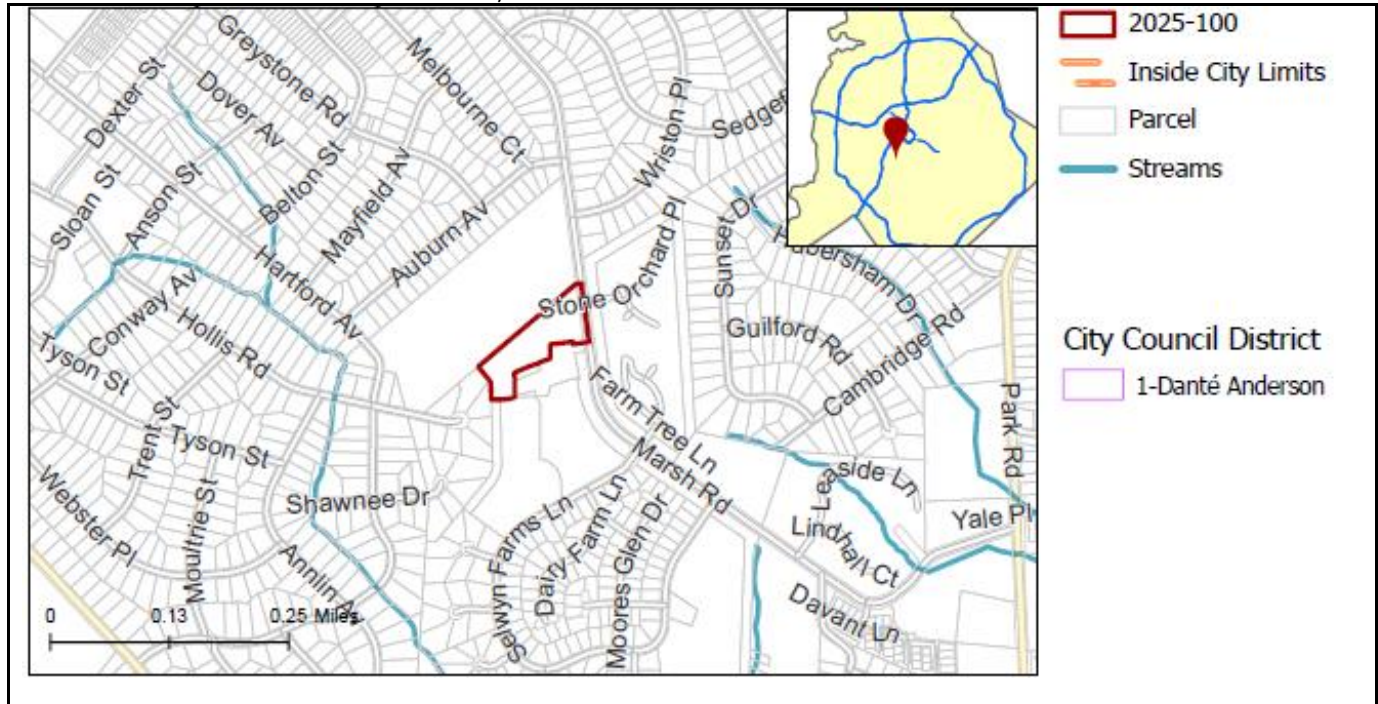


REQUEST

Current Zoning: R-12MF(CD) (Multi-Family Residential, Conditional)
Proposed Zoning: N2-A(CD) (Neighborhood 2-A, Conditional)

LOCATION

Approximately 3.16 acres located west of Marsh Road, south of Auburn Avenue, and east of Hartford Avenue.



SUMMARY OF PETITION

The petition proposes the development of up to 37 multi-family attached units. The site is currently developed with a medical office.

PROPERTY OWNER

United Cerebral Palsy of North Carolina

PETITIONER

Roland Development Group, LLC

AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins, Alexander Ricks PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 15

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the goals and policies of the *South Inner Area Plan*.

Rationale for Recommendation

- The existing Marsh Road corridor is characterized by a mix of single-family homes and low-rise, moderate multi-family residential buildings, creating a walkable environment with pockets of institutional and recreational uses. Mature trees line the street frontages, and a consistent streetside character is established by the large setbacks between the street and the existing structures.
- The front of the property currently features a landscape berm with trees that provide a partial screen for the existing development. The revised site plan, has an updated design preserving the landscape berm and existing character of Marsh Rd.

