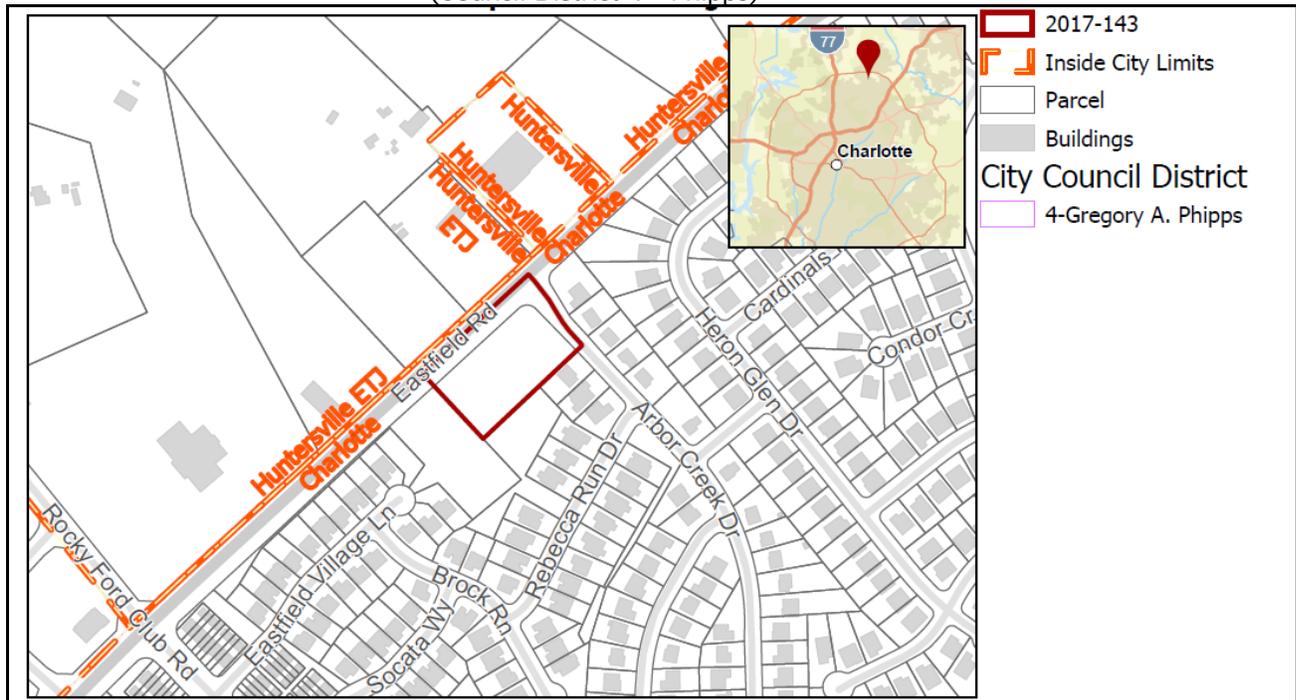


REQUEST

Current Zoning: INST(CD) (institutional, conditional)
Proposed Zoning: R-4 (single family residential)

LOCATION

Approximately 1.39 acres located on the southwest corner of Eastfield Road and Arbor Creek Drive.
(Council District 4 - Phipps)



SUMMARY OF PETITION

The petition proposes to rezone a vacant parcel of land to allow all uses permitted in the R-4 (single family residential) district. The site is currently vacant and generally surrounded by single family residential neighborhoods and townhomes. Across Eastfield Road are properties located within Huntersville extraterritorial jurisdiction.

PROPERTY OWNER

JDSI, LLC

PETITIONER

JDSI, LLC

AGENT/REPRESENTATIVE

N/A

COMMUNITY MEETING

Meeting is not required.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the adopted land use for the site, of residential up to four dwelling units per acre, as per the *Prosperity Hucks Area Plan*.

