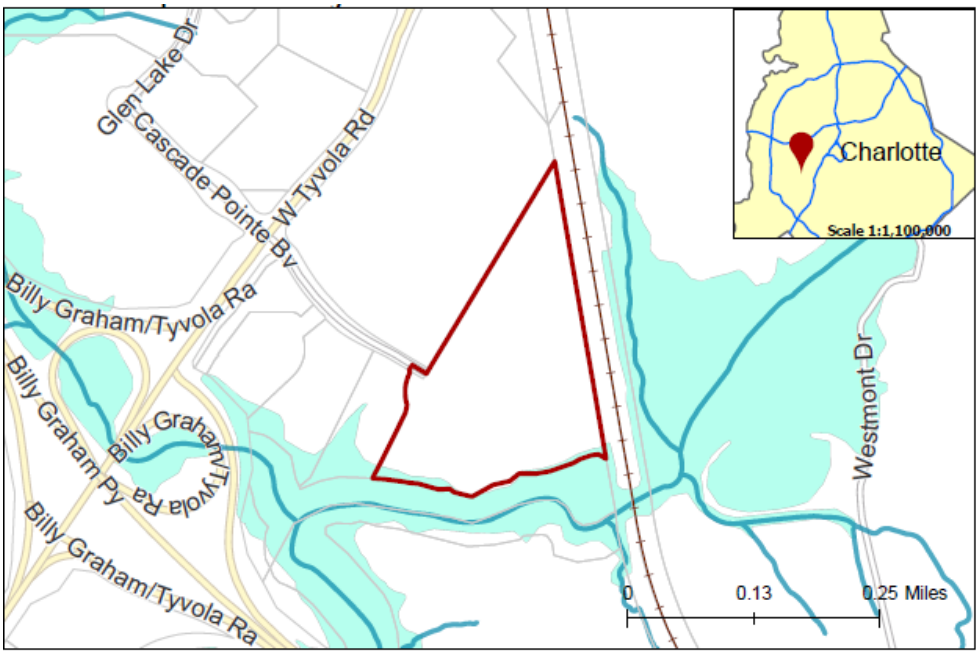
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-062
Pre-Hearing Staff Analysis
July 19, 2021

REQUEST	Current Zoning: I-1(CD) (light industrial, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 24.4 acres located southeast of W. Tyvola Road and northeast of Billy Graham Parkway, west of Interstate 77 from I-1(CD) to UR-2(CD).



2021-062
Inside City Limits
Parcel
Railway
Streams
FEMA Flood Plain
City Council District
3-Victoria Watlington

SUMMARY OF PETITION	The petition proposes rezone a vacant parcel in west Charlotte to UR-2(CD) to allow up to 80 single family attached dwelling units and 310 multi-family dwelling units.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	CK Lakepointe Corporate Center Associates, LLC c/o Childress Klein Childress Klein Properties & Dominion Realty Partners Keith MacVean, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 0

STAFF RECOMMENDATION	Staff does not recommend approval of this petition. <u>Plan Consistency</u> The petition is **inconsistent** with the adopted *Central District Plan (1993)* recommendation of light industrial. The petition is **inconsistent** with *General Development Policies (GDP)* recommendation for density up to 17 dwelling units per acre for the site. <u>Rationale for Recommendation</u> • The adopted plan calls for calls for employment/light industrial for this site and the proposed rezoning is inconsistent with the plan recommendation.

