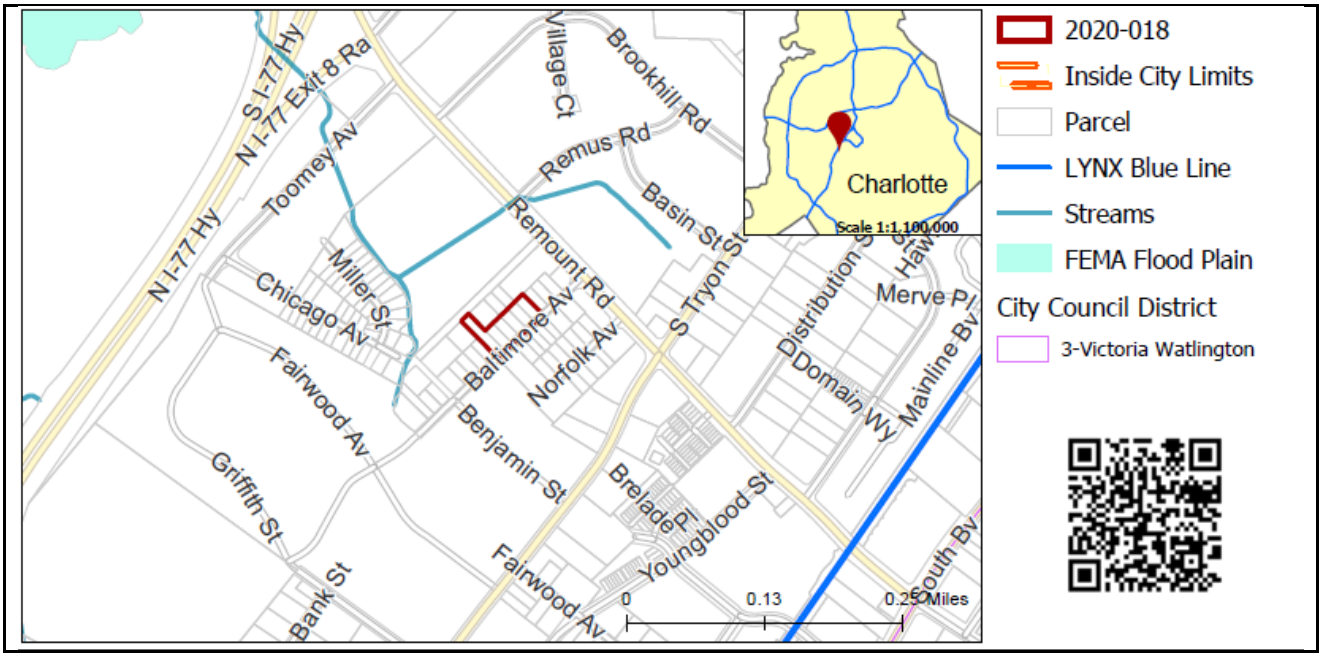
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-018
Final Hearing Staff Analysis
July 20, 2020

REQUEST	Current Zoning: R-22MF (multi-family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 0.917 acres located west of Baltimore Avenue, south of Remount Road, and east of Interstate 77.



SUMMARY OF PETITION	The petition proposes to allow a townhouse community on acreage located south of Remount Road, between Interstate 77 and South Tryon Street. The majority of the site is developed with a duplex, day care, and office and remainder is vacant.
PROPERTY OWNER	The Bethlehem Center of Charlotte, Inc. Christian Service Methodist Church
PETITIONER **AGENT/REPRESENTATIVE**	Hopper Communities Collin Brown and Brittany Lins
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is inconsistent with the *New Bern Transit Station Area Plan* recommendation for institutional for the majority of the site and park/open space for the remainder. <u>Rationale for Recommendation</u> • The project site is along Baltimore Avenue, which is primarily residential in character. • The existing R-22MF (multi-family residential) zoning would allow residential development at the proposed density. • The proposed development will provide a transition from other multi-family developments and the single family homes along Baltimore Avenue.

- The proposed site plan will enhance the connectivity and walkability of the emerging mixed-use neighborhood.
- The parcels surrounding this site are being redeveloped from former industrial and vacant sites into a mixed-use area with office, residential and retail uses.

