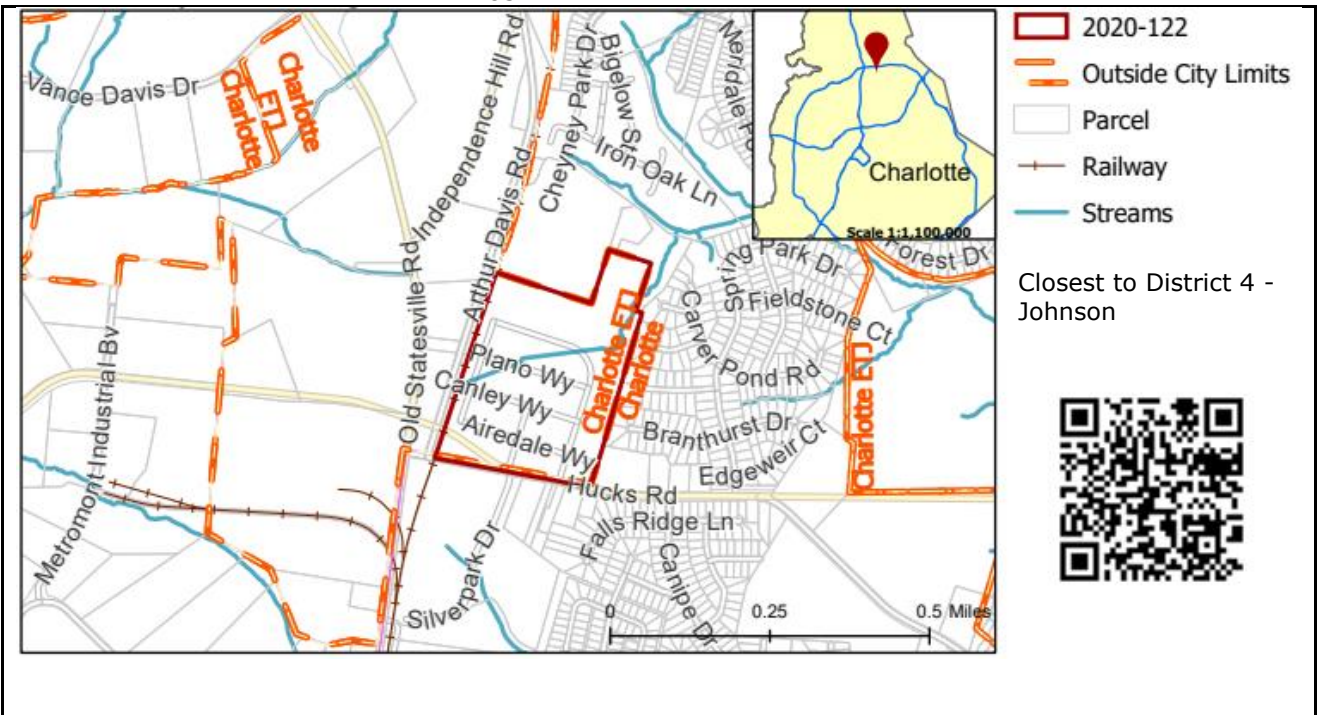


**REQUEST**

Current Zoning: MX-3 (mixed use)  
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

**LOCATION**

Approximately 50.03 located along the north side of Hucks Road, along the east side of Arthur Davis Road, and south of Interstate 485.



**SUMMARY OF PETITION**

The petition proposes a residential community with up to 110 for sale townhomes and up to 406 multi-family apartments for a density of 10.6 dwelling units on vacant land.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Phil M. Gandy, Jr.  
MVP Equities Corporation  
Paul Pennell, Urban Design Partners

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 31

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Northlake Area Plan (2008)* recommendation of Transit Oriented Development – Residential.

Rationale for Recommendation

- This petition proposes up to 110 single family attached dwelling units and up to 406 multi-family dwelling units, for a density of 10.6 DUA.
- The site was previously part of a larger rezoning (2005-129) of 140 acres that proposed up to 975 single and multi-family dwelling

unit and 35,000-square feet of retail uses, but it was never developed.

- This proposal is consistent with the area plan's recommendation of Transit Oriented Residential Development.
- The proposal follows the area plan's recommendation of orienting buildings to front on public streets or open spaces by committing to place buildings to present a front or side façade to all public streets.
- The proposal commits to enhancing the pedestrian environment by including direct pedestrian connections between residential units and adjacent public streets, and by constructing a 6-foot sidewalk and minimum 8-foot wide landscape strip alongside all 3 public roads to be built.
- The petition commits to providing open space and amenity areas within the Site up to 19,000 square feet. Amenities may include, but not be limited to, community clubhouse, community pool, a pocket park, open air pavilion, and/or picnic tables.

