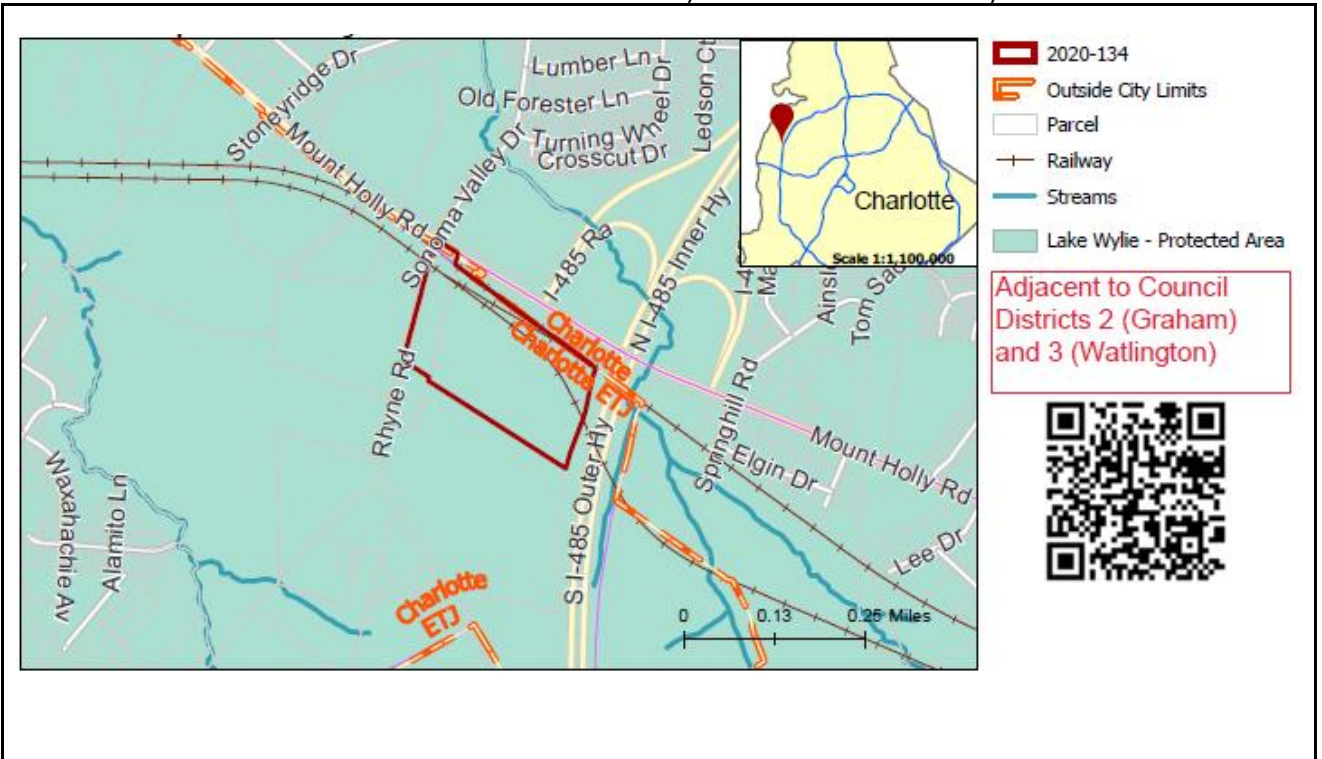


REQUEST

Current Zoning: CC, LWPA (commercial center, Lake Wylie Protected Area)
Proposed Zoning: CC SPA, LWPA (commercial center site plan amendment, Lake Wylie Protected Area)

LOCATION

Approximately 26.59 acres located in the southeastern corner of the intersection of Rhyne Road and Mount Holly Road.



SUMMARY OF PETITION

The petition proposes to amend petition 2008-125 to allow the development of up to 336 apartments on vacant land.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Mt Holly Developers LLC
Impact, LLC
Paul Pennell

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 9

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the residential/office and/or retail land use recommendation for this site, as per the *Catawba Area Plan* (2010).

Rationale for Recommendation

- The proposed use is consistent with the mixed-use recommendation for the site of residential/office and/or retail.
- The site is located at the interchange of Mount Holly Road and Interstate 485, where other mixed-use developments have been approved.

- The proposed multi-family development is not adjacent to any existing or proposed single-family uses, but retail uses only, and across from light industrial.
- Multi-family development at this location would provide a mix of housing types in the general vicinity.
- The site is in close proximity to a pair of bus stops for CATS Route 18.

