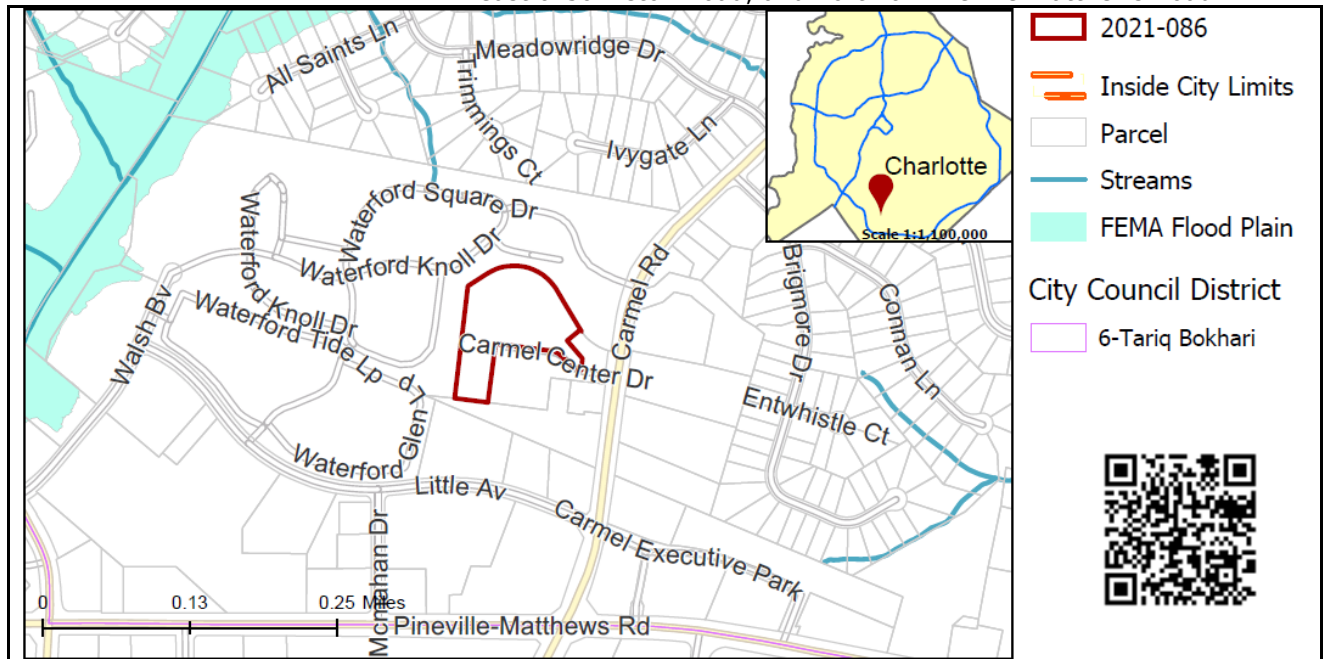


REQUEST

Current Zoning: MUDD-O (mixed use development, optional)
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

LOCATION

Approximately 4.50 acres located on the west side of Carmel Road, east of Johnston Road, and north of Pineville-Matthews Road.



SUMMARY OF PETITION

The petition proposes to allow up to 305 multi-family residential dwellings and up to 3,500 square feet of non-residential use for an infill site located in the Carmel Road Activity Center north of Pineville-Matthews Road.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Carmel Road LLC
JAG Development Company LLC
Keith MacVean / Moore & Van Allen

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 6.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *South District Plan* recommendation for office/retail use as amended by petition 2017-021 and the proposed density is **inconsistent** with the *General Development Policies* recommendation for 12-17 dwelling units per acre.

Rationale for Recommendation

- The site is located on a major thoroughfare in the Carmel Road Mixed Use Activity Center, as identified in the *Centers, Corridors, Wedges Growth Framework*

- Mixed use activity centers are priority areas for developments with density that accommodates growth in an urban, walkable development form.
- The *Centers, Corridors, Wedges Growth Framework* recommends moderate (up to 22 dwelling units per acre) to high (over 22 dwelling units per acre) density residential within Mixed Use Activity Centers. The proposed density is 67.78 units per acre.
- This petition supports the vision for the area as a walkable multi-use center that provides a range of options for people to live, work, shop and play by:
 - locating buildings along new public accessible, private, network streets with active ground floor uses creating pedestrian-oriented development
 - reducing surface parking
 - increasing connectivity and reducing block lengths by providing additional network streets that stub to property lines to facilitate future extension and connectivity
- The proposed mix of uses is compatible with nearby multi-family, office and retail uses on Carmel Road.
- The site is buffered from single family homes by apartments and nonresidential development to the north, south, east and west which provides transition in development intensity between single family and this development proposal.
- This site supports the *General Development Policies* goal to encourage a range of housing types and densities.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from office/retail use to residential/office/retail use for the site.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan amendment contains the following changes:

- Replaces previously proposed self-storage building and non-residential buildings with two multi-family buildings.
- Shifts the proposed private, network street that stubs to the northern property line towards the east of the site.

