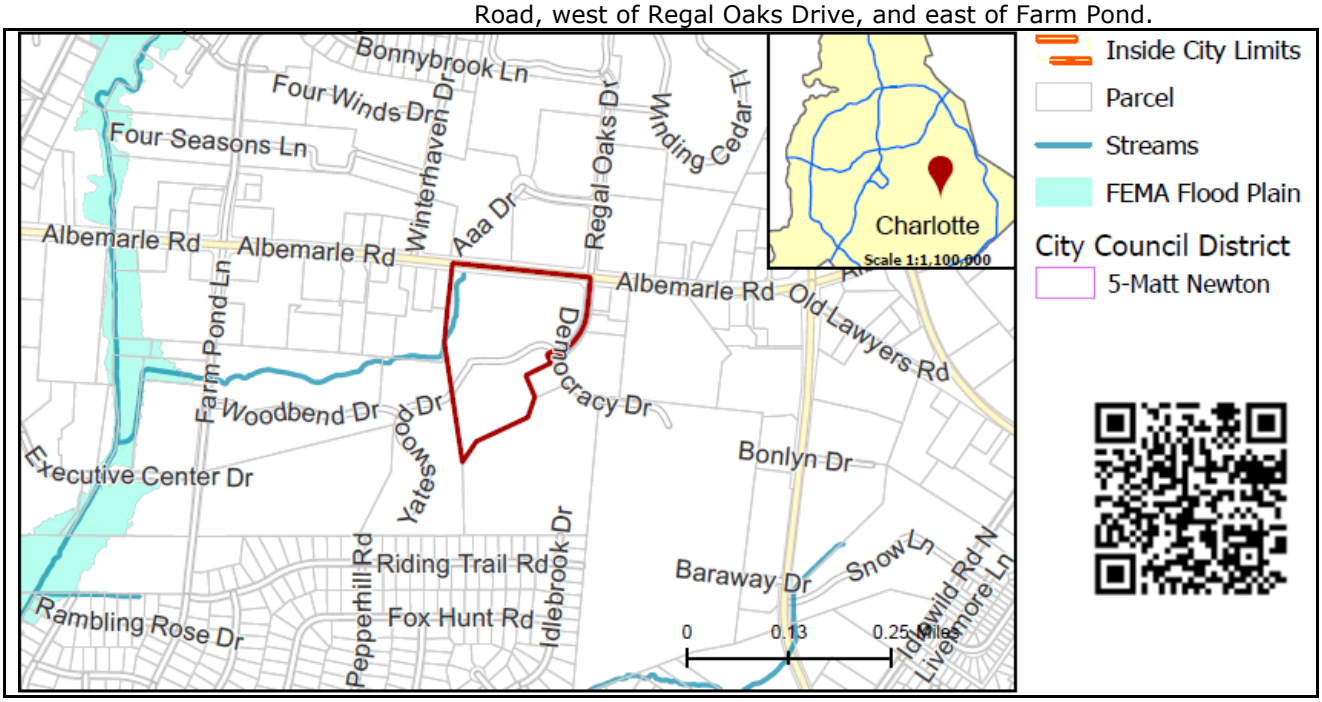
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-065
Pre-Hearing Staff Analysis
July 20, 2020

REQUEST	Current Zoning: O-1 (office) Proposed Zoning: R-17MF (multi-family residential)
LOCATION	Approximately 15.84 acres located on the south side of Albemarle Road, west of Regal Oaks Drive, and east of Farm Pond.



SUMMARY OF PETITION	The petition proposes to allow all uses in the R-17MF district. It is a conventional petition.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Triangle Woodbridge Inc. Herman E. Ratchford Donald D. Smith, Robinson & Sawyer, Inc.
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Eastland Area Plan (2003)* recommendation for Single Family/Multi-Family/Office/Retail for this site. The *General Development Policies* guidelines support up to 17 DUA for the site.

