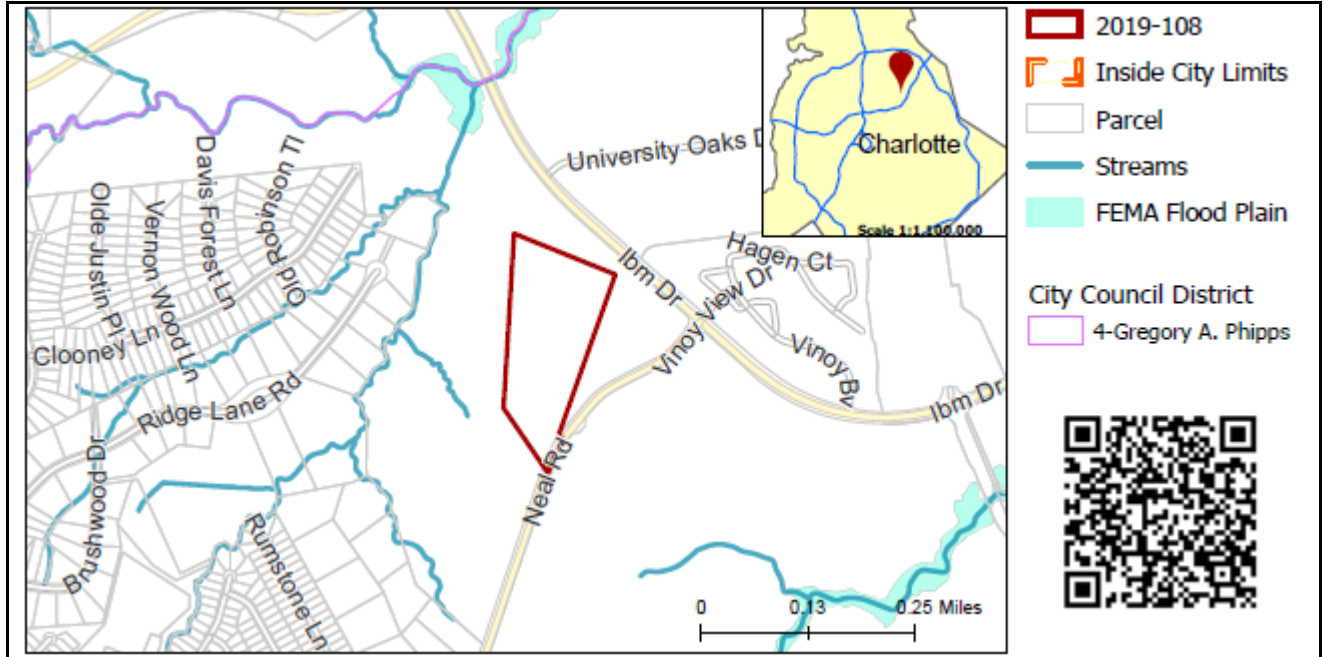


**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

**LOCATION**

Approximately 13.21 acres located on the west side of Neal Road, southwest of IBM Drive.



**SUMMARY OF PETITION**

The petition proposes up to 92 duplex, triplex and/or single-family attached dwelling units on a vacant parcel.

**PROPERTY OWNER**

J.S. & Associates, Inc.

**PETITIONER**

J.S. & Associates, Inc.

**AGENT/REPRESENTATIVE**

Ty Shaffer, Robinson Bradshaw & Hinson, PA

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 0

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Northeast District Plan* recommendation for residential uses at up to four dwelling units per acre. The petition is **consistent** with the *General Development Policies* recommendation for residential uses at up to eight dwelling units per acre.

Rationale for Recommendation

- While consistent with the *General Development Policies* recommendation of eight dwelling units per acre, the petition further limits the district's density from eight dwelling units per acre to under seven dwelling units per acre.
- The petition commits to enhancing the pedestrian environment through site design elements which include walkways from all residential at entrances to sidewalks along public and private streets.

- The site abuts residentially zoned, vacant land. Originally envisioned as an expansion of University Research Park, this area was zoned for research uses until IBM rezoned the abutting area for residential uses in 1994. The surrounding vacant area is still owned by the corporation and is unlikely to develop. However, if the surrounding parcel does develop, the petition’s 50-foot buffers will provide an appropriate transition between the permitted four dwelling unit per acre and the petition’s proposed seven dwelling unit per acre.
- Across Neal Road to the east are four schools. Across IBM Drive to the north is University Research Park, a large employment center. This petition will increase the number and diversity of housing units within walking distance to these destinations.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan*, from residential uses at up to four dwelling units per acre to residential uses at up to eight dwelling units per acre for the site.

