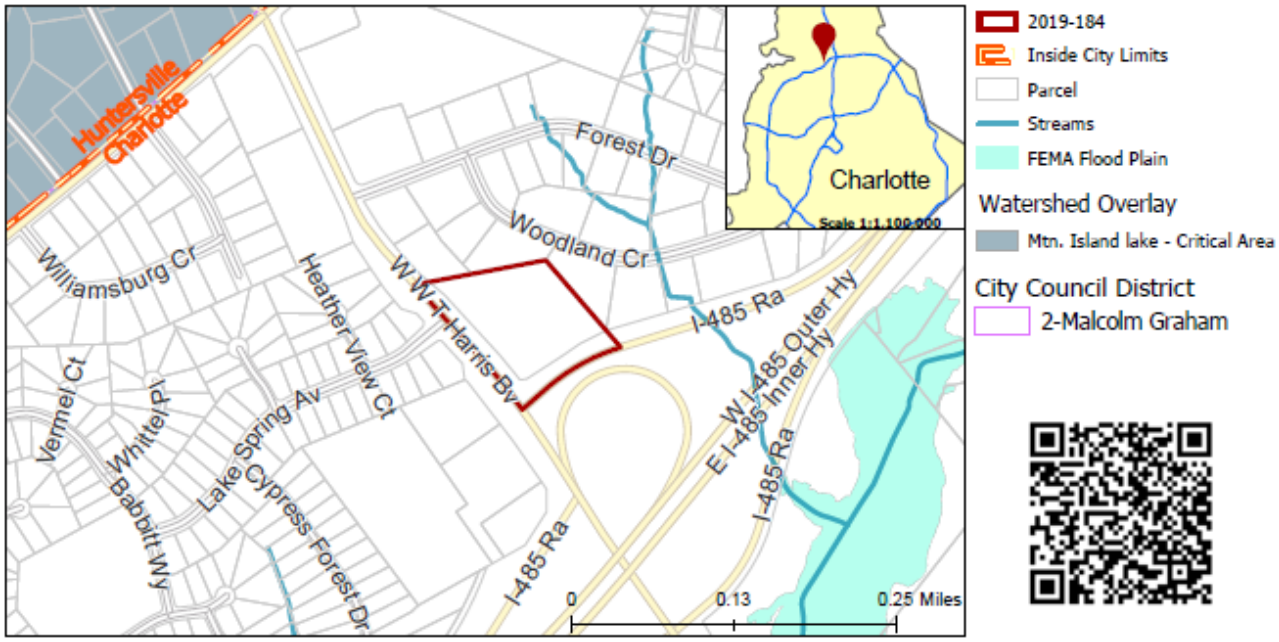
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2019-184
Pre-Hearing Staff Analysis
July 20, 2020

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: R-17MF(CD) (multi-family residential, conditional)
LOCATION	Approximately 4.2 acres located to the east of W.T. Harris Boulevard, south of Woodland Circle and north of Interstate 485.



SUMMARY OF PETITION	The petition proposes up to 71 age restricted multi-family residential dwelling units in one principal building on vacant land for a density of 16.9 dwelling units per acre.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	June M. Greene, Robert Greene, Haywood Smith, Sylvia Smith Taft Mills Group Keith MacVean, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 14

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northlake Area Plan (2008)* recommendation for residential development up to 8 dwelling units per acre as a single use.

Rationale for Recommendation

- This petition proposes up to 71 age-restricted multi-family dwelling units, for a density of 16.9 dwelling units per acre. While this density is inconsistent with the *Northlake Area Plan's* future land use recommendation of up to 8 units per acre, the proposal for residential units is still consistent with the plan's residential recommendation.
- The petition commits to a 28-foot Class C buffer separating the site between the single-family homes surrounding the northern

area of the site. This buffer will consist of maturing evergreen trees, evergreen shrubs, and other understory trees. This buffer will help mitigate impact to the single-family adjacent to the site.