- Public open spaces, like small parks, greenways, and natural open spaces, such as tree preservation areas, are important elements for serving the community and meeting the intent of a Neighborhood 2 Place Type and surrounding Neighborhood 1 Place Type. The revised site layout maintains the characteristically large setbacks— serving as open space.
- For multi-family residential developments on smaller sites, meaningful open space can often be achieved by activating common open space areas with substantive minimum dimensions and commitments to enhanced amenities. There are multiple recreational uses in the surrounding areas to serve the smaller multi-family residential development on the uniquely shaped site.
- The petition includes thirty-seven (37) townhome units, which contributes to housing diversity in the area and is compatible with adjacent multi-family developments.
- The proposal commits to providing a landscape yard with a higher planting standard than required by the ordinance where the site is adjacent to single-family uses, demonstrating a commitment to buffering adjacent properties.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion

PLANNING STAFF REVIEW

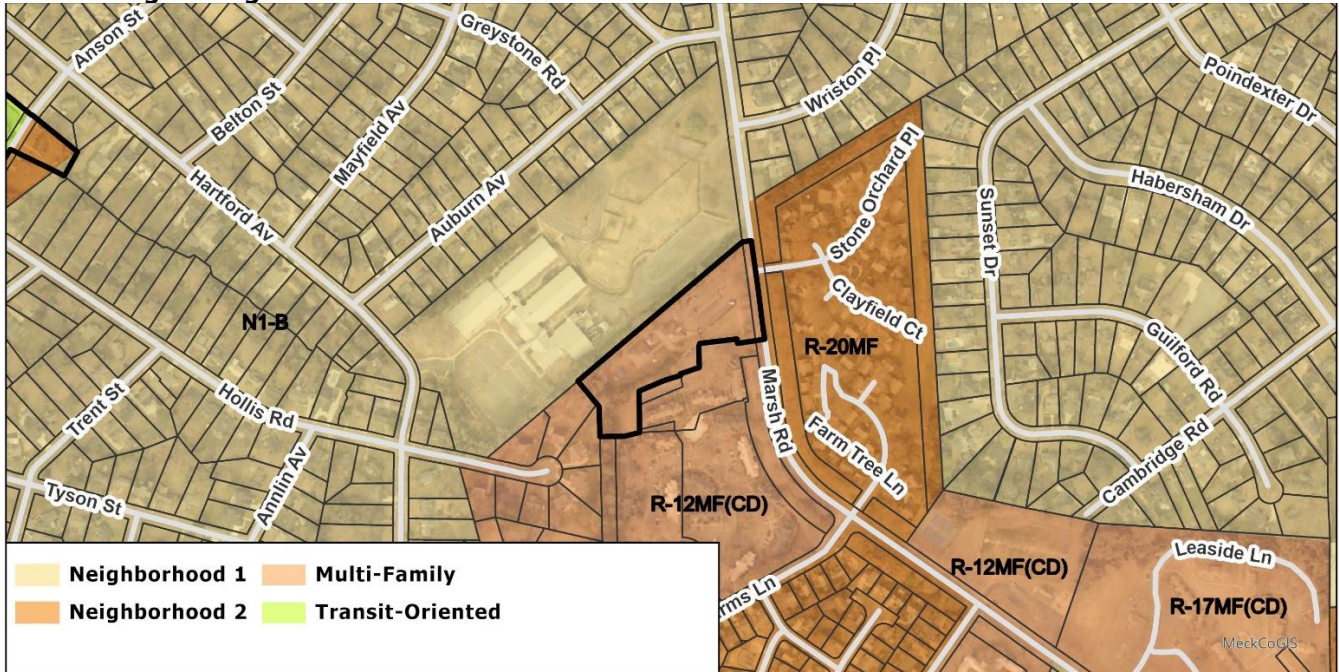
• Proposed Request Details

The development standards accompanying this petition contain the following provisions:

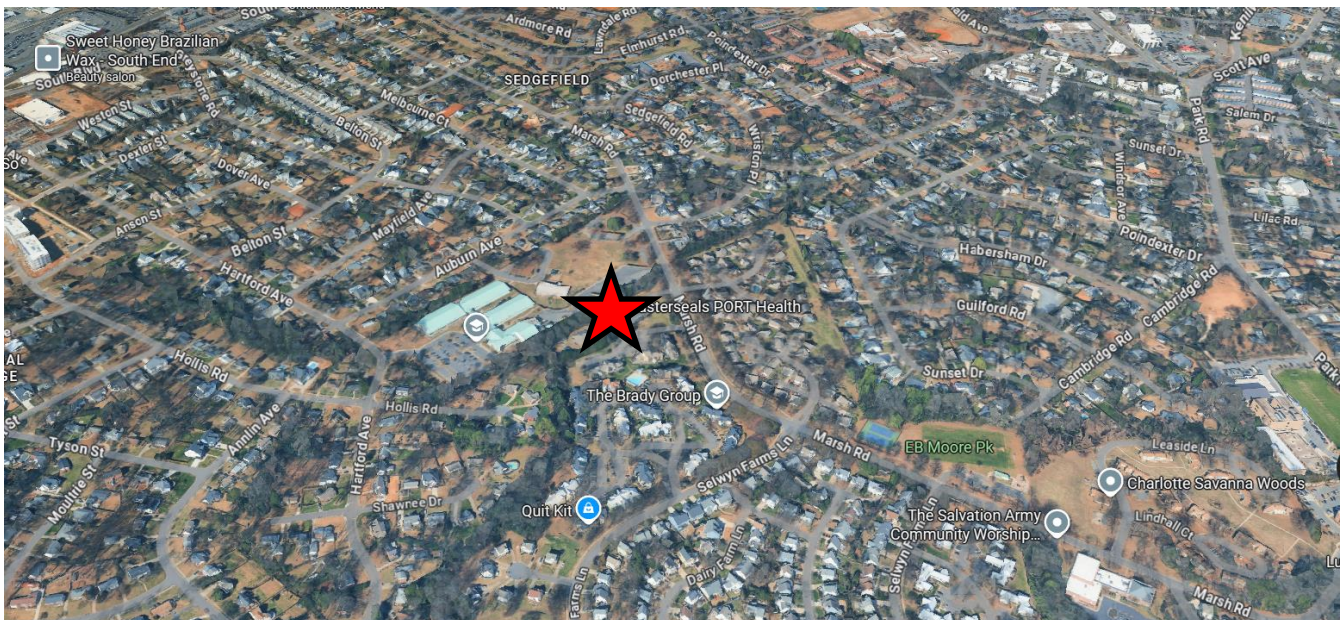
- Permits the development of up to up to 37 multi-family attached dwelling units
- The following transportation, streetscape, and landscaping improvements are proposed:
 - A 60' setback will be provided along Marsh Road, with enhanced plantings to maintain the existing berm and Marsh Rd. character.
 - One large maturing tree will be planted every 50 feet, and one small maturing tree every 25 feet, using deciduous or evergreen species.
 - One shrub will be planted every 5 feet, with no more than 50% being deciduous.
 - Plantings may be arranged informally to create a natural appearance, and perennials or ornamental grasses may be added for seasonal interest.
 - A wall or fence up to 6 feet tall may be included as part of the landscape treatment but will not replace required plantings.
 - A 10-foot wide landscape yard and a 6-foot tall opaque fence will be installed along the western property line adjacent to existing single-family homes, planted to Class B landscaping standards.
 - Buildings will be separated by a minimum of 10 feet, as shown on the Rezoning Plan.
 - Publicly accessible open space will be centrally located and designed for multiple users with dynamic, programmable features.
 - Open space will include at least four of the following:
 - Enhanced plantings, specialty paving, shading elements, seating options, public art, interactive features, decorative lighting, or accessibility within 1,000 feet of all residential lots.
 - Seating will include a mix of movable and fixed options, provided at a rate of 1 linear foot per 40 square feet of open space.
 - Open space areas will have a minimum dimension of 10 feet in all directions.
 - Shows an 8-foot sidewalk and 8-foot planting strip, illustrating the future right-of-way and the 2-foot behind the sidewalk.
 - Commits to mitigate future impacts to nearby drainageway associated with Little Sugar Creek
 - The petition notes gated access meeting fire apparatus access standards: UL 325 and ASTM F2200.
 - The site commits to tree save that is in accordance with the UDO (Unified Development Ordinance) standards.
- The following architectural requirements are proposed:
 - All principal and accessory buildings will use at least two materials from the following: brick, brick veneer, natural stone (or synthetic equivalent), and cement board.
 - Vinyl siding is not allowed, except for limited use on windows, doors, soffits, trim, and similar elements.
 - Each building will contain no more than five (5) multi-family attached (townhome) units.
 - Pitched roofs, if used, will have a minimum slope of 5:12, except porches and sheds, which may have a slope as low as 2:12. Flat roof styles are also permitted.