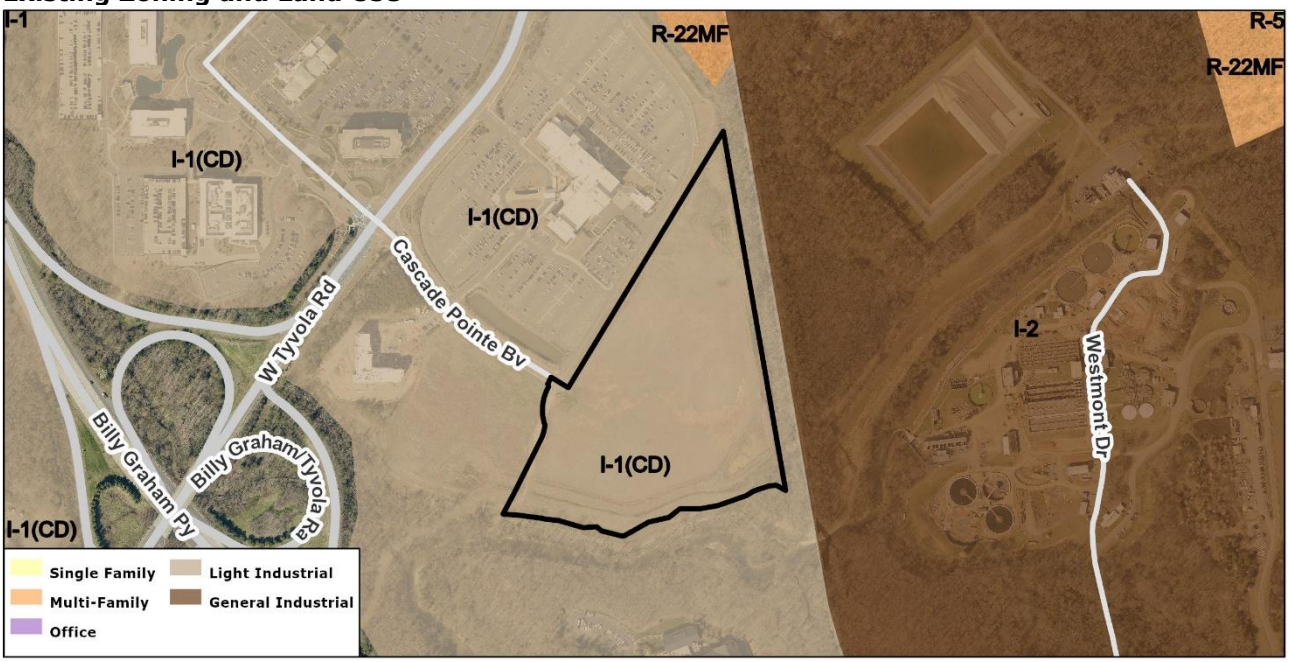
- The existing surrounding land uses, including the wastewater treatment facility, and the proximity to the railroad right of way are not compatible with the proposal.
- This petition would reduce available land for industrial which is important for job creation within the region.
- The proposed development does not meet the locational criteria per the *General Development Policies (GDP)* for the proposed density of 16 DUA.
- This site is not located near retail and services which is contrary to the 10 minute neighborhood goal.
- The site plan does not provide adequate separation and screening from the more intense surrounding uses such as the VA hospital.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from light industrial to residential up to 17 DUA for the site.

