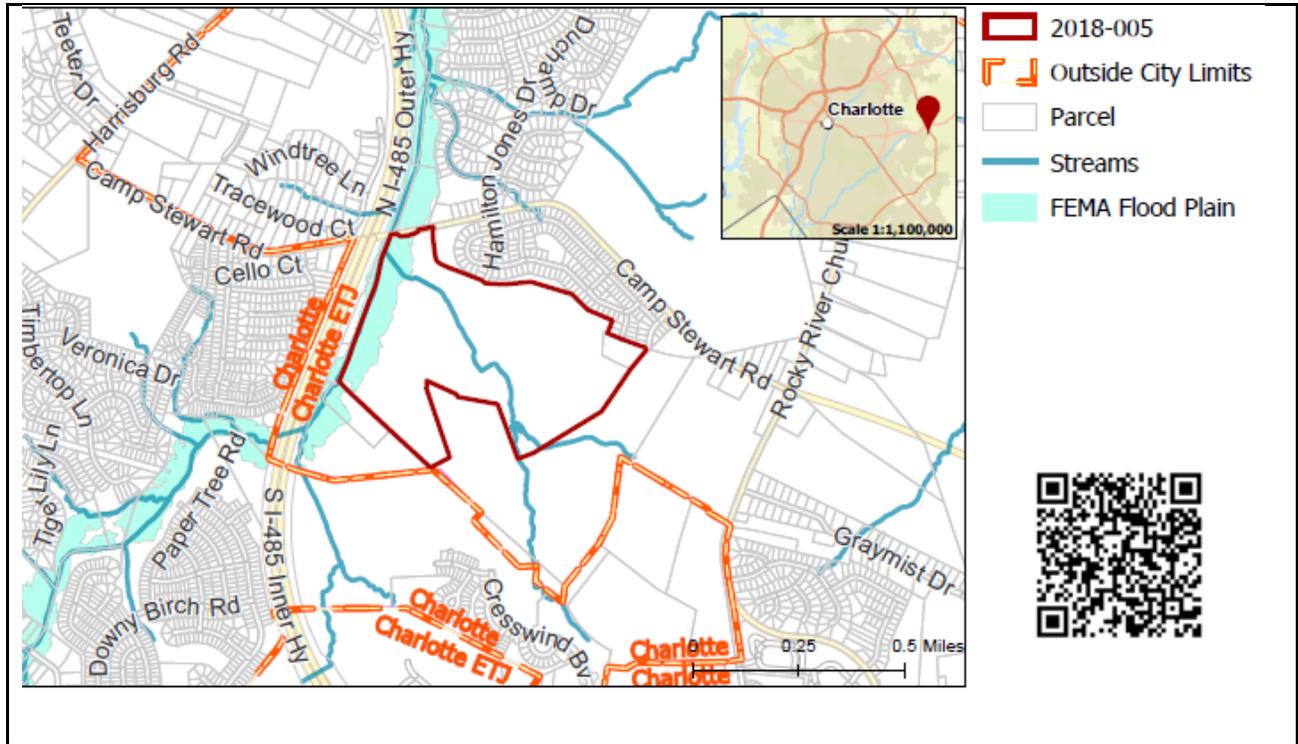


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-5(CD) (single family residential, conditional), with five-year vested rights.

LOCATION

Approximately 141.9 acres located on the south side of Camp Stewart Road east of Interstate 485, current site of Larkhaven Golf Course. (Outside City Limits)



SUMMARY OF PETITION

The petition proposes to allow redevelop the Larkhaven Golf Course to allow 350 single family detached dwelling units, at a density of 2.46 units per acre.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Larkhaven, Inc., and John L. and Angela C. Beck
Meritage Homes of the Carolinas, Inc.
Collin Brown and Bailey Patrick, Jr., K&L Gates LLP

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 27.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency
The petition is inconsistent with the *Albemarle Road/I-485 Interchange Study*, which recommends park and open space based on the current use of the site as a golf course.

Rationale for Recommendation

- The proposed request will allow the redevelopment of the site with single family detached residential uses and will allow site design flexibility on the property which is encumbered by flood plain.
- The proposed density of 2.46 dwelling units per acre is less than what is allowed under the current zoning and is less than the adopted plan recommendation of four dwelling units per acre.

- The new development will extend street stubs and provide street extensions to abutting properties which is consistent with the City Council connectivity policy.
- The request is compatible with the abutting established single family detached neighborhoods.
- The proposal exceeds the minimum 10% tree save requirement, with a total of 14.2 acres of tree save area, and a substantial amount of open space, at 56.7 acres.

