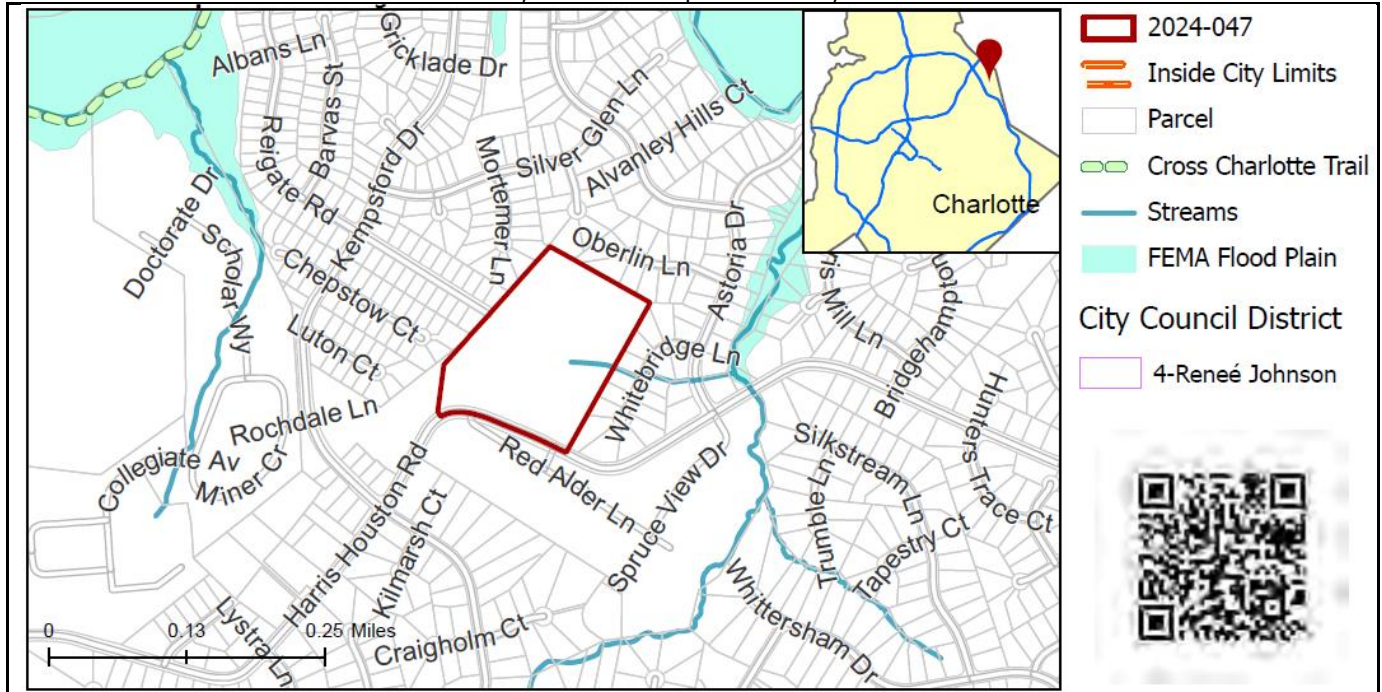


REQUEST

Current Zoning: N1-A (neighborhood 1-A)
Proposed Zoning: N1-D(CD) (neighborhood 1-D, conditional)

LOCATION

Approximately 12.77 acres located on the north side of Harris Houston Road, east of Kempsford Road, and west of Astoria Drive.



SUMMARY OF PETITION

The petition proposes a residential development with up to 76 duplex units (in up to 38 buildings) on an internal street network with on street parking, common open space, and green and tree save areas on vacant land.

PROPERTY OWNER

A1 Group LLC

PETITIONER

Heaven Properties

AGENT/REPRESENTATIVE

Devona Smith-W&A Engineering

COMMUNITY MEETING

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

Number of people attending Community Meeting #1: 12

Number of people attending Community Meeting #2: 11

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to environment.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for Neighborhood 1 place type.

