zoned MX-1(INNOV) to the northwest of the site. The area surrounding the development is a mixture of retail, industrial, and single family residential uses.



General location of subject property outlined with red boundary.

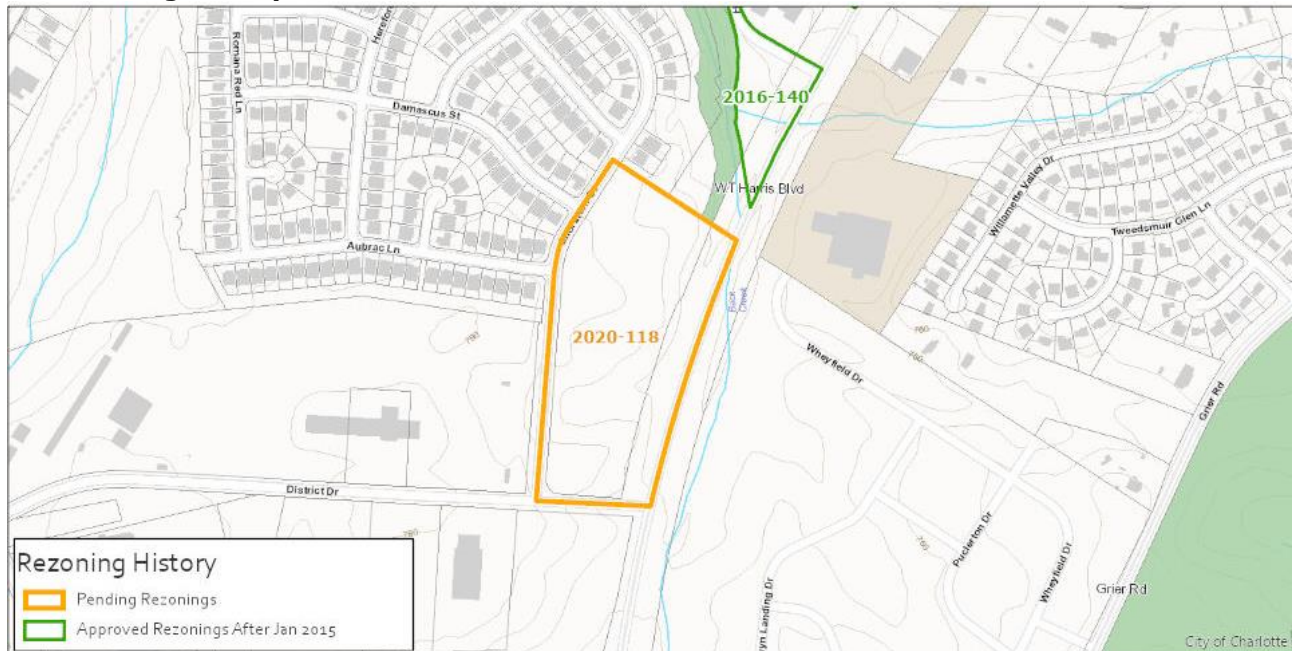


Streetview looking NW towards the corner of the subject property from W.T. Harris Boulevard at District Drive.



Streetview looking NW from Shorthorn Street towards existing SFH community. The subject is immediately SE from this viewpoint.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-140	Site plan amendment to allow a mixture of uses including retail, restaurant, office, and self-storage uses.	Approved

- **Public Plans and Policies**



- The *Newell Area Plan* (2002) recommends office uses for the site.
- **TRANSPORTATION SUMMARY**
 - The site is located on Shorthorn Street (Local Road, City-maintained), District Drive (Local Road, State-maintained) and W.T. Harris Blvd (Class 2 Thoroughfare, State-maintained). W.T. Harris Blvd is a Controlled Access road where access points are limited to predetermined locations or by reviewed by a board and is, therefore, subject to NCDOT's standards and requirements. NCDOT has verified that there are currently no existing controlled access breaks along the site's W.T. Harris Blvd frontage. This project was initially submitted as a conventional rezoning but has been resubmitted as a conditional rezoning to allow for the review of a site plan. The initial site plan was submitted, in January 2021, with three (3) driveways off Shorthorn Street. In order to minimize impact to Shorthorn Street, the developer revised the site plan to limit access points to two (2) driveways on Shorthorn. The northmost proposed access is shown at approximately 100 feet south of Aubrac Lane. The petitioner commits to construct an 8-foot sidewalk with an 8-foot planting strip along Shorthorn Street, per Chapter 20 Subdivision ordinance and supporting the creation of safe pedestrian and bicycle connections in accordance with the *Newell Area Plan* and meeting the Charlotte WALKS Policy. The site plan also commits to dedicate a 35.6-foot right-of-way from the centerline of Shorthorn Street and District Drive. All CDOT's comments have been addressed.
 - **Active Projects:**
 - N/A
 - **Transportation Considerations**
 - No outstanding issues.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land use).
 - Entitlement: 965 trips per day (based on 90,400 SF office).
 - Proposed Zoning: 705 trips per day (based on 98 housing units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **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:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 27

students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 27 students.

- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Newell Elementary from 114% to 116%
 - MLK, Jr. Middle from 94% to 95%
 - Vance High remains at 126%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Shorthorn Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Shorthorn Street. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** See advisory comments at www.rezoning.org
 - **Land Development:** See Outstanding Issues, Note 11-14; Requested Technical Revisions Notes 31-32; 34.
 - **Storm Water Services:** See Outstanding Issues, Note 8.
 - **Urban Forestry:** See Outstanding Issues, Note 6, Requested Technical Revision Note 30
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise site plan and conditional notes to commit to dedicate 35.6 foot minimum ROW from the centerline of Shorthorn Street and District Drive. The site plan shall label and dimension the ROW from the road centerline.~~ **ADDRESSED**
2. ~~The proposed dwelling units exceeds 12 per acre. Per Chapter 20 Subdivision ordinance, site plan and conditional note revisions are needed to commit to construct an 8 foot planting strip and 8 foot sidewalk along Shorthorn Street. The wider sidewalk also meets Charlotte WALKS policy. The site plan shall label and dimension both items from the back of curb and gutter.~~ **ADDRESSED**
3. ~~Add site plan note specifying dedication and fee simple conveyance of all ROW to the City before the site's first building CO is issued. CDOT requests rights-of-way set at 2-foot behind back of sidewalk where feasible.~~ **ADDRESSED**
4. ~~Add a site plan note specifying that all transportation improvements will be approved and constructed before the site's first building CO is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **ADDRESSED**

Environment

5. ~~Petitioner should illustrate required tree save on site.~~ **ADDRESSED**
6. ~~In Environmental Features, note that the site shall comply with the Charlotte Tree Ordinance.~~ **ADDRESSED**
7. ~~GIS data indicated a 100 foot undisturbed PCSO across the site. Please show and label Potential 100-ft Undisturbed PCSO Buffer on the site plan.~~ **ADDRESSED**
8. ~~Please include the following note under Environmental Features: "Development within any SWIM/PCSO buffer shall be coordinated with and subject to approval by Charlotte Mecklenburg Stormwater 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.~~ **ADDRESSED**

Site and Building Design

9. ~~Insert Site Development Summary table as depicted on Feb. 22 staff comments.~~ **ADDRESSED**
10. ~~As this is a planned multi-family development, the min setback is 27 feet from back of full ROW along Shorthorn. Please revise plan and notes to reflect this.~~ **ADDRESSED**
11. ~~Revise setback against District Drive to 27 feet from 20 feet.~~ **ADDRESSED**
12. ~~Please revise to show a 27-foot setback from the full ROW line along Shorthorn Drive.~~ **ADDRESSED**
13. ~~Commit the 150 foot building setback for buildings B through E if it was a commitment that stemmed from community input. A commitment of an increased setback for those buildings~~

- should be placed in the conditional notes. If it is not a commitment and petitioner would like to reserve the right to adjust the layout, then that line should be removed. **ADDRESSED**
14. Add note in architectural and site design standards that height, open space, and all other applicable development standards will follow the R-12MF standards provided in the City of Charlotte Zoning Ordinance. **ADDRESSED**
 15. Label/delineate all yards and setbacks sitewide. Pay special attention to the northeastern corner of the site where the buffer yard pinches in. The Class B buffer should extend the whole length of that property line. **ADDRESSED**
 16. Remove architectural table from page one (bottom right corner). **ADDRESSED**
 17. Remove FAR from development data table. **ADDRESSED**
 18. Edit max. height to reflect the height allowance in R-12MF. **ADDRESSED**
 19. Remove open space percentage from the development data table. **ADDRESSED**
 20. Please add all conditional notes to the rezoning site plan page. **ADDRESSED**
 21. Remove item 3, Optional Provisions, from the conditional notes. Not applicable. **ADDRESSED**
 22. Refine list of permitted uses and commit to architectural standards as the petitioner sees fit. **ADDRESSED**
 23. Remove Parks, Greenways, Open Space unless a commitment is being made to provide those amenities. **ADDRESSED**
 24. Remove section 10 from the conditional notes. **ADDRESSED**
 25. Revise signage section to state "signage shall be provided in accordance with the requirements of the sign ordinance". **ADDRESSED**
 26. Revise lighting comment to reflect commitment to fully capped detached lighting. **ADDRESSED**
 27. Remove section 13. **ADDRESSED**
 28. Remove section 14. **ADDRESSED**
 29. Remove architectural elevations. **ADDRESSED**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

30. Create transportation subsection within conditional notes. Clouded text located beside the site plan should be placed within that subsection. **ADDRESSED**
31. Fix acreage in General Provisions note A. **ADDRESSED**
32. Clarify the note under Permitted Uses regarding whether the clubhouse and leasing office would be contained in one of the proposed five primary structures. **ADDRESSED**
33. Notes 2b and 2c are not being met on the current site plan. Consider removing these notes. **ADDRESSED**
34. Regarding note 2c under Architectural and Site Design Standards, consider note to provide improved open space between Shorthorn and the proposed parking lot. **ADDRESSED**
35. Fix numbering hierarchy for the conditional notes and make formatting consistent. **ADDRESSED**
36. Correct the acreage listed under General Conditions. **ADDRESSED**
37. Add petition number to rezoning sheet along with the project title. **OUTSTANDING**

Environment

38. Ensure SE property line is correct — tree save not allowed within existing or proposed ROW. **ADDRESSED**

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

Planner: Will Linville (704) 336-4090