Rationale for Recommendation

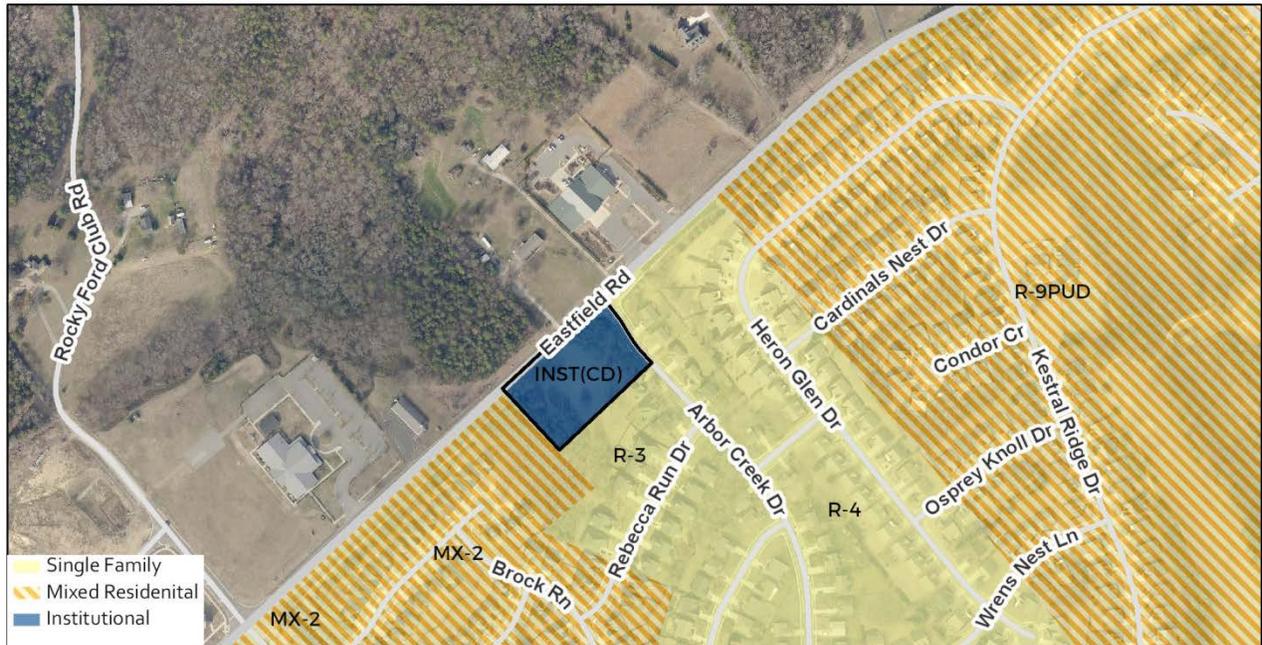
- The petition is consistent with the adopted land use for the site of residential up to four dwelling units per acre.
- The current Inst (CD) (institutional, conditional) zoning for the site is for a daycare facility, which was never constructed.
- The site backs up to single family parcels and is accessible from Eastfield Road.
- The proposed R-4 (single family) zoning is consistent with the surrounding residential zoning districts in the area which include R-3 (single family residential), MX-2 (mixed use district), and R-9PUD (residential, planner unit development).

