
REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 4.13 acres located on the west side of Old Providence Road near the intersection of Old Providence Road and Old Providence Lane. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes redevelopment of two single family homes with a residential development containing 20 attached, townhome type dwelling units, at a density of 4.84 units per acre, in the Olde Providence North area.
PROPERTY OWNER	W. Sutton Alexander, Jr. and Dorothy Ann Eleazer Alexander
PETITIONER	CW Development
AGENT/REPRESENTATIVE	Keith MacVean & Bridget Dixon, Moore & Van Allen PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 22
STATEMENT OF CONSISTENCY	• The Zoning Committee found this petition to be consistent with the <i>South District Plan</i>, and the proposed density of 4.84 dwelling units per acre is supported by the <i>General Development Policies</i> locational criteria, and because: • The plan recommends residential uses at a density of up to three dwellings per acre. The plan references the residential location criteria of the General Development Policies for areas of higher density development; and • The petition meets the <i>General Development Policies</i> locational criteria for consideration of up to six dwellings per acre. • Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: • The site is located between Brookdale Continuing Care Retirement Community and Gladedale Apartments to the north and a single family neighborhood to the south, and provides a transition from the institutional and multi-family uses to the single family residential neighborhood; and • Increasing the density from three dwelling units per acre to 4.84 dwelling units per acre allows four additional dwelling units be constructed on the site and is consistent with the adopted land use policies for the area; and • The proposed UR-2(CD) (urban residential, conditional) district is appropriate as it allows flexibility in site design including the preservation of an existing pond on the site; and • The pond will serve as an open space element and will also provide greater separation between the proposed townhomes and the existing single family home west of the site; and • The petition provides a site design that is compatible with the abutting the single family neighborhood by incorporating the following commitments: • A 40-foot building setback with an 18-foot wide landscaped area behind the sidewalk along Old Providence Lane and a 20-foot building setback with a 10-foot wide landscaped area behind the sidewalk along Old Providence Road. • Side and rear yards, and buffers, that are not required in the UR-1 (urban residential) district and comparable to the requirements for the abutting R-3 (single family residential) zoning. • Units oriented to the internal private road and not Old

Providence Lane, consistent with the existing single family homes on the south side of Old Providence Lane which are oriented to side streets.

By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Majeed).

ZONING COMMITTEE ACTION

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

The following items have been addressed:

Site and Building Design

1. Clarified which building elevations are associated with which buildings or parts of buildings.
2. Annotated elevations to clearly show commitments.
3. Amended the site plan to show the 40-foot building setback line along Old Providence Lane as measured from the future back of curb.
4. Amended note 3e related to the sidewalks and planting strips along the internal private street to say that six-foot sidewalk will be provided on at least one side of the proposed private drive and a six-foot planting strip and six-foot sidewalk will be provided on one side of the access drive from Old Providence Road to alley "A" and street trees provided as depicted on the site plan.
5. Added a commitment that at least 70% of the exterior of each building exclusive of windows, doors and roofs will be constructed on brick, stone, synthetic stone, stucco or precast stone.
6. Amended the setback along Old Providence Road from 35 feet from future back-of-curb to 20 feet from future back-of-curb and changed the landscaped area from 15 feet to ten feet due to showing a future back-of-curb 27 feet from the existing centerline on Old Providence Road as requested by CDOT.
7. Adjusted the building layout to change Building C from four units to three units and Building B from four units to five units.
8. Amended the site plan to show additional detail for the landscaped area along Old Providence Lane.
9. Removed the colored site plan.
10. Added a conceptual, section view looking north from Old Providence Lane. Replaced the building elevations with an updated elevation showing front (garage) view.
11. Amended the site plan to show a 10-foot landscaped area within the 20-foot setback along Old Providence Road as specified in note 5a.

Transportation

1. Revised the site plan to show future back of curb 27 feet from existing centerline on Old Providence Road.
2. Specified that Old Providence Lane will be improved to a residential medium street, except for modifications as allowed by the zoning ordinance related to widths of sidewalks and planting strips.

Requested Technical Revisions

Site and Building Design

3. Added the word "foot" after "10" in Note 5a related to the landscaped area.
4. Changed the label on the site plan that says "18' Class C Buffer" along Old Providence Lane to say "18' landscaped area" as mentioned in Note 5a.
5. Added the word "Old" before Providence Lane and Providence Road in Note 3f.
6. Staff rescinded the note to delete "with or without rip-rap" from Note 5f because the buffer is not a required by the Ordinance and rip-rap may be placed in provided buffers.
7. Deleted the "Notes:" items next to the Site Data table as the information is not needed.

VOTE

Motion/Second: Majeed / McClung
 Yeas: Fryday, Majeed, McClung, Spencer, Watkins, and Wiggins
 Nays: None
 Absent: Lathrop
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a brief summary of the petition and the changes since the public hearing. Staff stated the petitioner had addressed all the outstanding issues and noted that the petition is consistent with adopted land use plan and the *General Development Policies*.