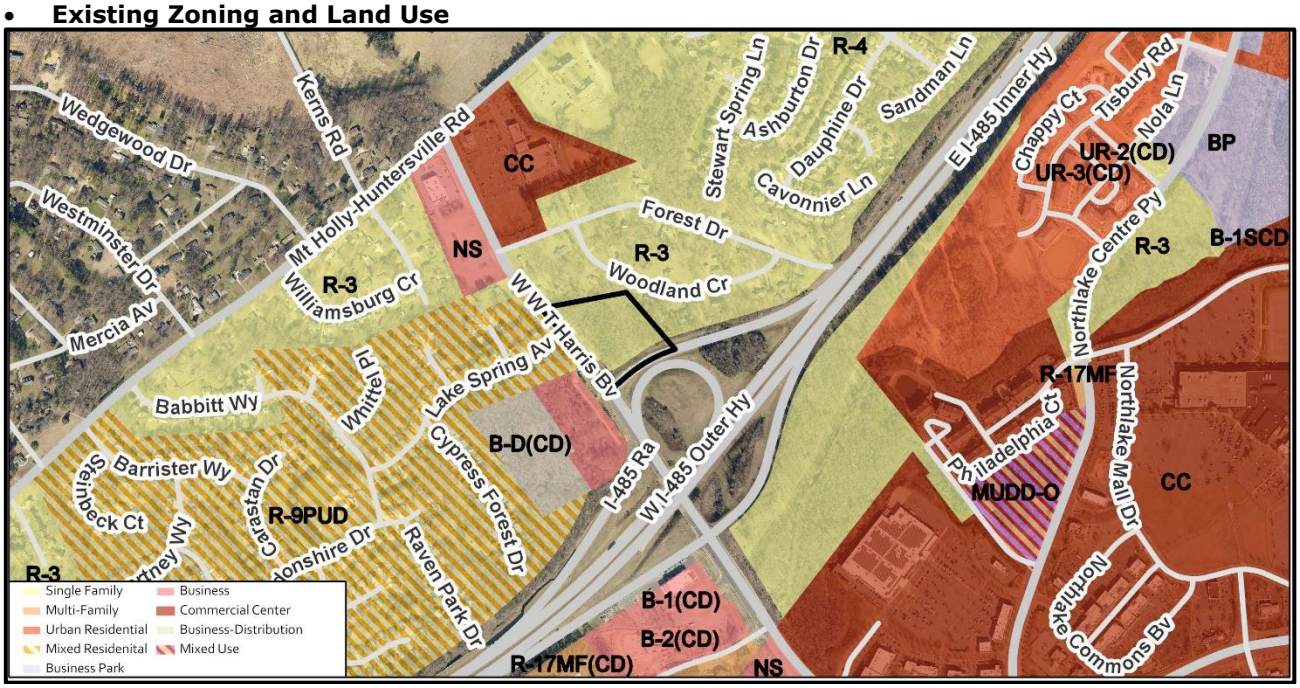
- Almost directly across the site, on the other side W W.T. Harris Boulevard, are parcels 02521146 and 02521149, which are recommended for commercial development. The commercial development across the street, zoned to B-2(CD) after a 2017 zoning, and the site's location facing West W.T. Harris Boulevard and the exit to get off Interstate 485 make it an unlikely location for single-family development. Allowing for multi-family development will change the land use to a higher density than recommended in the plan but will keep the land for a residential use rather than commercial.
- Multi-family residential is conducive to the growing commercial and higher-density residential nature of W W.T. Harris Boulevard. Commercial development and zoning is located at the intersection of W W.T. Harris Boulevard and Mt. Holly Huntersville Road, a quarter-mile north of where the parcel is located. An apartment complex and single family attached homes are located just on the other side of I-485 on W W.T. Harris Boulevard, less than a half-mile away from the site.
- The petition is committed to increasing pedestrian mobility and safety by including an eight-foot planting strip and a 12-foot multi-use path alongside West W.T. Harris Boulevard.
- This petition commits to constructing age-restricted dwelling units, which will help to accommodate the growing senior population in Charlotte.

The approval of this petition will revise the adopted future land use as specified by the *Northlake Area Plan (2008)*, from residential up to 8 dwelling units per acre to residential up to 17 dwelling units per acre for the site.