Rationale for Recommendation

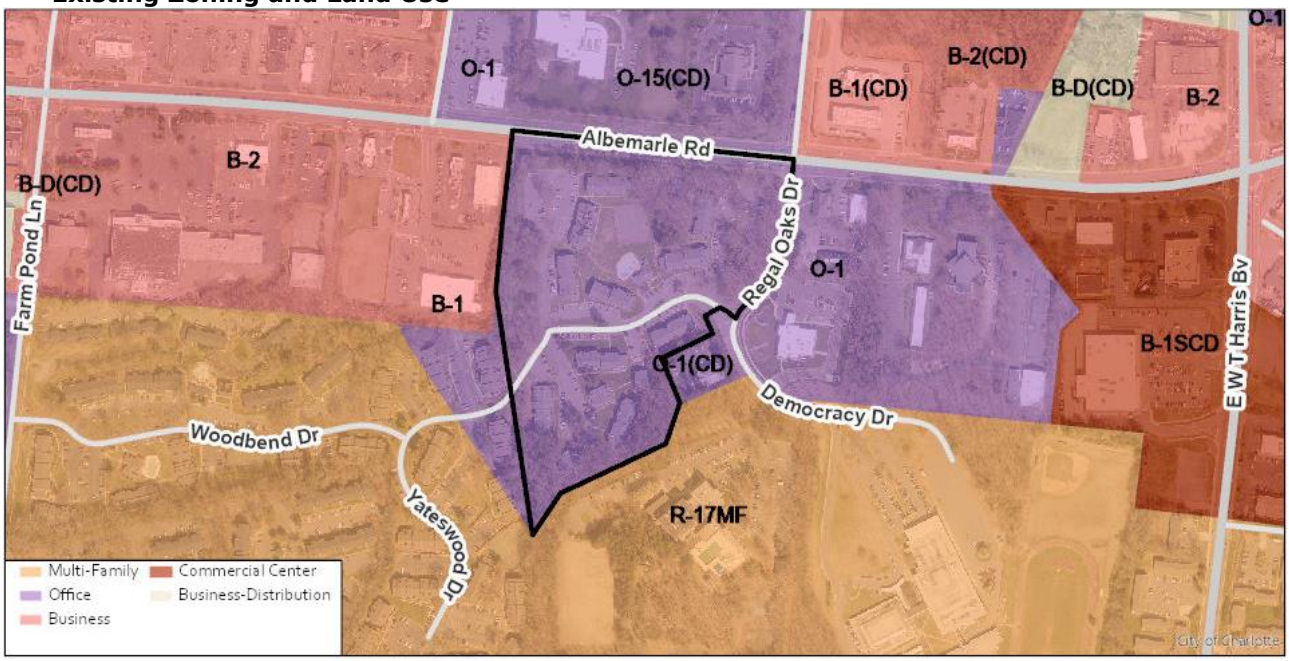
- The site is currently developed with multi-family residential.
- The site is adjacent to other multi-family residential use in R-17MF zoning districts.
- The density increase from 12 DUA in O-1 to 17 DUA in R-17MF is consistent with other multi-family developments in the broader area zoned R-17MF. In addition multi-family up to 22 dwelling units per acre would be allowed in the surrounding B-2 zoned areas.
- The proposed zoning would allow up to 17 units per acre, as supported by the *General Development Policies*.

- The site is located in an area with a mix of uses appropriate for moderate density multi-family use.

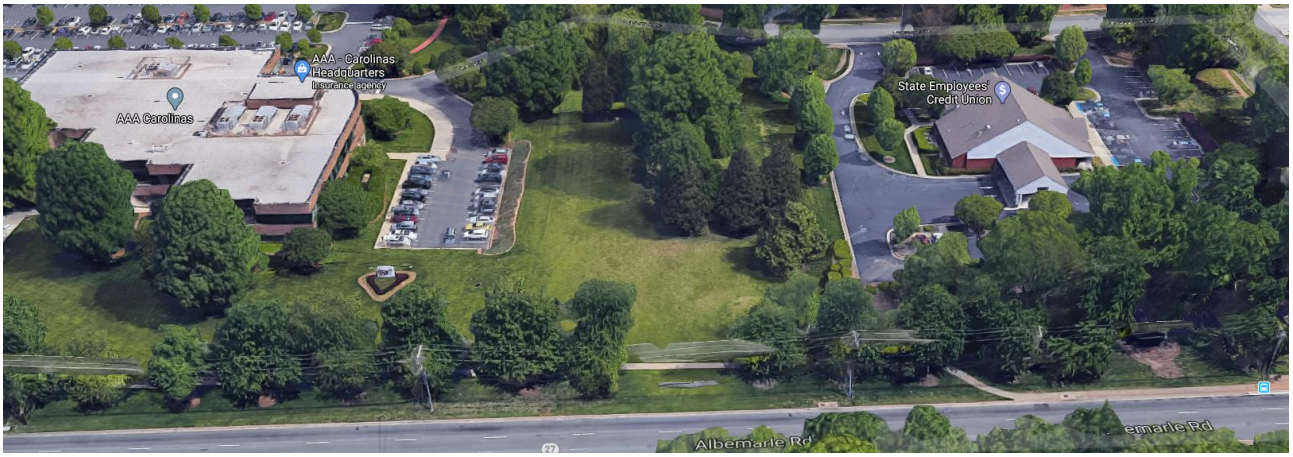
PLANNING STAFF REVIEW

- **Proposed Request Details**
  This is a conventional rezoning petition with no associated site plan.
  - Allows all uses permitted in the R-17MF zoning district, which is a multi-family residential zoning district.