A commissioner asked if the unit at Old Providence Lane was moved closer to the street. Staff noted the setback remains at 40 feet as shown at the public hearing.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
 (Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Limits the total number of units to 20 attached dwellings, in up to six buildings, at a density of 4.84 units per acre.
- Specifies that no more than five units will be in one building.
- Limits the maximum building height to three stories and not to exceed 40 feet.
- Commits to a minimum of five visitor parking spaces on the site.
- Provides proposed building materials and specifically prohibits the use of vinyl or aluminum as a building material except for soffits, windows and railings. Specifies roofing materials to be architectural asphalt shingles or metal type material. Provides building elevations reflective of the proposed architectural style and quality of the buildings.
- Provides architectural design commitments related to side elevations facing public streets, garage doors, raised residential entrances, pitched roofs, usable porches or stoops, and screening for meter banks, HVAC units and other mechanical equipment.
- Specifies each unit will have a two-car garage.
- Specifies that garbage pickup for the site will be through roll out containers for each unit.
- Provides a decorative six-foot high wooden fence along the east side of the private road abutting the single family home.
- Limits the height of detached lighting to 15 feet.
- Specifies that the existing pond and dam will be preserved and brought into compliance with stormwater and related State regulations.
- Provides the following setbacks, yards and buffers:
 - Setbacks:
 - A 40-foot building setback from the future back of curb with an 18-foot wide landscaped area behind the sidewalk along Old Providence Lane; and
 - A 20-foot building setback from the future back of curb with a 10-foot wide landscaped area behind the sidewalk along Old Providence Road.
 - Yards:
 - A 10-foot rear yard behind buildings A and B along the northern property line;
 - Building E will have a 20-foot side yard along the southern property line;
 - Building D will have 25-foot rear yard along the southern property line; and
 - Building C will have a 40-foot rear yard adjacent to the western property line.
 - Buffers:
 - A 20-foot "Class C" buffer along the western property line; and
 - A 20-foot "Class C" buffer along the southern property line (which may be removed if the adjoining property changes use or zoning that does not require a buffer).
- Provides the following access and transportation commitments:
 - Access to the site via a private road through the site from Old Providence Road and Old Providence Lane with a six-foot planting strip and six-foot sidewalk on at least one side. Commits to street trees along the private road.
 - An eight-foot planting strip and five-foot sidewalk with a 15-foot landscape area behind the

sidewalk along Old Providence Road. The petitioner is asking for portions of the existing sidewalk to remain and to match the existing sidewalk width in areas where sidewalk will be replaced in order to preserve existing trees.

- Adds curb and gutter with an eight-foot planting strip and six-foot sidewalk to meet the street standards. Provides an 18-foot landscape area behind the sidewalk along Old Providence Lane.
- A note prohibiting parking areas and private drives between the units and Old Providence Road and Providence Lane.
- **Public Plans and Policies**
 - The *South District Plan* (1993) recommends residential uses at a density of up to three dwellings per acre. The plan references the residential location criteria of the *General Development Policies* for areas of higher density development.
 - The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to six dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 6 du/a
Meeting with Staff	1 – yes
Sewer and Water Availability	2 – yes
Land Use Accessibility	1 – Low
Connectivity Analysis	2 – Medium low
Road Network Evaluation	0 – no
Design Guidelines	4 – Assumed
Other Opportunities or Constraints	NA
Minimum Points Needed: 10	Total Points: 10

- **TRANSPORTATION CONSIDERATIONS**
 - Site is located on a minor thoroughfare. The current site plan commits to dedication of public right-of-way to accommodate the future cross section of Old Providence Road and future cross connection to an adjacent parcel if developed with similar uses. The petitioner has declined to incorporate an offsite sidewalk connection along Old Providence Lane (approximately 340 feet) that would complete a pedestrian loop connecting the site's two entrances.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 20 trips per day (based on two single family dwellings).
 - Entitlement: 150 trips per day (based on 12 single family dwellings in R-3 zoning).
 - Proposed Zoning: 160 trips per day (based on 20 townhome type dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate seven students, while the development allowed under the proposed zoning will produce three students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
 - The proposed development is not projected to increase the school utilization (without mobile classroom units) over existing conditions and the utilization will remain as follows:
 - Sharon Elementary at 141%;
 - Carmel Middle at 103%; and
 - Myers Park High at 115%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability via existing eight-inch water distribution main located along Old Providence Road and an existing six-inch water distribution main located along Old Providence Lane. Charlotte Water has water system availability via existing eight-inch gravity sewer mains located along Old Providence Road and Old Providence Lane.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: John Kinley (704) 336-8311