## PLANNING STAFF REVIEW

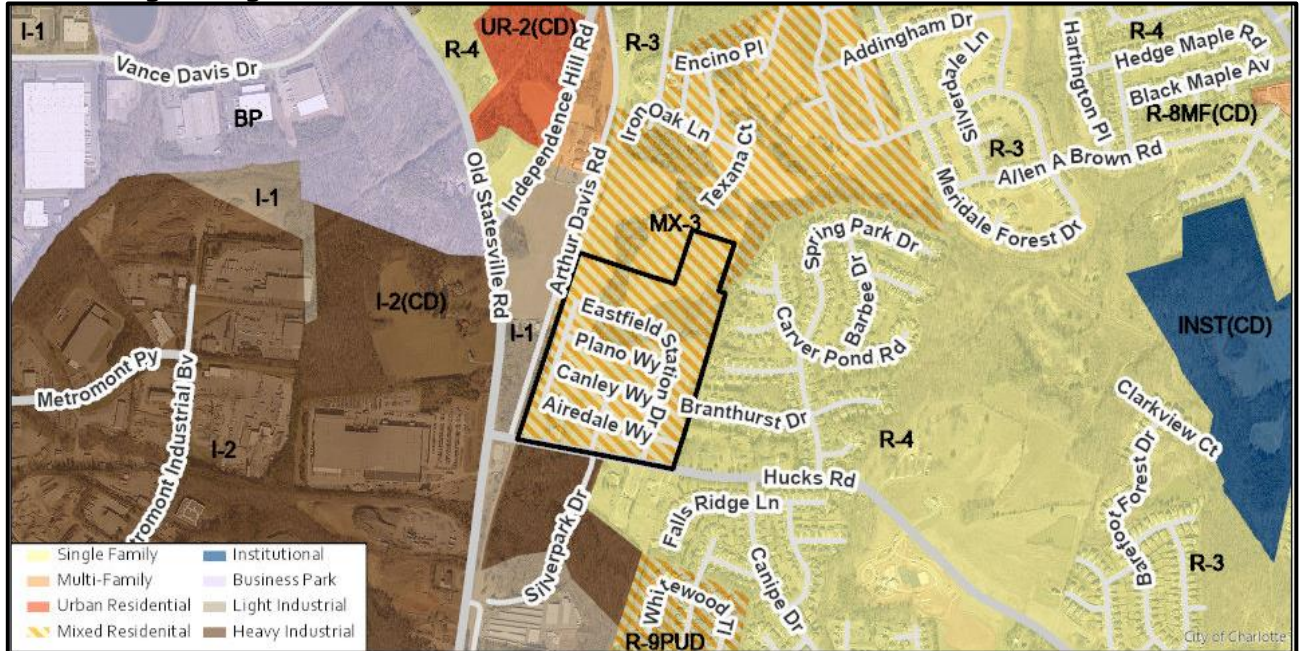
### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 110 townhomes and up to 406 multi-family apartments.
- Commits to a 6-foot sidewalk and an 8-foot planting strip along all public roads.
- Provides pedestrian connections between residential units and adjacent public streets.
- Provides 4 amenity areas throughout the Site for a total minimum of 19,000-square feet. Amenities may include, but not be limited to community clubhouse, community pool, a pocket park, open air pavilion, and/or picnic tables.
- Commits to installing a traffic signal at the intersection of Old Statesville Road and Hucks Road.
- Constructs a southbound left turn lane on Old Statesville Road with 150-feet of storage.
- Constructs a westbound left turn lane on Hucks Road with 100-feet of storage.
- Constructs a northbound right turn lane on Old Statesville Road with 100-feet of storage.
- Constructs an eastbound left turn lane on Hucks Road with 100-feet of storage.
- Commits to dedicate fee simple right-of-way to NCDOT for area associated with Hucks Road NCDOT STIP U-5772.
- Architectural Details:
  - Building materials will be a combination of the following: Masonry, brick, concrete, pre-cast concrete, stone, precast stone, pre-finished metal, aluminum, steel, stucco, wood, ceramic tile, cementitious fiber board and glass fiber reinforced concrete. Vinyl, as a building material, will only be allowed on windows, soffits and trim features
  - Buildings will be placed so as to present a front or side façade to all public streets.
  - Usable porches or stoops may form an element of the building design and be located on the front and/or side of a building or residential unit.
  - The facades of first/ground floor of the buildings along public streets shall incorporate a minimum of 30% masonry materials such as brick or stone.
  - Building elevations will not have expanses of blank walls greater than 20-feet in all direction and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
  - Building elevations shall be designed with vertical bays or articulated architectural features which include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
  - Pitched roofs will be symmetrically sloped no less than 5:12 except for roofs for porches that shall be no less than 2:12.