The site plan accompanying this petition contains the following provisions:

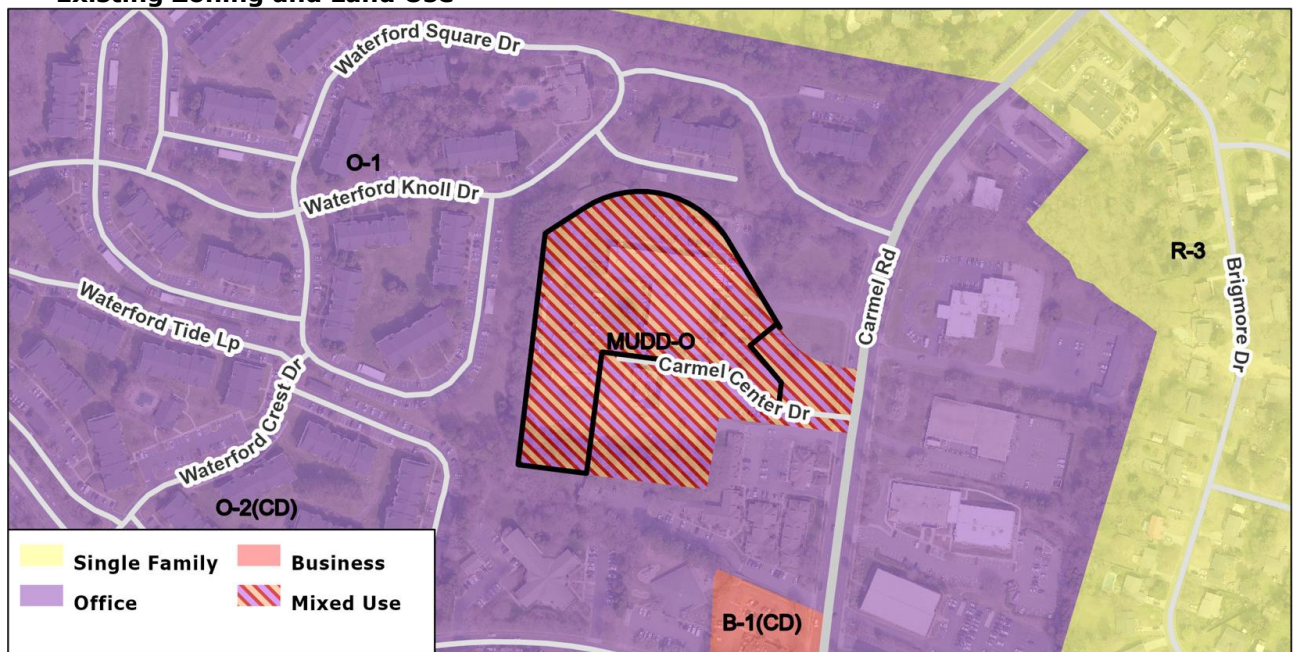
- Allows up to 305 multi-family dwelling units for a density of 67.78 units per acre and up to 3,500 square feet of non-residential uses. The petitioner will construct a minimum of 3,000 square feet of allowed non-residential uses, not including residential leasing office and amenity space, on the ground floor along proposed streets.
- Proposes 2 buildings, not to exceed 75 feet in height.
- Parking will be provided in structured facilities. The parking structure for the northern building will not have an exposed elevation and for the southern building the parking will meet MUDD street wall standards along street frontages.
- Access from Carmel Road via extension of Carmel Center Drive and existing private drive labeled Road A. Connecting north/south streets include a new private network street labeled Road B and existing Road C.
- Petitioner will construct extension of Carmel Center Drive to the western property line and Road B to the northern property line. All private streets will include public access easements and will allow extension onto adjoining parcels in the future.
- Provides a number of architectural design standards including specifying allowed exterior building materials, prescribing the percentage of masonry materials used along street frontages, orienting building placement towards street frontages, breaking up building massing with architectural features, limiting expanses of blank walls, specifying roof design and features to avoid appearance of large monolithic roof structure.
- Incorporates high visibility markings, varied paving or pavers and lighting into pedestrian crossing so they will be visible during day and night hours.
- Provides a building setback of 16 feet from the back of curb along existing and proposed private streets.

