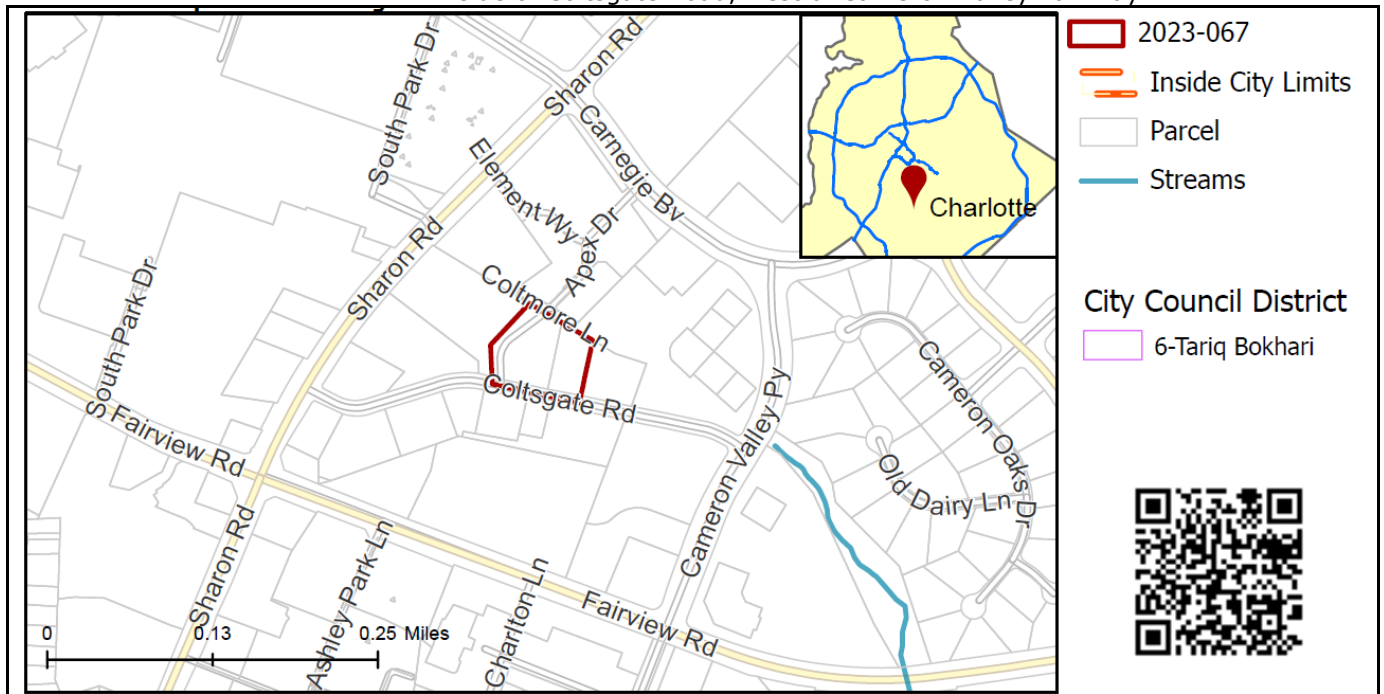


**REQUEST**

Current Zoning: MUDD-O (mixed use development district, optional) and N1-A (neighborhood 1, A)  
Proposed Zoning: RAC(CD) (regional activity center, conditional)

**LOCATION**

Approximately 2.28 acres located on the east side of Apex Drive and north side of Coltsgate Road, west of Cameron Valley Parkway.



**SUMMARY OF PETITION**

The petition proposes a multi-family residential development as part of the Apex Southpark project on parcels currently developed with surface parking and one single family home.

**PROPERTY OWNER**

CK Coltsgate, LLC; Catherin N. Potter; Trust Robert Daniel Potter Family; Robert Daniel Jr Potter; Trust Catherine N Potter Revocable

**PETITIONER**

Childress Klein Properties

**AGENT/REPRESENTATIVE  
COMMUNITY MEETING**

Bridget Grant, Moore & Van Allen, PLLC

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 9

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for Regional Activity Center.