• **Existing Zoning and Land Use**



The site was part of a larger rezoning (2005-129) that proposed up to 975 single and multi-family dwelling unit and 35,000-square feet of retail uses. It was never developed. The surrounding land uses include large lot single family homes, single family homes, industrial uses, and undeveloped land.



The subject property denoted by red star.





The property to the south along Hucks Road is developed with large lot single family homes and undeveloped land.



The area to the east along Harringham Lane is developed with single family homes.



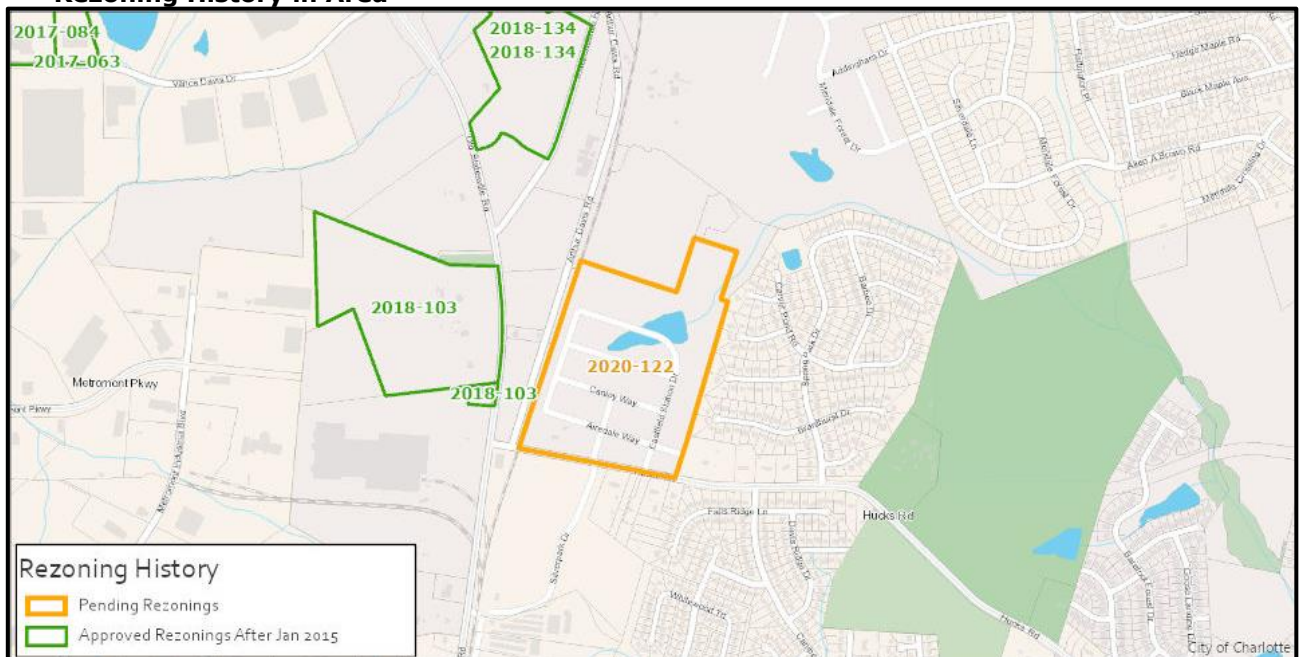
The property to the west along Old Statesville Road is developed with large lot single family homes and undeveloped land.