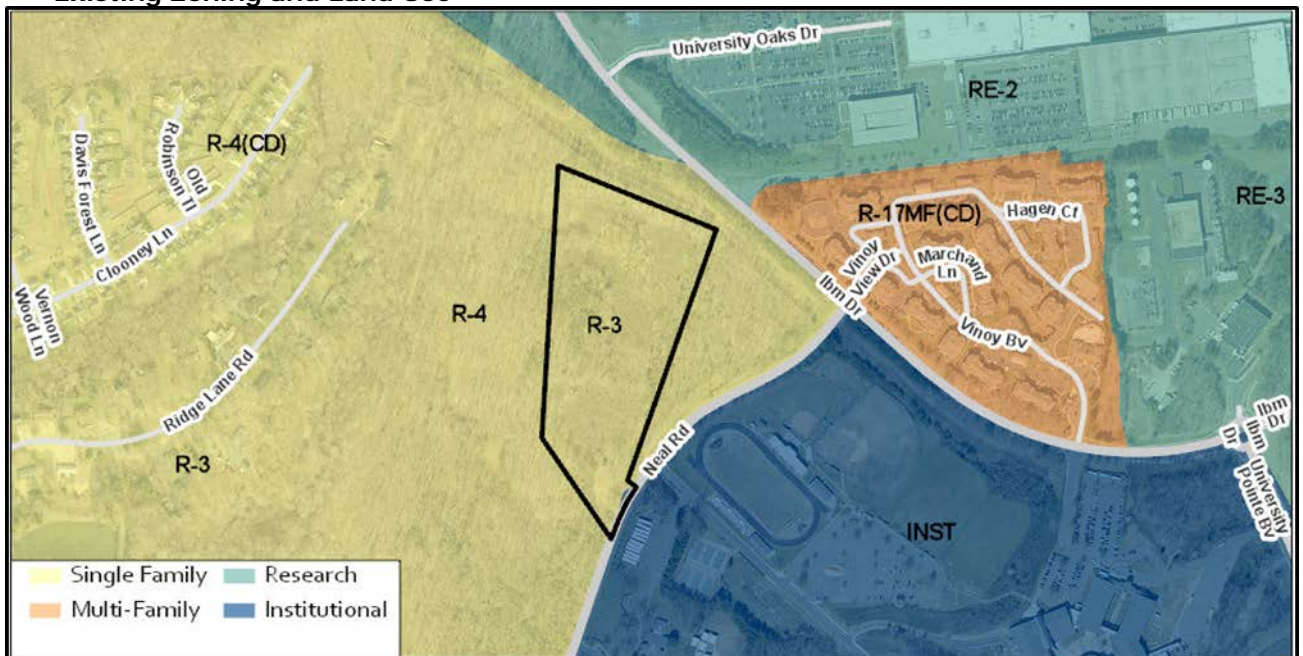
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Permits a maximum of 92 duplex, triplex and/or single-family attached dwelling units.
- Commits to a minimum of five percent of the units to be provided to buyers at or below 80% area median income for 15 years.
- Commits to extending sidewalk along Neal Road and installing a left turn lane.
- Limits detached lighting to 21-feet in height.
- Architectural standards include:
  - Usable porches and stoops shall form a predominant feature of building design and be located on the front of the building.
  - Pitched roofs if provided shall be sloped no less than 5:12.
  - Garage doors visible from the street shall be setback 12 to 24 inches with additional architectural elements over the garage door.
- Walkways will be provided to connect all residential entrances to sidewalks along the street.
- All residential entrances within 15-feet of the sidewalk will be raised from the sidewalk grade a minimum of 24-inches.

• **Existing Zoning and Land Use**



The subject property is vacant. The surrounding land uses include single-family homes, multi-family apartments, four schools, office and research institutions.





The subject property (denoted by the red star) is vacant.



The property to the east along Neal Road is developed with the Governor's Village STEM Academy.





The properties to the north along Hewitt Associates Drive are developed with a large office/research park.



