

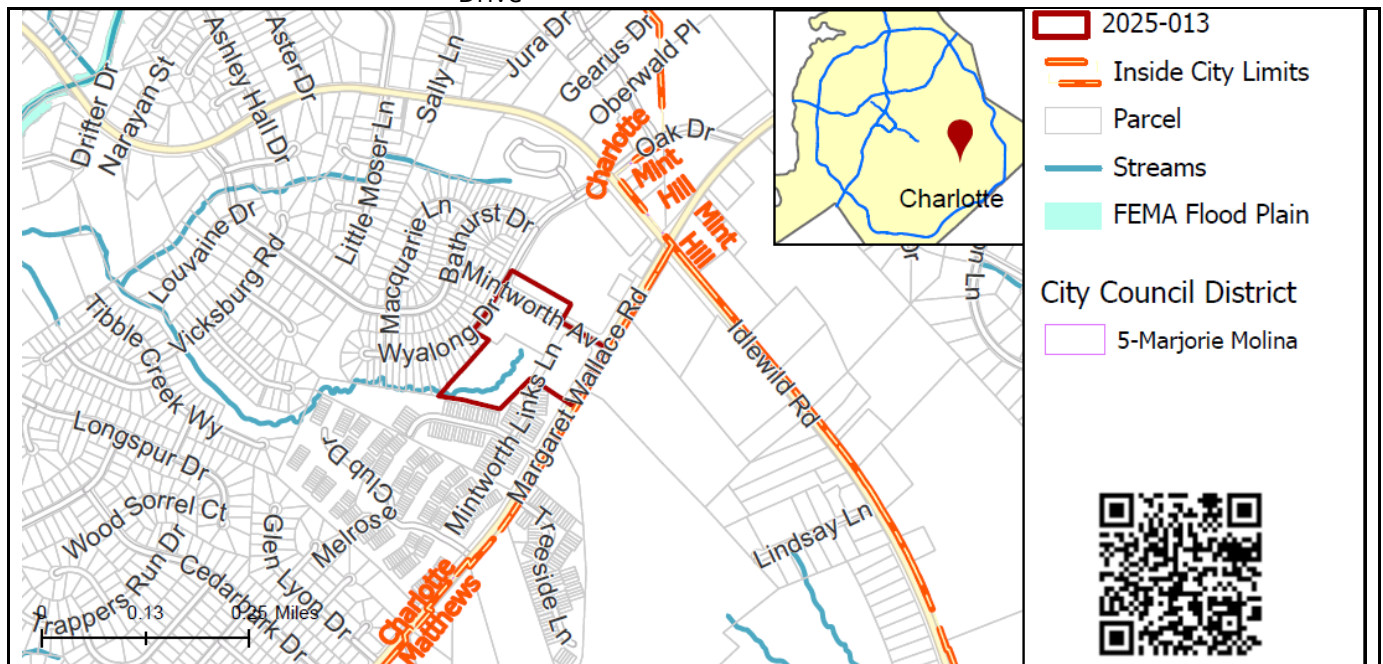
## REQUEST

Current Zoning: NS (Neighborhood Services) and N2-B (Neighborhood 2-B)

Proposed Zoning: N2-B(CD) (Neighborhood 2-B, Conditional)

## LOCATION

Approximately 8.43 acres located along the north and south side of Mintworth Avenue, west of Margaret Wallace Road, and east of Wyalong Drive



## SUMMARY OF PETITION

The petition proposes to allow for the development of up to 64 multi-family attached dwelling units on a site that is currently undeveloped.

## PROPERTY OWNER

Mintworth Commons, LLC

## PETITIONER

True Homes

## AGENT/REPRESENTATIVE

Ian Anderson, PLA, Merrick & Company

## COMMUNITY MEETING

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

Number of people attending the Community Meeting: 2 (2 Community Meetings)

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for the Commercial Place Type.

### Rationale for Recommendation

- The proposed site lies in a transitional area between an established single-family neighborhood, and a commercial center at the intersection of Margaret Wallace Road and Idlewild Road. Although the place type designation is Commercial here and may include some auto-oriented uses, the Neighborhood 2 Place Type could serve as a positive transition between established Neighborhood 1 residential areas and existing commercial development.

