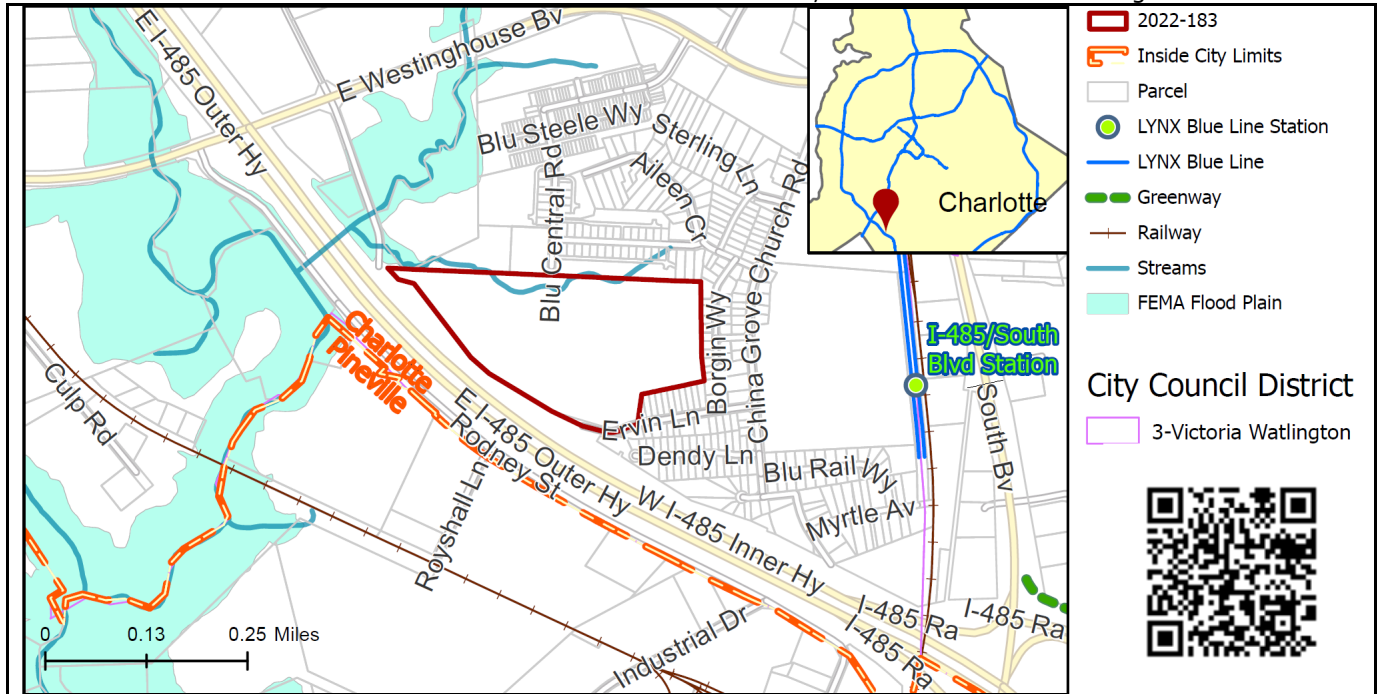


REQUEST

Current Zoning: I-1(CD) (light industrial, conditional)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 32.42 acres located along the north side of Interstate 485, west of China Grove Church Road, and south of East Westinghouse Boulevard.



SUMMARY OF PETITION

The petition proposes to develop the vacant site southwest of the Sterling neighborhood with a residential community with up to 186 single family attached units and is Phase 5 of the Blu South development north of the site.

PROPERTY OWNER

LJW Land LLC

PETITIONER

Blu South LLC

AGENT/REPRESENTATIVE

Greg Whitehead

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 7

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Manufacturing & Logistics.

Rationale for Recommendation

- The Manufacturing & Logistics place type recommendation is reflective of the current conditional zoning for the site approved in 1994, however the site was never developed.
- Industrial uses would be inappropriate for the site as it is surrounded by residential uses and the only vehicular access is through residential communities Blu South development to the north and Sterling neighborhood to the east.
- The proposed residential development and Neighborhood 2 place type is compatible with adjacent existing residential uses.