- Constructs an 8 foot planting strip and 8 foot sidewalk along the sites proposed internal streets and constructs an 8 foot planting strip and 8 foot sidewalk along
- Provides improved open space areas for each building including but not limited to seating, walkways, lighting and other improvements associated with the use of the space. Commits to a minimum of 9,000 square feet of open space area to be provided.
- Specifies that all utilities within the site will be placed underground.
- Notes that any signage along Carmel Road will be composed of individual letters which may be back lit or illuminated with up lighting, internally lit letters will not be utilized.
- Detached lighting will be limited to 20 ft in height. Pedestrian scale lighting along the internal streets will match existing lighting fixtures long existing private streets.

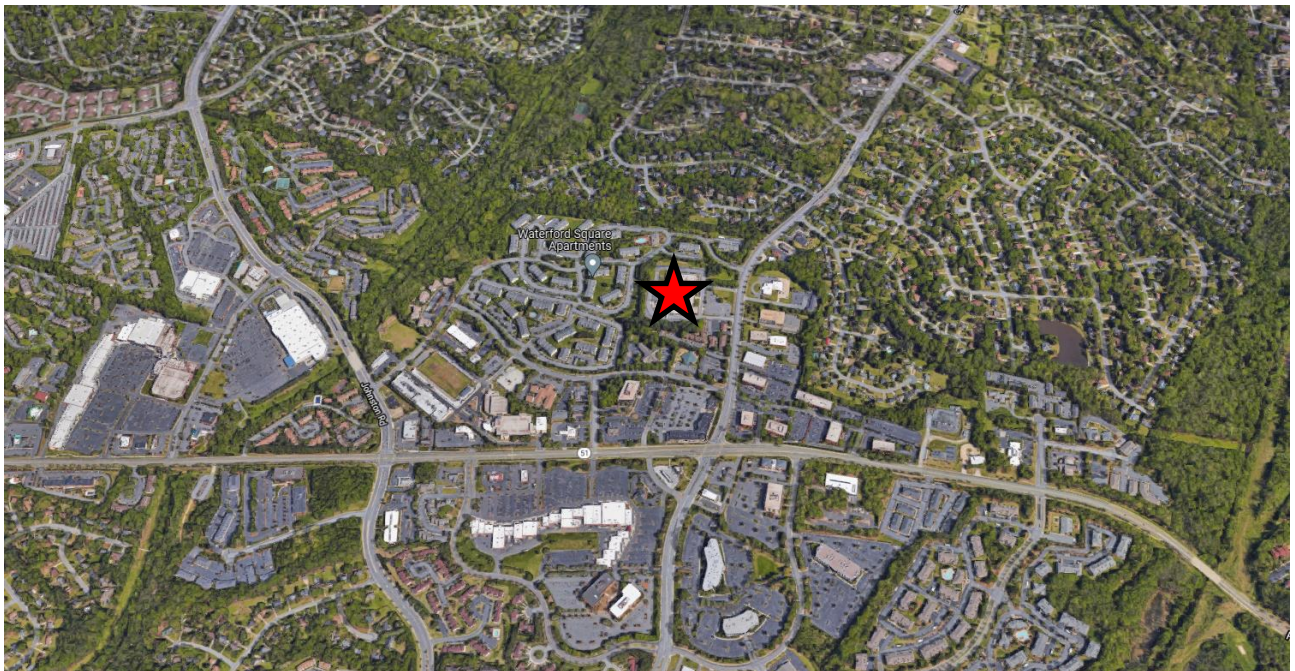
Requests the following optional provisions

- Requests optional provision to allow maneuvering between the building and private streets as depicted on the plan.
- Requests optional provision to allow parking between the building and Carmel Road, due to existing parking easement area identified on the plan.

• **Existing Zoning and Land Use**



The site is a portion of a larger site previously rezoned from O-1 (office) to MUDD-O by 2017-021 to allow the development of 2 climate controlled self-storage buildings and other non-residential uses. Only one of the self-storage buildings has been constructed. The portion with the self-storage building and the commercial pad on the Carmel Road frontage are not included in this rezoning. There is a mix of uses in the broader area including multi-family, office, retail and single family uses.



The site, indicated by the red star above, is located has multi-family uses to the west, multi-family and single family uses to the north, office and single family uses to the east and office and retail uses to the south.



The site is currently developed with a commercial building that previously was home to a post office.



North and west of the site is multi-family residential development.