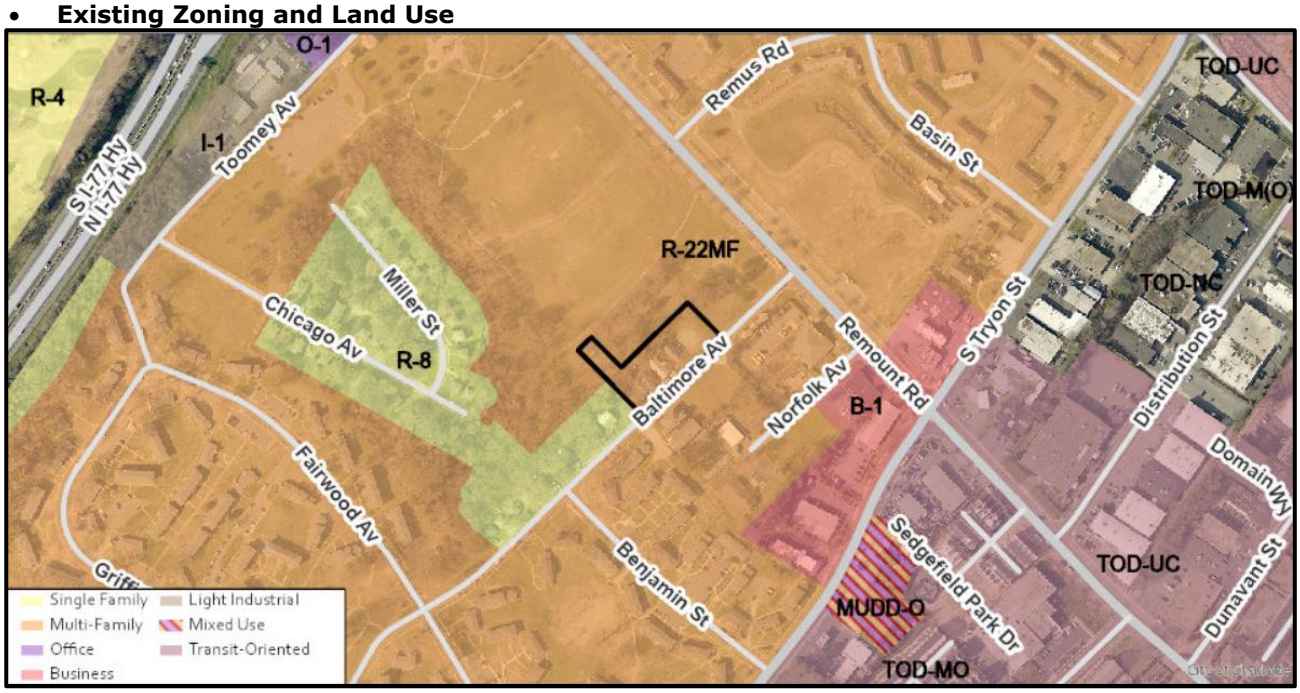
The approval of this petition will revise the adopted future land use as specified by the *New Bern Transit Station Area Plan* from institutional and park/open space to residential.