Rationale for Recommendation

- The petition proposes the development of 76 duplex units adding to the diversity of middle density housing options in the area.
- Single-family detached homes on lots are the primary use in this Place Type. Accessory Dwelling Units are also found. Duplexes, triplexes, quadraplexes, and civic uses, such as parks, religious institutions, and neighborhood scaled schools, may also be found in this Place Type.
- The project limits building height to 40 feet.

- The typical building in a Neighborhood 1 place is a single-family residential building up to 3 or 4 stories.
- The project proposes an internal street network with on street parking that has primary access from Harris Houston Road and extends Reigate Road.
- Development is characterized by low-rise residential buildings, uniformly set back from the street, and generally consistent lot sizes. Front lawns, landscaped yards, and tree-lined sidewalks are found between residences and the street, and individual back yards are commonly found for each main residential building.
- The project commits to 15.7 common open space and 16.5% green area on the site per compact residential development standards.
- The project provides 30-foot-wide landscape yards planted to Class B standards along and adjacent property lines abutting single family homes.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion

PLANNING STAFF REVIEW

• Background

- The rezoning public hearing was held on December 16, 2024, and City Council suggested the petitioner have another conversation with the community to hear concerns with the request. A second community meeting was held on February 4, 2025. Additional commitments on the rezoning plan (noted in purple below) reflect additional discussions with the community.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