- **Existing Zoning and Land Use**



The area is developed with a mix of uses including commercial, office, institutional and multi-family residential. The site, indicated by the red star, is adjacent to other multi-family development in R-17MF zoning to the southwest.



North of the site, across Albemarle Road is an office and financial institutional use.

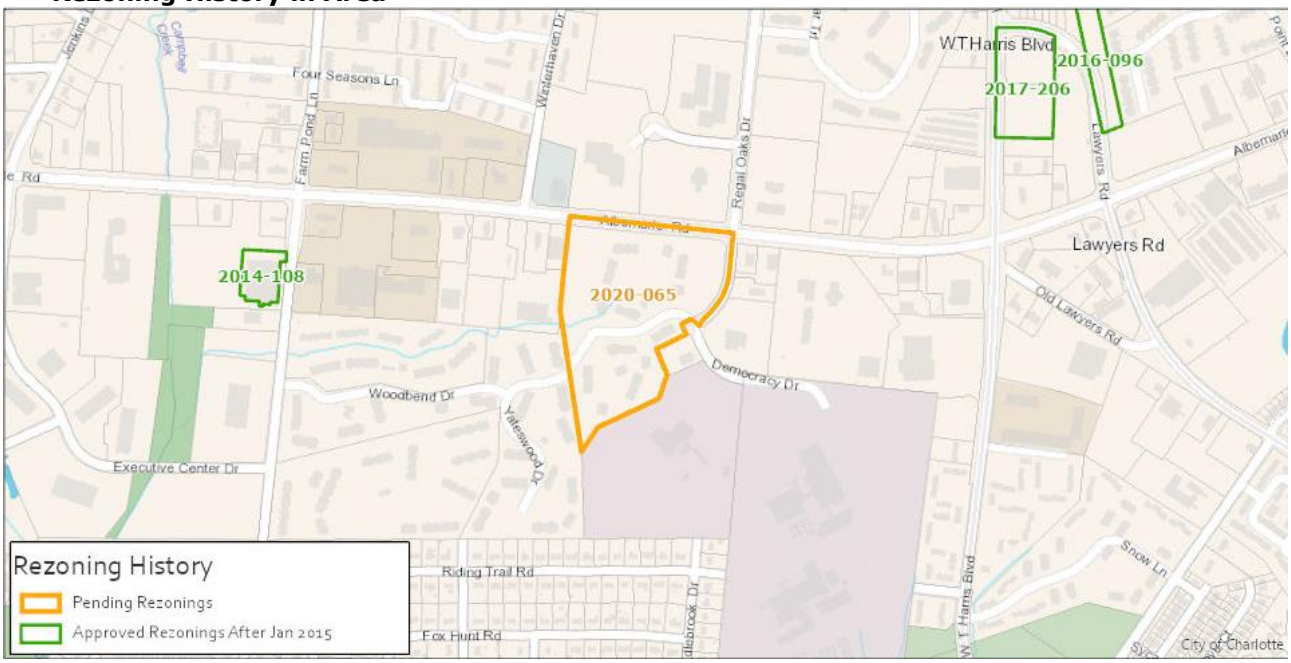
East of the site, across Royal Oaks Drive are medical office uses.

South of the site is Simmons YMCA.

Also south of the site along Yateswood and Bentwood Drives is multi-family use.

