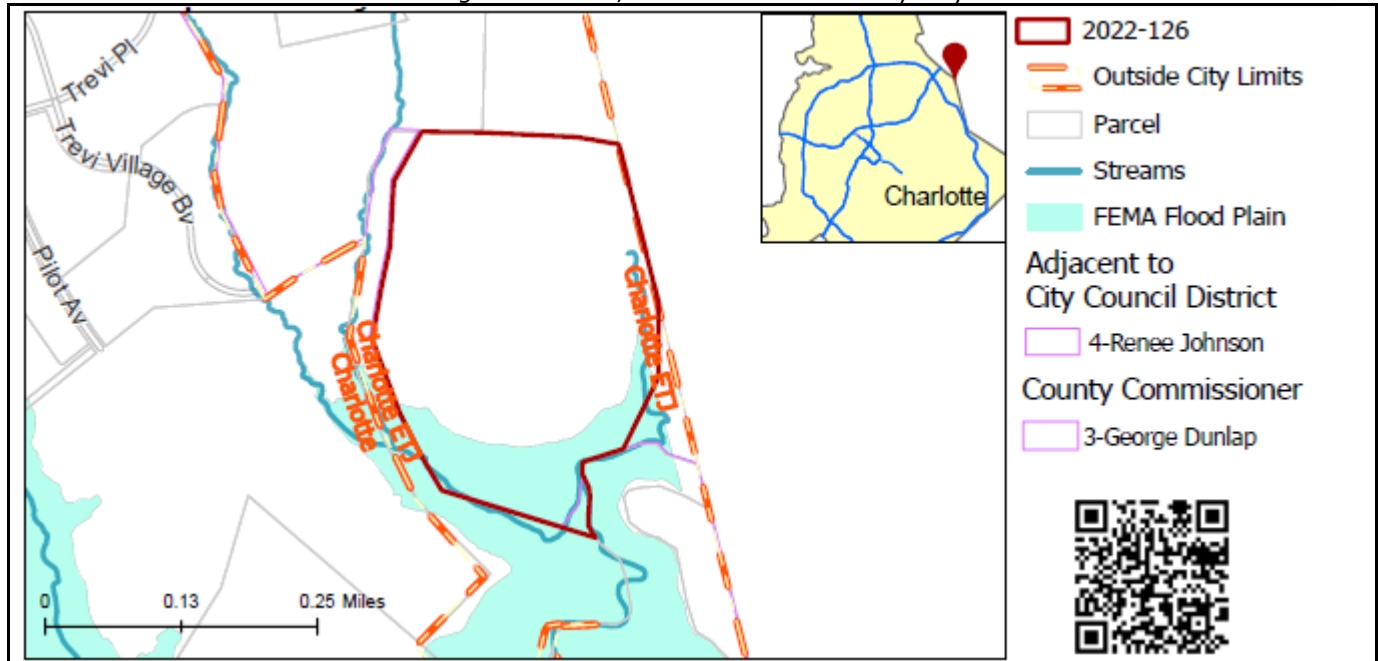


**REQUEST**

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

**LOCATION**

Approximately 48.09 acres located south of North Tryon Street, east of Trevi Village Boulevard, and north of University City Boulevard.



**SUMMARY OF PETITION**

The petition proposes to allow a residential community with 285 townhomes on a parcel of vacant land, located south of North Tryon Street and bordered by Cabarrus County to the east.

**PROPERTY OWNER**

AHS 71 LLC

**PETITIONER**

Tribute Companies, Inc.

**AGENT/REPRESENTATIVE**

Collin Brown and Brittany Lins – Alexander Ricks PLLC

**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 *2040 Policy Map* recommendation for Neighborhood 1.

Rationale for Recommendation

- The petition proposes single family attached (townhome) units at approximately six units per acre, which is an appropriate transition from the lower density residential uses in the south to the 380 multi-family residential development approved directly to the north.
- The site is located in area with recent development activity of similar type and density.
- The petition adds to the variety of housing options in the area.
- Neighborhood 2 places include larger scale residential uses and typically include shared community amenities, such as open spaces and recreational facilities.