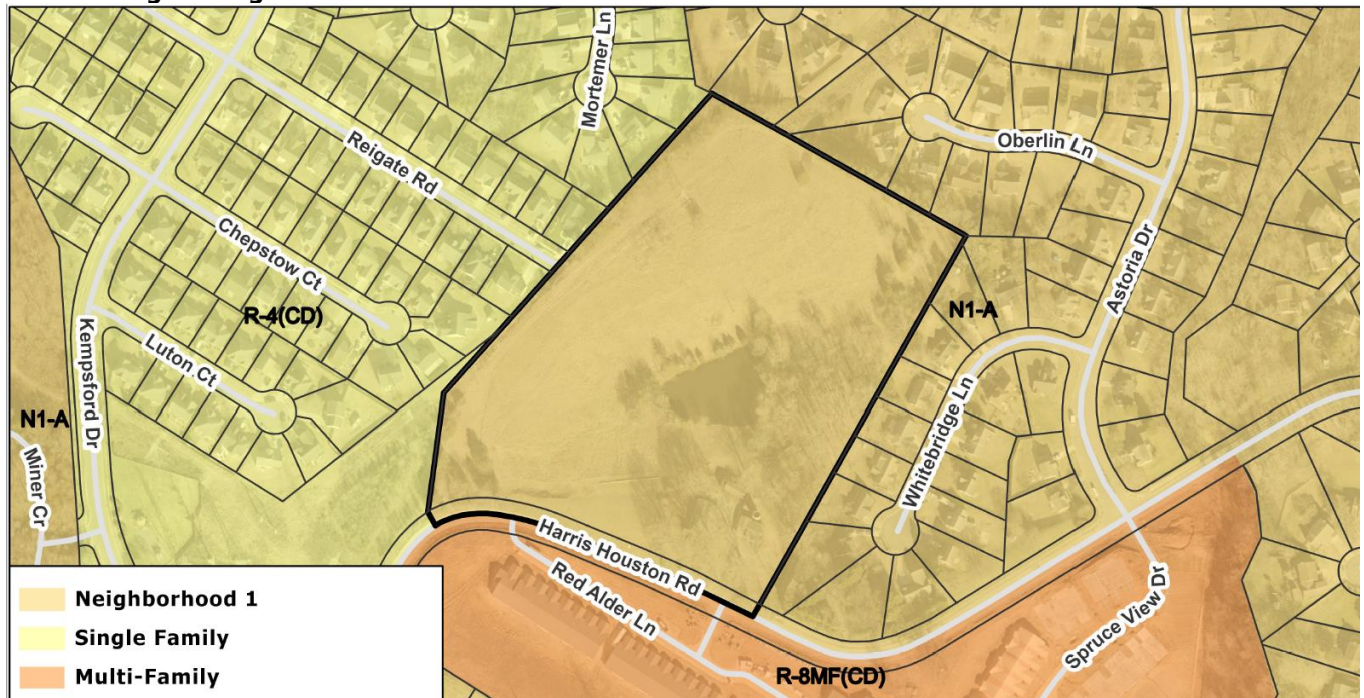
- Allow up to 76 duplex units in up to 38 buildings with a maximum building height of 40 feet.
- Installs internal network of public streets with on street parking and connecting to Harris Houston Road and extending to Reigate Road.
- Installs a six-foot sidewalk and eight-foot planting strip along Harris Houston Road's frontage. Illustrates portion sidewalk meandering to preserve an existing tree.
- Dedicate 33.5 feet of right-of-way as shown on the zoning plan for Harris Houston Road.
- Provide 15.7% common open space on the site (minimum 10% required).
- Provide 16.5% green area on the site (minimum 15% required).
- Where site abuts the Neighborhood 1 place type, proposes a 30-foot landscape yard along the perimeter to Class B landscape yard standards and may be counted toward green area credits. *Landscape yard shifts in certain locations due to existing 68-foot-wide Duke Power easement.*
- Along sections of property line lying adjacent to Chariot Road and Trident Lane hammerheads, provide a 10-foot-wide buffer planted with evergreens. Proposes a retaining wall along a portion of these buffers.
- Notes that if Chariot Road and Trident Lane rights-of-way are extended, landscape yard plantings may be removed.
- Propose retaining walls within certain portions of the site (no retaining wall is allowed within 10 feet of a green area).
- Notes petitioner will consider incorporating design requirements that recess the garage door no less than one foot and/or require garage doors to have transparency (glass). Notes petitioner will consider the incorporation of front porches against public/private streets and open space.
- Notes all corner/end units facing a public or private street should have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the amount of blank wall expanse to 10 feet on all building levels.
- Identifies existing pond to be converted to BMP and locates existing stream on the site.
- Identifies a 68-foot-wide Duke Power easement traversing a portion of the site.
- Notes for adjoining parcels receiving stormwater discharge from the proposed BMP/water quality feature, the petitioner shall analyze the adequacy of the existing stormwater conveyance on the adjoining parcels. If the existing stormwater conveyance on the adjoining parcels is found to be inadequate, the petitioner shall make a good faith effort with the property owner(s) to improve the stormwater conveyance or mitigate the stormwater discharge onto the adjoining parcels.
- *Petitioner will coordinate with residents on the type of amenities provided in the common open space areas. The petitioner will also work with the Houston Hills Subdivision to upfit the open space within the front, shared utility easement.*

- The petitioner will fund traffic calming measures on the proposed public street(s) within the proposed Harris Houston development (i.e. Trident Lane, Reigate Road). The funding of the proposed traffic calming measures is based on the City's approval of the traffic calming measures for the neighboring Houston Hills subdivision.
- The petitioner will include rental limitations in the development's conditions, covenants & restrictions (CC&R'S).