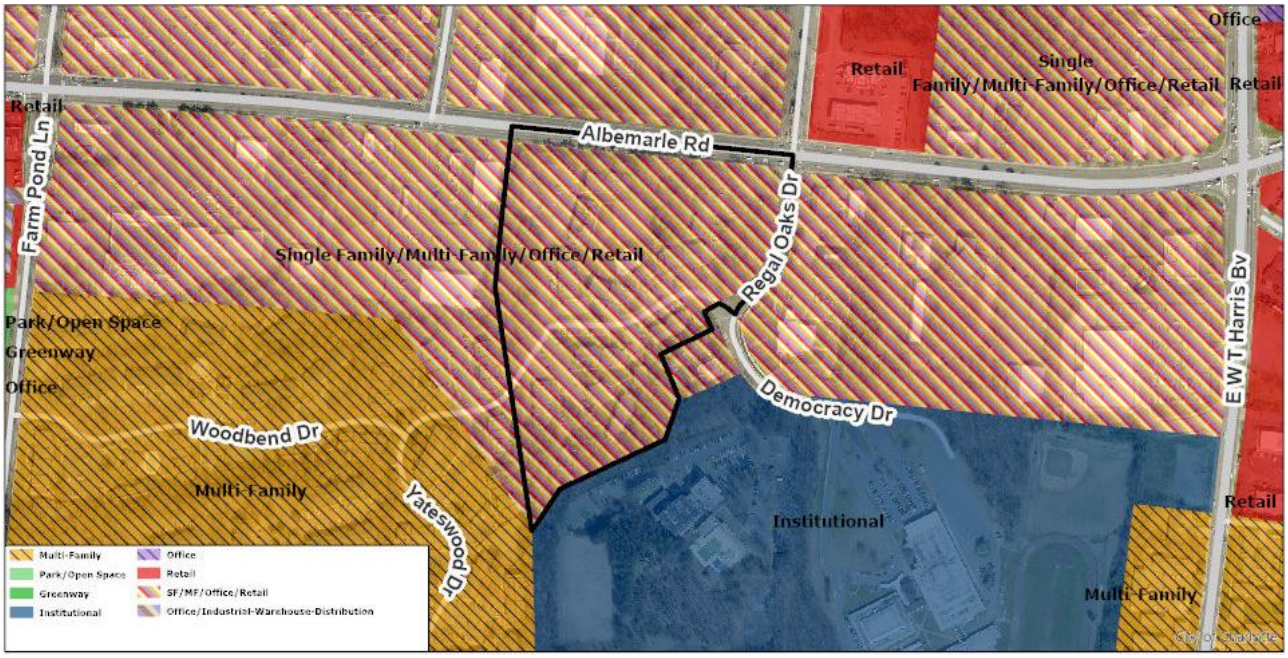
West of the site along Albemarle Road are commercial uses.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2014-108	1.4 acres west of site on Farm Pond Lane to B-D(CD) to allow self storage use.	Approved
2016-096	1.5 acres northeast of the site on Lawyers Road to O-2.	Approved
2017-206	3.3 acres northeast of the site on Lawyers Road to B-2(CD) to allow commercial uses including a car wash and uses with accessory drive-thru service window.	Approved

- **Public Plans and Policies**



- The *Eastland Area Plan* recommends Single Family/Multi-Family/Office/Retail for this site.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	**Density Category – up to 17 dua**
Meeting with Staff	1
Sewer and Water Availability	3
Land Use Accessibility	3
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	**Total Points: 13**

- **TRANSPORTATION SUMMARY**
  - The petition is located on the southwest corner of the intersection of Albemarle Rd. (a commercial thoroughfare) and Regal Oaks Dr. (a collector street). Yateswood Dr. bisects the site. Albemarle Rd. is maintained by NCDOT, Regal Oaks Dr. is maintained by the City of Charlotte, and Yateswood Dr. is currently a private street, but would be a collector street if it were public. The petition is located in a designated Wedge outside Route 4. Regal Oaks Dr. connects to Democracy Dr., which currently dead-ends into Albemarle Road Middle School but is set up to be extended to Harris Boulevard. The site is located on a commercial thoroughfare and two collector streets. Albemarle Road and Regal Oaks has sidewalk at the back of curb. CDOT will work with the petitioner during the permitting to meet the required ordinance for multi-family land use by the Subdivision ordinance.
- **Active Projects:**
  - NA
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 1410 trips per day (based on 192 apartment dwellings).

  Entitlement: 1660 trips per day (based on 158,400 square feet of office).

  Proposed Zoning: 1990 trips per day (based on 269 apartment dwellings).

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:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 48 students, while the development allowed under the proposed zoning may produce 68 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 20 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Albemarle Road Elementary from 120% to 125%
    - Albemarle Road Middle from 125% to 127%
    - Independence High from 121% to 122%.
  - **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Democracy Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Democracy Drive. Insert location information from memo. No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No outstanding issues.
  - **Erosion Control:** No outstanding issues.
  - **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 outstanding issues.

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

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