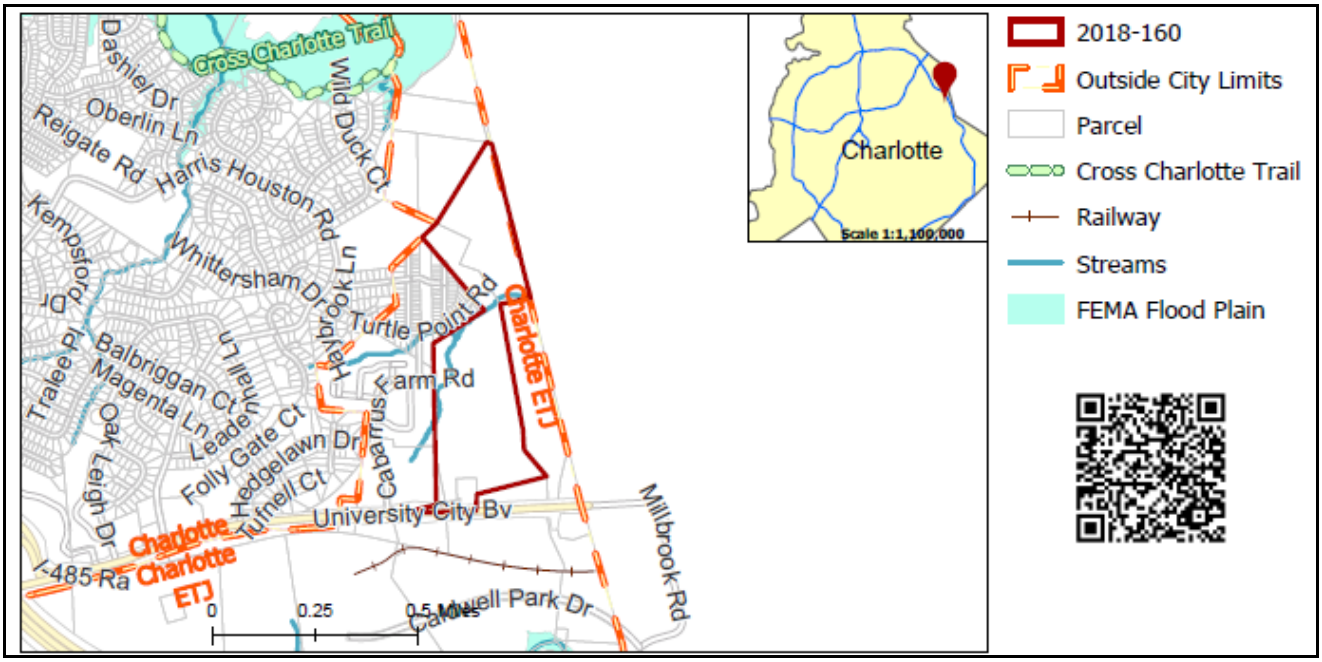
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-092
Pre-Hearing Staff Analysis
July 20, 2020

REQUEST	Current Zoning: MX-1 (mixed residential) Proposed Zoning: MX-2 (mixed residential)
LOCATION	Approximately 93.86 acres located on the north side of University City Boulevard at the Mecklenburg County/Cabarrus County line.



SUMMARY OF PETITION	The petition is requesting to rezone approximately 93.86 acres in the NE portion of the County to allow for the construction of a residential community in northeast Charlotte consisting of single family detached, and multi-family development at a density of up to 6 dwelling units per acre (DUA).
PROPERTY OWNER	Samuel C. and James C. Johnson, Johnson Farming Limited Partnership
PETITIONER	Keith Saieed, K Sade Ventures
AGENT/REPRESENTATIVE	John Carmichael, Ty Shaffer; Robin Bradshaw
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