PLANNING STAFF REVIEW

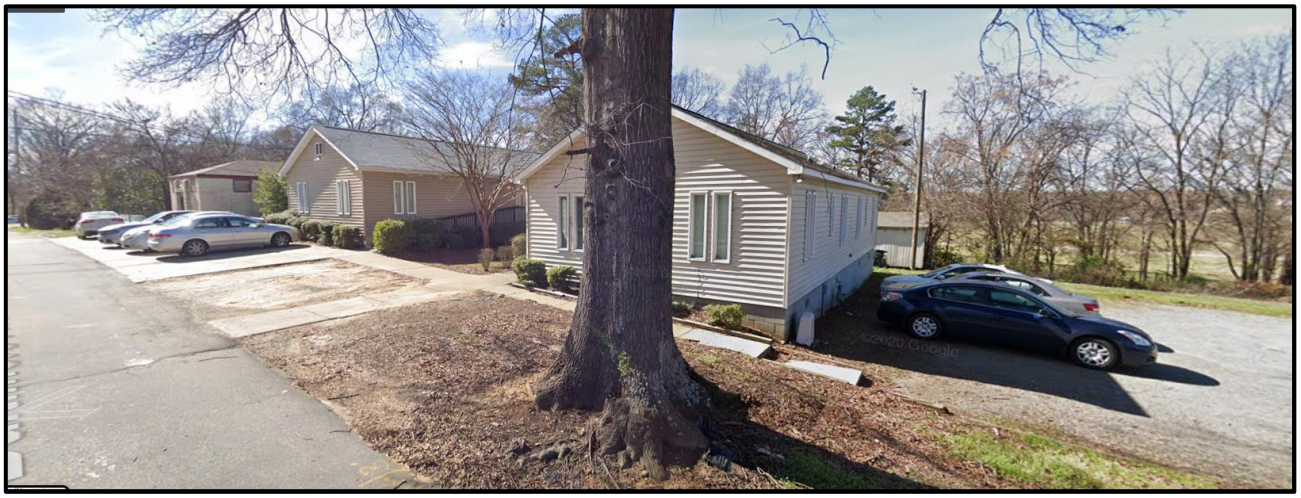
- **Proposed Request Details**

  The site plan accompanying this petition contains the following provisions:
  - Allows up to 20 alley fed townhomes at a density of 21.81 dwelling units per acre. Notes internal alleys will be private.
  - Limits building height of 48 feet.
  - Illustrates possible open space/tree save area.
  - Allows up to 2 points of access onto Baltimore Avenue.
  - Provides 8-foot sidewalk and 8-foot planting strip along Baltimore Avenue.
  - Proposes the following architectural standards:
    - Uses a combination of the following building materials: brick, brick veneer, natural stone (or its synthetic equivalent), cementitious siding, fiber cement ("HardiPlank") and/or materials.
    - Prohibits vinyl siding and limits use of vinyl to hand rails, windows, soffits, doors, garage doors, railings, or trim. Prohibits concrete masonry units not architecturally finished.
    - Notes corner/end units fronting Baltimore Avenue will have enhanced side elevations with a front or rear stoop and/or porch. If a porch is utilized it may be located on the second story of such unit.
    - Limits blank wall expanses to a maximum of 15 feet on all building levels.
    - Notes the front elevation of each single family attached dwelling unit will have windows or other architectural details that limit the maximum blank wall expanse to 15 feet on each level of the unit.
    - Includes blank wall provisions limiting the maximum blank wall expanse to 30 feet on all building levels, including but not limited to doors, windows, awnings, material or color changes, and/or architectural design elements.
    - Limits attached dwelling units to a maximum of 5 units per building.

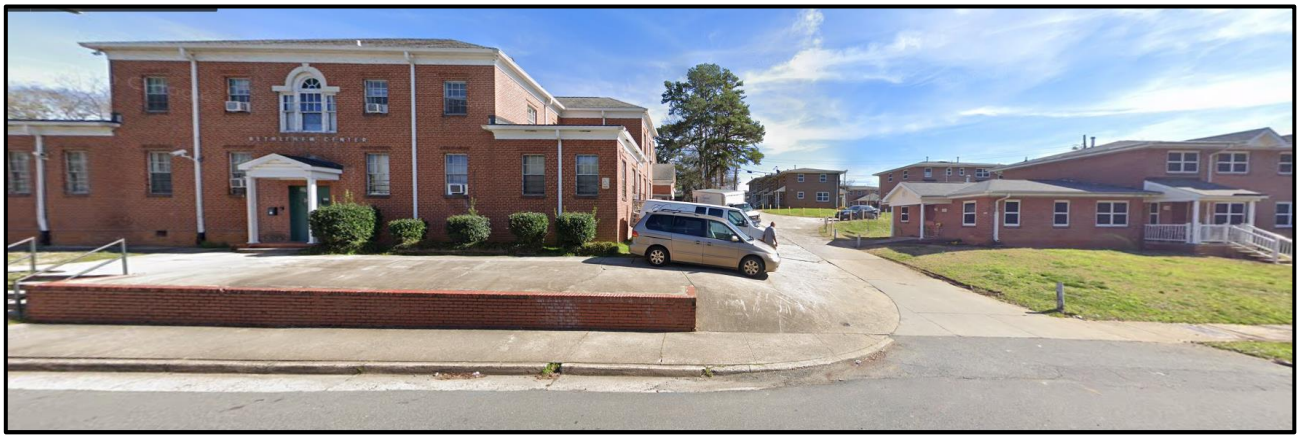
- **Existing Zoning and Land Use**



- The site is developed with a duplex, day care, office with some vacant acreage and is immediately surrounded by single family homes, multi-family residential units and institutional uses, including Bethlehem Center and Southside Park.