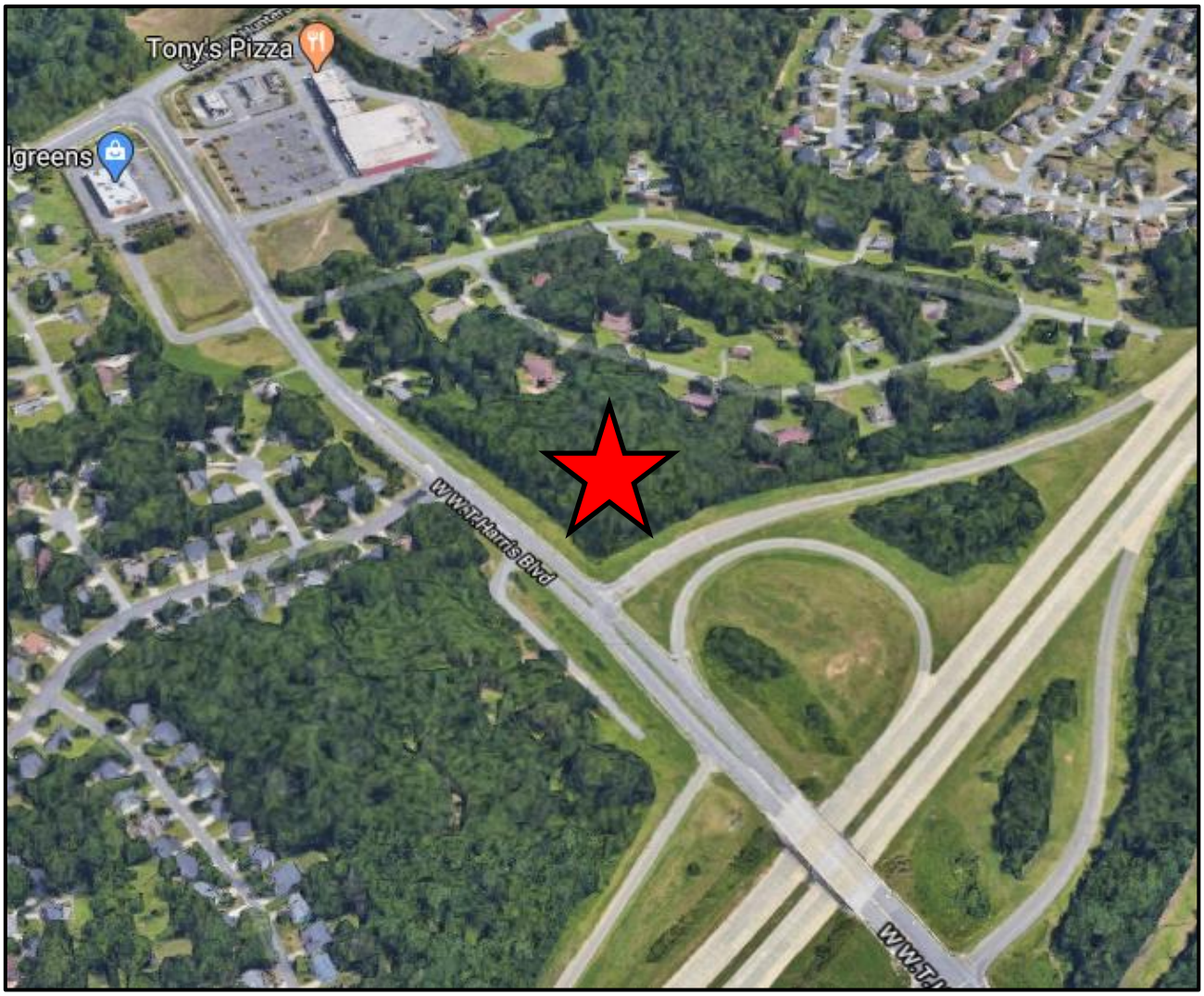
PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows up to 71 age restricted multi-family units in one principal building.
  - Access to the site will be limited to a right-in/right-out only along West W.T. Harris Boulevard.
  - Commits to an eight-foot wide planting strip and a 12-foot multi-use path along West W.T. Harris Boulevard.
  - Proposes to dedicate via fee simple conveyance any additional right-of-way.
  - Provides a 28-foot undisturbed Class C buffer where the Site abuts existing single-family uses.
  - Limits maximum building height to four stories or 50-feet.
  - Provides open space amenity areas with landscaping, seating areas, hardscape elements and shade structures.
  - Limits detached lighting to 22-feet in height.
  - Building materials on the principal building will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
  - Building will be oriented to present a front or side façade to West W. T. Harris Boulevard.
  - Parking lots will not be located between any residential building and West W. T. Harris Boulevard.
  - Building massing and height will be designed to break up long monolithic building forms by including modulations (recesses, projections, and architectural details) of the building massing.