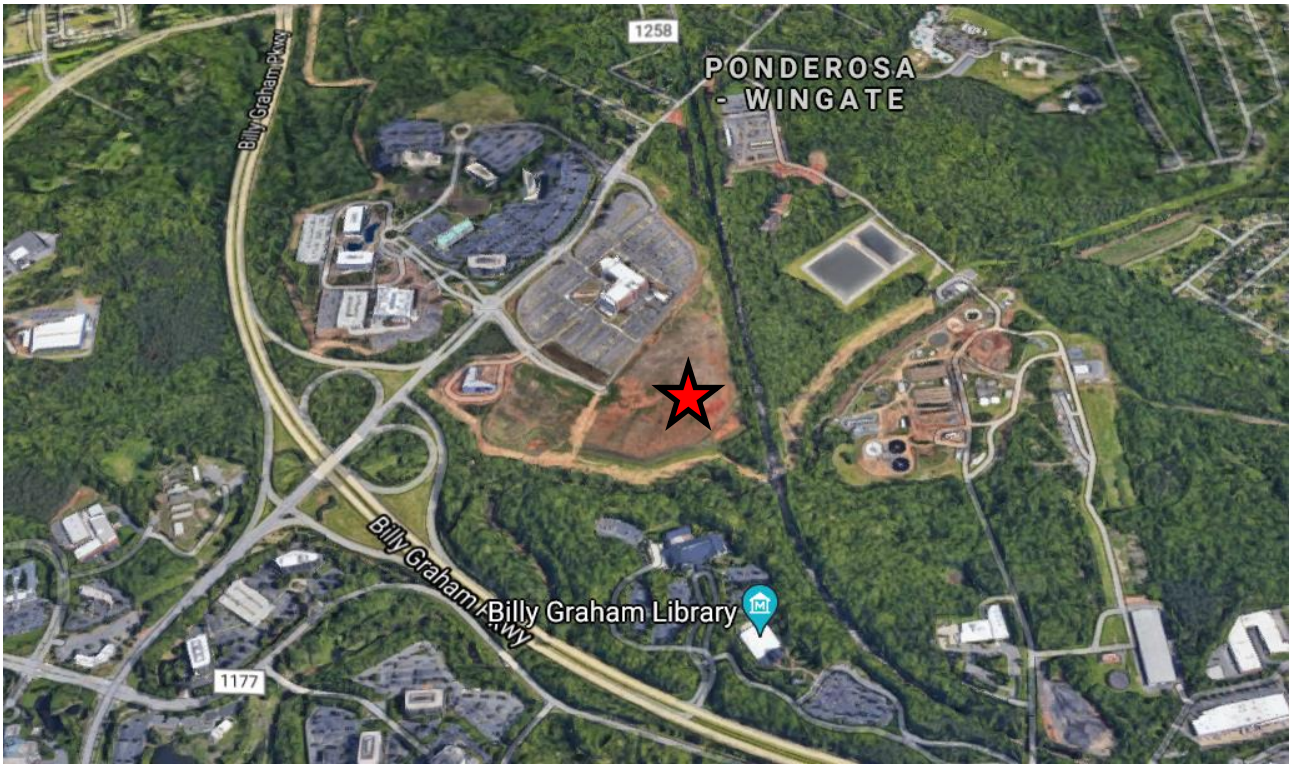
PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows up to 80 single family attached dwelling units within Development Area A and up to 310 multi-family dwelling units within Development Area B with an overall project density of 16 dwelling units per acre (DUA).
  - Limits building height to 48’ on a maximum of 16 buildings in Development Area A and 62’ in height on a maximum of 11 buildings in Development Area B.
  - Commits to transportation improvements including:
    - A new public street extending from Cascade Point Blvd through the site.
    - Extends Perimeter Point Parkway
    - Creates access to the site from Cascade Point Blvd and Perimeter Point Parkway
    - Requires a minimum 6’ sidewalk on all public/private streets
  - Coordinates with Mecklenburg County Parks and Recreation a connection from Development Area B to Irwin Creek Greenway.
  - Provides architectural design standards that address building façade, pedestrian connection, number of units per building, and garage setbacks.
  - Allows on-street parking on the extension of Cascade Point Blvd in locations generally shown on the rezoning plan.
  - Provides a minimum of 3,000 square feet of open space in Development Area A and a minimum of 6,000 square feet of open space in Development Area B.
  - Limits detached site lighting to 25’ in height that must be decorative, capped, and downwardly directed.

- **Existing Zoning and Land Use**



The site was rezoned to I-1(CD) in 2002 under petition 2002-074. The surrounding area is developed with industrial, hotel, office, and institutional uses.



The site, marked by a red star, is currently vacant.

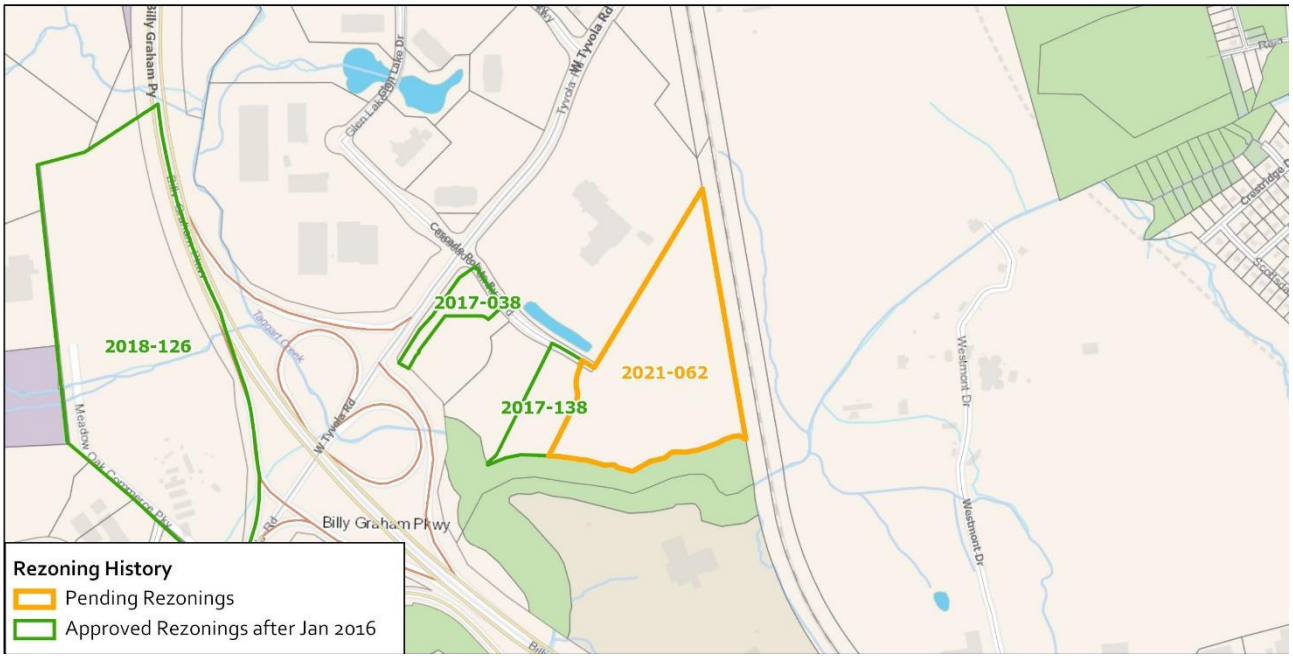
The area to the north the site is developed with a railroad.