The site is developed with a duplex, day care, office, and small portion vacant.

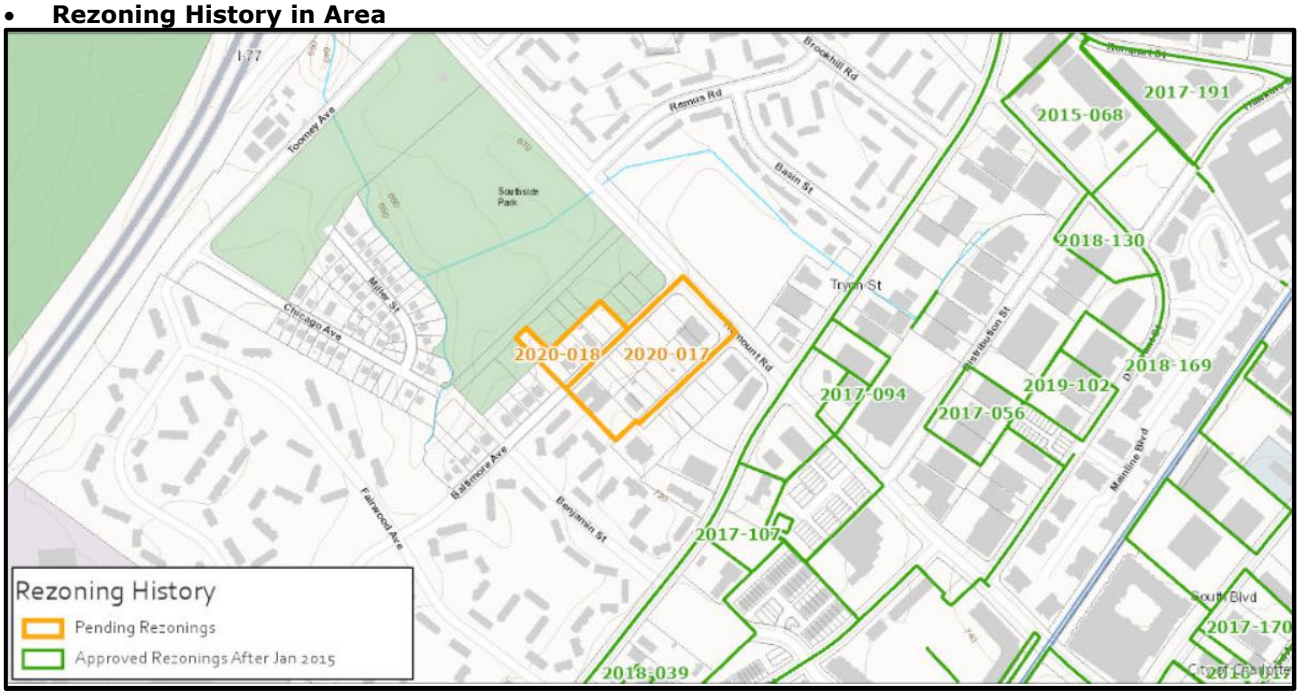


Across Baltimore Avenue are Bethlehem Center and multifamily residential homes.

Southside Park is located to the north and west.

The site (denoted by the red star) is immediately surrounded by residential, institutional, and commercial uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-017	Rezone 2.75 acres to MUDD-O to allow up to 274 multi-family units	Pending
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR	Approved
2018-169	Amendment to zoning ordinance to replace 3 existing transit oriented development districts with 4 new transit oriented development districts and regulations	Approved
2018-130	Rezoned 0.97 acres to TOD-M(O) to allow the reuse of an existing building with a possible 4,000-square foot expansion for all uses in the TOD-M	Approved
2018-039	Rezoned 0.17 acres to TOD-M	Approved
2017-191	Rezoned 2.44 acres to TOD-M	Approved

2017-170	Rezoned 1.4 acres to TOD-M	Approved
2017-107	Rezoned 1.25 acres to MUDD-O to allow up to 105,000 square feet of warehousing within an enclosed building and 3,000 square feet of office and retail.	Approved
2017-094	Rezoned 0.35 acres to TOD-M	Approved
2017-056	Rezoned 1.33 acres to TOD-M	Approved
2015-068	Rezoned 3.06 acres to TOD-M	Approved

- **Public Plans and Policies**

  - The *New Bern Transit Station Area Plan* (2008) recommends institutional for the majority of the site and park/open space for the remaining portion.