- **Existing Zoning and Land Use**



The subject property is vacant. The surrounding land use is single-family residential, retail and commercial uses.



The subject property (denoted by red star) is vacant.

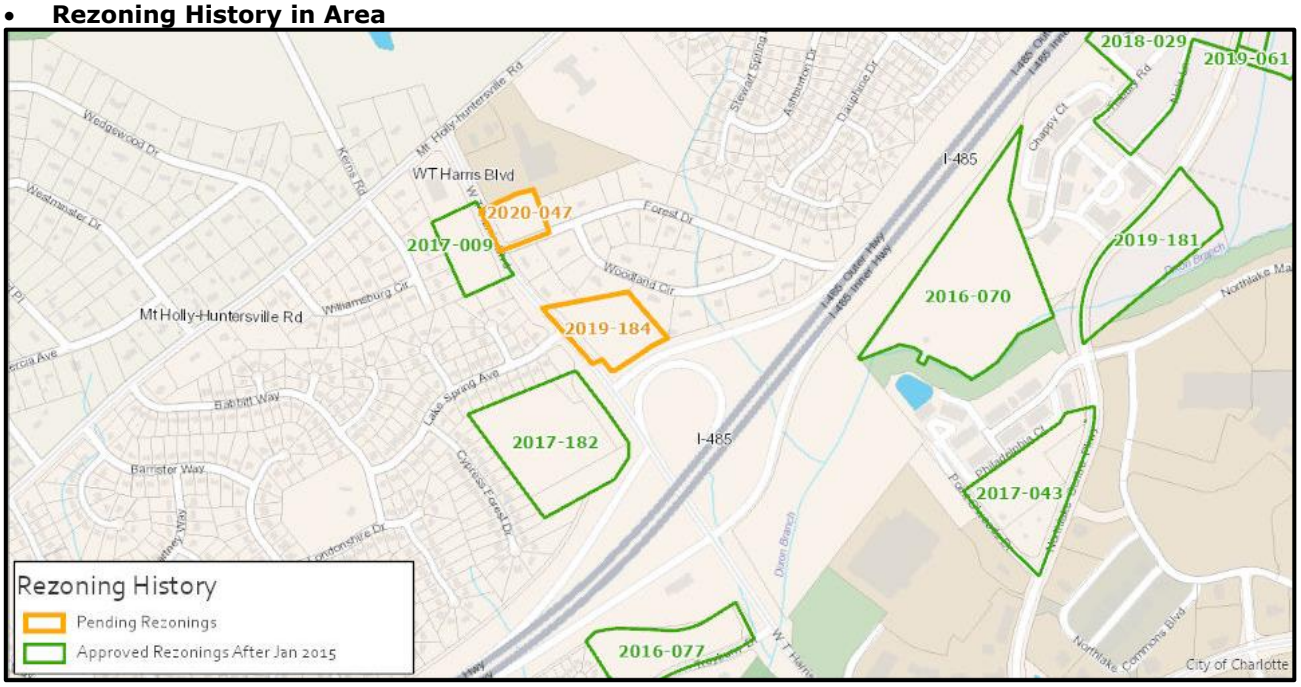
The property to the west along Lake Spring Avenue is developed with single-family homes and a proposed QT gas station along West W.T. Harris Boulevard.

The property to the north along Woodland Circle is developed with single family homes.

The property borders Interstate 485 and an access road to the south.