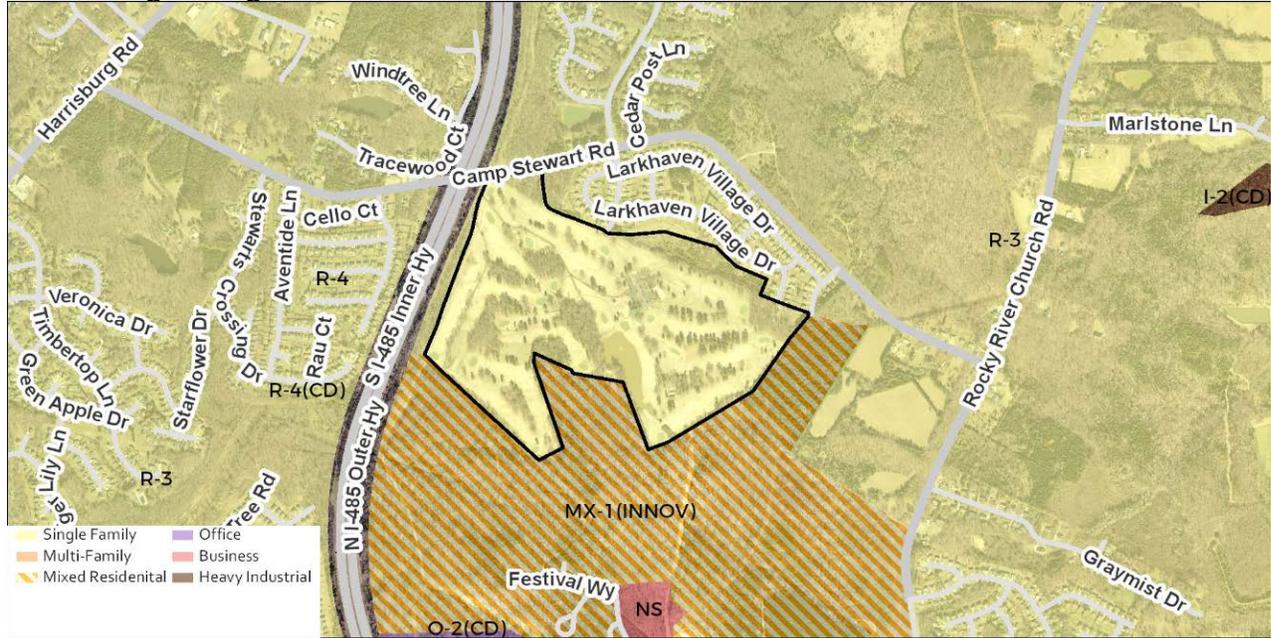
PLANNING STAFF REVIEW

• **Proposed Request Details**

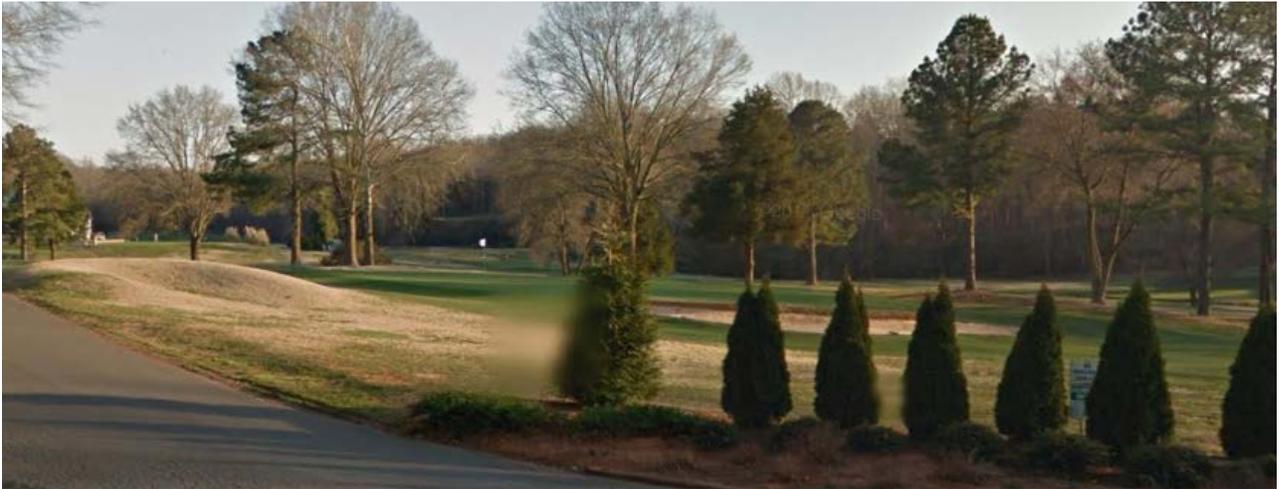
The site plan accompanying this petition contains the following provisions:

- Maximum of 350 single family detached dwelling units, at a density of 2.46 units per acre.
- Primary entrance provided off Camp Stewart Road
- Provides 56.7 acres (40%) of open space, and 14.2 acres of tree save area.
- Applies R-5 cluster provisions as allowed per the Tree Ordinance.
- No driveways serving individual residences will be permitted to connect to Camp Stewart Road.
- Petitioner may coordinate with the Park and Recreation Department to provide a bike/pedestrian connection across McKee Creek if deemed feasible, or may provide a maximum \$50,000 to the City of Charlotte in lieu of constructing the connection.
- Open space areas will be improved with a tot lot and an amenity area that may include amenities such as a swimming pool, seating areas, dog park, cabana, or other active recreation elements.
- The 100-foot SWIM buffer of McKee Creek will be dedicated and conveyed to Mecklenburg County for future greenway use prior to the issuance of the site's first building certificate of occupancy.
- **The annexation process will be initiated by the petitioner within six weeks of the property's acquisition from the current property owner.**
- **Petitioner will assist the Mecklenburg County Parks and Recreation Department by contributing \$100,000 towards the design, permitting and construction of a bike/pedestrian connection across McKee Creek.**
- **All off-site transportation improvements will be made prior to the plat of the 101st home within the site.**
- Transportation Improvements
 - All off-site transportation improvements will be substantially completed prior to the development of more than 150 homes within the site.
 - Extend planned southbound right turn lane on Rocky River Church Road at Albemarle Road by 125 feet, and incorporate A.M. peak signal timing adjustments.
 - Stripe the northbound and southbound left turn lanes on Hamilton Jones Drive at Camp Stewart Road.
 - Construct a wide flared lane on Camp Stewart Road into the new site access on Camp Stewart Road.
 - Incorporate A.M. peak signal timing adjustments at Albemarle Road/Cresswind North South Connector and Albemarle Road/I-485 outer ramp.
 - Extend the existing southbound left turn lane on Harrisburg Road at Camp Stewart Road by 80 feet.

• Existing Zoning and Land Use



- The subject property is developed with one single family detached dwelling, a warehouse and country club associated with Larkhaven Golf Course in R-3 (single family residential) zoning.
- Surrounding land uses include residential dwellings and medical office uses.



The subject property is the Larkhaven Golf Course.