- The proposal limits the maximum number of duplex units to 58 and maximum attached townhome units to 128, for a total of 186 units on the 32.42 acre parcel resulting in a density of 5.73 units per acre.
- Much of the adjacent zoning to the east is R-8(CD) and N-1D which allows and is developed with similar residential development and density and the UR-2(CD) zoning to the north is being developed with duplex dwellings and townhomes.
- The proposal connects to Blu Central Rd, Ervin Ln, and Howell Station Rd. providing route additional route options out to Westinghouse Bv.
- The proposal provides additional housing options to the area and is within a ½ walk of the I-485/South Bv transit station located east of the site, accessed via sidewalks south of Sterling Elementary School.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 7: Integrated Natural & Built Environments

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

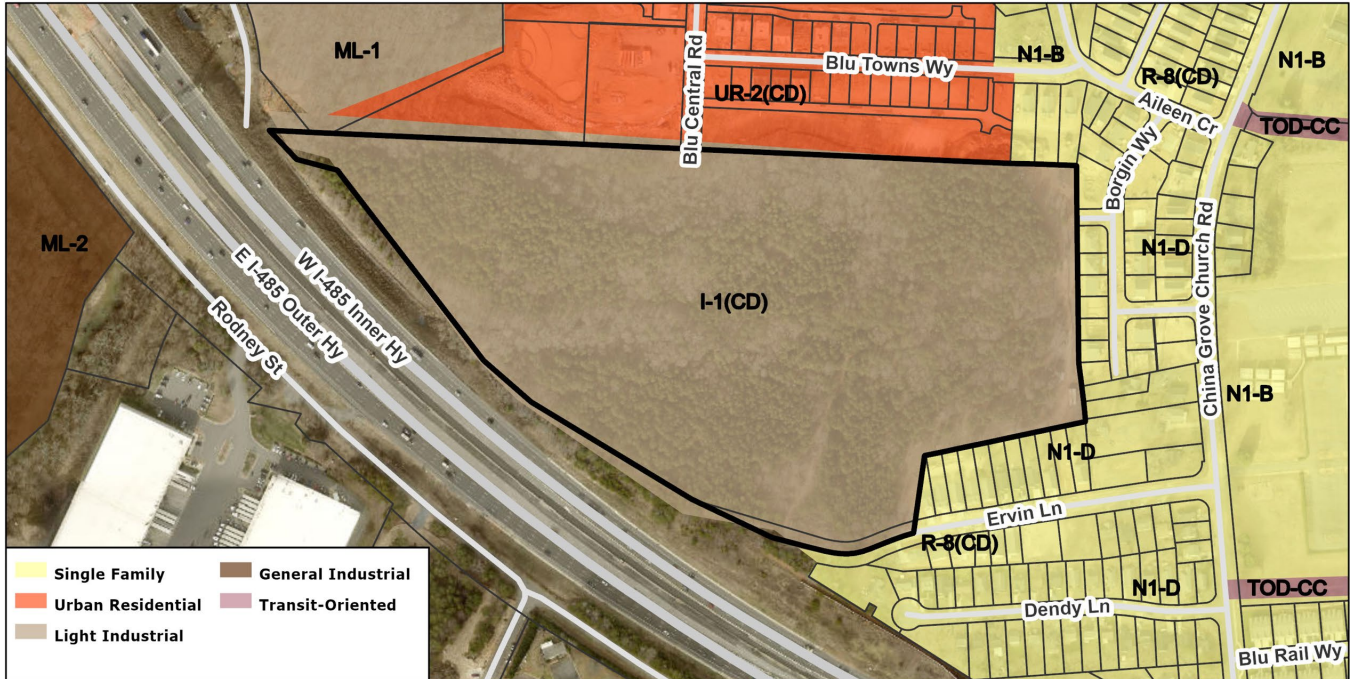
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 186 dwelling units, maximum of 58 duplex units and maximum of 128 single family attached townhomes (townhomes are limited to 4 units per building).
- Limits maximum building height to 40 ft.
- Specifies each unit will have a garage.
- Provides architectural standards related to roof design, porches and stoops, and limits on expanses of blank walls when facing public and private streets.
- Constructs a network of public streets connecting to Blu Central Rd, Howell Station Rd. and Ervin Ln.
- All townhome buildings will have vehicular access from alleys or private streets.
- Provides a 50 ft wide landscaped area along the east and southeast property line to include 9 trees and 20 shrubs per 100 linear ft.
- Provides a 60 ft access easement to Mecklenburg County for the future Kings Branch Greenway. Commits to dedicate additional land on the western edge of the site around the greenway easement to Mecklenburg County for future greenway/park use.
- Provides a central amenity area to be accessible to residents of the area, maintained by the developer to be to be improved at least 2 amenities including but not limited to dog park, playground, sport field(s), enhanced landscape/hardscape, gazebo or pergola.
- Specifies the amenity area will include a minimum 4,000 sqft of sports courts and 1,200 sqft of covered pavilion or equivalent.
- Commits to provide transportation mitigations in accordance with Table 3.3 Multimodal Assessment Mitigation Options. Notes a minimum commitment of 6 points with priority given to providing a 6 ft wide sidewalk throughout this development phase and improving ADA accessibility and connectivity between the project and the pedestrian connector at the Light rail station.