- Usable porches and stoops will be a prominent design feature on front and/or side elevations facing public streets.
- Front porches, if provided, will be covered and at least six (6) feet deep.
- Stoops and entry-level porches, if provided, may be covered but not enclosed, and will be at least three (3) feet deep.
- If no porch or stoop is provided, blank wall areas will be limited to a maximum of ten (10) feet on all building levels.
- Garage doors facing public streets will be recessed 6 to 12 inches from the front wall or include architectural treatments such as translucent windows or projecting elements.
- All residential units will have access to the Marsh Road sidewalk through an internal sidewalk network.

• **Existing Zoning**



The site is currently zoned R-12MF (CD) (Multi-Family Residential, Conditional) and has the same zoning to the west and south of the site. There is R-20MF (Multi-Family Residential, Conditional) to the east and N1-B (Neighborhood 1-B) to the north of the property.



The site, location is indicated by red star above, is currently developed with a medical office, commercial structure. The site abuts single-family residential to the west, multi-family residential to the east and south,

and an educational facility to the north. Major businesses in the near vicinity of the site include multiple religious campuses, a personal service establishment, a retail goods establishment, and a childcare center.



This is a street view of the site facing west from Marsh Road. The site is currently developed with a medical office.



This is a street view facing north on Marsh Road. This area is developed with an educational facility and single family, residential lots.



This is a street view facing south on Marsh Road. This area is developed with primarily multi-family.

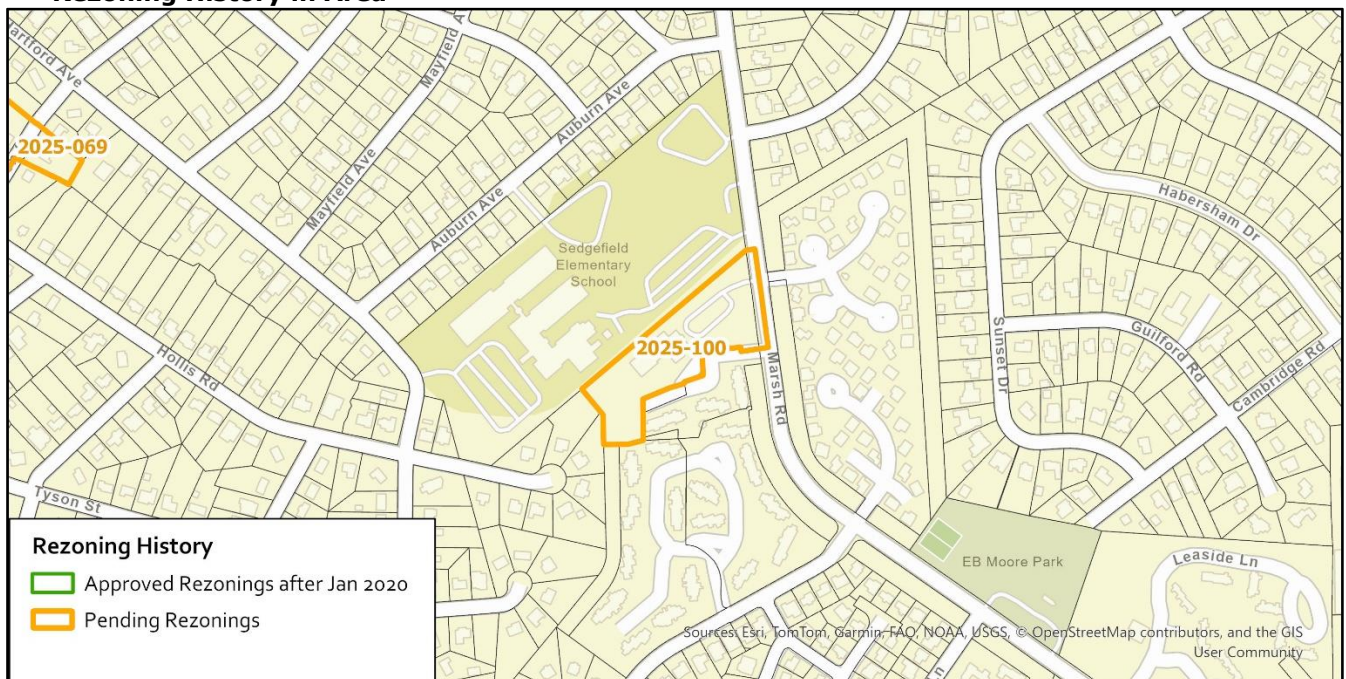


This a street view of a multi-family, residential development facing east on Marsh Road.



