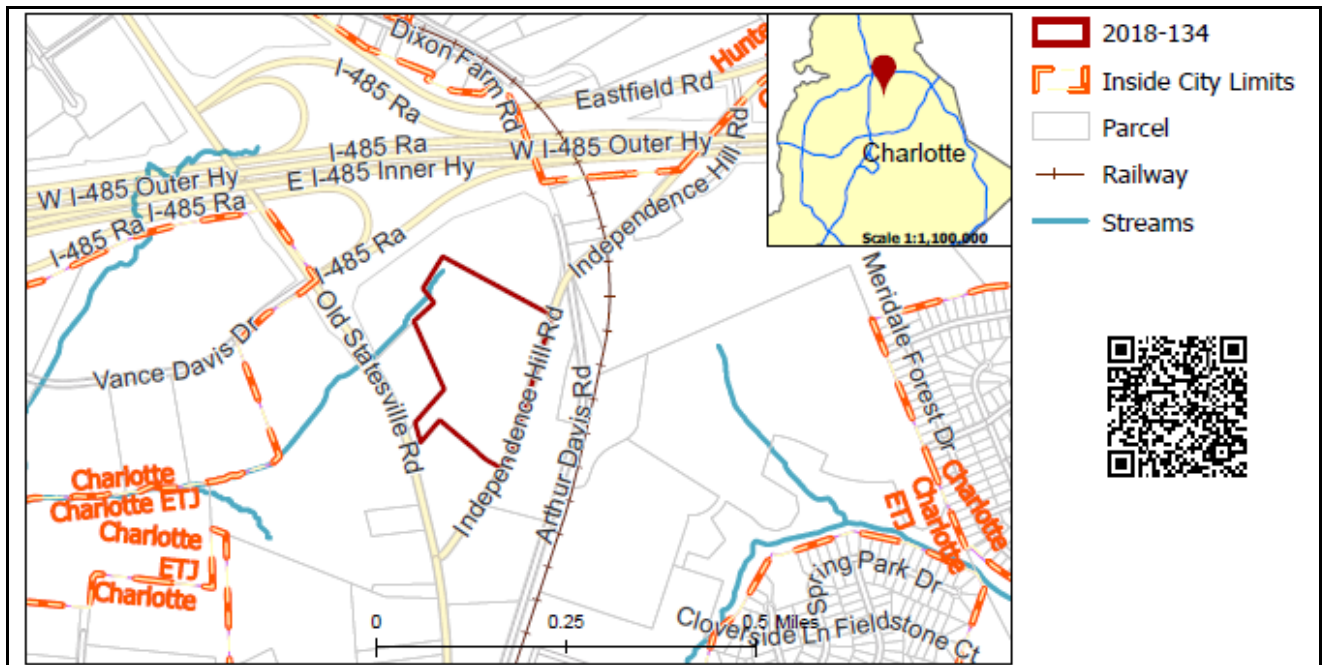


REQUEST

Current Zoning: R-4 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 20.03 acres located at the intersection of Old Statesville Road and Independence Road, south of Interstate 485. (Outside City Limits)



SUMMARY OF PETITION

The petition proposes to allow up to 335 multi-family residential units at a density of 16.73 units per acre on vacant land located in North Charlotte.

PROPERTY OWNER

Liberty Crossing I, LLC

PETITIONER

HHHunt/Elam Hall

AGENT/REPRESENTATIVE

Keith MacVean, Dujuana Keys & Jeff Brown/Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 2

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *Northlake Area Plan* recommendation for transit oriented development land uses for this site.

Rationale for Recommendation

- The proposed multi-family use is consistent with the transit oriented mixed-use development recommended for this site, made with the assumption that the Red Line Commuter Rail would be a funded and active project.
- Even though the alignment and transit mode of the proposed north corridor Red Line is currently being re-analyzed by CATS, the proposed land use is appropriate for this location, across from residential development and located adjacent to Interstate 485.