- Where the rezoning boundaries abut single family homes, the site plan provides substantive buffering with proposed open space areas.
- Similar building forms to the rezoning proposal can be found directly south of the site where there is an existing townhome community.
- The site is serviced by CATS express bus route 52X, providing transit options for future residents.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 2: Neighborhood Diversity & Inclusion

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

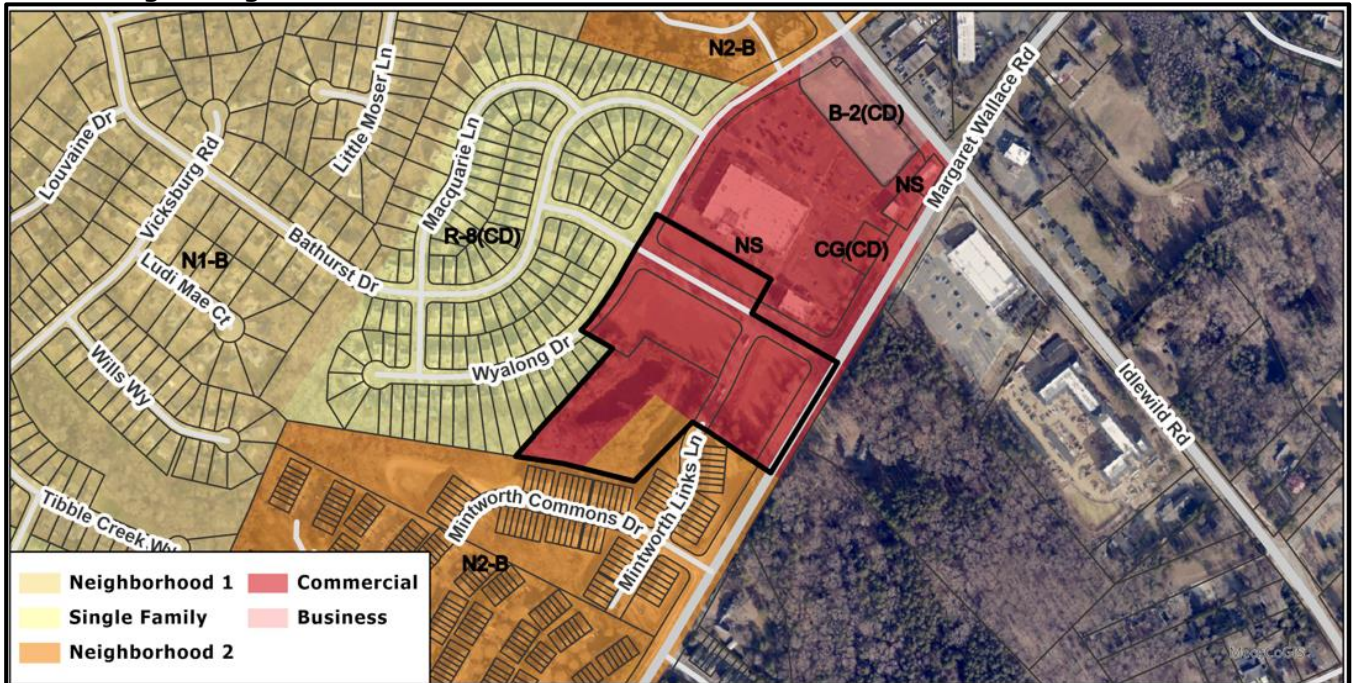
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