- **Existing Zoning**



- The site is currently zoned I-1(CD) by petition 1994-008C. There is residential zoning to the north, east and south of the site including UR-2(CD), R-8(CD), N1-B, N1-D. Further east of the site is TOD-CC zoning for the I-485/South Bv transit station. Northwest is ML-1 zoned land owned by Mecklenburg County for future park/greenway use.



The site, indicated by the red star above, is in an area with a mix of residential uses including single family attached and detached homes and duplex dwellings. There is a religious institution, elementary school and I-485/South Bv transit station east of the site on the east side of China Grove Church Rd.



The site is undeveloped, view from the end of Ervin Ln.



North of the site are single family attached and duplex dwellings under construction as Phases 2-4 of the Blu South development.



East of the site along Ervin Ln and Borgin Way are single family homes existing and under construction.

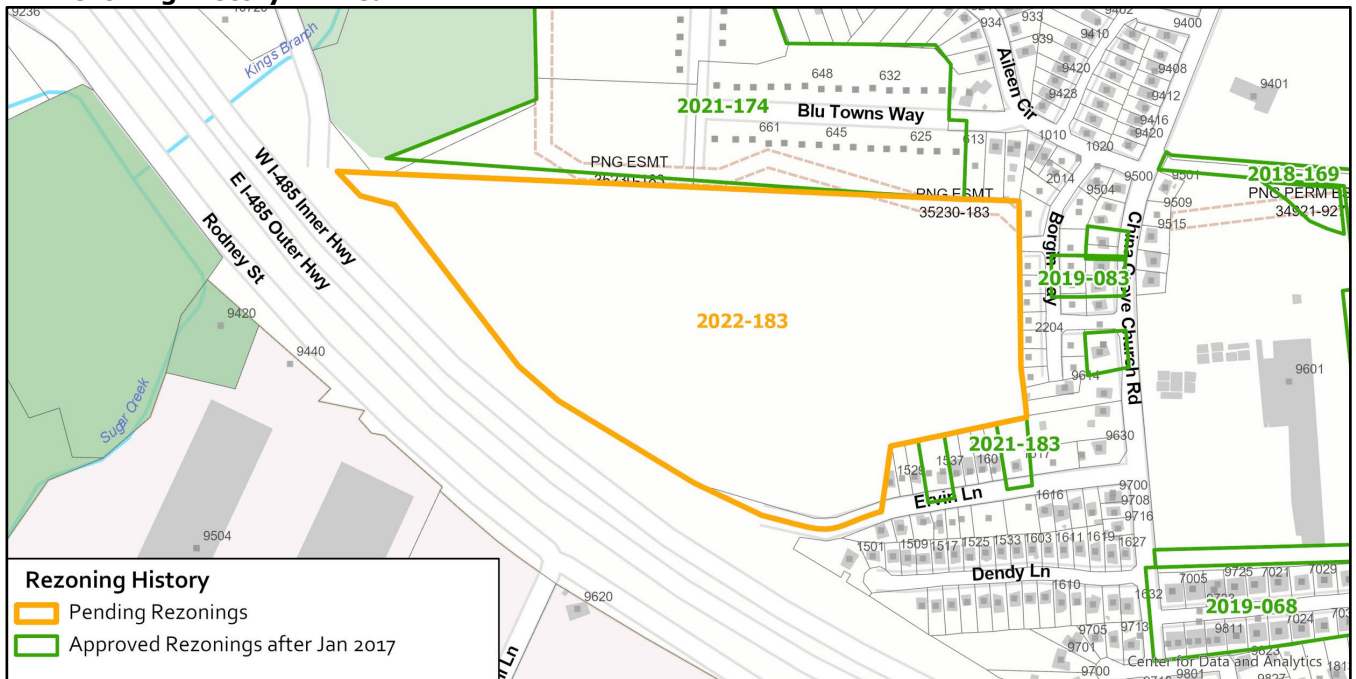


South of the site are a couple homes along Dendy Ln. The majority of the southern side of the site abuts the I-485 corridor.