PLANNING STAFF REVIEW

• **Background**

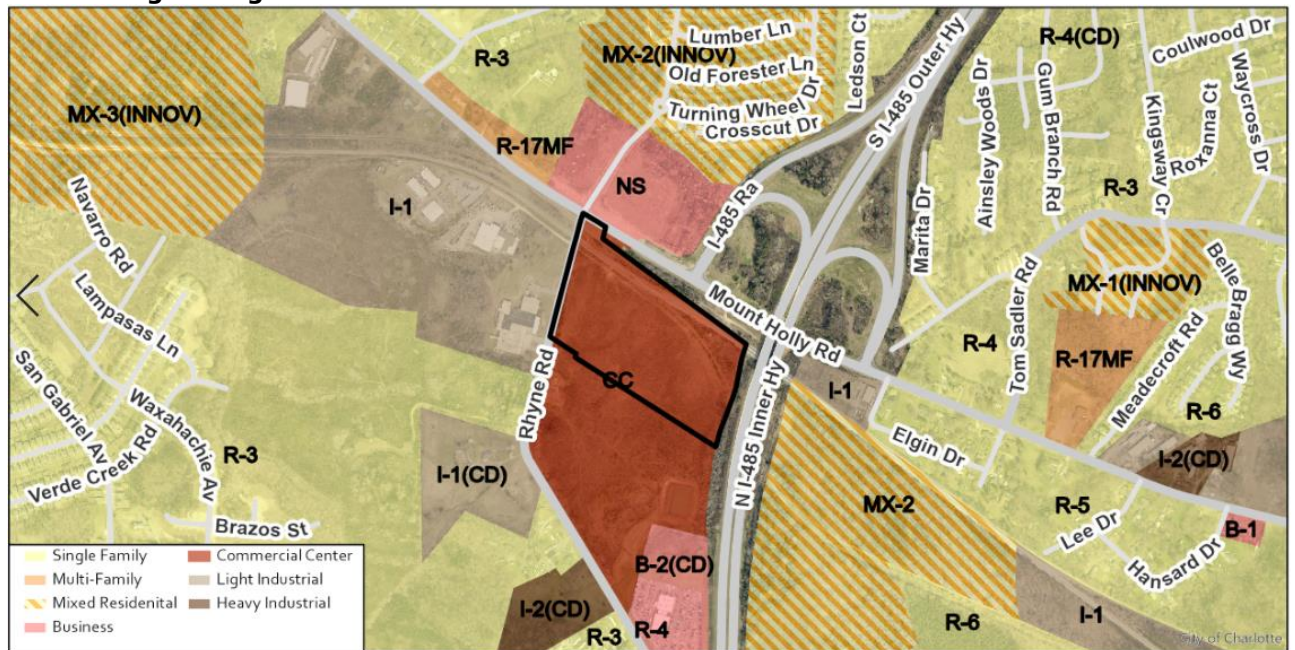
- The first site plan submitted included 21,000 square feet of commercial/retail uses, 5,000 square feet of office uses, and 288 multi-family residential units. The plan has since evolved to remove the commercial/retail and office uses to proposing only multi-family residential uses.

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes up to 336 multi-family residential units at a floor area ratio of 0.4.
- Limits the base maximum average height of each residential structure to 45’ and three stories.
- Commits to design standards that enhance the pedestrian environment and public realm.
- Proposes innovative design standards including a 16’ setback from back of curb, 5’ side yard, 25’ rear yard, and minimum building separation of 10’.
- Commits to open space preservation and amenities for residents.
- Proposes a modification of the design of the public street bisecting the property to allow the 8’ sidewalk to be located at back of curb.
- [Commits to a \\$200,000 contribution towards the construction of improvements at the intersection of Mount Holly Road, Rhyne Road, and Sonoma Valley Drive.](#)
- Commits to constructing a three lane cross-section along Rhyne Road adjacent to the parcel’s frontage along with a 8’ planting strip and 12’ multi-use path.

• **Existing Zoning and Land Use**



As part of a larger 70.91 acre assemblage, the site was rezoned via petition 2008-125 to CC, with retail and restaurant uses planned for the subject portion of the site. The site has since remained vacant. Only an 8.56 acre portion of the larger 2008-125 rezoning has been developed, with a car dealership being constructed following a 2013 administrative amendment.



The site is surrounded by a mix of uses including industrial, single family residential, a railroad, and Interstate 485.



The properties north of the site are occupied by railroad right-of-way and Mount Holly Road.



The property to the east of the site is occupied by Interstate 485.