- The petition commits to dedication of land to Mecklenburg County Park and Recreation for a public park.
- The petition commits to an internal network of public streets, roads stubbed for future potential connections, and pedestrian amenities & enhancements.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 7: Integrated Natural & Built Environments
  - 9: Retain Our Identity & Charm

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 to Neighborhood 2 for the site.

## PLANNING STAFF REVIEW

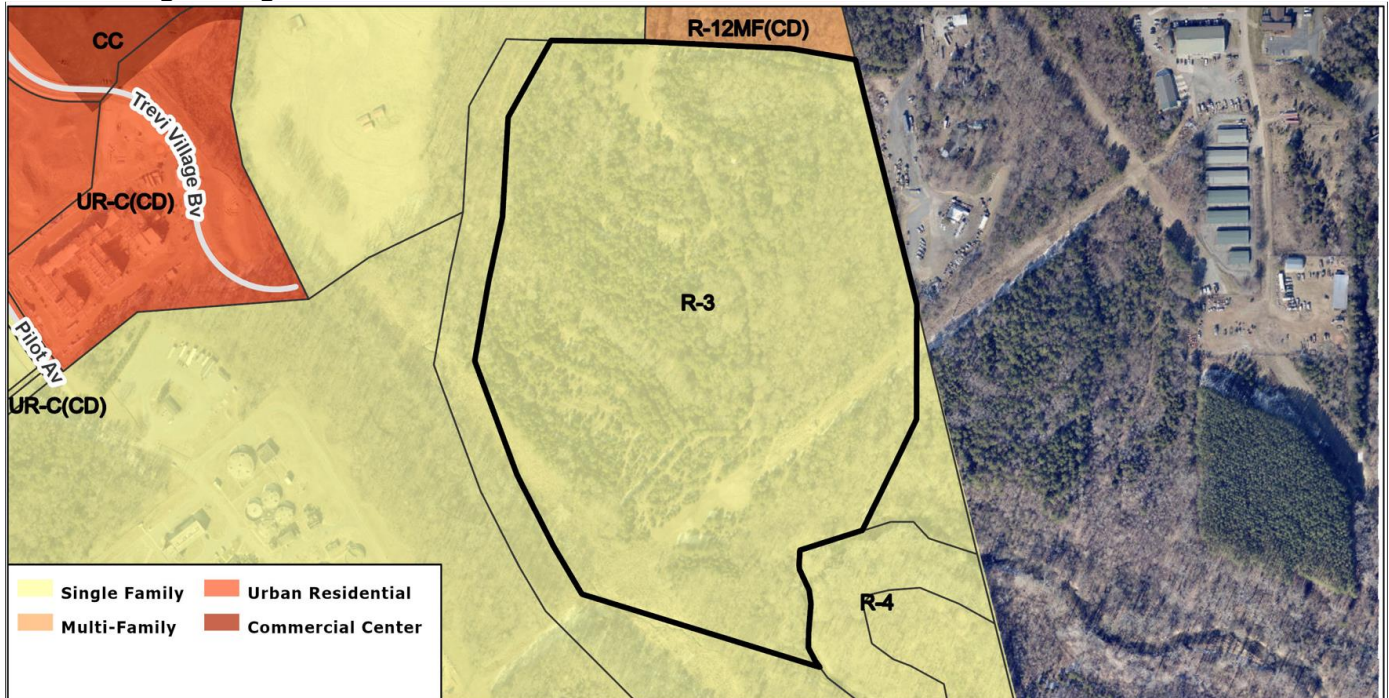
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 285 multi-family single family attached (townhome) units.
- Illustrates an existing 93-foot-wide overhead power transmission across the lower portion of the rezoning site.
- Proposes the following transportation improvements:
  - Proposes ingress/egress via connection to a proposed street to match connection to proposed 380 multi-family residential development approved directly north via petition 2021-150.
  - Proposes an internal network of public streets and alleyways, with proposed roads stubbed for future potential connections.
  - Proposes six (6) foot sidewalks and eight (8) foot wide planting strips on all internal public streets.
  - Proposes to complete the following improvements as outlined in the approved traffic impact study in coordination with CDOT and NCDOT, or other comparable improvement(s) as mutually negotiated with CDOT/NCDOT, prior to the issuance of the first certificate of occupancy for the site:
    - *Intersection of North Tryon Street and Morehead Road*
      - Provide a northbound U-turn lane on North Tryon Street (separate from left turn lane) with 200 feet of storage and appropriate deceleration/taper. A concrete island shall be installed to separate the U-turn and left turn lanes.
      - Provide a U-turn bulb to accommodate northbound U-turns (design vehicle: school bus (S-Bus-36)).
    - *Intersection of North Tryon Street and Hudspeth Road:*
      - Install a direction crossover median to convert the full movement intersection to a reduced conflict intersection, in coordination with approved rezoning petition 2021-150.
  - *Intersection of North Tryon Street and Site Access*
    - Site access shall be designed according with CDOT/NCDOT standards as a Left-In, Right-In, and Right-Out access until otherwise coordinated with CDOT/NCDOT.
    - Provide a northbound right turn lane on North Tryon Street with 150 feet of storage and appropriate decelerations/taper.
    - Provide a southbound left turn lane on North Tryon Street with 150 feet of storage and appropriate deceleration/taper.
- Notes all public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the petitioner on its own or in conjunction with other development or roadway projects taking place within the broad northeastern Mecklenburg area, by way of private/public partnership effort or other public sector support.
- Proposes the following architectural standards:
  - Prohibits vinyl siding (except for windows, soffits, doors, and trim) and concrete masonry units not architecturally finished.
  - Limits blank wall expanse to 20 feet on all building levels.
  - Limits blank wall expanse to 10 feet on all building levels for corner/end units with a side fronting a public street.