Rationale for Recommendation

- This project proposes dense residential development in an area that is largely populated with commercial and office uses. The addition of intense residential projects to the area contributes to a balanced mix of uses as envisioned in the Regional Activity Center Place Type. Future residents at the site would have easy access to a range of retail and employment areas.
- Residential uses at this site would be well served by multiple modes of transportation. The site is located within a 1/2-mile walk of several bus

- stops which are connected to the site through existing pedestrian infrastructure networks.
- A large portion of the site is currently utilized as surface parking. Such a use contradicts the goals of the Regional Activity Center Place Type to create dense urban environments that are less reliant on personal auto usage. Redevelopment of this site would bring it more in line with its place type as well as the densifying trends in the area.
  - The Regional Activity Center zoning district maintains high design standards and encourages urban pedestrian-oriented environments.
  - The petition could facilitate the following *2040 Comprehensive Plan* Goals:
    - 1: 10 Minute Neighborhoods
    - 5: Safe & Equitable Mobility
    - 6: Healthy, Safe & Active Communities

**PLANNING STAFF REVIEW**

• **Background**

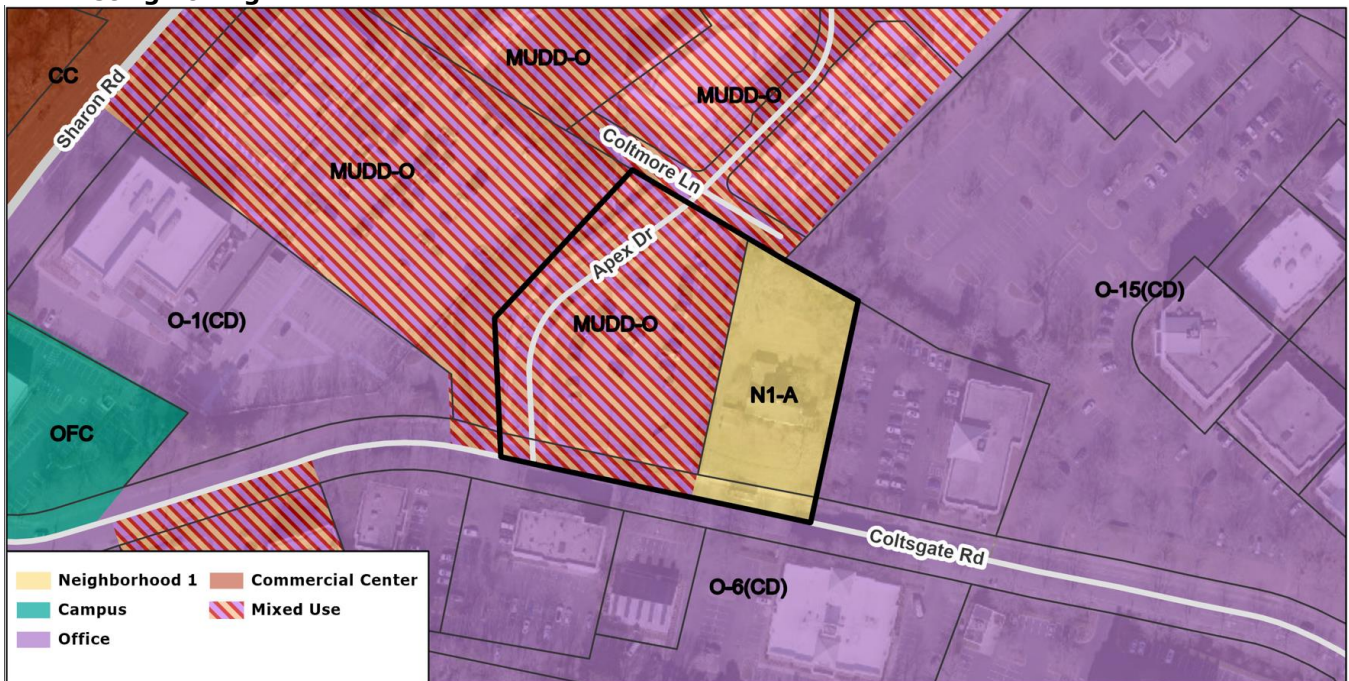
- This rezoning is part of a multi-phase mixed-use project, Apex Southpark, which was entitled through rezoning petition 2015-059. More specifically, this rezoning is for Apex Phase II parcels which include the expansion parcel, PID 183-131-03. This rezoning modifies the proposed Apex Phase II uses from residential and office to just residential uses.