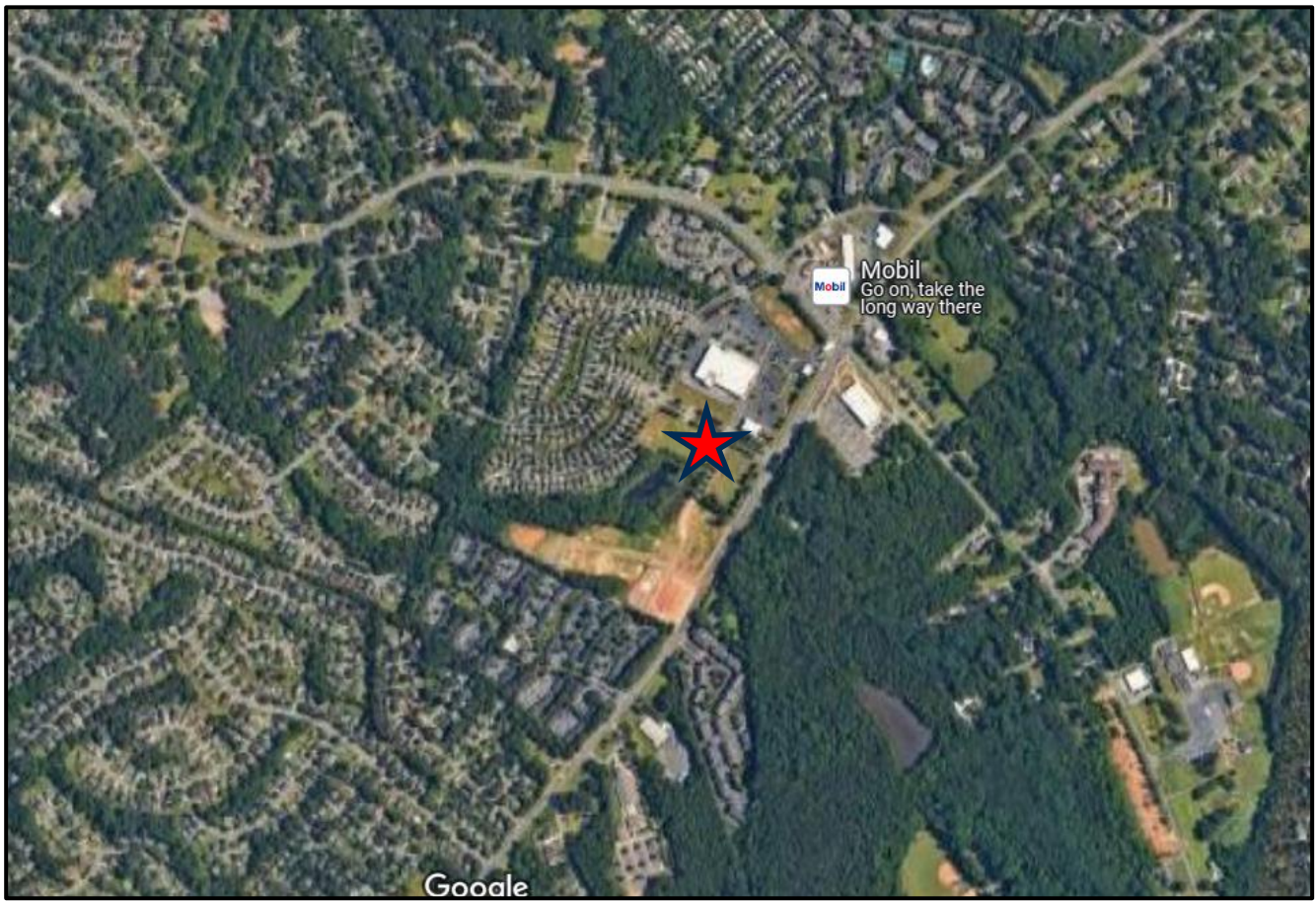
- Allows up to 64 multi-family attached dwelling units under the N2-B zoning district.
- Provides 15-foot-wide Class C Landscape Yard along the portion of the site directly abutting NS zoning on the north side of Mintworth Avenue.
- Provides 3 open space amenity areas.
- Notes transportation provisions:
  - Provides multiple access points to the site from Mintworth Avenue, Mintworth Links Lane, and Wyalong Drive.
  - Petitioner will extend the current left turning lane on Margaret Wallace Road 100-feet.
  - Provides 8-foot planting strips and 8-foot sidewalks along Margaret Wallace Road.
  - Bicycle facilities will be constructed by locating curb and gutter 28-feet from the centerline of Wyalong Drive.
- The site is served by CATS 52x bus route and the petitioner will coordinate with CATS on any bus stop improvements.

### • Existing Zoning



- The rezoning site is comprised of the NS (Neighborhood Services) and N2-B (Neighborhood 2-B) zoning district. The site is surrounded by a mix of multi-family, single-family detached homes, and retail uses in the N2-B, R-8(CD) (Single Family Residential, Conditional), and NS zoning districts.





The site (denoted by the red star) is immediately surrounded by single-family, multi-family, and retail uses.



The site is currently a vacant, wooded lot.





View of the shopping center to the north of the site.



View of the vacant, wooded lot to the east of the site.