- Minimizes visual impact of garage doors by providing a setback of 12 inches to 24 inches from the front wall plane or including additional architectural elements.
- Proposes refuse collection via roll out carts but dumpster locations in event private trash collection is utilized for the site.
- Proposes 50-foot Class C buffers (may be reduced by 25% to 37.5 feet with a **wall**, berm or fence) along a portion of north property line, and along east, south, and west property lines.
- Proposes amenity areas and common open space areas. Amenitized area to be approximately .50 acres with a minimum of two amenities including: clubhouse, gazebo, combination of hardscape and softscape, pool, cabana, seating, landscaping, art, fountain, sculpture, community garden, benches, picnic tables, dog park, walking trails, fitness equipment, decorative wayfinding, and/or other similar amenities.
- Illustrates 100-foot stream buffer and possible tree save areas.
- Illustrates an approximate 6.5-acre neighborhood park in the lower portion of the site. Identifies area to be dedicated and conveyed to Mecklenburg County for use by Park and Recreation.
- Illustrates a 12-foot multi-use path running along the southern portion of the site and connecting to sidewalk along opposite sides of proposed Public Street C.
- Notes that prior to permitting, coordination will be made with the City of Charlotte and Mecklenburg County to accommodate a future segment of the Cross Charlotte Trail through the southern portion of the property as needed.

• **Existing Zoning**



- The rezoning site is currently vacant and is surrounded by single family neighborhoods, institutional, office and vacant acreage on parcels zoned R-3, R-4, UR-C(CD), CC, and R-12MF(CD). The parcel abuts vacant acreage and small-scale office/industrial in Cabarrus County.

Existing Zoning	Translated Zoning	Recommended Place Type
R-3 (single family residential)	N1-A (Neighborhood 1)	N1 (Neighborhood 1)





The site is immediately surrounded by vacant land, residential, and office uses. The site is bordered by Cabarrus County to the east.



The site is currently vacant.