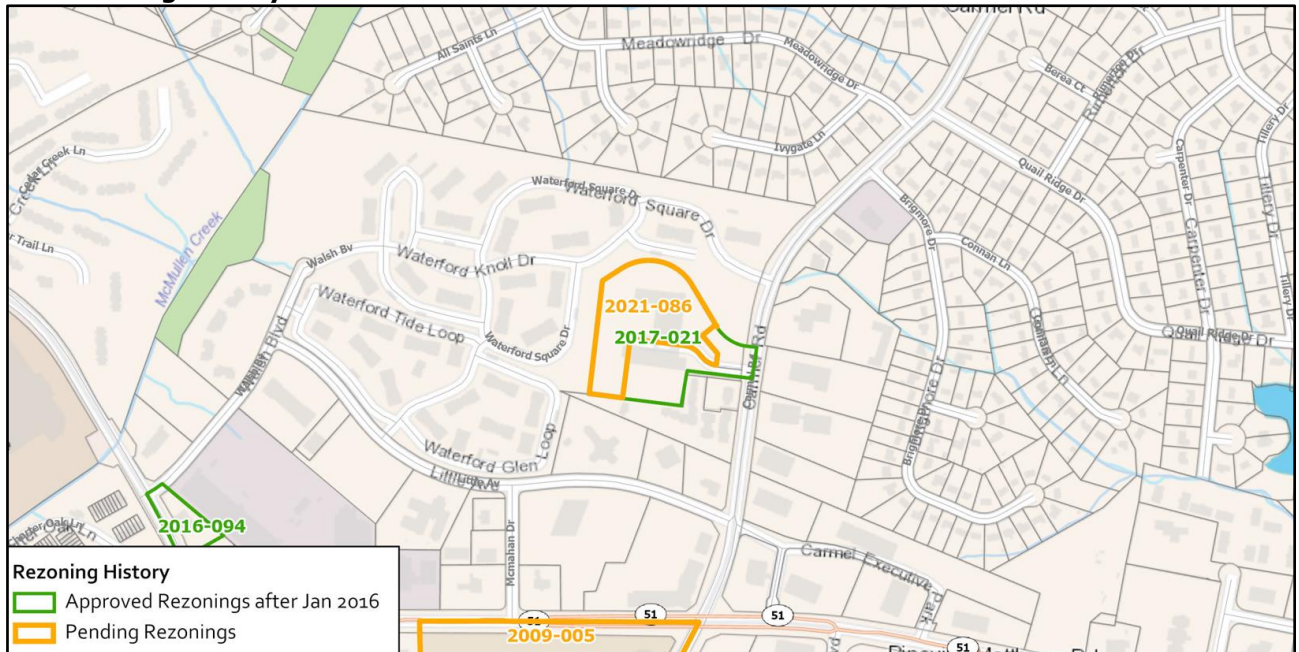


South of the site is office use and a newly constructed climate controlled self-storage building.