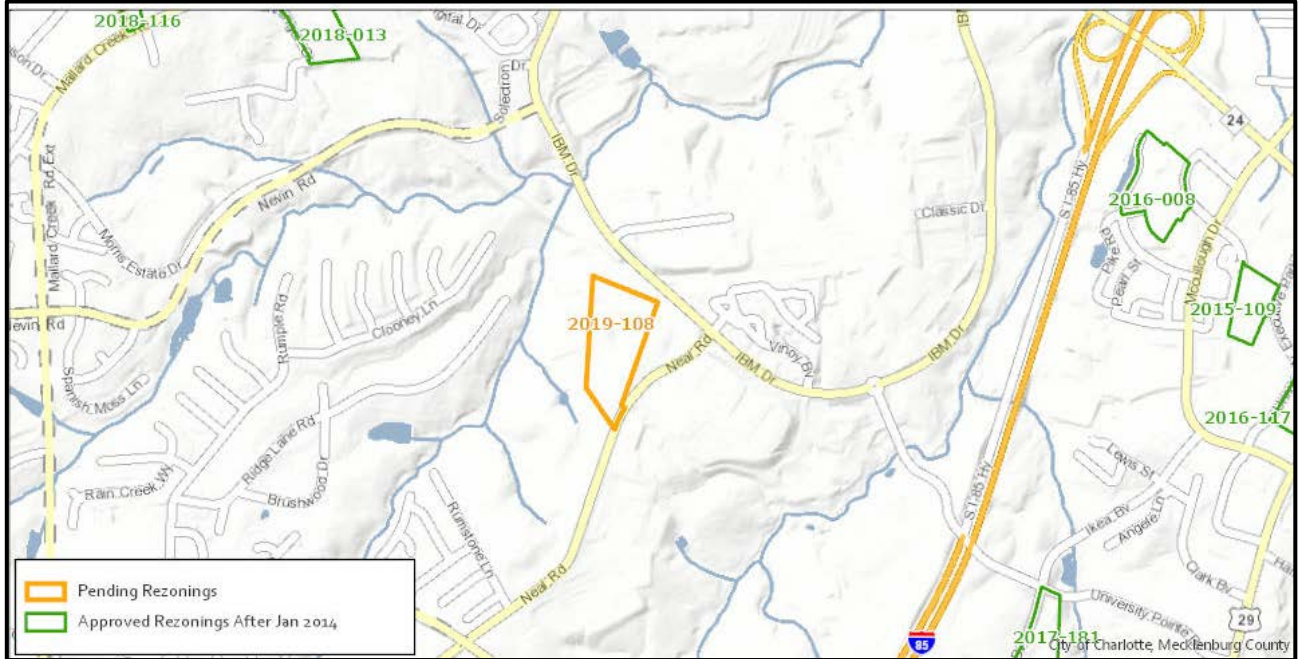
The property to the south along Rumstone lane is developed with single-family homes.



The property to the west along Ridge Lane Road is developed with single-family homes.