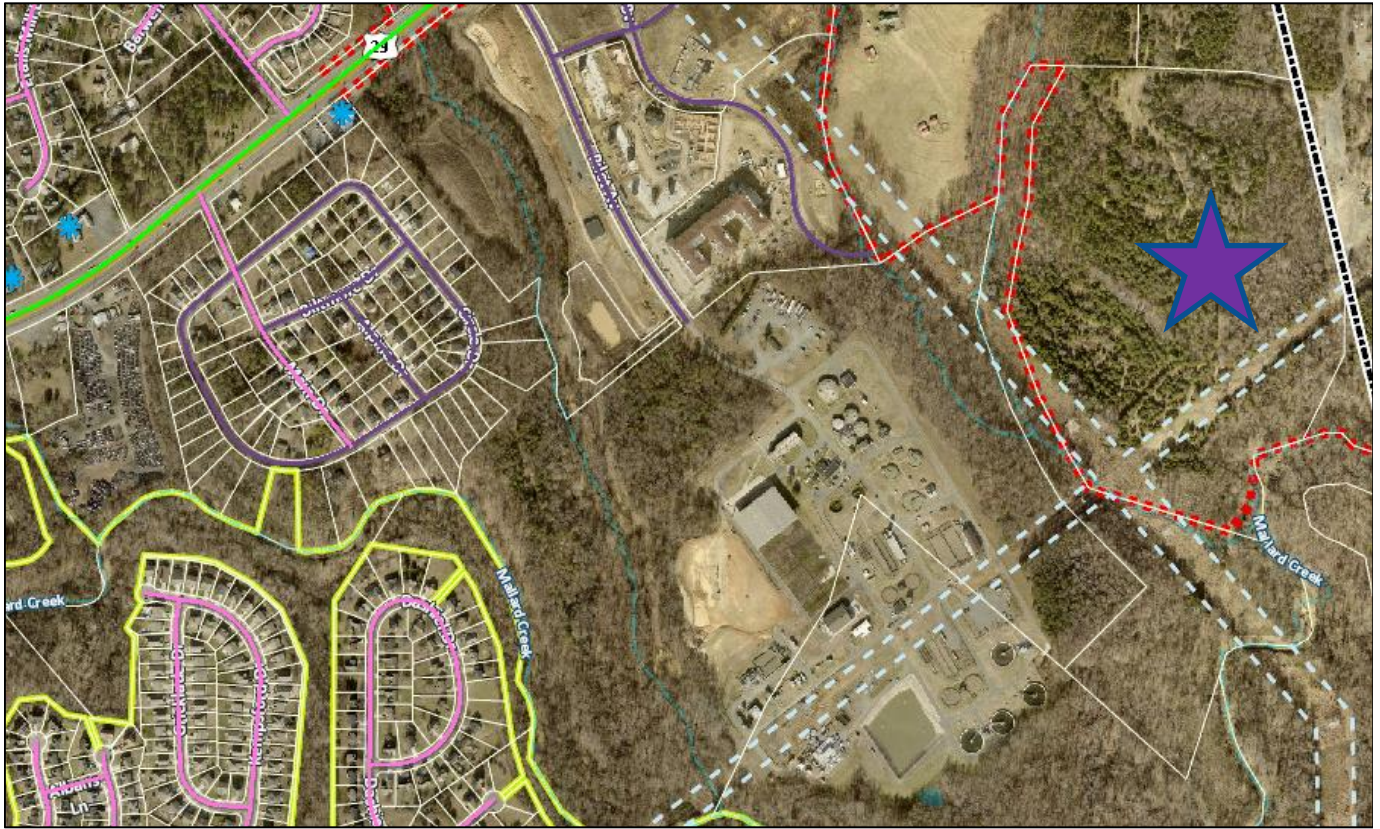


North of the site are vacant acreage and office buildings.