PLANNING STAFF REVIEW

- **Proposed Request Details**

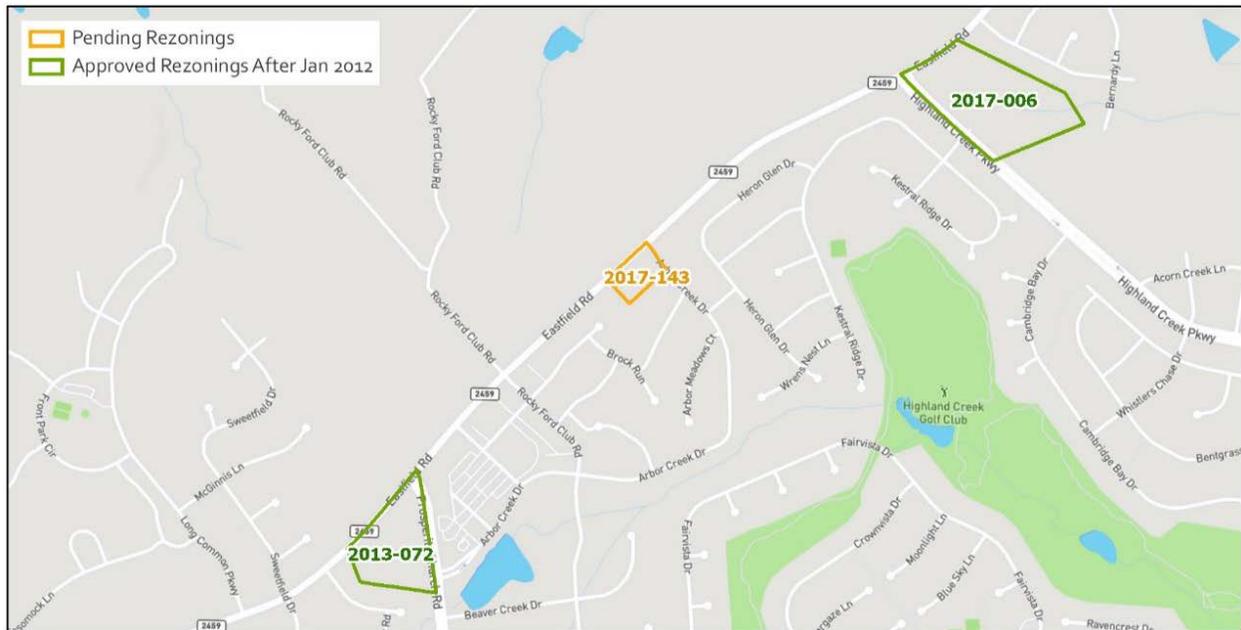
This is a conventional rezoning petition with no associated site plan. The R-4 (single family residential) district is designed to protect and promote the development of single family housing and a limited number of public and institutional uses including: religious institutions, schools of various types, and governmental buildings.

- **Existing Zoning and Land Use**



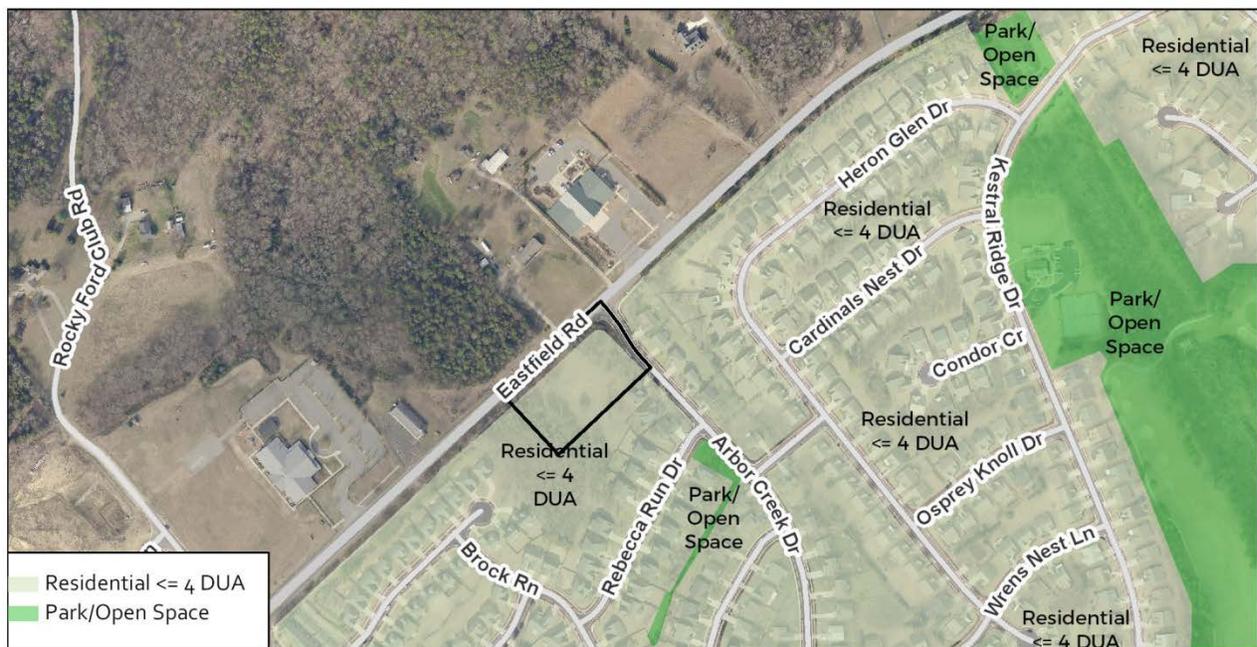
- The subject site is currently vacant and was rezoned from R-3 (single family residential) to INST(CD) (institutional, conditional) via rezoning petition 2005-009, in order to allow the construction of a 7,200 square foot child care center with up to 135 children.
- The rezoning site is generally surrounded to the northeast, east, south, and southwest by single family residential attached neighborhoods and a townhome community.. Across Eastfield Road are properties located within Huntersville extraterritorial jurisdiction.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-006	Rezoned 11.05 acres from NS (neighborhood services) to R-17MF(CD) in order to allow up to 190 age-restricted multi-family units in a single building.	Approved
2013-072	Rezoned 5.94 acres from R-3 (single family residential) to NS (neighborhood services) for the development of up to 22,000-square feet of commercial uses in two buildings, and allows all uses permitted in the NS (neighborhood services) district.	Approved