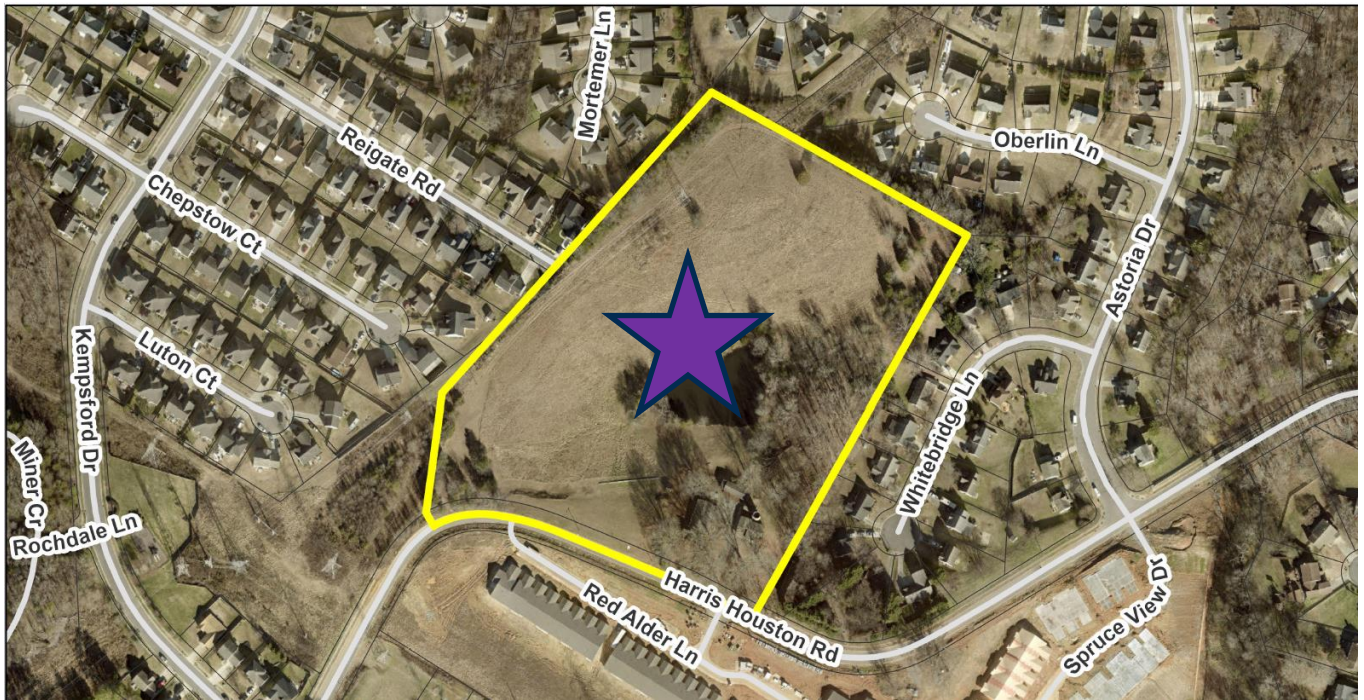
Lots within a compact residential development shall meet the following standards:

N1-D Zoning District	Standard Requirement	Compact Standard
Min Front Setback (feet)	17	5
Min Corner Side Setback (Feet)	10	5
Min Side Setback	5	5
Min Rear Setback (Feet)	25	10
Min Lot Area (Sq Ft)	3,500	3.000
Min Lot Width (Feet)	40	30

• **Existing Zoning**



- The subject site is developed with residential structures, a pond, with the remainder vacant land. The site is surrounded by single family detached homes zoned N-1A and R-4(CD), and a multi-family residential development under construction zoned R-8MF(CD).



The rezoning site (denoted by purple star) is surrounded primarily by single family neighborhoods and a multi-family development under construction.



The rezoning site is developed with residential structures, a pond, and vacant land, and is surrounded by single family detached and multi-family residential communities.



North are single family homes.



East are single family homes.