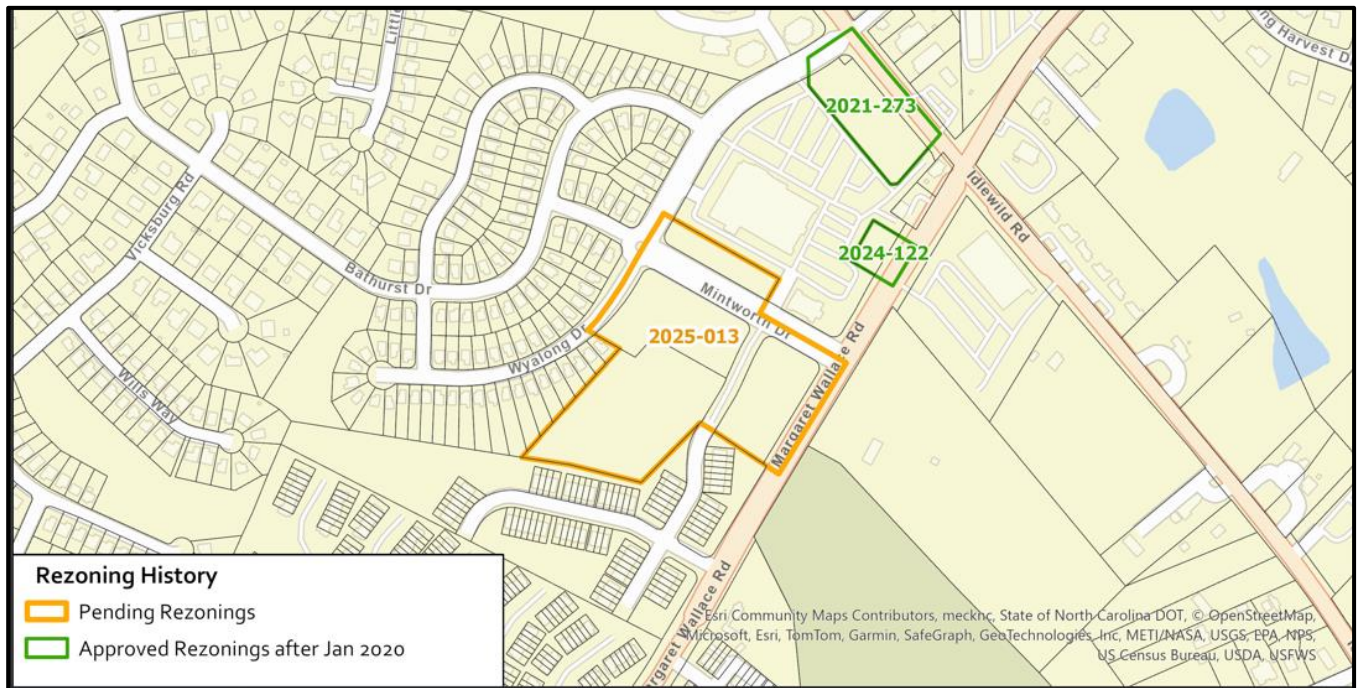
View of the multi-family attached development to the south of the site.





View of single-family development to the west of the site.

- **Rezoning History in Area**



| Petition Number | Summary of Petition                                                                                                                                                                 | Status   |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 2021-273        | Rezoned approximately 1.66 acres from NS (Neighborhood Services) to B-2(CD) (General Business, Conditional) zoning district to only allow for an automated car wash.                | Approved |
| 2024-122        | Rezoned approximately 0.33 acres from NS (Neighborhood Services) to CG(CD) (General Commercial, Conditional) to allow some uses permitted by-right and under prescribed conditions. | Approved |



- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Commercial Place Type.
- **TRANSPORTATION SUMMARY**
- The site is adjacent to Mintworth Avenue, a City-maintained local street, west of Margaret Wallace Road, a State-maintained major arterial. 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:**
  - CIP – Margaret Wallace Road (Cedarbark Drive to Idlewild Road) Sidewalk
    - Project ID: PM51216062
    - Project Description: This project will involve installing sidewalk on Margaret Wallace Road from Cedarbark Drive to Idlewild Road.
    - Project Type: Pedestrian and Bike
    - Project Phase: Complete
    - Anticipated Completion Date: Mid 2019
    - PM: Patricia Abney (pabney@charlottenc.gov)
- **Transportation Considerations**
  - See Notes 21, 27, and 28-Addressed
- **Vehicle Trip Generation:**
  - Current Zoning: NS and N2-B
  - Existing Use: 0 trips per day (based on vacant land use).
  - Entitlement: 2,319 trips per day (based on 27,550 square feet of general office uses, 4,000 square feet of retail, 14,820 square feet of pharmacy, and 18 multi-family dwellings).
  - Proposed Zoning: 437 trips per day (based on 64 dwelling units).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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:** This development may add 17 students to the schools in this area.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Crown Point Elementary from 104% to 107%.
    - Mint Hill Middle remains at 105%.