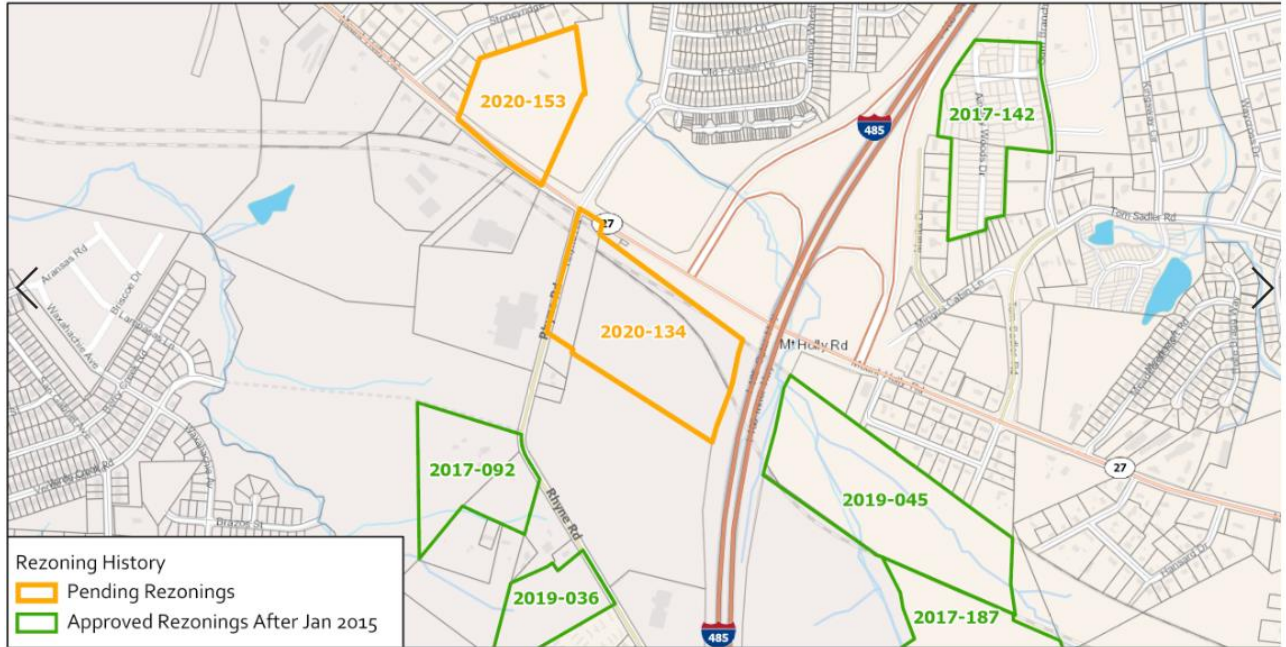


The property to the south of the site is vacant land.