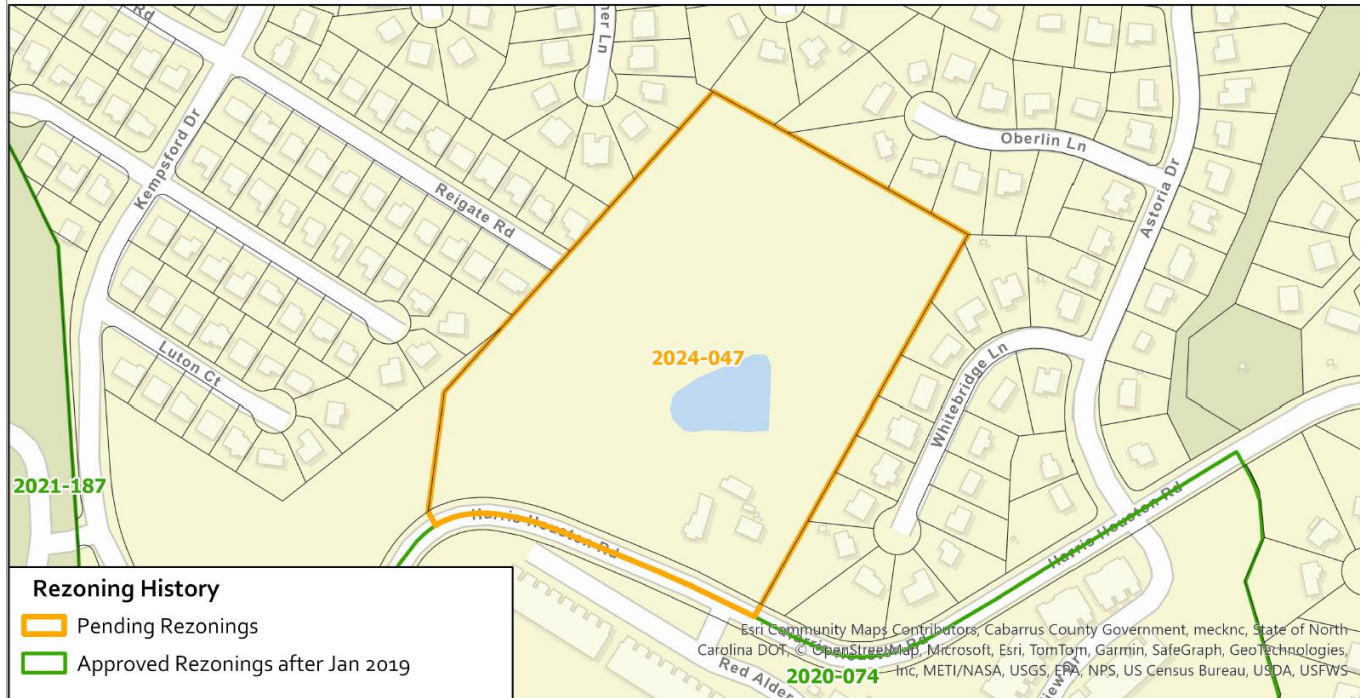


South is a multi-family residential community under construction.