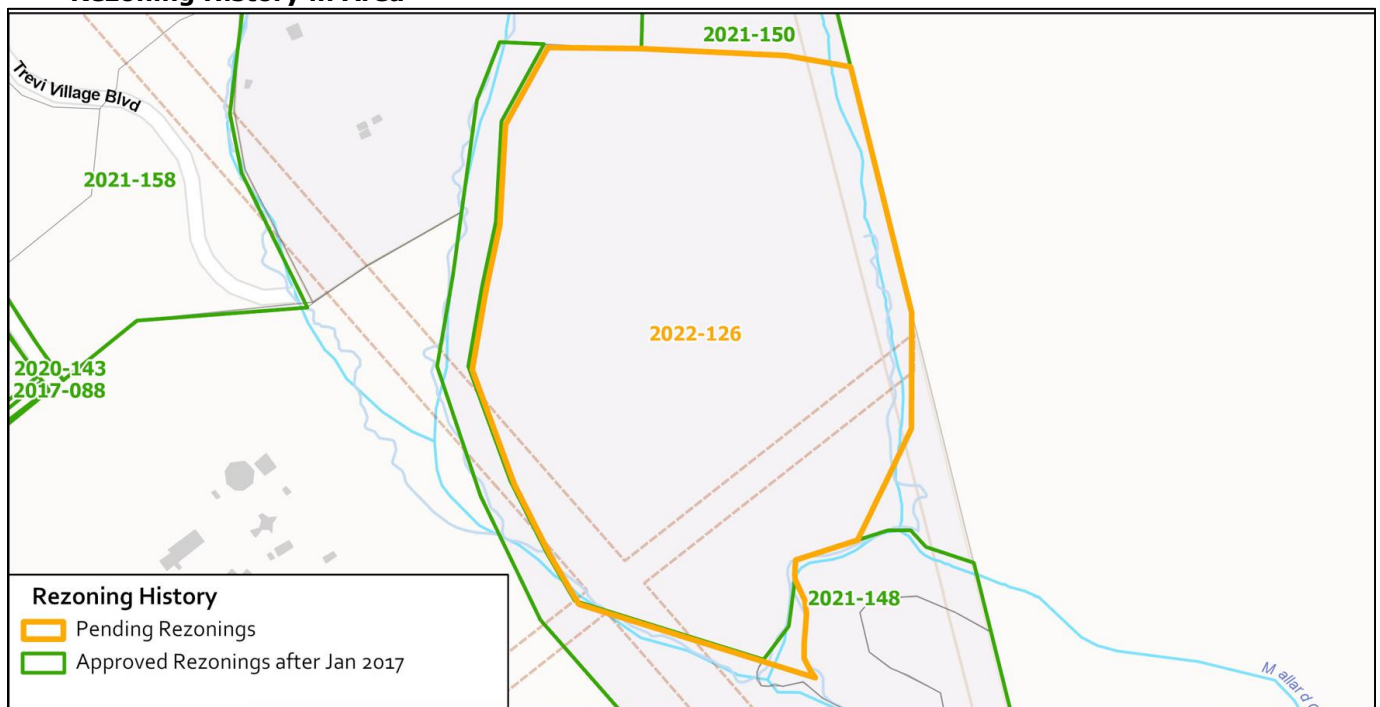
East of the rezoning site are businesses and vacant land in Cabarrus County.





South and west of the site (denoted by purple star) are vacant land, Charlotte Water's Mallard Creek wastewater treatment plant, and residential uses.

