
REQUEST	Current Zoning: R-4 (single family residential) and MX-1 INNOV (mixed use, innovative) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 5.63 acres including 2.707 acres located on the west side of Statesville Road between Cindy Lane and Cochrane Drive and approximately 2.925 acres located on the east side of Meadow Knoll Drive and the north side of Cindy Lane near where Cindy Lane passes over Interstate 77. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to add undeveloped parcels to a previously approved residential development (O'Dillon Lakes - rezoning petition 2015-082), generally located east of Interstate 77 and north of Cindy Lane.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Mark S. Butler and Susan Butler, et al Charlotte-Mecklenburg Housing Partnership, Inc. Jeff Brown, Keith MacVean, and Bridget Dixon
COMMUNITY MEETING	Meeting is required and has been held. Report available online.
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none">• The Zoning Committee found this petition to be consistent with the <i>Northeast District Plan</i> and inconsistent with the <i>General Development Policies</i>, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The proposed residential use is consistent with the <i>Northeast District Plan</i>;• However, the requested residential density of 11.66 units per acre is not supported by the <i>General Development Policies</i>.• However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The proposed request adds additional property to the O'Dillon Lakes residential development which was originally approved in 2015. The proposed rezoning will be the second phase of the development; and• The overall development will include up to 750 residential units. However, this rezoning will not increase the total number of units nor will it increase traffic or impacts on schools beyond what has already been entitled via approval of the 2015 rezoning; and• The petition expands the proposed O'Dillon Lakes development which will help to stabilize a once predominantly single family owner occupied neighborhood that is transitioning to a predominantly renter occupied /absentee owner neighborhood; and• The site is located within the Sunset/Beatties Ford Comprehensive Neighborhood Improvement Program (CNIP) Area, and this development complements the planned capital investments and supports the community enhancement goals for the area; and• The subject site will have access to recreation, natural area, lake, and open space areas within the larger O'Dillon Lakes community; <p>By a 5-0 vote of the Zoning Committee (motion by Labovitz seconded by Eschert).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Transportation</u></p> <ol style="list-style-type: none"> 1. The petitioner has added a note to Sheet RZ-01 that states "For Development Areas E.1 and E.2, there will be no new site access to Cindy Lane". 2. The petitioner has revised the site plan Conditional Note III.F. to read "...on Sheet RZ-02". 3. The petitioner has revised the site plan to add a conditional note on Sheet RZ-2 stating: "All transportation improvements shall be completed and approved prior to the issuance of the first building's certificate of occupancy." 4. The petitioner has revised the site plan by adding a note on Sheet RZ-01 identifying the extension of six-foot sidewalk along Cindy Lane as noted in III.H. Access and Pedestrian Circulation. 5. The petitioner has added language to Conditional Note III.a. that states "Access to the Site will be from Statesville Road <u>via a new access drive as depicted on the Site Plan, a new public street located on the southern edge of Development Area B.2, Meadow Knoll Drive</u> and from the roads constructed as part of Rezoning Petition No. 2015-082 as generally depicted on the Rezoning Plan." 6. The petitioner committed to remove the driveway access to Statesville Road as depicted on Sheet RZ-01 and modify note on same sheet to prohibit this driveway access, or remove the note in its entirety. <p><u>Environment</u></p> <ol style="list-style-type: none"> 7. The petitioner has submitted wetland letters indicating that the criteria for wetlands were not identified at the site. <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 8. Petitioner has revised the site plan to note the proposed maximum development for parcels B.2, E.1, and E.2 is up to 270 residential units. 9. The petitioner has amended Development Area B.2 acreage to read 2.707 acres, and acreage of Development Areas E.1 and E.2 has been amended to indicate 2.925 acres, totaling 5.63 acres.
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VOTE

Motion/Second: Eschert / Wiggins
 Yeas: Eschert, Labovitz, Majeed, Sullivan, and Wiggins
 Nays: None
 Absent: Lathrop and Watkins
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee, noting that the subject acreage will be part of a larger residential development known as O'Dillon Lakes (rezoning petition 2015-082), consisting of 750 residential units of various types. Staff stated that all outstanding issues were addressed by the petitioner, including removal of the driveway accessing Statesville Road.

Staff also noted that this petition is consistent with the residential land use recommendation in the *Northeast District Plan*, but the density is not supported as per the *General Development Policies*.

There was no discussion of this request.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW**Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Land Use
 - The petition proposes an additional phase to O' Dillon Lakes residential community development that was approved via rezoning 2015-082 to allow the construction of 750 residential units of different types on approximately 64.33 acres.
 - Allows construction of up to 270 residential dwelling units in the three development areas (Development Areas B.2, E.1, and E.2) to be added to the previously approved O'Dillon Lakes development.
 - However, this petition will not increase the total number of units for the entire development over the previously approved 750 units.
 - Development Area B.2:
 - Consists of approximately 2.707 acres and is located on the west side of Statesville Road between Cindy Lane and Cochrane Drive.
 - Allows construction of up to 150 multi-family residential units.
 - Development Areas E.1 and E.2:
 - Consists of approximately 2.925 acres located on the west side of Meadow Knoll Drive and the north side of Cindy Lane near where Cindy Lane passes over Interstate 77.
 - Permits up to 120 dwelling units in Development Areas E.1 and E.2 that may include single family detached units/lots, and/or attached dwelling units (duplex, triplex, quadraplex) and age-restricted multi-family units. The age restricted multi-family units may only be constructed on Development Area E.1 and may not exceed 110 units.
- Transportation