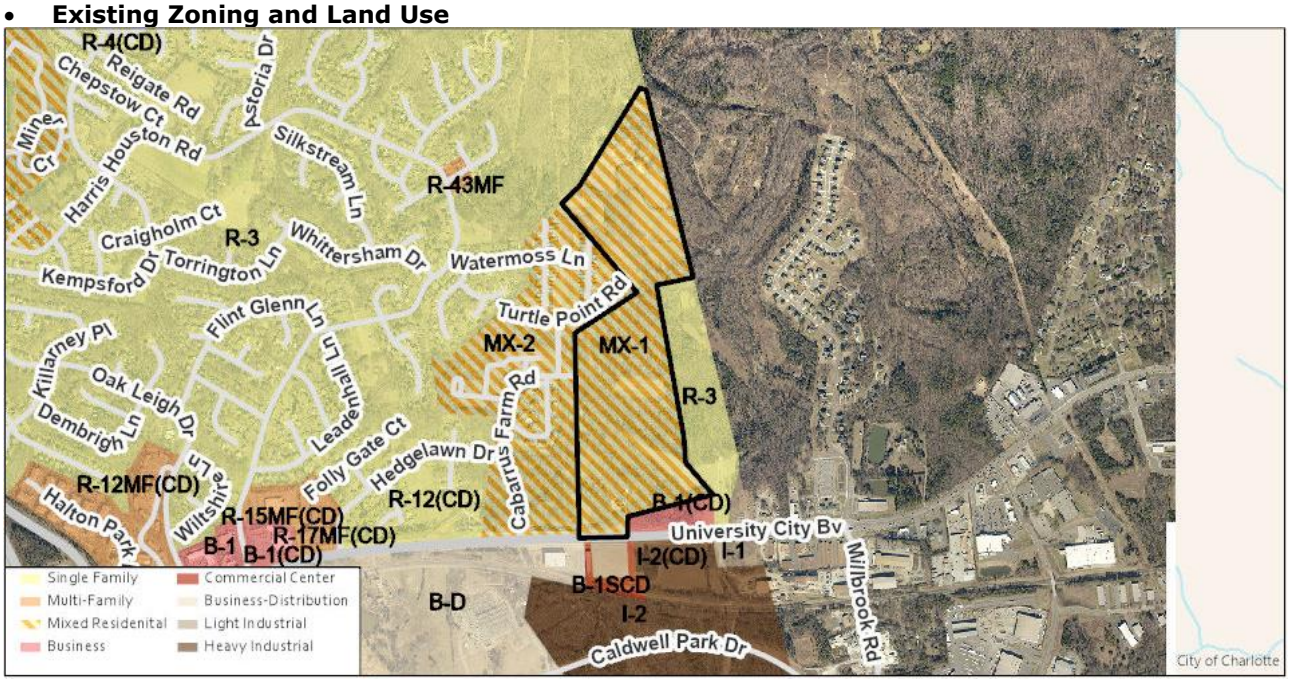
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design. <u>Plan Consistency</u> The petition is **consistent** with the *Northeast District Plan* recommendation (as amended by petition 2018-160) for residential uses up to six DUA. <u>Rationale for Recommendation</u> • The request to modify the zoning district does not change any prior entitlements from the approval of rezoning petition number 2018-160

- The request for the rezoning addresses a note in the approved plan that incorrectly indicates that more than 50 percent of the dwelling units within the MX-1 district could be multi-family dwelling units. MX-2 allows the proposed unit mixture (250 single family detached and 288 multi-family dwelling units), while the previously approved MX-1 does not.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - A rezoning of the subject property MX-1 to MX-2 to permit more than 50 percent of dwelling units to be multi-family dwelling units; all entitlements remain unchanged from petition 2018-160.