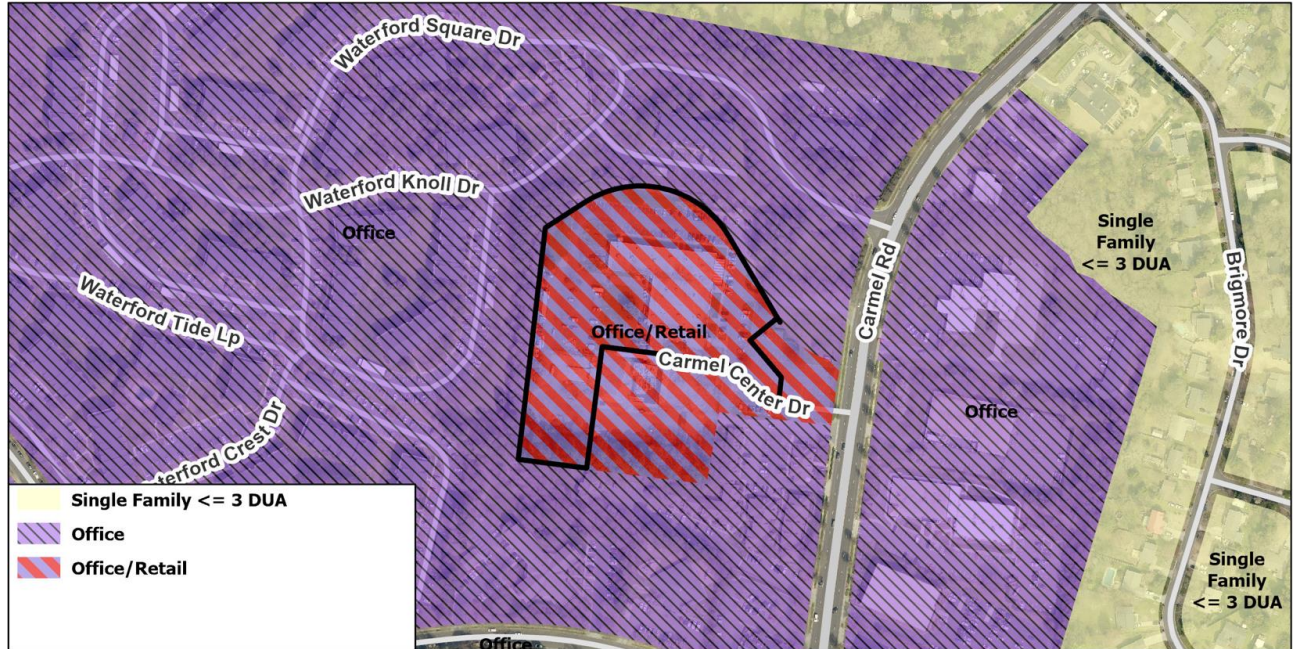
East of the site across Carmel Road are office and medical office uses.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2009-005	Proposed rezoning for 21.8 acres at the southwest corner of the intersection of Pineville-Matthews Road and Carmel Road to MUDD-O to allow expansion of the existing shopping center.	Indefinitely deferred
2016-094	Rezoned .82 acres to MUDD-O to allow a climate controlled self-storage building with ground floor office and leasable space.	Approved
2017-021	Previous petition for subject site, zoned to MUDD-O to allow two climate controlled self-storage buildings and up to 115,000 square feet for other non-residential uses.	Approved

- **Public Plans and Policies**



- The *South District Plan* (1993) recommends for office/retail use as amended by petition 2017-021.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition does meet the *General Development Policies* locational criteria for consideration of over 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – 12 - 17 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	2
Connectivity Analysis	4
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 14	Total Points: 13

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Carmel Center Drive, a privately maintained local street off of Carmel Road, a City-maintained major thoroughfare. A Traffic Impact Study (TIS) is not needed for this site. The proposed project includes a site plan amendment of previously approved Rezoning Petition 2017-021 to allow for up to 305 multi-family residential units and up to 3,000 sf of non-residential uses. All CDOT items have been addressed.
- **Active Projects:**
 - N/A
- **Transportation Considerations**
 - See Outstanding Issues, Note 1. Addressed
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 2,540 trips per day (based on 28,122 square feet of retail use).
 - Entitlement: 6,615 trips per day (based on 115,000 square feet of retail use).
 - Proposed Zoning: 2,215 trips per day (based on 305 multi-family units and 3,000 square feet of retail use).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **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 could generate 0 students, while the development allowed under the proposed zoning may produce 104 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 104 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Smithfield Elementary from 107% to 113%
 - Quail Hollow Middle from 124% to 125%
 - South Mecklenburg High at 134%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Carmel Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Carmel Road. No outstanding issues.
- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / Arborist:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUESTransportation

1. Amend the site plan and conditional notes to clarify that the transportation requirements approved in petition 2017-021 are still in force and that off site parking requirements cannot be met by on street spaces. Addressed, petitioner and CDOT verified transportation requirements of petition 2017-021 have been completed and a note for off-site parking has been added.

REQUESTED TECHNICAL REVISIONSSite and Building Design

2. Label building 1 and 2 as referred to in the development standards. Addressed
3. Amend the setback label along Road B to say "proposed BOC" Addressed
4. Amend optional provision b. and permitted uses note 3.e. to identify the correct private street; streets are labeled as A through C, not numbered. Addressed
5. Amend Streetscape note 6.c. to accurately describe what is depicted on the site plan. A 8ft planting strip and 6 ft sidewalk to be added to the northern side of Road A and a 8ft planting strip and 8 ft sidewalk along the southern side of Road A. Addressed
6. Amend lighting note 9.d. to remove the reference to "wall pak". Addressed
7. Remove plant schedule and label as trees and shrubs per approved species list. Addressed
8. Remove the following from Parking note "a minimum of 1 space per residential dwelling unit and one space per 600 square feet of non-residential use" this is a minimum Ordinance requirement. Addressed
9. Fill in rezoning petition number in margin on each rezoning sheet. Addressed

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





Planner: John Kinley (704) 336-8311









RZP 2021-086

Goals Relevant to Rezoning Determinations

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✗
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	✗
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	✗

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>