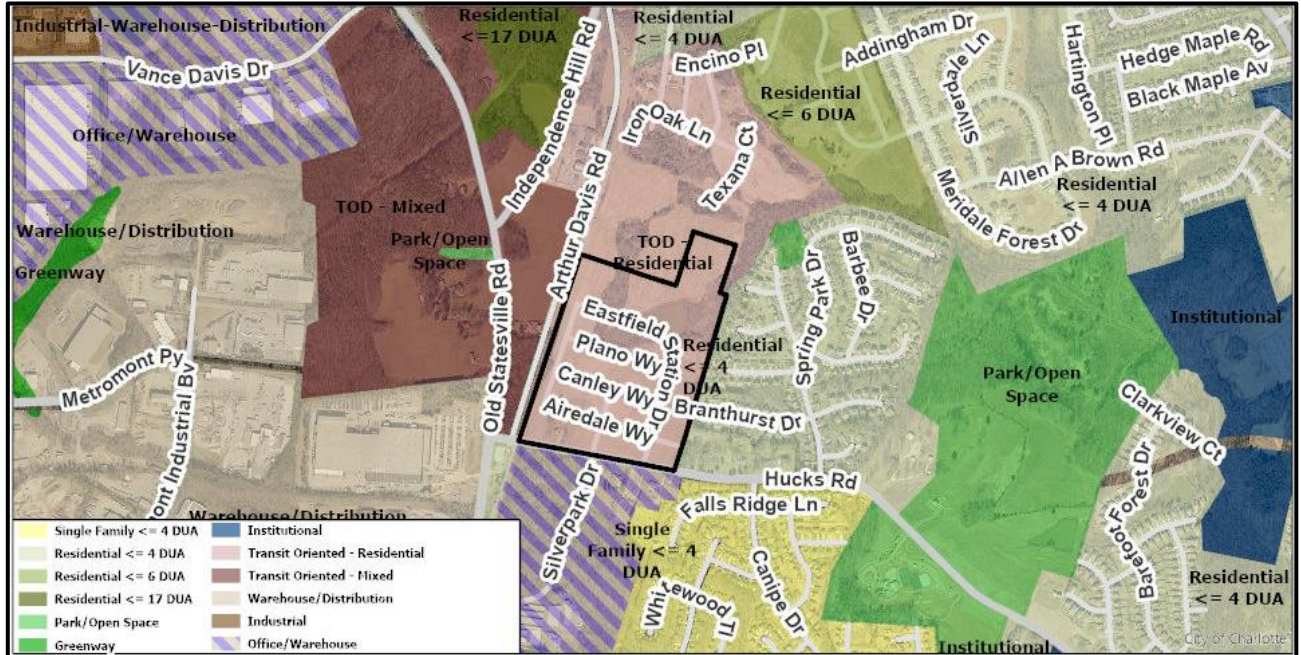
Industrial use to the west of the site along Old Statesville Road.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-063	Rezoned 3.2 acres to allow all uses permitted in the I-1 (light industrial) district.	Approved
2017-084	Rezoned 5.14 acres to allow all uses permitted in the I-1 (light industrial) district.	Approved
2018-103	Rezoned 35.91 acres to allow up to 550,000 square feet of warehousing, warehouse distribution, manufacturing, office, and industrial uses.	Approved
2018-134	Rezoned 20.03 acres to allow up to 335 multi-family units.	Approved

- **Public Plans and Policies**



- The *Northlake Area Plan (2008)* calls for Transit Oriented Development – Residential for this site.

- **TRANSPORTATION SUMMARY**

- The site is located on Hucks Road, a City-maintained minor thoroughfare road. The TIS for this site was approved on March 15, 2021. This site contains a portion of the Hucks Road Realignment NCDOT project, which is part of the Comprehensive Transportation Plan (CTP), and the petitioner has committed to dedicating the right-of-way for this future project. As the realignment project is not anticipated until 2031, the petitioner has agreed to construct turn lanes at existing Hucks Rd and Old Statesville Rd before the first certificate of occupancy, while also installing a traffic signal that coordinates with the nearby railroad crossing prior to the last 129 of certificates of occupancy (25%). The timing difference in improvements is to allow for the full review of the signal and coordination with Norfolk Southern. All outstanding CDOT comments have been addressed.

- **Active Projects:**

- SDRC-2019-00034 – Griffin Industrial
  - This land development project will construct a portion of the Hucks Road Realignment thoroughfare and construct a northbound left-turn lane on Old Statesville Road at the Hucks Road Realignment future signalized intersection.
- Old Statesville Road (NC-115) Widening – STIP U-5772
  - The project will widen Old Statesville Road between Harris Boulevard and I-485 and will extend and realign Hucks Road.
  - Completion date: delayed to 2031

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land)

Entitlement: 10,995 trips per day (based on 925 single family dwelling units and 35,000 square feet of retail uses).

Proposed Zoning: 3,005 trips per day (based on 110 townhomes and 406 apartments).

**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](http://www.rezoning.org)

- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 84 students, while the development allowed under the proposed zoning may produce 70 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Blythe Elementary from 106% to 110%
    - J.M. Alexander Middle from 89% to 91%
    - North Mecklenburg High from 108% to 109%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Hucks Road. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. 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:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **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.

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

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