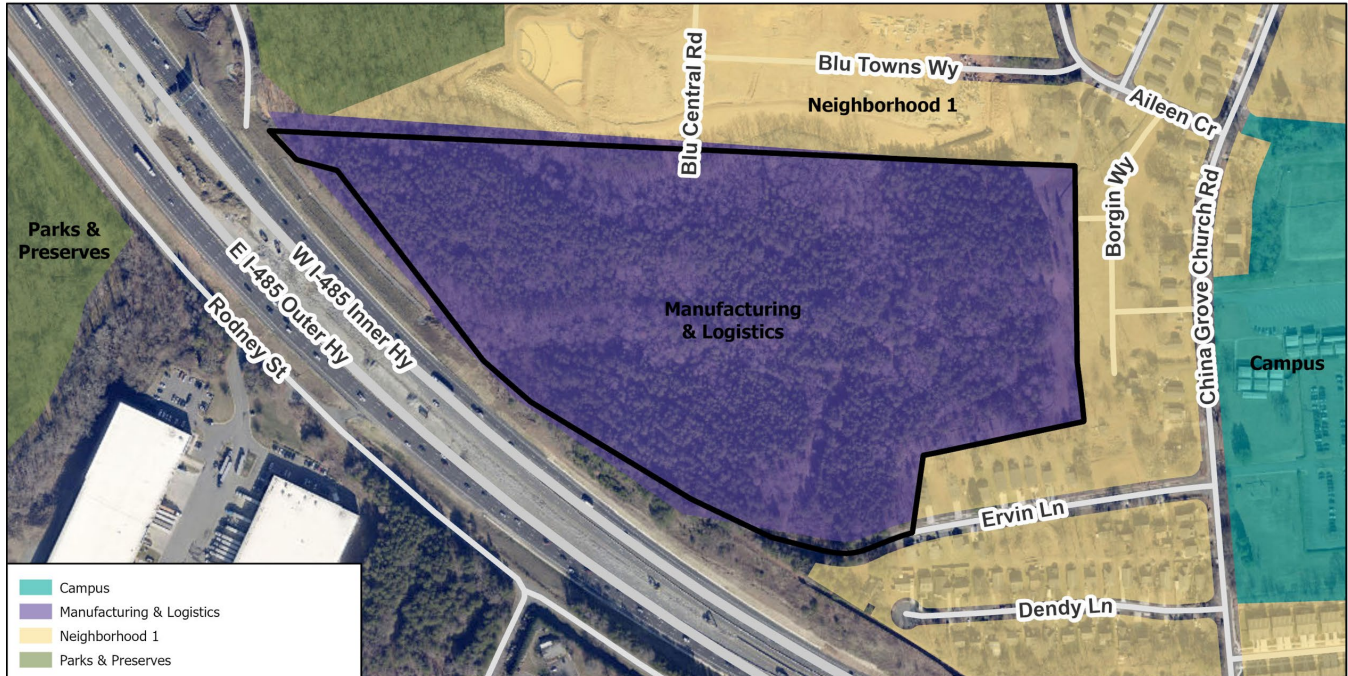
West/southwest of the site is the I-485 corridor.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-169	Zoning translation of TOD districts as a result of TOD text amendment.	Approved
2019-068	6.17 acres east of the site on the east side of China Grove Church Rd from R-4 (single family residential) to R-8 (single family residential). This has now been translated to N1-D per the UDO.	Approved
2019-083	0.56 acres east of the site, on the west side of China Grove Church Rd from R-4 to R-8. This has been translated to N1-D per the UDO.	Approved
2021-174	36.06 acres north of the site south of Westinghouse Bv from B-2(CD), R-12(MF) (multifamily residential) and R-4 to UR-C(CD) (urban residential, commercial) and UR-2(CD).	Approved
2021-183	1.124 acres southeast of the site along Ervin Ln from R-8(CD) to R-8. This has been translated to N1-D per the UDO.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Manufacturing & Logistics place type for the site.