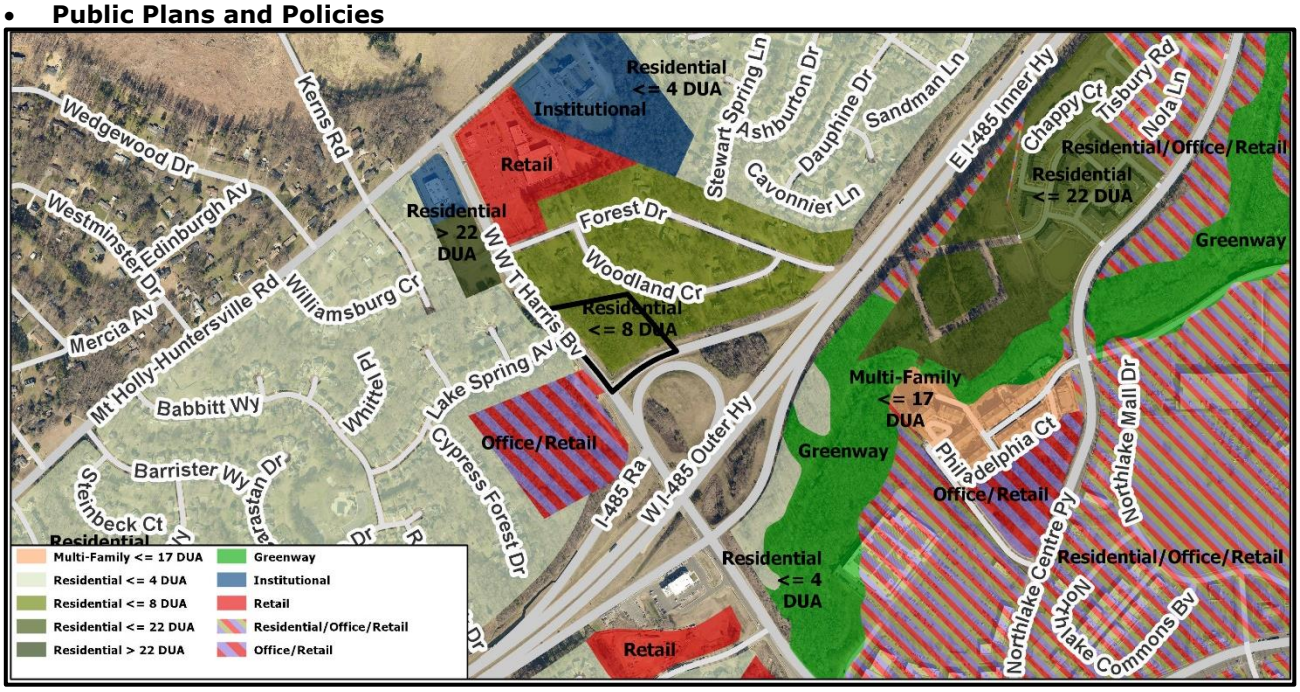
The property to the east along Woodland Circle is developed with single-family homes.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-070	Rezoned 17.52 acres to allow up to 300 multi-family units.	Approved
2016-077	Rezoned 5.52 acres to allow a 141-room hotel and a 7,000-square foot EDEE (eating/drinking/entertainment establishment).	Approved
2017-009	Rezoned 2.97 acres to allow up to 75 age-restricted multi-family units.	Approved
2017-043	Rezoned 7.12 acres to allow a 180-room hotel and up to 40,000 square feet of retail, restaurant, and office uses.	Approved
2017-182	Rezoned 11.96 acres to allow development of a QuikTrip gas station and other commercial uses including eating/drinking/entertainment establishments (EDEEs), retail, offices, medical offices, indoor pet services, personal services, financial institutions and climate controlled self-storage.	Approved
2018-029	Rezoned 15.78 acres to allow up to 300 multi-family units.	Approved
2019-061	Rezoned 15.54 acres to allow up to 300 multi-family units.	Approved
2019-181	Rezoned 6.54 acres to allow up to 78 multi-family units.	Pending Approved
2020-047	Proposes to rezone 1.72 acres to allow the development of a commercial building with up to 10,000-square feet with one accessory drive-through window.	Pending

- **Public Plans and Policies**



  - The *Northlake Area Plan (2008)* calls for residential uses up to eight dwelling units per acre.

- **TRANSPORTATION SUMMARY**
  - The site is located on a major thoroughfare road. The site plan commits to installing an 8-foot planting strip and 12-foot multi-use path along W.T. Harris Boulevard, in accordance with Charlotte BIKES. In addition, the petitioner has committed to constructing ordinance required curb and gutter along its W.T. Harris Blvd street frontage. Lastly, the developer has agreed to install a right turn lane, on W.T Harris Boulevard, into the development.
  - **Active Projects:**
    - There are no active projects in the vicinity of this project.
  - **Transportation Considerations**
    - No outstanding issues.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 0 trips per day (based on vacant land).
    Entitlement: 120 trips per day (based on 12 single-family dwellings).
    Proposed Zoning: 260 trips per day (based on 71 senior apartments).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **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:** Age restricted residential petitions do not impact the number of students generated.
- **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. 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:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

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

Planner: Michael Russell (704) 353-0225