• **Proposed Request Details**

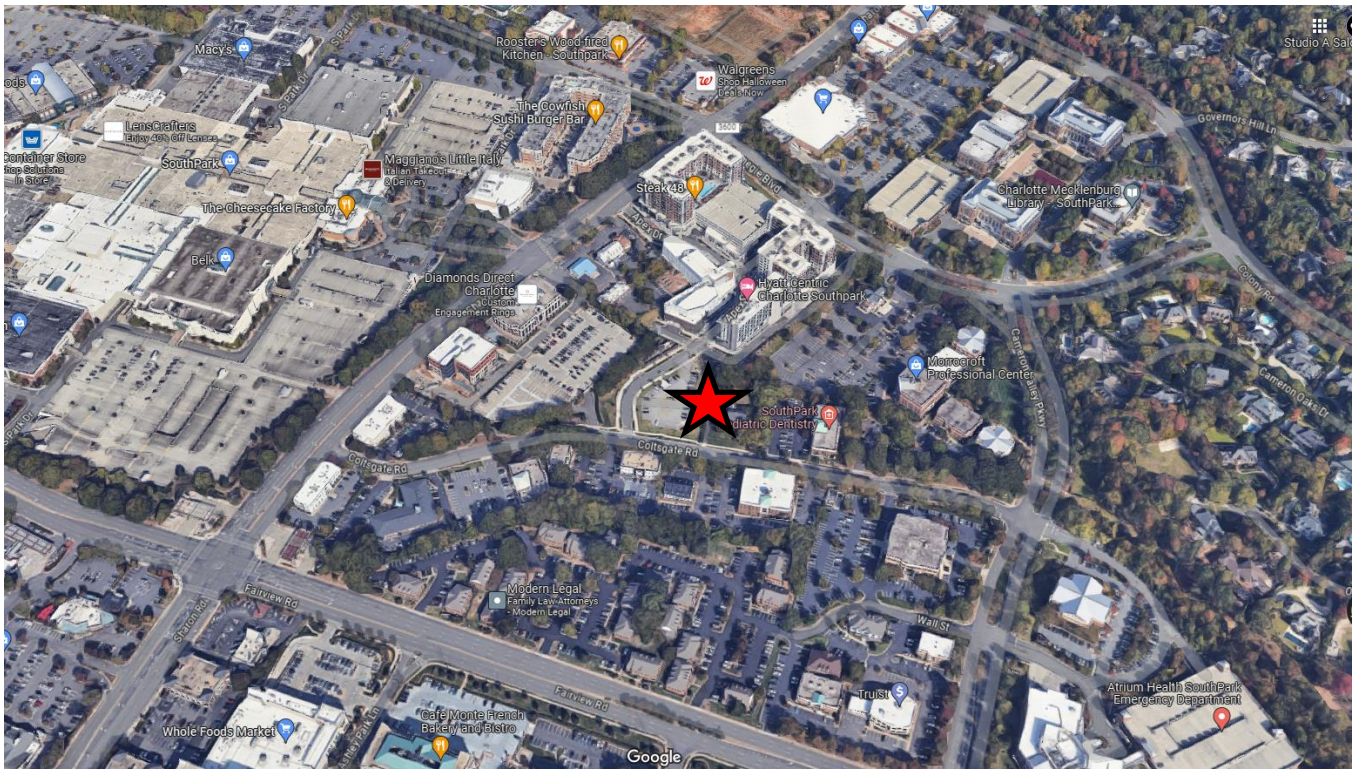
The site plan accompanying this petition contains the following provisions:

- Proposes up to 425 multi-family residential units together with accessory uses as allowed in the RAC district.
- Allows a maximum height of 250’.
- Provides stormwater notes related to storm water quality treatment and volume and peak control.
- Commits to an 8’ planting strip and 8’ sidewalk along Coltsgate Road.
- [Commits to satisfy the Tier 2 Multimodal and Transportation Demand Management assessments per the Comprehensive Transportation Review.](#)

• **Existing Zoning**



- The site is currently zoned MUDD-O and N1-A and is in an area with MUDD-O, O-15(CD), O-6(CD), O-1(CD), OFC, and CC zoning.



- The subject site is denoted with a red star and is in an area with commercial, office, and residential uses.



- North of the site is Apex Phase I, which has a mix of office, commercial, and residential uses.



- East of the site are various offices.