The area to the south is the Irwin Creek and Billy Graham Library. The subject property is marked with a red star.

The property to the east of the site is a waste water treatment center. The subject property is marked with a red star.

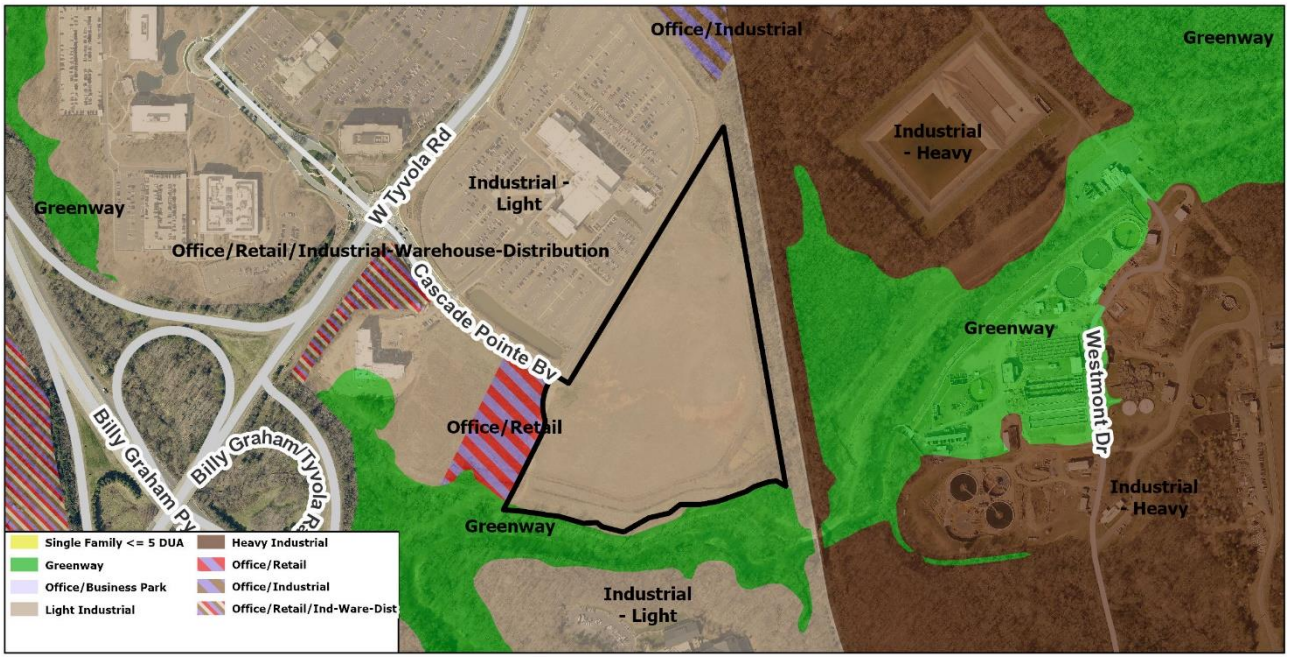
The properties to the west of the site consist of a hotel and the Veterans Administration Hospital.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-038	The petition rezoned site to I-1(CD) SPA (light industrial, conditional, site plan amendment) for the development of 10,000 square feet for retail, office, and EDEE (eating/drinking/entertainment establishments) and to remove the restriction for no drive-through accessory windows.	Approved
2017-138	The petition rezoned site to I-1(CD) SPA (light industrial, conditional, site plan amendment) to allow the development of a vacant parcel for a hotel with 130 rooms or 75,000 square feet of office uses.	Approved
2018-126	The petition rezoned site to I-1(CD) AIR (light industrial, conditional, Airport Noise Overlay) the development of an office park or an office/warehouse/distribution park.	Approved