- **TRANSPORTATION CONSIDERATIONS**
- The site is located on a local road. The petitioner should revise the site plan to meet the ordinance requirements and the outstanding items listed below. With consideration to the Vision Zero Action Plan and Charlotte WALKS, CDOT requests pedestrian improvements along Baltimore Avenue to Remount Road, which is classified within Charlotte's High Injury Network. The petitioner has committed to work in good faith with Mecklenburg County to establish a sidewalk connection to this intersection. The petitioner's site is located approximately 2/3rd of a mile from the LYNX New Bern Station. In the effort to improve Baltimore Avenue's street infrastructure to accommodate both proposed rezoning developments, CDOT continues to request the petitioner to extend the curb and gutter from this petition's street frontage to the Baltimore Avenue and Remount Road intersection.
- Active Projects
  - South Tryon Corridor Implementation
    - The project will implement pedestrian hybrid beacons, bulb-outs, and pavement markings at various locations along South Tryon Street between Clanton Road and Carson Boulevard.
    - Construction: TBD; real estate acquisition to finish end Q1 2020
  - I-77 Lane Widening (I-5718A STIP)
    - This project will implement additional managed lanes to widen to a 10-lane freeway from the South Carolina state line to I-277/US 74 (Belk Freeway). The project will also reconstruct the I-77/I-277 (Belk Freeway) interchange, and install ramp meters.
    - Construction: 2029; real estate acquisition to start 2025
- See Outstanding Issues, Note 3
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 50 trips per day (based on 4,657 square foot religious institution).
    Entitlement: 105 trips per day (based on 20 apartments and R-22MF zoning).
    Proposed Zoning: 110 trips per day (based on 20 townhomes; site plan).

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 pertaining to housing needs in Charlotte.
- **Charlotte Department of Solid Waste Services:** See advisory comments a www.rezoning.org regarding dumpster/compactor and recycling requirements and adequate room for truck maneuvering/turnaround.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org regarding fire hydrant distance from building. No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 2 students, while the development allowed under the proposed zoning will produce 2 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 0.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Marie G. Davis K-8 at 114%
    - Myers Park High at 125%.
  - See advisory comments at www.rezoning.org for CMS impact statement.

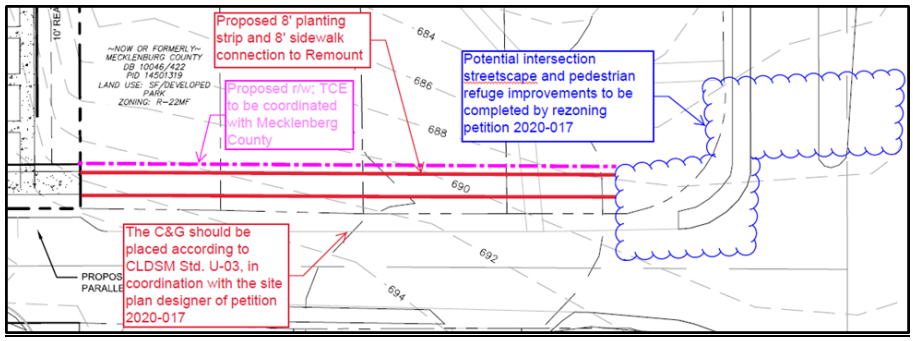
Charlotte Water: No comments submitted.

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** This property drains to Irwin Creek, which is an impaired/degraded stream and may contribute to downstream flooding. This project has the opportunity to mitigate future impacts to this stream. See advisory comments at www.rezoning.org.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments online at www.rezoning.org regarding air quality and groundwater services.
- **Mecklenburg County Parks and Recreation Department:** ~~See Outstanding Issues, Note 7.~~ Addressed