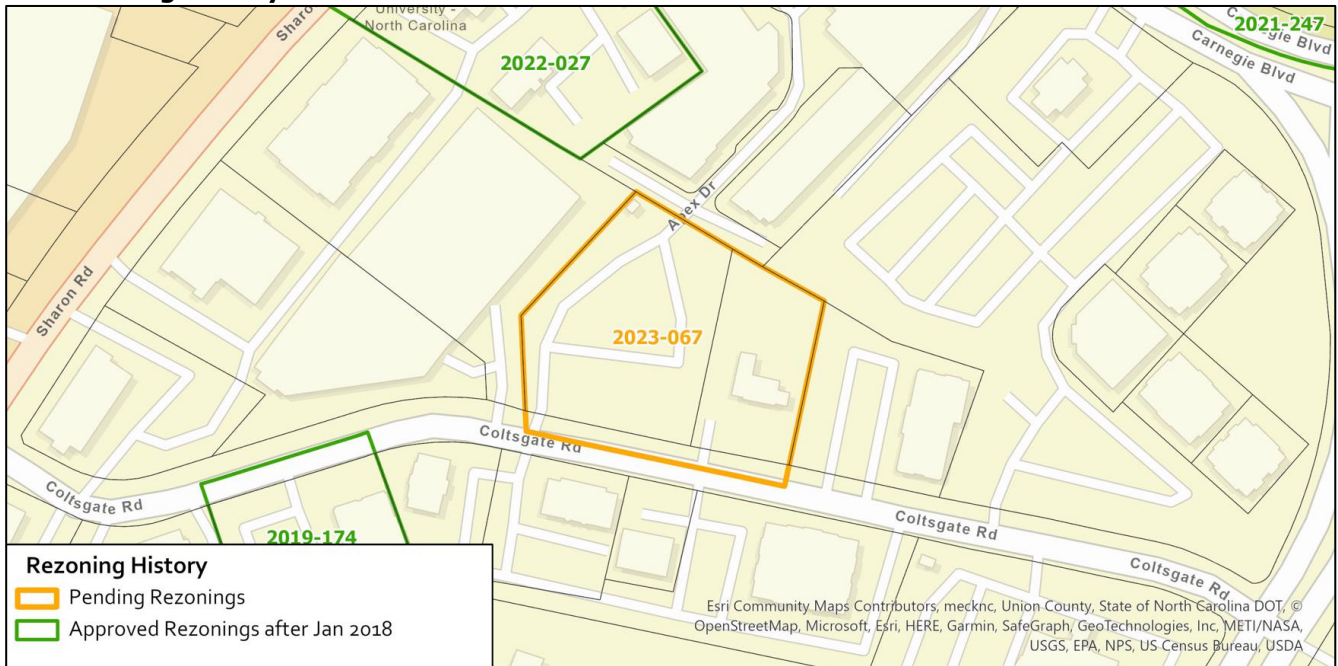


- South of the site are dental offices.



- West of the site is structured parking that accompanies the adjacent retail areas.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-174	Rezoned 1.12 acres from O-6(CD) to MUDD-O.	Approved
2021-247	Rezoned 7.56 acres from B-1SCD to MUDD-O	Approved
2022-027	Rezoned 2.27 acres from MUDD-O to MUDD-O SPA.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Regional Activity Center.

• **TRANSPORTATION SUMMARY**

- The site is located at the intersection of Coltsgate Road, a City-maintained local street, and Apex Drive, a privately-maintained local street. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the medium to high intensity development. Based on the 805 daily trips, the petitioner has committed to satisfying Tier 2 Multimodal and Transportation Demand Management (TDM) assessments. No further revisions are required.

• **Active Projects:**

- Capital Improvement Project – Sidewalk Gaps and Ramps on Coltsgate Road
  - Project ID: PM51215040
  - Project Description: This project will install sidewalks in small gaps as well as accessible ramps throughout Charlotte in locations identified by CDOT.
  - Project Type: Pedestrian and Bike
  - Project Phase: Active
  - PM: Brooke England brooke.england@charlottenc.gov
  - Project Impact: Advances Vision Zero Strategy

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (there are no current uses on the site).

Entitlement: Too many uses to determine.

Proposed Zoning: 805 trips per day (based on 425 dwelling units).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 0 students, while development allowed with the proposed zoning may produce 146 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 146.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Sharon Elementary from 91% to 100%
    - Alexander Graham Middle from 106% to 109%

- Myers Park High from 123% to 124%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Coltsgate Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Coltsgate Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Stormwater Services Land Development Engineering:** See Outstanding Issues, Note 3.
- **Urban Forestry / City Arborist:** No outstanding issues.

#### **OUTSTANDING ISSUES**

##### Transportation

1. ~~Complete the required Comprehensive Transportation Review (CTR) based on the Tier 2 Multimodal and Transportation Demand Management (TDM) assessments.~~ **Addressed**

#### **REQUESTED TECHNICAL REVISIONS**

##### Land Use

2. ~~Add a note specifying that any height above 150' will be achieved utilizing development bonus standards outlined in Article 16 of the UDO.~~ **Addressed**

##### Environment

3. ~~Revise Note 1. of the Storm Water Quality Treatment conditions to specify 24% rather than 25%.~~ **Addressed**
- 

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Holly Cramer (704) 353-1902