- Rezoning History in Area**

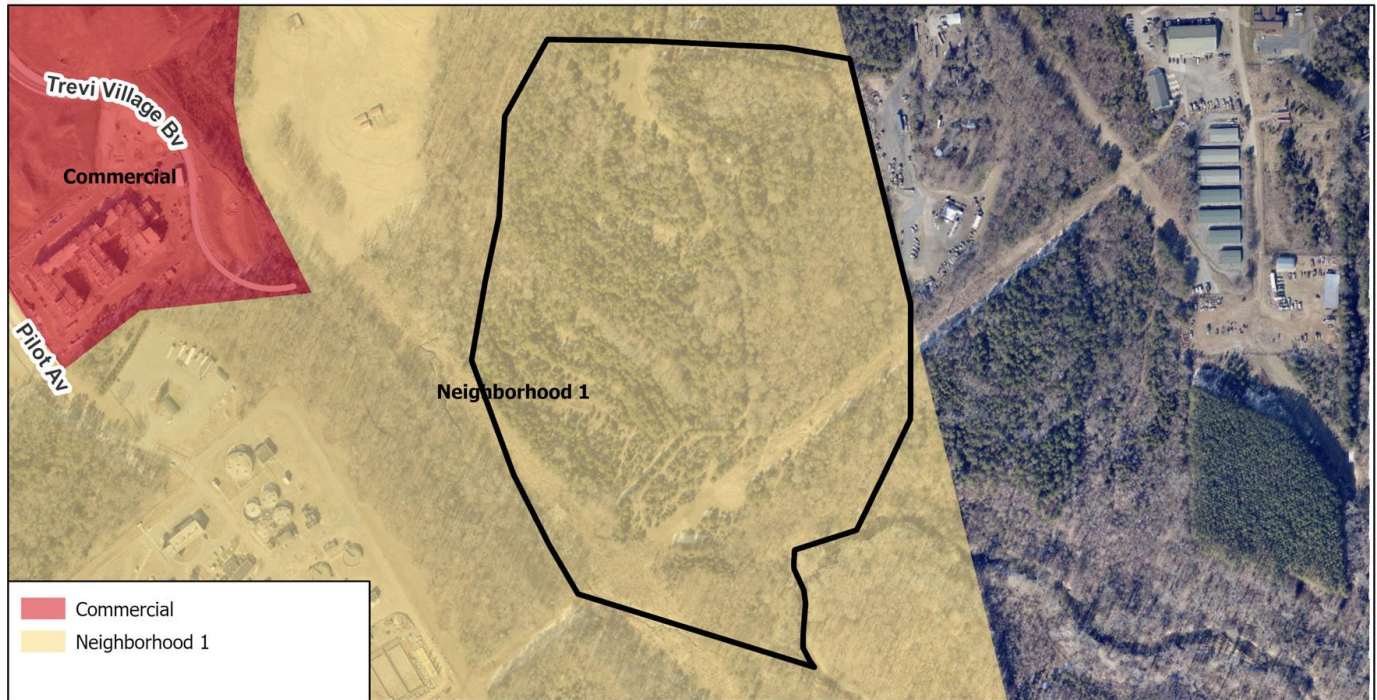


Petition Number	Summary of Petition	Status
2021-158	CC site plan amendment to an approved development to allow additional uses, clarify architectural standards, and adjust layout.	Approved
2021-150	Rezoned 37.14 acres to allow up to 380 multi-family dwelling units.	Approved
2021-148	Rezoned 114.6 acres to allow all uses in the R-4 zoning district.	Approved
2020-143	Rezoned 21.34 acres to allow all uses in the R-8 zoning district.	Approved



2017-088	Rezoned 23.3 acres to amend existing development rights and retain 275 multi-family dwelling units and eliminate the nonresidential uses.	Approved
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- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 1 place type for this site.

- **TRANSPORTATION SUMMARY**

- The site is located on North Tryon Street, a State-maintained major thoroughfare southeast of Floyd Smith Office Park Drive, a Private local street. The 48-acre site abuts Cabarrus County limits. The rezoning petition is Phase 2 of a residential development. Phase 1 was the previously approved rezoning petition 2021-150 which provide 380 apartments. A TIS study is required due to the generated trips being above both NCDOT and CDOT thresholds for both phases. The TIS was approved by CDOT on 3/29/2023 and NCDOT on 4/13/2023. All outstanding CDOT issues have been resolved.

- **Active Projects:**

- Mallard Creek Greenway
- Greenway from Harris Mill Ln to Cabarrus County Line
- RZP# 2021-150
- 380 Apartments

- **Transportation Considerations**

- ~~See Outstanding Issues, Note 1.~~ **Addressed**

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 1,415 trips per day (based on 144 single family dwelling units).

Proposed Zoning: 2,125 trips per day (based on 285 dwelling units).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 81 students, while development allowed with the proposed zoning may produce 48 students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Stoney Creek Elementary from 121% to 123%
    - James Martin Middle from 67% to 68%

- Julius L Chambers High from 137% to 138%.
- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding access to water system connections. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding accessibility to sewer system connections. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** 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.
- **Stormwater Services Land Development Engineering:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

#### OUTSTANDING ISSUES

##### Transportation

- ~~1. TIS comments were provided on 3/20/23 and a revision for minor text changes is required for final approval.~~ **Addressed**

##### Site and Building Design

- ~~2. Amend labeling on Class C buffers illustrated on plan to state they may be reduced 25% with wall, fence or berm, not buffer, berm, or fence.~~ **Addressed**

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

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