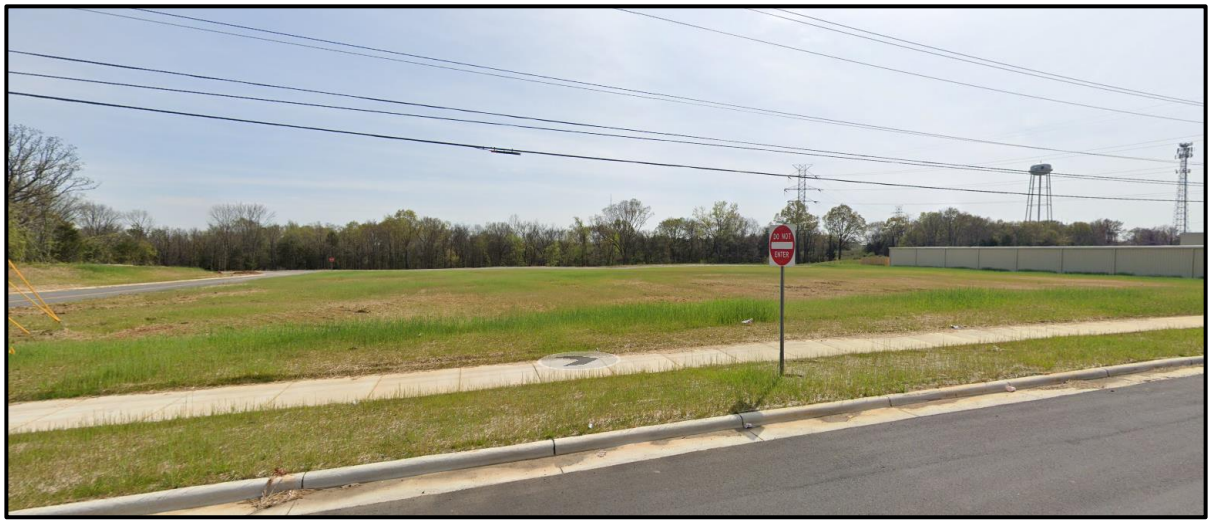
- **Existing Zoning and Land Use**



- The site is bounded by a mixed residential development immediately east and by other single family residential developments. The land uses along this portion of University City Boulevard consist of a mixture of commercial and light industrial development. These land uses continue into Cabarrus County. The rest of the site is bounded by the Cabarrus County line and a mixture of forested and farmed land.

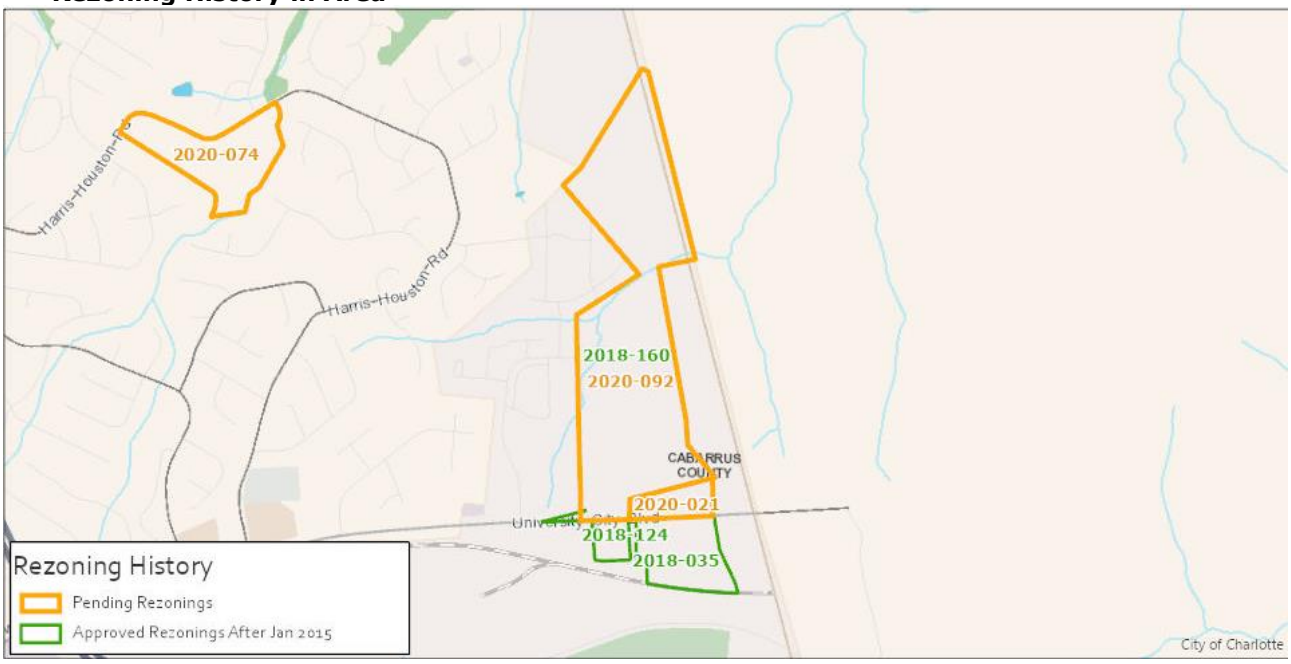
- Aerial map of general site boundary delineated by red lines.

- The subject property is shown above with the red star. The site south of the subject across University City Boulevard has been partially developed with self-storage units.