- Butler High remains at 102%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main along East WT Harris Boulevard. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest sewer gravity main is approximately 350 feet northeast of the rezoning boundary along East WT Harris Boulevard. A developer donated project will be required in cases there is not direct service. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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:** No comments submitted.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 1 [Addressed](#)

## OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

### Environment

1. Please identify where the 15% green area will be provided. [Addressed](#)
2. Please show the open spaces provided and include their square footages in the data table and commit to enhanced design elements. [Addressed](#)

### Site and Building Design

3. Change proposed uses from single family attached to multi-dwelling development in the development data table. [Addressed](#)
4. Garage setbacks are already determined in CLDSM and UDO. Any more restrictive standard opted on the rezoning would need to be specified from back of pavement or back of sidewalk along alley, not centerline, otherwise remove the reference if using the base ordinance standard. [Addressed](#)
5. Remove sub-lot side yard in development data table and on-site plan. [Addressed](#)
6. Remove front setback of 20 feet or specify "20 feet from future back of curb". [Addressed](#)
7. Show and label 5-foot side setback. [Addressed](#)
8. Show and label 20-foot rear yard. [Addressed](#)
9. Consider and include additional design standards related to prominent porches and stoops, roof form and articulation, enhanced screening around waste and mechanical equipment, etc. [Addressed](#)
10. Provide notes on how open space areas will be amenitized and directly accessed by future residents. [Addressed](#)

## REQUESTED TECHNICAL REVISIONS PRIOR TO PUBLIC HEARING

### Site and Building Design

11. Please show how many solid waste containers will be provided, their size, and their conformity with Article 21.3 & 21.4 of the UDO. [Addressed](#)
12. Remove section 9 of the conditional notes regarding signs if no conditional notes are to be provided. [Addressed](#)

### Transportation

13. The future back of curb location on revised plans shows existing curblane. Future back of curb needs to be dimensioned and shown at 27 feet as curb line is to be relocated on Margaret Wallace Road. [Addressed](#)
14. The conditional notes must be updated to include an 8-foot planting strip and 8-foot sidewalk along Margaret Wallace Road. [Addressed](#)
15. The future back of curb location needs to be dimensioned on revised plans. While the curblane is not being relocated, this dimension of 17.5 feet must be included from roadway centerline. Since existing roadway is larger than Charlotte Streets Map designation, dimension of future back of curb may terminate in the middle of roadway on Mintworth Road. [Addressed](#)
16. The future back of curb location needs to be dimensioned on revised plans for Mintworth Links Lane. [Addressed](#)
17. The future back of curb location needs to be dimensioned on revised plans. While the curblane is not being relocated, this dimension of 17.5 feet must be included from roadway centerline. This will require your right-of-way to be shifted accordingly on Wyalong Drive. [Addressed](#)
18. 30 feet of right-of-way is acceptable, but SUE will be required to extend an additional 5.5 feet on Mintworth Links Lane. [Addressed](#)
19. An SUE of 2 feet must be added from the back of sidewalk on Wyalong Drive. [Addressed](#)

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20. Please dimension ROW for Wyalong on the north side of the Mintworth Avenue / Wyalong intersection. Addressed
  21. ~~Revise site plan and conditional note(s) to commit to construct bicycle facilities by locating the curb and gutter 27 feet from the center line on Margaret Wallace. This note was intended for Margaret Wallace and not Wyalong Drive. Please correct conditional note and revise site plan. This was listed in conditional notes but also should be shown on site plans.~~ Addressed
  22. ~~The 50-foot driveway stem requirement cannot be waived and must be utilized for approval. Remove parking spaces adjacent to driveway to achieve appropriate stem.~~ Addressed
  23. ~~Fix conditional notes to specify 8-foot sidewalks and 8-foot planting strip along site's frontage.~~ Addressed
  24. ~~Please remove where feasible, SUE will need to be included to at least 2-feet behind sidewalk for all frontages.~~ Addressed

#### **OUTSTANDING ISSUES AFTER PUBLIC HEARING**

##### Site and Building Design

25. ~~Consider and include additional design standards related to prominent porches and stoops, roof form and articulation, enhanced screening around waste and mechanical equipment, etc.~~ Addressed
26. ~~Provide notes on how open space areas will be amenitized and directly accessed by future residents and show on plan.~~ Addressed

#### **REQUESTED TECHNICAL REVISIONS AFTER PUBLIC HEARING**

##### Transportation

27. ~~Revise site plan and conditional note(s) to commit to construct bicycle facilities by locating the curb and gutter 27 feet from the center line on Margaret Wallace. This note was intended for Margaret Wallace and not Wyalong Drive. Please correct conditional note and revise site plan. This was listed in conditional notes but also should be shown on site plans.~~ Addressed
28. ~~Remove the "by others" comment on bicycle lane and buffer.~~ Addressed

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

**Planner:** Michael Russell (704) 353-0225