- The multi-family development can provide a transition between the industrial development to the west of the site, and single-family development to the east of the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 335 multi-family residential units at a density of 16.73 units per acre.
- Proposes at a minimum the following type of amenities: dog park; outdoor seating areas with hardscape and landscape elements; a pool area; club facility; and outdoor cooking areas.
- **Proposed maintenance building with carwash.**
- Commits to a minimum of 8,000 square feet of open space amenity areas on site.
- Limits building height to four stories and 65 feet.
- Notes number of principal residential buildings will not exceed 14.
- Proposes a 37.5-foot Class C buffer (reduced with a fence) along a portion of the western property line.

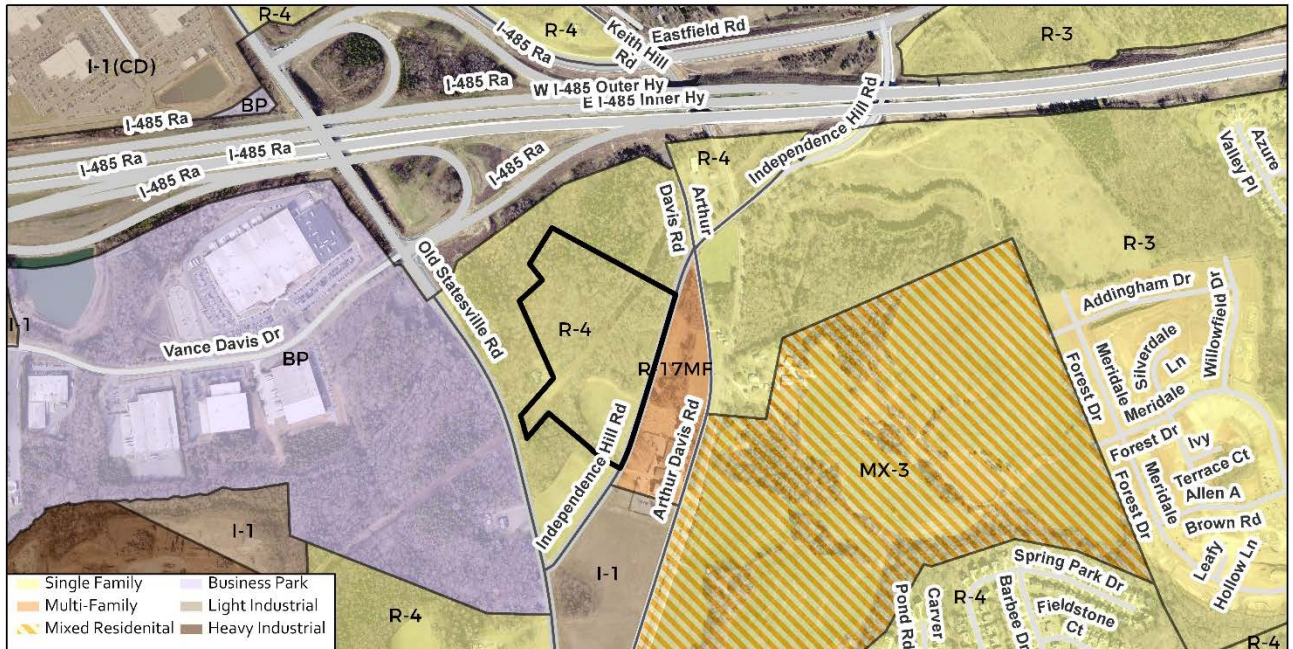
Commits to the following transportation improvements:

- Proposes Public Road A connecting to Old Statesville Road.
- Proposes Public Roads B and C (both designed with on street parking) connecting to proposed Public Road A and Independence Hill Road.
- Constructs a 150-foot southbound left turn on Old Statesville Road to Independence Road.
- Improves the site's frontage on Independence Hill Road to include a maximum of 24.5 feet of pavement from the existing center line plus curb and gutter to create a symmetrical widening of Independence Hill Road including any required left turn lanes and a bike lane if required by NCDOT.
- Dedicates and conveys to CDOT/NCDOT 50.5 feet of right-of-way from the center line along Independence Hill Road.
- Dedicates to NCDOT additional right-of-way indicated along Old Statesville Road required for the implementation of NCDOT TIP Project U-5772 and any necessary temporary construction easements requested by NCDOT.
- Notes all transportation improvements, except those in the TIP Project U-5772, will be approved and constructed prior to the release of a certificate of occupancy for the first buildings on the site, subject to the petitioner's ability to post a bond for any improvements not in place at that time.
- Constructs a 12-foot multi-use path along the site's Old Statesville Road frontage.
- Provides eight-foot sidewalk and eight-foot planting strip along Independence Hill Road.

Commits to the following architectural standards:

- Proposes building materials of glass, brick, simulated stone, precast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardy plank), EIFS or wood.
- Prohibits use of vinyl as a building material except on windows, soffit, and on handrails/railings. Prohibits concrete masonry units not architecturally finished.
- Minimum 20% of façades facing external and internal network streets to be brick, natural stone (or its synthetic equivalent), stucco or other approved material.
- Places buildings on Independence Hill Road at minimum of 50% of frontage.
- Designs buildings with a recognizable architectural base on all facades facing Independence Hill Road and internal Public Streets.
- Limits expanses of blank walls through use of architectural features such as banding, medallions or other design features.

- Existing Zoning and Land Use



- The site is currently vacant and is surrounded by undeveloped and vacant acreage, office/warehouse uses, a religious institution, and residential neighborhoods in various zoning districts.



The subject property is undeveloped.



Property to the north along Arthur Davis Road is undeveloped.



Property to the south along Independence Hill Road is undeveloped.