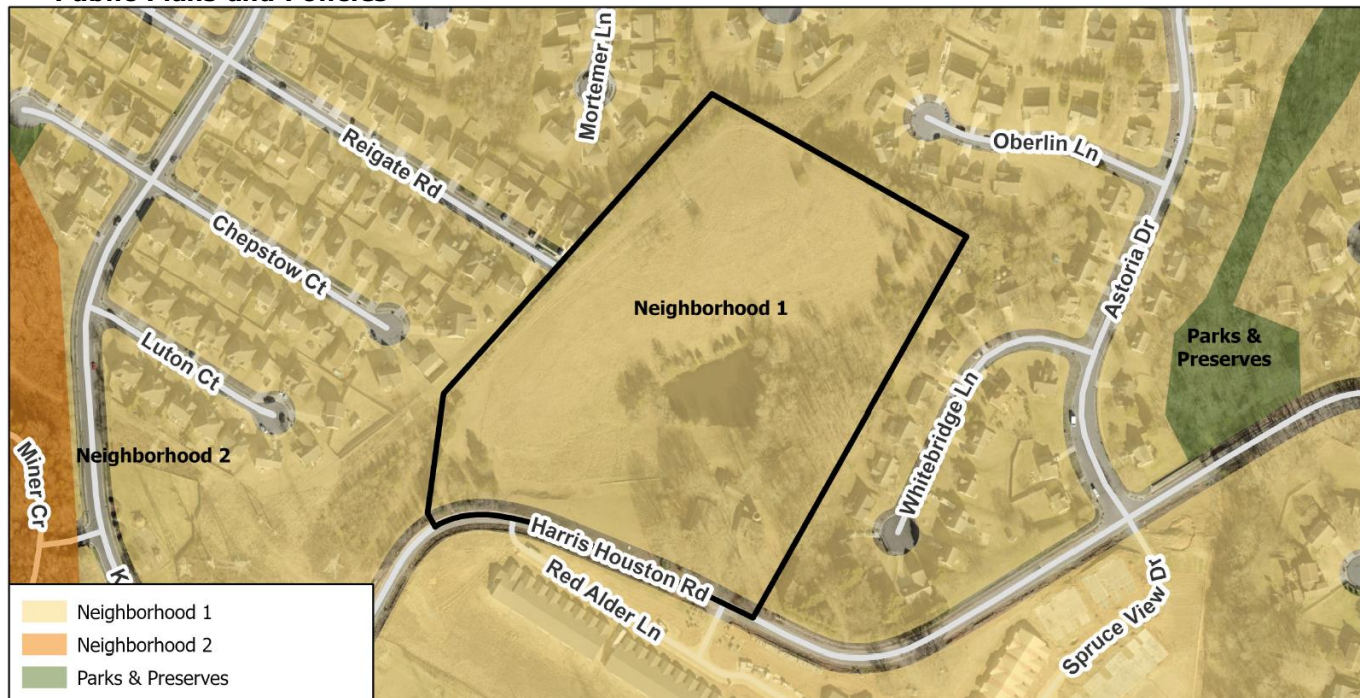
West are single family homes.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2024-047	Rezone 12.77 acres from N1-A to N1-D(CD).	Pending
2021-187	Rezoned 27.34 acres from MX-2(CD) to R-3.	Approved
2020-074	Rezoned 21.08 acres from R-3 to R-8MF(CD).	Approved

- Public Plans and Policies**



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

- TRANSPORTATION SUMMARY**

The petition is on Harris Houston Road, a City-maintained Collector road, East of Pavilion Boulevard, a City-maintained Avenue. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. All outstanding CDOT issues have been Addressed.

- **Active Projects:**
 - N/A
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 15 trips per day (based on single family dwelling unit).
Entitlement: 239 trips per day (based on 38 dwelling units).

Proposed Zoning: 529 trips per day (based on 76 single family attached dwelling units).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** This development may add 13 students to the schools in this area.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Stoney Creek Elementary remains at 104%.
 - Martin Middle remains at 65%.
 - Julius L Chambers High remains at 137%.
 - See advisory comments at www.rezoning.org.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main along Harris Houston Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Harris Houston Road. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** See advisory comments at www.rezoning.org
- **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.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Notes 3-4.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Site and Building Design

1. ~~Please amend Permitted Uses language by removing reference to 158 lots and specifying up to 76 duplex units to be consistent with the Site Development Data, what is depicted on the site plan, and to avoid confusion.~~ **Addressed**
2. Please clarify the purpose of the retaining walls adjacent portions of the proposed hammerheads.
Petitioner Response: The retaining walls are shown based on preliminary grading that was done. They were placed to be able to tie into the existing grade appropriately. We have not re-graded since we've been in this reasoning process, so they are subject to change.

Environment

3. Review green area standards. Many areas shown as green area do not meet green area standards including min width, 10' no build zones and showing utilities within tree save/green areas. **Not addressed**
4. Most of the existing tree canopy is shown as common open space and the majority of the tree save is replanted. Adjust the tree save and common open space so the bulk of the tree canopy is tree save. Still showing sight distance triangles within tree save. **Not addressed**