• **Public Plans and Policies**



- The *Prosperity Hucks Area Plan* (adopted 2015), recommends residential up to four dwelling units per acre for this site, as well as for the surrounding single family neighborhood.

- **TRANSPORTATION CONSIDERATIONS**

- The site is located at the unsignalized intersection of a major thoroughfare and a local street. CDOT will work with the petitioner during permitting to locate a planting strip and sidewalk in the correct location on Eastfield to accommodate the future four-lane divided with bike facilities street cross section and close the sidewalk gap along this frontage.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 0 trips per day (based on vacant land).
Entitlement: 530 trips per day (based on 7,200 square foot day care center per rezoning petition 2005-009).
Proposed Zoning: 70 trips per day (based on five dwellings; General Guidance from Planning).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce three students. Adequacy of existing school capacity in this area is a significant problem. We are particularly concerned about rezoning cases where school utilization exceeds 100% since the proposed development may exacerbate those situations. Approval of this petition may increase overcrowding and/or reliance upon mobile classrooms at the schools listed below.
 - The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
 - Parkside Elementary from 69% to 69%
 - Ridge Road Middle from 119% to 119%
 - South Mecklenburg High from 123% to 123%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing six-inch water distribution main located along Arbor Creek Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Eastfield Road and along Arbor Creek Drive.

Developer is encouraged to contact Installation Development Services (704) 336-5499 to review service connection design requirements and City Ordinances (e.g., backflow, separate meter Ordinance, public/private pipeline extensions). Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development. Contact the New Services group at (704) 432-5801 for further information on reserving capacity up to 12 months.

- **Engineering and Property Management:**

- **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets (Eastfield Road) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right of way.

No trees can be removed from or planted in the right of way of any City maintained street (Arbor Creek Drive) without permission of the City Arborist's office. Contact Laurie Reid (704-336-5753) at the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street; species must be approved before planting.

The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right of way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

- **Erosion Control:** No issues.
- **Land Development:** No issues.
- **Storm Water Services:** No issues.
- **Urban Forestry:** Site is in a wedge and will be required to provide 15% tree save based on gross acreage. 15% of 1.39 acres = 0.20 acres tree save. Show tree save area on site map in common open space. Tree save must contain existing healthy tree canopy. Tree save must be

30 foot width minimum.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

- None
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Claire Lyte-Graham (704) 336-3782