Proposed Transportation Improvements to be made in conjunction with the development include:

 - Meadow Knoll Drive: Extend proposed roadway in Development Area E.1 to connect to Meadow Knoll Drive located within the Meadowhill neighborhood.
 - Statesville Road and Cochrane Drive/Arvin Drive: Install a crosswalk on the Cochrane Drive leg of the intersection.
 - Cindy Lane and Hutchinson McDonald Road/Proposed Access "A":
 - Construct an eastbound left-turn lane on Cindy Lane.
 - Construct a westbound left-lane on Cindy Lane.
 - Construct a westbound right-turn lane on Cindy Lane.
 - Install a five-foot wide bike lane along the north side of Cindy Lane.
 - Construct proposed Access "A" with one entering lane and two exit lanes.
 - Modify, through remarking of the pavement, the leg of Hutchinson McDonald Road to include a northbound turn lane and a combined thru-right turn lane.
 - Install a crosswalk on the proposed Access "A" leg of the intersection.
 - Beatties Ford Road and Cindy Lane/Griers Grove Road: Install a crosswalk with pedestrian signal heads and pushbuttons on the north side of the intersection.
 - Cochrane Drive and Proposed Access "B": Install a pedestrian crosswalk on the proposed Access "B" leg of the intersection.
 - Statesville Road and Proposed Access "C": Install a pedestrian crosswalk on proposed access "C."
 - New streets constructed on the site will be public.
 - Individual driveway connections to Cindy Lane will be prohibited.
 - Extend six-foot sidewalk along Cindy Lane from the Site to the west to tie into existing sidewalk along the frontage of Tax Parcel 041-131-05.
 - No new site access to Cindy Lane for Development Areas E.1 and E.2.
 - Commitment that all transportation improvements to be completed and approved prior to the issuance of the first building's certificate of occupancy.
 - Construct a concrete pad for a bus passenger shelter along Statesville Road and Cindy Lane when development occurs along each roadway. Petitioner will coordinate the location of the pads with CATS during the land development approval process.
- Site and Building Design:
 - Limits building height for multi-family development to four stories; however, other dwelling types limited to three-story maximum.
 - Orients buildings in a way to enclose and define public space, open space and green space.
 - Provides commitments related to the treatment of ground floor elevations, materials for multi-family, architectural features such as porches, and façade treatments.

- Prohibits parking or maneuvering for parking between the proposed buildings and abutting public streets (except Cindy Lane if reverse frontage is utilized).
 - Prohibits the rear of proposed single family detached dwelling units from being oriented toward the proposed or existing public streets.
 - Provides a 20-foot “Class C” Buffer with a six-foot fence along the western property boundary of Development Areas E.1 and E.2.
 - Provides a 20-foot “Class C” Buffer where Development Area B.2 abuts an existing residential use.
 - Limits detached lighting on the site to 21 feet.
- **Public Plans and Policies**
 - The *Northeast District Plan* (1996) recommends single family up to four dwelling units per acre, for the 2.707-acre site identified as Development Area B.2.
 - The *Northeast District Plan* (1996), as a result of a subsequent rezoning (petition 2000-162), recommends single family up to six dwelling units per acres, for the 2.925-acre site⁴ included in Development Areas E.1 and E.2.
 - 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 11.66 dwellings units per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 12 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	1 (Low)
Connectivity Analysis	1 (Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 9

- **TRANSPORTATION CONSIDERATIONS**
 - This petition is an expansion of the area of an approved rezoning but does not expand the entitled land uses or trip generation of the original rezoning.
 - Existing Use: 270 trips per day (based on four single family dwelling units, a 3,600-square foot convenience store, and 3,182 square feet of warehouse uses);
 - Entitlement: 260 trips per day (based on 11 single family dwelling units and 20 townhome units).
 - Proposed Zoning: The number of trips per day will not be increased as the number of residential units will remain at 750 per rezoning petition 2015-082. The number of trips per day for the overall O’Dillon Lakes development is estimated at 5,600 trips per approved rezoning petition 2015-082 and the current rezoning.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** The developer must comply with the City’s Housing Policies if seeking public funding for this project.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** There will be no increase in students since the total number of units was taken into account with the previous rezoning (rezoning petition 2015-082).
- **Charlotte-Mecklenburg Storm Water Services:** Flooding and surface water quality impacts associated with impervious surfaces on this site are being addressed through compliance with the Post-Construction Stormwater Ordinance. Compliance may include installing devices that hold and slowly release runoff over time to reduce flooding potential, devices that filter pollutants from runoff before release to streams, preservation of vegetated stream buffer zones, preservation of upland trees and forested areas, or paying a mitigation fee in-lieu-of onsite stormwater control devices.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** Development of this site may require submission of an asbestos Notification of Demolition and Renovation to Mecklenburg County Air Quality due to possible demolition or relocation of an existing structure.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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