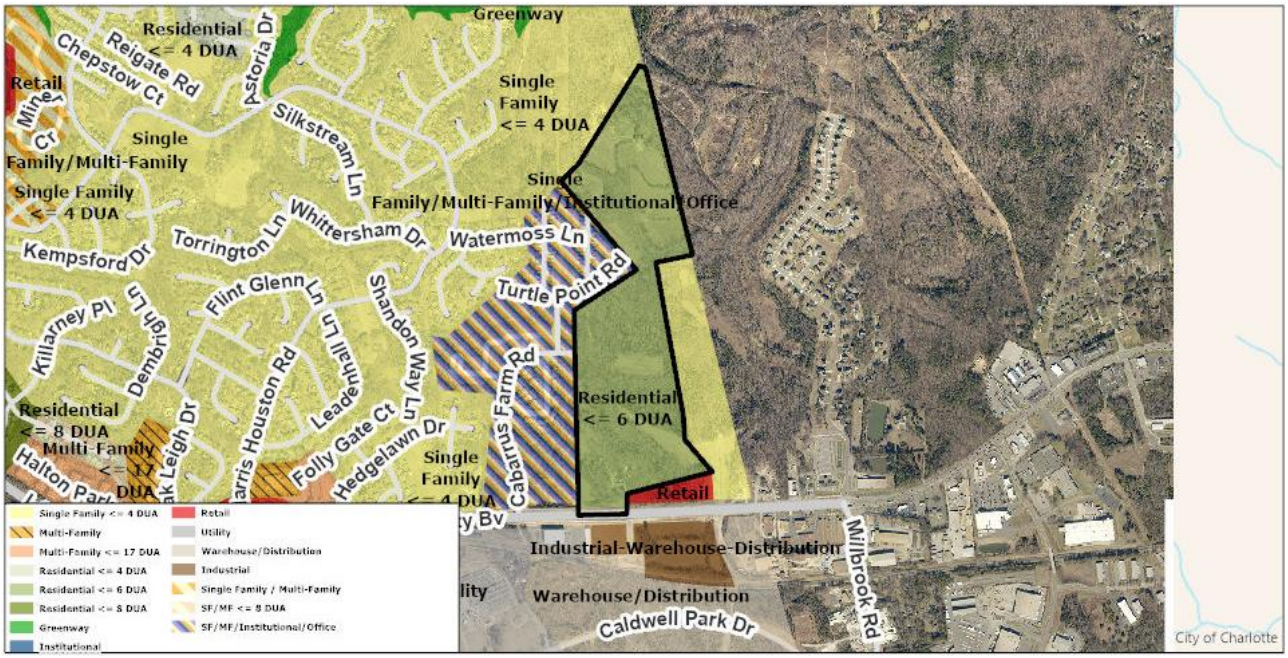
- Looking south across US 49 from subject property. Self-storage site is located to the far right of the image.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-074	Petition to permit the construction of age restricted rental units.	Pending
2018-160	Petition to permit a mixture of up to 538 single and multi-family housing units.	Approved
2018-035	Petition to permit up to 120,000 square feet of uses permitted in the I-1 (light industrial) district that are also allowed in the I-2 (general industrial) district, plus certain additional uses permitted in the I-2 district; and 5,000 square feet of retail, personal service, and EDEE (eating/drinking/entertainment) uses, with or without an accessory drive through window.	Approved
2018-124	Conventional rezoning to allow development of all uses permitted in the I-1 (light industrial) district.	Approved

- **Public Plans and Policies**



  - The site is within the *Northeast District Plan* (1996) and recommended for residential uses up to six DUA.

- **TRANSPORTATION SUMMARY**
  - This site is located along a Major Thoroughfare. This petition changes the rezoning district that will not impact any of the transportation improvements required under the previously approved Rezoning Petition #:2018-160. The petitioner has committed to upgrading streetscape to 8' planting strip and 12' Multi-Use path as prescribed for this area on University City Boulevard. Additionally, under Rezoning Petition #:2018-160, the petitioner submitted a Traffic Impact Study that was approved by both CDOT and NCDOT. The TIS recommendations are included in conditional notes for Rezoning Petition # 2018-160.
- **Active Projects:**
  - N/A
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 10 trips per day (based on one single family dwelling).

  Entitlement: 2,690 trips per day (based on 281 single family dwellings).

  Proposed Zoning: 4,550 trips per day (based on 250 single family dwellings and 288 multi-family units).

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.
- **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 would generate approximately 171 students, while the development allowed under the proposed zoning will generate approximately 326 students. Therefore, the net increase in the number of students is 155 students.
  - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Stoney Creek Elementary from 110% to 129%
    - James Martin Middle from 78% to 85%
    - Zebulon Vance High from 119% to 125%

- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to Charlotte Water to serve this parcel. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. Charlotte Water cannot provide concurrence for this rezoning boundary at this time. See remaining comments at www.rezoning.org.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** See advisory comments at www.rezoning.org.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** See Outstanding Issues, Note 3.
- **Mecklenburg County Land Use and Environmental Services Agency:**
- **Mecklenburg County Parks and Recreation Department:** See advisory comments at www.rezoning.com.

OUTSTANDING ISSUES

Site and Building Design

1. Remove optional provisions (items 8, 9, and 10) as this district does not have optional provisions available.

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

Planner: Will Linville (704) 336-4090