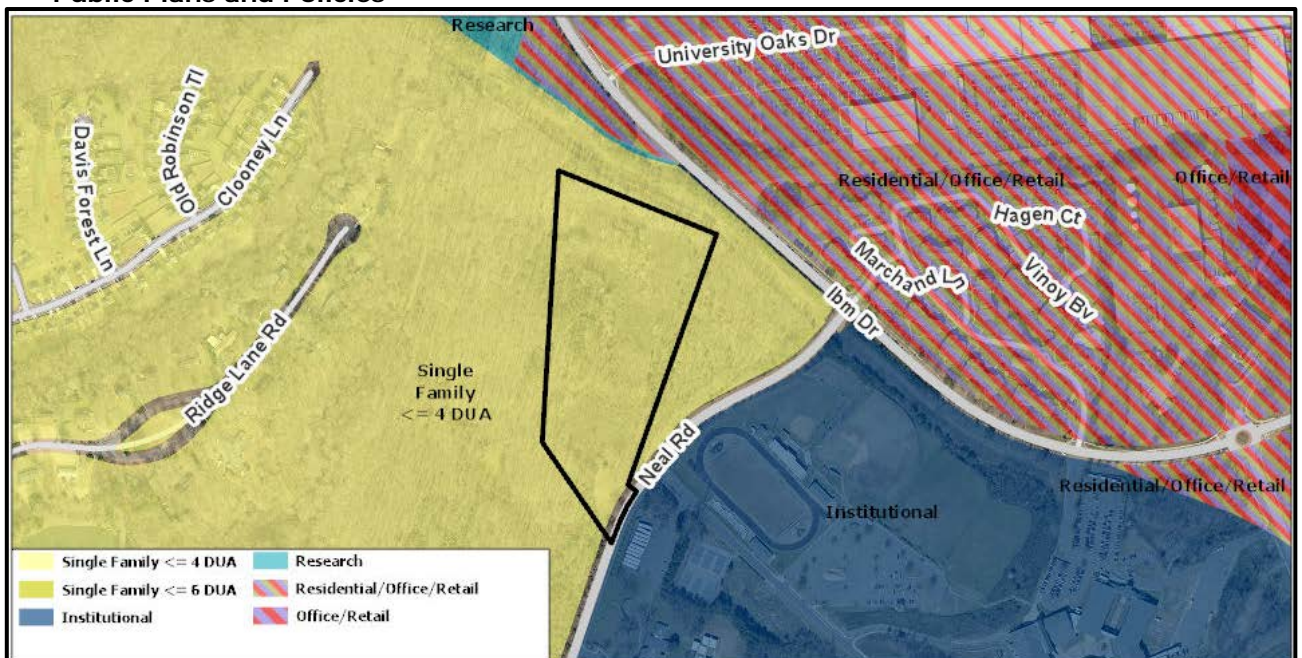


• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-109	Rezoned 5.05 acres to allow for a 150-room hotel and residential dwelling units.	Approved
2016-008	Rezoned 8.63 acres to increase the number of hotels allowed from two to three and allow residential dwellings.	Approved
2016-117	Rezoned 4.51 acres to allow up to 280 multi-family units.	Approved
2017-181	Rezoned 3.58 acres to allow a hotel on the vacant parcel of Belgate development. This allowed a total of three hotels within the overall Belgate development	Approved
2018-013	Rezoned 6.27 acres to allow an accessory surface parking lot for an adjacent office building.	Approved
2018-116	Rezoned 1.34 acres to allow all uses permitted in the R-4 zoning district.	Approved

• **Public Plans and Policies**



- The *Northeast District Plan* (1996) recommends residential uses at up to four dwelling units per acre for the site.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to eight dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 8 du/a
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	1
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 11</b>	<b>Total Points: 11</b>

**TRANSPORTATION CONSIDERATIONS**

- The site is located along a minor thoroughfare. The site commits to extending sidewalk along Neal Road and installing a left turn lane. CDOT is requesting that the petitioner update the conditional notes to commit to installing an 8-foot planting strip and a 6-foot sidewalk per the Subdivision Ordinance.
- ~~See Outstanding Issues, Notes 1-4.~~ Addressed
- **Vehicle Trip Generation:**  
 Current Zoning:  
     Existing Use: 0 trips per day (based on vacant parcel).  
     Entitlement: 440 trips per day (based on 39 single-family dwellings).  
 Proposed Zoning: 660 trips per day (based on 92 townhomes).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** ~~See Outstanding Issues, Note 5.~~ Addressed
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://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 22 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 22 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Governor’s Village STEM (K-4) from 118% to 119%
    - Governor’s Village (5-8) from 64% to 64%
    - Zebulon Vance High 119% to 119%
- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to Charlotte Water to serve this parcel. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No outstanding issues.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Transportation

1. ~~Revise the site plan and conditional note(s) to commit to construct an 8-foot planting strip, and 6-foot sidewalk on Neal Road per Chapter 20. The site plan should label and dimension both items from the back of curb and gutter and road centerline. Addressed~~
2. ~~Revise the site plan and conditional note(s) to show and state all town homes along public roads are to be alley fed. Rescinded by staff~~
3. ~~Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at 2 feet behind back of sidewalk where feasible. Addressed~~
4. ~~Remove conditional note 4 under transportation. It is unlikely that milling the road will be necessary for this mitigation but if there are errors during construction and portion of the existing pavement markings that need to be removed, it will be required that some form of milling/grinding will be necessary. Addressed~~
5. ~~CATS requests a bus waiting pad per Land Development Standard 60.01A on Neal Road. Addressed~~

**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Michael Russell (704) 353-0225