- **TRANSPORTATION SUMMARY**

- The petition is located on the north side of Ervin Lane, a City-maintained local street and south Blu Central Road privately-maintained local street. A Traffic Impact Study (TIS) is not required for this site due to the site generating less than 2,500 daily trips. All outstanding CDOT comments have been addressed.
- **Active Projects:**
 - I-485 Express Lanes (NCDOT STIP I-5507)
 - The project will add one express lane in each direction on I-485 between I-77 and U.S. 74 (Independence Boulevard), providing travel time reliability and improving traffic flows on this critical transportation corridor. This project will also add one general purpose lane in each direction between Rea Road and Providence Road, and a new interchange at Weddington Road. In coordination with other projects in south/southeastern Mecklenburg County, this project would serve as part of a larger network of express lanes offering drivers the option of more reliable travel times.
 - The project is in construction and is expected to be complete by Winter 2024.
- **Transportation Considerations**
 - See Outstanding Issues, Note 4-5 and Technical Revisions 15. Addressed
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 555 trips per day (based on 324,280 sqft of industrial).
 - Proposed Zoning: 1375 trips per day (based on 186 single family attached and low rise multi-family).

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 0 students, while development allowed with the proposed zoning may produce 62 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 62.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Sterling Elementary from 117% to 121%
 - Quail Hollow Middle from 124% to 125%
 - South Mecklenburg High from 133% to 134%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located on I-485. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located inside parcel 20520202. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. Add a note under B.1 Permitted Uses stating that the proposed single family attached townhomes will be limited to a maximum of 4 units per building since that is what is being shown on the site plan. **Addressed**
2. Add a note committing to a minimum size for the proposed central amenity area and a note clarifying it would be accessible by the public. Note added but need to provide a minimum size. **Addressed, the petition commits to a minimum of 3,000 sqft of sports courts and 1,200 sqft of covered pavilion or equivalent.**
3. Modify the street termination at the southern end of Blu Central Rd. Public streets should terminate at an intersection or provide a turnaround. **Addressed**

Transportation

4. Complete a CTR (comprehensive transportation review) for the site. Review and assess the public accessible pedestrian network within ¼ mile walking distance of the site to identify multimodal infrastructure to meet the Tier 2 (6 mitigation points) for multimodal assessment. **Addressed, the petitioner added a note committing to mitigations to account for at least 6 points with priority given to creating a 6 ft wide sidewalk connection through this phase and improving connectivity between the development and the pedestrian connection at the Light Rail station.**
5. ~~Revise the plan to label and dimension the planting strip and sidewalk from the back of curb along the public streets and add a note committing to the construction of the 8 ft planting strip and 6 ft sidewalk along both sides of all public streets. Not addressed, needs a conditional note and label 8' planting strips and 6' sidewalks (typ.) on proposed public streets.~~ **Addressed**
6. Add a note stating, "A Right of Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right of way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements." **Addressed**
7. Amend the site plan to provide a single continuous street from Blu Central Rd. to Ervin Ln. that meets CDOT design standards. **Addressed**

Environment

8. Identify and label potential 30 ft PCSO buffers on site plan. **Addressed**
9. Provide buffer note under Environmental Features: "Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions." **Addressed**

REQUESTED TECHNICAL REVISIONS

Transportation

10. Remove carry over note C.5 related to connections to Aileen Ct and Sterling Lane since these streets do not abut the site. **Addressed**
11. Amend the labels for Ervin Lane and Blu Central Road to reflect public roads. **Addressed**

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12. ~~Revise the plan to dimension all public rights of way from the centerlines.~~ Addressed
 13. ~~Remove the stub on Ervin Ln shown on the plan.~~ Addressed
 14. ~~Add a note specifying "the Petitioner shall dedicate and convey in fee simple all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights of way set at 2' behind back of sidewalk where feasible."~~ Addressed
 15. ~~Add a note specifying "All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes." Note added but amend wording as phasing should be on rezoning plan, not Civil Plans.~~ Addressed.

Site and Building Design

16. ~~Amend note I.2 under Parks and Recreation to clarify who will be responsible for maintenance of the amenity area once the developer has completed the construction of the project or if the property is sold. Also clarify that the amenity area will be open/accessible to the general public.~~ Addressed, the petitioner specifies the amenity area is located along public streets and will be accessible to residential of the area, additionally the petitioner added that land area on the west side of the site around the greenway easement will be dedicated to the County for greenway/park uses.
 17. ~~Either remove Architectural standard note 2(b) or amend it to say vehicular access for duplex units may be from streets or alleys, vehicular access for townhomes shall be only from alleys or private streets.~~ Addressed
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Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: John Kinley (704) 336-8311