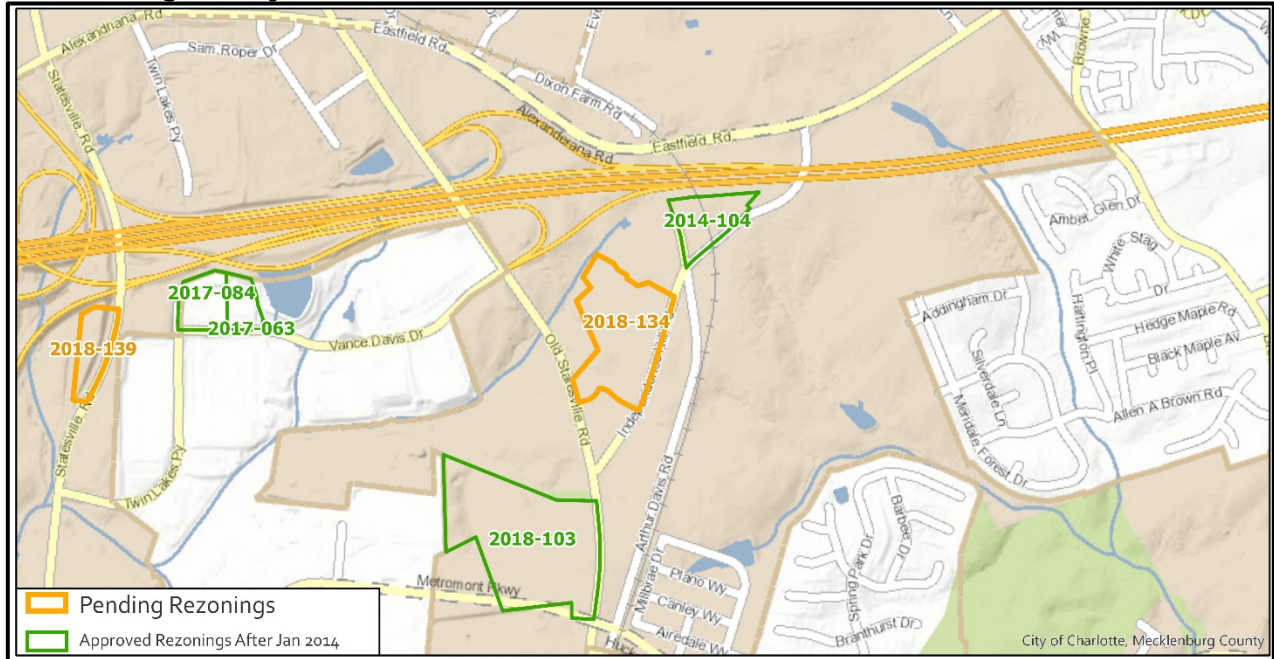


Property to the east along Independence Hill Road is developed with a church.



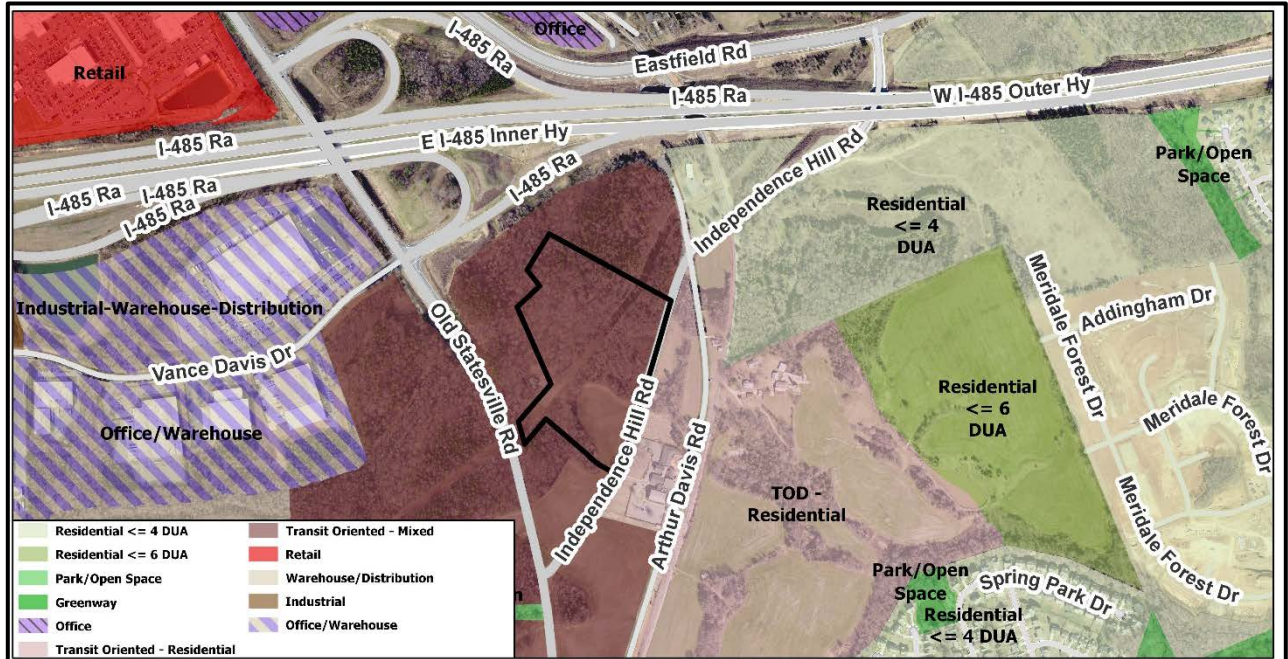
Property to the west along Old Statesville Road is undeveloped.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-103	Rezoned approximately 35.91 acres from R-4 (single family residential) and I-1 (light industrial) to I-2(CD) (general industrial, conditional) to allow up to 550,000 square feet of warehousing, warehouse distribution, manufacturing, office, and industrial uses.	Approved
2017-084	Rezoned approximately 5.14 acres from BP (business park) to I-1 (light industrial) to allow all uses in the I-1 (light industrial) district in an existing building in Twin Lakes Business Park.	Approved
2017-063	Rezoned approximately 3.415 acres from BP (business park) to I-1 (light industrial) to allow all uses permitted in in the I-1 (light industrial) district in an existing building in Twin Lakes Business Park, located just south of Interstate 485 and east of Interstate 77.	Approved
2014-104	Established of Charlotte zoning for 6.77 acres that were previously in the zoning jurisdiction of the Town of Huntersville. Rezoned parcels to R-4 (single family residential).	Approved
2013-087	Rezoned approximately 20.47 acres from BP (business park) to I-1 (light industrial).	Approved

