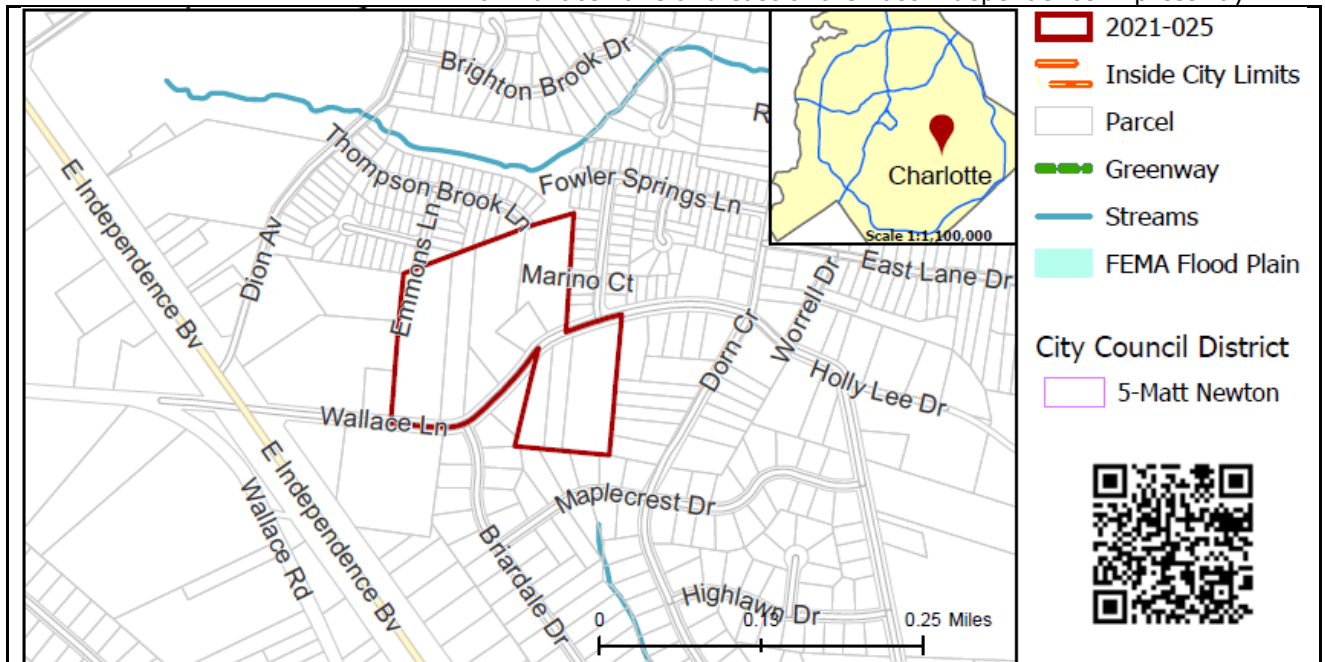


## REQUEST

Current Zoning: UR-2(CD) (urban residential, conditional) & R-4 (single family residential)  
Proposed Zoning: UR-2(CD) SPA (urban residential, conditional, site plan amendment) & UR-2(CD) (urban residential, conditional)

## LOCATION

Approximately 13.05 acres located along the north and south sides of Wallace Lane and east of the East Independence Expressway



## SUMMARY OF PETITION

The petition proposes the development of an attached residential community with up to 154 units at a density of 11.7 dwelling units per acre on the north and south side of Wallace Lane.

## PROPERTY OWNER

Wallace Lane LLC

## PETITIONER

NVR, Inc.

## AGENT/REPRESENTATIVE

Paul Pennell, Urban Design Partners

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 10.

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is **consistent** with the *Independence Boulevard Area Plan* recommendation for residential up to 17 units per acre for the portion of the site on the north side of Wallace Lane and **inconsistent** with the *Plan* recommendation for residential up to 4 units per acre for the portion of the site on the south side of Wallace Lane.

### Rationale for Recommendation

- The previously approved plan allowed 119 units at 12.9 units per acre for the portion on the north side of Wallace Lane.
- Maintains connectivity through northern site while preserving sensitive wetlands and stream corridor.

- The southern portion includes 3 large infill parcels, fronting Wallace Lane not part of the adjacent neighborhoods.
- Provides landscaped buffers adjacent to neighboring single family homes for entirety of the site.
- Provides architectural design standards and limits building heights to 40 feet for all units.
- The entire site is in close proximity to Independence Boulevard and the Lynx Silver Line corridor and approximately 1 mile from the nearest proposed Silver Line station.

The approval of this petition will revise the adopted future land use as specified by the *Independence Boulevard Area Plan*, from residential up to 4 units per acre to residential up to 12 units per acre for the portion of the site on the south side of Wallace Lane.

## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan amendment contains the following changes:

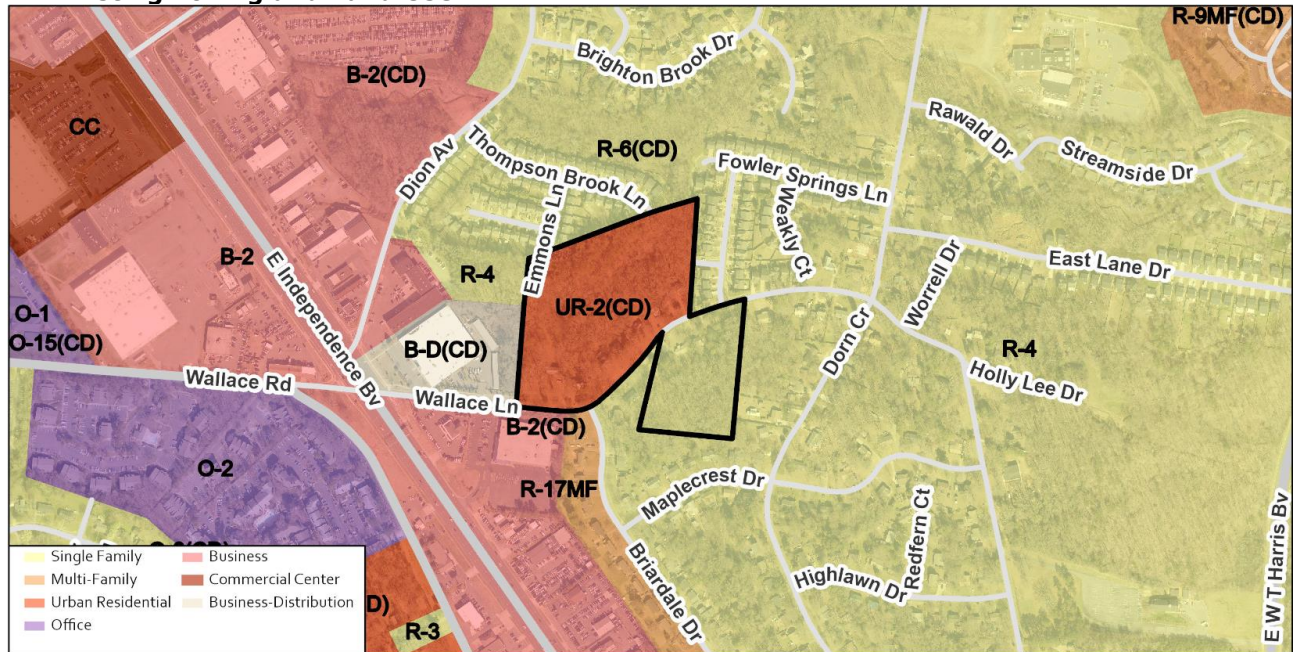
- Amends the layout and site design of the northern portion of the site, previously approved under petition 2018-056, due to sensitive environmental, water quality features running through the site.

The site plan accompanying this petition contains the following provisions:

- Allows up to 154 single family attached, townhome units across the north and south portions of the site, for an overall density of 11.7 units per acre.
- Limits the building height to 40 feet.
- Provides architectural design standards related to exterior building materials, blank walls, usable porches and stoops, wrapped stoops or porch and blank wall limits for end units facing public/private streets, limits number of units, and specifies units will front Wallace Lane and Emmons Lane.
- Provides a minimum of 9,000 square feet of amenity space.
- Provides 20-foot wide landscape buffer along site perimeter adjacent to single family detached homes.
- Transportation improvements including:
  - public street extension of Emmons Lane to Wallace Lane,
  - extension of Marino Court and Thompson Brook Lane with private streets to Emmons Lane with public access easements,
  - installation of and improvements to curb ramps along Wallace Lane at private alley for the southern portion of the site, Thompson Greens Lane and Briardale Drive, and
  - construction of east bound left turn lane onto Emmons Lane Extension and west bound left turn lane onto Briardale Drive.



- Existing Zoning and Land Use



The northern portion of the site was previously rezoned to UR-2(CD) per petition 2018-056 to allow 119 single family residential attached (townhomes) at a density of 12.9 units per acre. The approval the petition updated the land use plans recommendation for this portion to residential up to 17 units per acre.



The site indicated by the red stars above is located in an area with a mixture of uses including single family residential primarily to the north south and east and multi-family and commercial uses to the west generally located along and close to the Independence Boulevard corridor.





The site consists of several large residential lots fronting Wallace Lane. The structures shown above have been demolished.