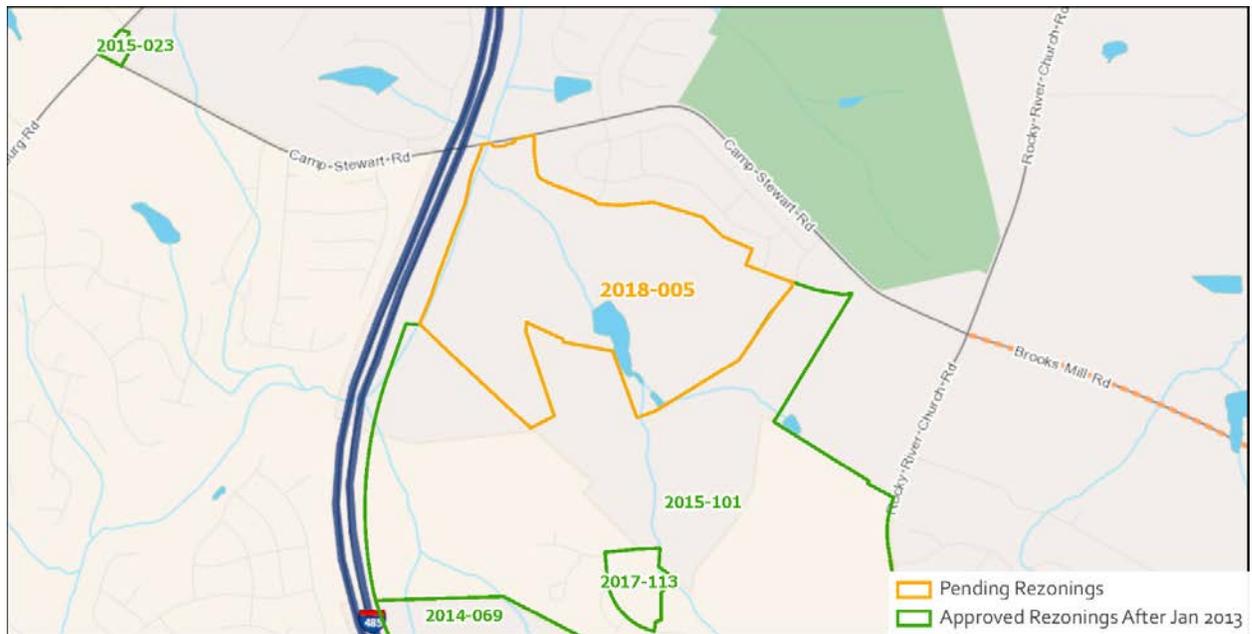


Properties to the north are developed with single family homes.



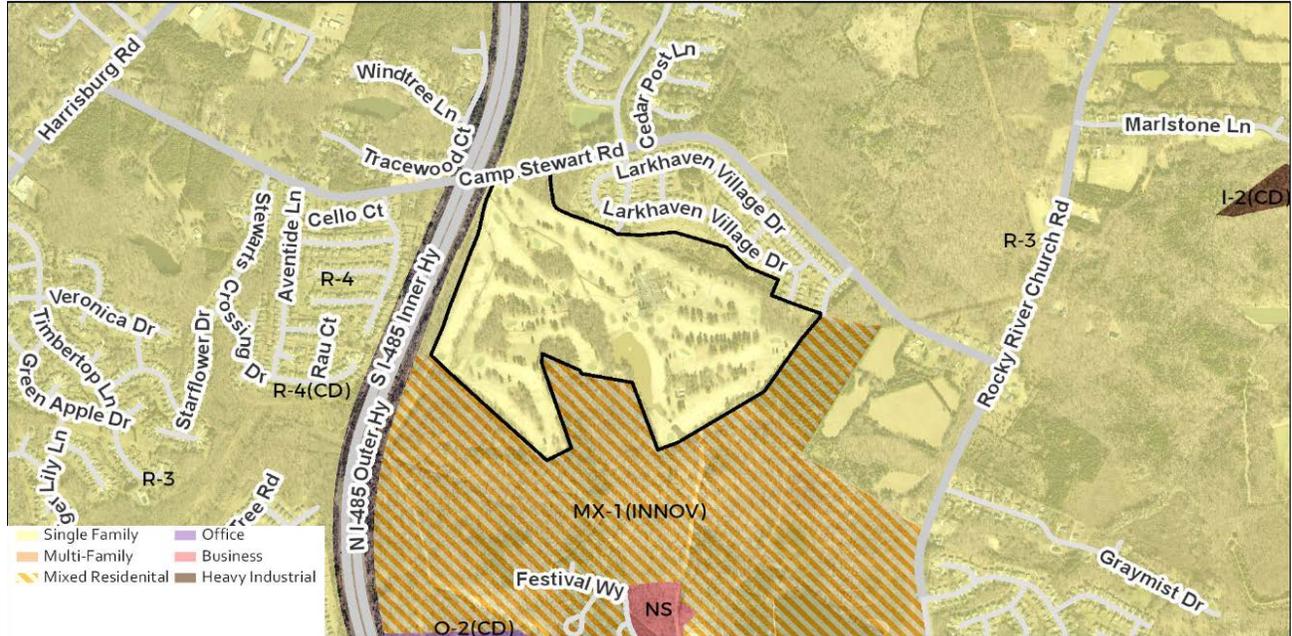
The property to the south is currently vacant.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-113	Rezoned 8.3 acres to NS (neighborhood services) to allow 23,000 square feet of indoor recreation uses including an indoor pool and accessory uses permitted in the district.	Approved
2015-101	Rezoned 371 acres to MX-1 INNOV (mixed use, innovative) and NS (neighborhood services), with five-year vested rights to allow retail, general medical office, EDEE, personal service, commercial uses, and a nursing home.	Approved
2014-069	Rezoned 81.75 acres to O-2(CD) (office, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment) to allow a 50-bed hospital, and up to 117,000 square feet of medical and general office, retail/commercial and personal services uses.	Approved