- **Public Plans and Policies**



- The *Central District Plan (1993)* calls for employment/light industrial for this site.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition does not meet 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	2
Land Use Accessibility	2
Connectivity Analysis	3
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 13	**Total Points: 12**

- **TRANSPORTATION SUMMARY**
  - The site is located at the existing stub street stub of Cascade Point Boulevard, a City-maintained local street, behind the South Charlotte VA Clinic on Tyvola Boulevard. Additionally, in accordance with the City's WALKS Policy, the petitioner has proposed an internal pedestrian network that will provide connectivity to the existing network on Tyvola Road. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to clarifying the limits of the private and public street network, revising conditional notes associated with the street network and the Irwin Creek Greenway Connection, and incorporating a three-way intersection with appropriate curb ramps within the internal street network. Further details are listed below.
- **Active Projects:**
  - N/A
- **Transportation Considerations**
  - See Outstanding Issues, Notes 6-8.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 0 trips per day (based on vacant land).

  Entitlement: 21,885 trips per day (based on 2,265,000 SF office).

  Proposed Zoning: 2,255 trips per day (based on 80 townhomes and 310 multi-family units).

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:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 60 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 60 students.
  - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Reid Park Elementary from 69% to 73%
    - Wilson Stem Middle from 90% to 92%
    - Harding University High from 129% to 130%.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity.

  Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Cascade Pointe Blvd. See advisory comments at www.rezoning.org
- **City Arborist:** No comments submitted.
- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No outstanding issues.

OUTSTANDING ISSUES

Land Use

1. Project is inconsistent with the area plan recommendation. Staff does not support residential development in this location.

Site and Building Design

2. Please provide a buffer between the hospital and the proposed residential. Although a buffer is not required in UR, the Zoning Ordinance would require a 37.5' class B buffer for developing residential in multi-family zoning districts (i.e. R-17MF, etc.) abutting an industrially zoned property. Due to the intensity of the abutting hospital, a similar buffer should be provided here.
3. Please provide additional separation for the townhome units from the railroad right of way.
4. Include sidewalks on both sides of proposed private street.
5. Remove note 7.c.v from the plan.

Transportation

6. Revise site plan and conditional note(s) by clarifying the cross section associated with the private street. If the proposed private street is intended to be constructed in accordance with the Local Residential Wide Section, then the site plan needs to clearly label the private street as such. Reference the CLDSM U-03A Local Residential Wide Section for the proposed public street cross section. Secondly, given the proposed density, 8-foot planting strips and 8-foot sidewalks are required along all public street frontages. Revise Cross Section 2 on sheet RZ-2 to incorporate an 8-foot sidewalk, if the street is intended to be public. Third, clearly label the proposed private and public streets and cross sections on the sheet RZ-2, and verify the conditional notes' accuracy and revise accordingly referencing public or private streets, specifically note 3.a. Streets and cross sections shall not be labeled Public/Private and there will be no ambiguity associated with the limits of the public and private street(s) network.
7. Revise the site plan and conditional notes by removing the parking lot access driveway located in the curve of the private street. Revise the site plan and conditional notes to commit to

constructing this newly aligned roadway/driveway network as an all-way stop intersection with appropriate stop signs and stop bars. Additionally, commit to constructing ADA curb ramps to cross each leg of the intersection.

8. Revise the site plan and conditional notes by committing to coordinate with Mecklenburg County Parks and Recreation to create a connection to the Irwin Creek Greenway.
9. Revise note 8b that all sidewalks will be a minimum of 6'.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

10. Please revise note 8a - inconsistent with other setbacks shown and listed.
11. Please provide the existing site layout for the hospital so it is clear how this site interacts with the neighboring hospital.

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

Planner: Lisa Arnold (704) 336-5967