North of the site are single family homes along Emmons Lane and Thompson Brook Lane.



East of the site are single family homes along Dorn Circle and Thompson Greens Lane.



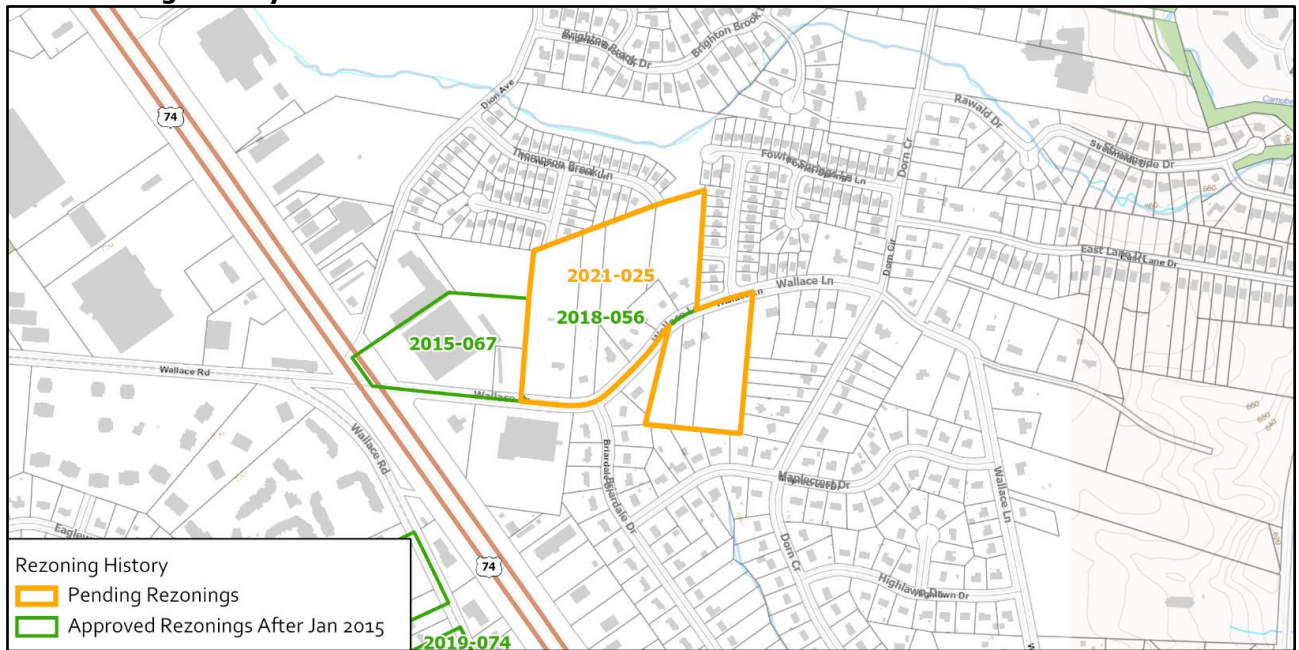
South of the site are single family homes along Maplecrest Drive and Briardale Drive and duplex units along west side of Briardale Drive.





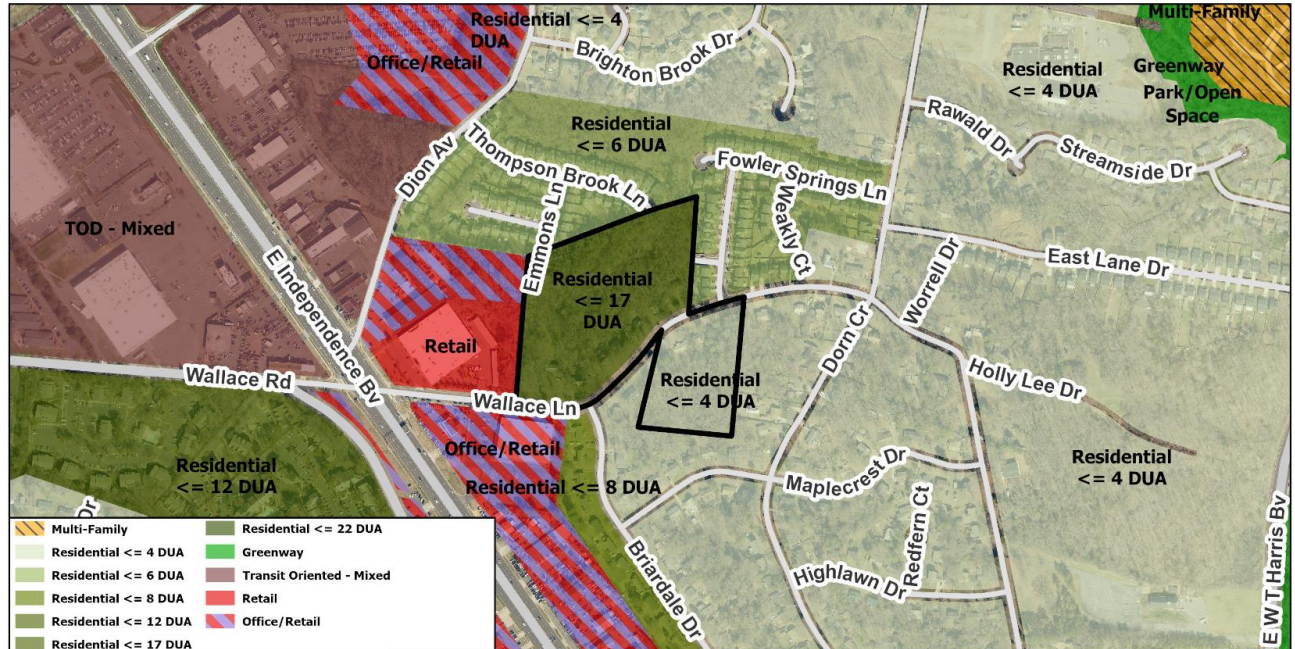
West of the site along Wallace Lane and Independence Boulevard are commercial uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-067	Rezoning to B-D(CD) to allow self storage use.	Approved
2018-056	Rezoning to UR-2(CD) to allow 119 townhome units.	Approved
2019-074	Rezoning to UR-2(CD) to allow multi-family development.	Approved