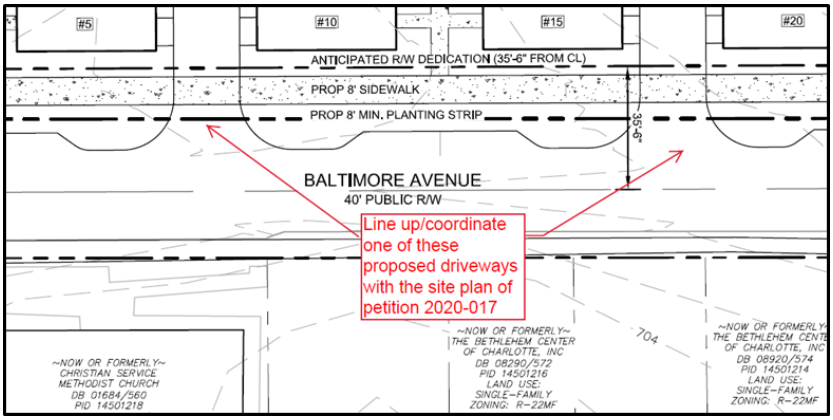
OUTSTANDING ISSUES

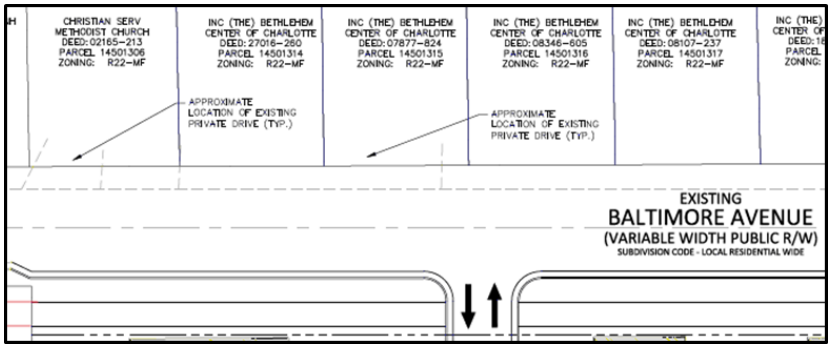
Transportation

1. **Curbline** The proposed zoning district has a setback measured from back of the existing or proposed future curbline.
   a. ~~**Baltimore Avenue:** The proposed location of curb and gutter should be revised to 17.5 feet from existing road centerline, per the Urban Street Design Guidelines (USDG) Charlotte Land Development Standards Manual (CLDSM) standard detail U-03A – Local Residential Wide Street Typical Section and Chapter 19 of the Charlotte City Code. Curb and gutter should be constructed with on-street parking. The site plan should show the curb and gutter labeled and dimensioned from the centerline for each road.~~ Addressed
2. ~~Revise the site plan and conditional note(s) to construct a sidewalk connection to Remount Road~~ with curb and gutter, ~~in reference to the Vision Zero Action Plan and Charlotte WALKS. CDOT has notified Mecklenburg County of the possibility of the petitioner possibly attaining right of way and a construction easement to establish this connection. The proposed sidewalk connection will tie-into the proposed improvements requested to rezoning petition 2019-017.~~ Addressed



3. Revise the site plan and conditional note(s) to coordinate with the petitioner of 2020-017 to align one of the two proposed driveways with the proposed access within rezoning petition 2020-017's proposed site plan, or vice versa. Rescinded





4. ~~Revise the site plan to clarify conditional note (Section III. Transportation, 4) to specify dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at 2' behind back of sidewalk where feasible.~~ ADDRESSED
5. ~~Revise the site plan to clarify conditional note (Section III. Transportation, 5) to specify that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ ADDRESSED- added sidewalk connection to the park is requested to be phased prior to 20th CO. All other improvements will occur prior to first CO
6. ~~Revise the site plan and conditional note(s) to show turning movements of how trucks will handle waste without maneuvering or reversing into the right of way.~~ Per conversations with staff, Petitioner is proposing private rollout containers but has revised the site plan to show a corral area for the future required dumpsters (which would be rolled out to a future concrete pad at the curb), solving the truck-backing issue even though dumpsters are not likely to be provided.

Environment

7. ~~Mecklenburg County Park and Recreation requests the petitioner provide a bike/ped connection to the adjacent Southside Park.~~ ADDRESSED

REQUESTED TECHNICAL REVISIONS

8. ~~Note density on the site plan.~~ ADDRESSED
9. ~~Site plan notes in reference to private streets. Petitioner needs to note where they are on the site plan.~~ ADDRESSED

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

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