• **Public Plans and Policies**



- *Albemarle Road/I-485 Interchange Study*, which recommends park and open space, recognizing the privately owned golf course and future greenway.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is adjacent to a minor thoroughfare. The site plan commits to installing an eight-foot planting strip and six-foot sidewalk along Camp Stewart and many of the transportation mitigation measures identified in the review of the Traffic Impact Analysis. CDOT continues to work with the petitioner to resolve the outstanding traffic study comments as it relates to incorporating possible improvements assumed to be completed prior to site completion. Additionally, CDOT requests petitioner to update the site plan and several notes such as more detail where the sidewalk is to be located and the number of homes allowed to be developed prior to off-site road improvements.
 - ~~See Outstanding Issues, Notes 1-6.~~
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 660 trips per day (based on golf course and one single family dwelling).
 - Entitlement: 3,950 trips per day (based on 422 single family dwellings).
 - Proposed Zoning: 3,300 trips per day (350 on single family dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** Minimum 20-foot unobstructed clearance on street required at all times for Charlotte Fire Department.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 255 students, while the development allowed under the proposed zoning will produce 213 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 42 students.
 - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Clear Creek Elementary from 105% to 122%
 - Northeast Middle from 72% to 78%
 - Rocky River High from 90% to 93%.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections.

The proposed rezoning has the potential to significantly impact the capacity of the local sanitary

sewer collection system. A Willingness to Serve application has been received and currently under review. Correspondence will be maintained with the applicant. Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development.

- **Engineering and Property Management:**

- **Arborist:** The project is currently outside the City of Charlotte city limits. If the project will remain outside the city limits, no comments.

If the project is annexed into the City of Charlotte the follow comments apply:

No trees can be removed from the right-of-way of any existing or newly created City maintained street without explicit permission of the City Arborist's office. The location of structures/driveways/streets/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right-of-way. City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right-of-way.

No trees can be planted in the right-of-way of any existing or newly created City maintained street without explicit permission of the City Arborist's office. Contact the City Arborist's office to discuss trees species to be planted in the right-of-way of all City of Charlotte maintained street; species must be approved before planting.

Trees cannot be removed from or planted in the right-of-way of any existing or newly created state maintained streets without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact 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.

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 outstanding issues.
- **Land Development:** See Outstanding Issues, Note 7
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Address comments from the Traffic Impact Study (TIS).~~ Amendment to TIS has been submitted and is currently undergoing review. **Addressed**
2. ~~Revise the site plan and conditional note(s) to install eight-foot planting strip and six-foot sidewalk along the Camp Stewart frontage. The back of sidewalk should be located 39' from centerline to accommodate half of the future envisioned 2-lane divided cross-section. The petitioner is to add conditional note stating the back of sidewalk will be located 39' from center line.~~ **Addressed**
3. ~~Revise Note 6 under Transportation to start annexation process prior to permit submittal.~~ (amended to note acquisition from the current property owner). **Addressed**
4. ~~Work with Cresswind development to extend street to Cresswind Road.~~ **Addressed**
5. ~~Revise note 4 under Transportation to remove option of giving \$ 50,000 to City of Charlotte.~~ **Addressed**
6. ~~Revise note 8 to state "The petitioner should substantially complete all off-site improvements prior to the plat of the 101st home within the site."~~ **Addressed**

Infrastructure

7. ~~Amend Note 8a as follows: The Petitioner shall coordinate with land owners to secure road rights-of-way for off-site transportation improvements, where necessary. If after the exercise of diligent good faith efforts, the Petitioner is unable to acquire the necessary rights-of-way to complete the off-site transportation improvements, then CDOT, the City of Charlotte Engineering Department or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including~~

~~compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings.~~ **Addressed**

REQUESTED TECHNICAL REVISIONS

Land Use

8. ~~Amend proposed density to reflect 2.46 units per acre.~~ **Addressed**

9. ~~Delete Note 6 that reads as follows:~~

~~"Petitioner requests flexibility to make adjustments to the proposed geometric configurations, street arrangements, related street connections, and other transportation indications to allow for minor modifications that address issues discovered during the detailed design and construction document design phase that may include the need to relocate or eliminate certain internal subdivision street/road connections or to add newly relocated street/road connections in alternative areas to enhance connectivity and potentially help minimize unnecessary disturbance of tree save areas and removal of specimen trees provided that these minor modifications do not deviate from and are consistent with City and NCDOT standards."~~ **Addressed**

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 Parks and Recreation Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327