- **Public Plans and Policies**



- The *Independence Boulevard Area Plan* (2011) recommends residential up to 17 units per acre as amended by petition 2018-056 for the portion of the site on the north side of Wallace Lane and recommends residential up to 4 units per acre for the portion of the site on the south side of Wallace Lane.
- **TRANSPORTATION SUMMARY**
  - The site is located on a City-maintained local road (Wallace Lane) and at the dead-ends of two City-maintained local roads (Thompson Brook Lane and Marino Court). The petitioner has complied with site plan design, providing the appropriate streetscape improvements, and providing an alley access for Emmons Lane townhomes to provide pedestrian safety and compliant pedestrian sight distance. In response to community concerns and CDOT requests, the developer commits to construct left turn lanes, on Wallace Lane at Briardale Lane per CDOT standards. The site plan also commits to construct private streets, in lieu of alleys 1 and 2, to allow for better connection to the existing public road street stubs. Additionally, the site plan commits to providing adequate Intersection Sight Distance (ISD) at all proposed public street connections to existing Wallace Lane per CDOT Sight Distance Policy and to ensure safe ingress and egress into the development. CDOT has no outstanding issues with this petition.
- **Active Projects:**
  - TIP Project - Independence Boulevard (US 74) Widening/Express Lanes
    - Upgrade to expressway with 3 general purpose lanes, 2 express lanes, and 1 auxiliary lane in each direction; remove at-grade crossings and traffic signals
    - TIP# U-2509B
    - Construction – 2023
    - [Link to NCDOT project website](#)
  - Silver Line Light Rail
    - Construct new light rail line from Union County to Gaston County
    - Schedule and funding not determined
    - Station locations not finalized; nearest station tentatively proposed for Conference Dr./Idlewild Rd
- **Transportation Considerations**
  - See Requested Technical Revisions, Note 3. Addressed
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family home).

Entitlement: 1045 trips per day (based on 119 townhomes and 15 single family homes).

Proposed Zoning: 1125 trips per day (based on 154 townhomes).

**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 28 students, while the development allowed under the proposed zoning may produce 26 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:
    - Piney Grove Elementary from 128% to 130%
    - Albemarle Road Middle remains at 117%
    - Butler High from 106% to 107%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Wallace Ln. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Wallace Ln. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **City Arborist:** No comments submitted.
- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry:** No outstanding issues.

#### REQUESTED TECHNICAL REVISIONS

##### Site and Building Design

1. ~~Ensure units on the north, east portion of Private Street 1 provide the 20-foot garage setback.~~ Addressed

2. ~~Amend Architectural Note 7 to specifically exclude buildings along private streets.~~ Addressed

##### Transportation

3. ~~Realign the ROW along the sight line or provide an easement to protect the sight triangle by adding a note stating that "No object that impedes sight distance between a height of 30 and 72 inches above the ground surface, subject to the exceptions established in Section III of the Charlotte Sight Distance Policy, shall be located within any of these three sight triangles."~~ Addressed
  4. ~~Label Private Streets 1 and 2 as "network required" private streets.~~ Addressed
  5. ~~Amend Transportation Note 12 to specify width of private street access easement.~~ Addressed
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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