- **Public Plans and Policies**



- The *Northlake Area Plan* (adopted 2008) recommends transit oriented development (residential, office, retail) for this site. The site is located within the Eastfield Transit Station Area, as part of the proposed North Corridor commuter rail line.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located off a major thoroughfare near I-485. The site plan agrees to dedicate right-of-way for the future NCDOT widening project, and a 12-foot multi-use path. In addition, the site plan commits to several public streets to improve the street network connectivity.
 - **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 0 trips per day (based on vacant).
 Entitlement: 840 trips per day (based on 78 single family dwellings).
 Proposed Zoning: 2,150 trips per day (based on 335 apartments).
 See ~~New Outstanding Issue Note 1:~~ [Addressed](#).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** According to recent data from the U.S. Department of Housing and Urban Development, there is an estimated need for approximately 34,000 affordable workforce housing units in the City of Charlotte. In an effort to increase the estimated supply; developers are encouraged to assist in providing homes at diverse price point to meet increased housing demand.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 41 students, while the development allowed under the proposed zoning will produce 39 students. Therefore, the net decrease in the number of students generated from existing zoning to proposed zoning is 0 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Blythe Elementary from 116% to 119%
 - J.M. Alexander Middle from 90% to 91%
 - North Mecklenburg High from 115% to 116%.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 600 feet

northeast of the rezoning boundary at the intersection of Arthur Davis Road and Independence Hill Road. A developer donated project will be required in cases where there is not direct service.

Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 400 feet west of the rezoning boundary across Old Statesville Road. A developer donated project will be required in cases there is not direct service.

- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** ~~See Outstanding Issues, Note 2-~~ Addressed.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Park and Recreation Department:** ~~See Outstanding Issues, Note 3-~~ Rescinded.

OUTSTANDING ISSUES

Transportation

1. ~~Petitioner should revise Transportation Note. Normally CDOT requires right of way dedication prior to the "first" certificate of occupancy, not "last".~~ Addressed.

Environment

2. ~~Please add the following note under the ENVIRONMENTAL FEATURES heading: Development within the Post-Construction Stormwater Ordinance stream buffers shall be subject to approval by Charlotte-Mecklenburg Stormwater Services and mitigated if required by City Ordinance.~~ Addressed.
3. ~~This property is located on the Dixon Branch Greenway Corridor per the 2008 MCPR Greenway Master Plan. Mecklenburg Park and Recreation requests the petitioner dedicate and convey the SWIM Buffer and Tree Save Area at the northern property line to the county for future greenway use. We would accept a 60' Greenway Easement through this area as well. We request the dedication/conveyance of the property or the 60' greenway easement be granted to the county prior to the issuance of the final certificate of occupancy.~~ Rescinded. Mecklenburg Park and Recreation will request the Dixon Branch Greenway dedication area when the adjacent parcel is rezoned. Park and Rec no longer requests the greenway dedication with this petition.

Site and Building Design

4. ~~Better delineate Class C buffers on the site plan and add this information to the Legend.~~ 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 Department of Solid Waste Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - 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