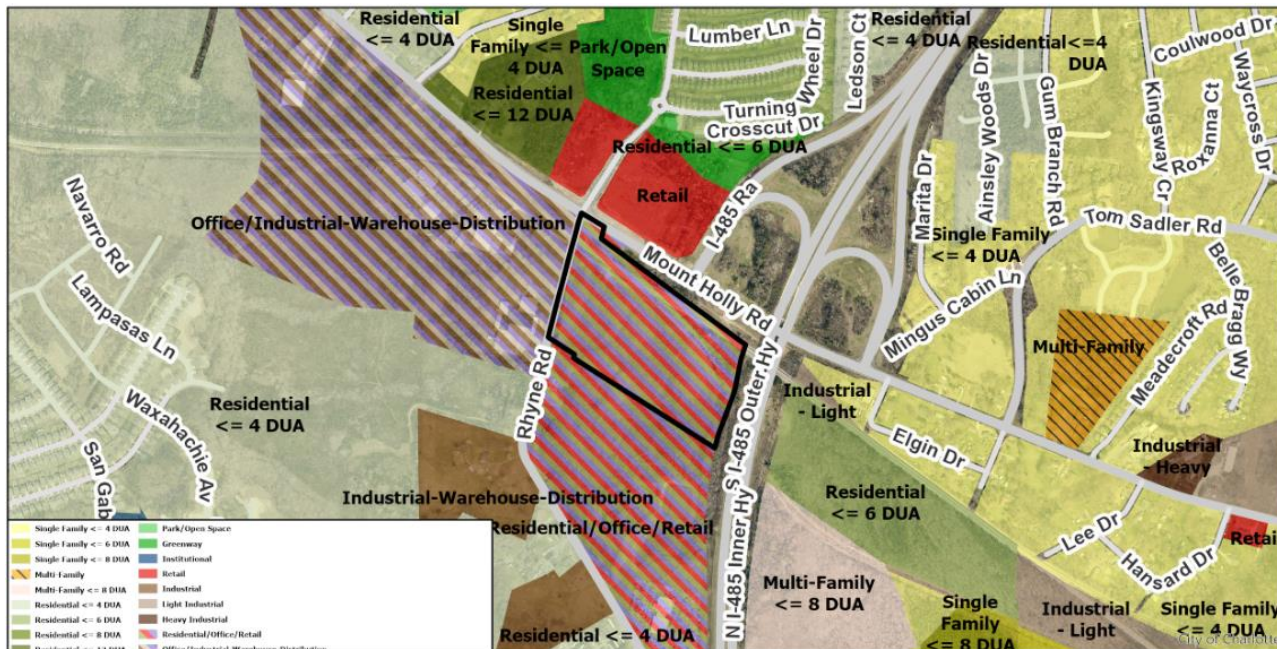
The property to the west of the site is developed with light industrial uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-153	Petition to rezone 13.04 acres to R-17MF(CD) to permit the development of up to 221 apartments.	Pending
2019-045	Site Plan Amendment to modify a previously approved site plan to allow the development of up to 152 single family attached units on 29.08 acres.	Approved
2019-036	Petition to rezone 8.7 acres to I-2(CD) to allow the development of an industrial park containing up to 40,000 square feet of indoor building space.	Approved
2017-187	Petition to rezone 79.3 acres to R-6 to allow the development of single family homes.	Approved
2017-142	Petition to rezone 17.77 acres to R-4 to allow the development of single family homes.	Approved
2017-092	Petition to rezone 14 acres to I-1(CD) to allow up to 70,000 square feet of uses allowed in the I-1 district.	Approved

• **Public Plans and Policies**



- The *Catawba Area Plan* (adopted 2010) recommends residential/office and/or retail land uses for this site. The plan also recommended limiting land uses and intensities to that approved by the adopted site plan.

• **TRANSPORTATION SUMMARY**

- The site is located at the corner of Rhyne Road and Mt. Holly Road, two State-maintained minor and major thoroughfares, with two CSX Rail Lines extending through the northern portion of the site. In accordance with the City’s Ordinances and WALKS and BIKES Policies this site will provide an internal pedestrian network that that will connect to a 12-foot shared use path along Rhyne Road. Additionally, this site will widen Rhyne Road to three lanes, providing a center-turn lane for site access. In December of 2020, a major site plan revision lowered the trip generation under CDOT’s TIS trip generation threshold; however, in accordance with the City’s Vision Zero plan, CDOT is continuing to coordinate with NCDOT and the petitioner to provide additional transportation improvements, which may include a financial contribution to NCDOT’s intersection improvement project at the Mount Holly Road & Rhyne Road/Sonoma Valley Drive Intersection.

• **Active Projects:**

- Villages at Creedmore - SDRMF-2020-00049
 - Development of 138 Townhome Units. This project is in permitting and plans could be approved by the end of the year.

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:
 Existing Use: 0 trips per day (based on vacant land).
 Entitlement: 4,980 trips per day (based on 75,800 sf of retail).
 Proposed Zoning: 1,830 trips per day (based on 336 apartments).

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-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.

- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 111 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 111.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Whitewater Academy from 121% to 128%
 - Whitewater Middle from 96% to 99%
 - West Mecklenburg High from 86% to 87%.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding accessibility to sewer system connections. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No comments submitted.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** 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 comments submitted.

OUTSTANDING ISSUES

Transportation

1. Given the site is located near a high injury network and will contribute to an existing issue at the Mount Holly and Rhyne Road/Sonoma Valley intersection, CDOT will continue to coordinate with the petitioner to ensure the project contributes toward the goals in the City's Vision Zero plan. **ADDRESSED**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

1. ~~Revise building locations to be in compliance with setbacks as stated in Section 9.303(19)(e).~~ **ADDRESSED**
2. ~~Revise building orientation to limit the number of side facing buildings as they relate to the Public Road 1.~~ **ADDRESSED**
3. ~~Revise Architectural and Design Standards note 4.b to replace the word "or" with "and" and "may" with "shall" as specified in the site plan comments.~~ **ADDRESSED**
4. ~~Revise the rear yard from 25' to 40' as specified in site plan comments.~~ **ADDRESSED**

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

Planner: Joe Mangum (704-353-1908)