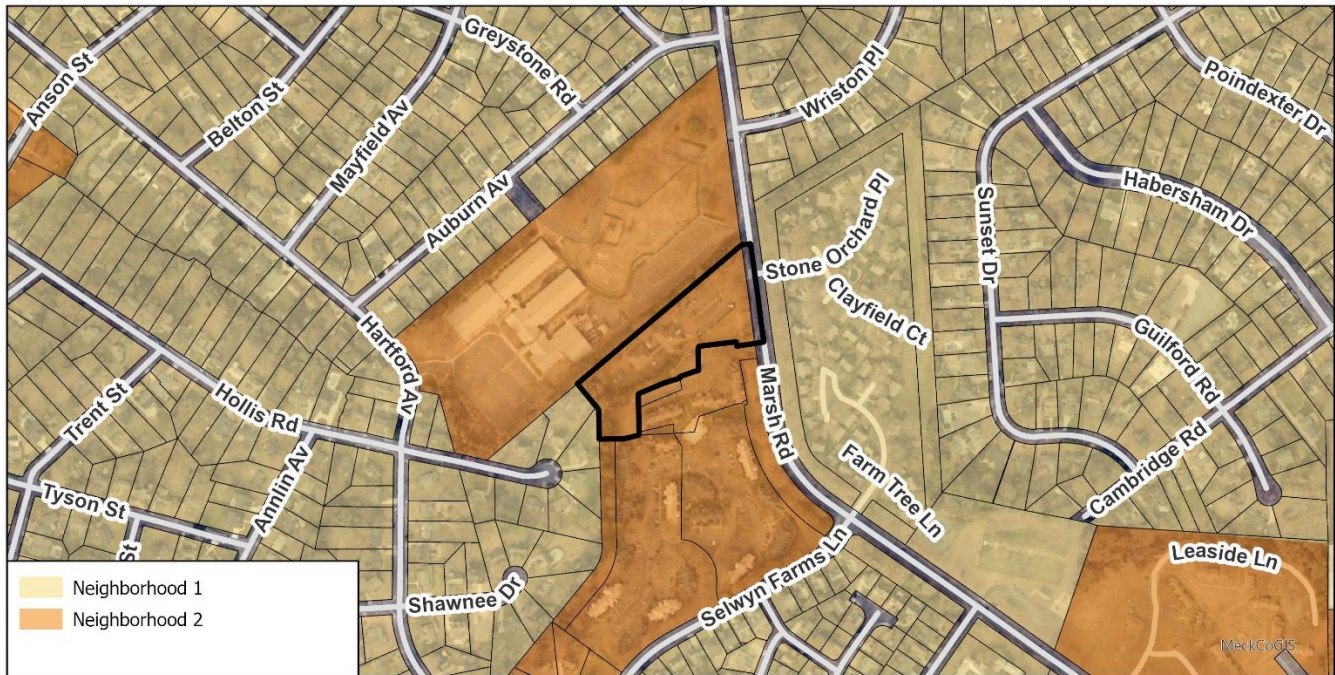
This is a street view of the single family residential development to the southwest of the site.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2025-069	Requesting a site plan amendment to allow for the development of mixed uses to include residential, retail, and office uses on approximately 3.40 acres	Pending

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to Marsh Road, a City-maintained major collector, north of Selwyn Farms Lane, a City-maintained local street. 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 comments have been addressed.
- **Active Projects:**
 - N/A
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 436 trips per day (based on 9,153 square feet of commercial uses).
 - Entitlement: 436 trips per day (based on 9,153 square feet of commercial uses).
 - Proposed Zoning: 163 trips per day (based on 37 multi-family attached 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-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Development allowed with the proposed zoning may produce 2 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Dilworth Elementary remain at 142%
 - Sedgefield Middle remains at 60%
 - Myers Park High remains at 108%

- **Charlotte Water:** Charlotte water has accessible water system infrastructure for the rezoning *boundary* via an existing 8-inch water distribution main along Marsh Road. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest sewer gravity ,ain is approximately 200' north of the zoning boundary along Marsh Road. A developer donated project will be required in cases there is not direct service. The applicant should contact Charlotte Water's New Services at (704)432-2854See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~CDOT: Revise site plan and conditional note(s) to clarify a 40' vehicle turn around between gated entrance and back of sidewalk.~~ **ADDRESSED**

Site and Building Design

2. ~~Fire: Must be a minimum width of 20 feet for undivided entry/exit or 16 feet for divided entry/exit.~~ **ADDRESSED**
3. ~~Fire: All gates shall have a Knox Box or Knox Switch for fire department access.~~ **ADDRESSED**
4. ~~Fire: Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200~~ **ADDRESSED**
5. ~~Entitlement Services: There is an approximately 60' berm along the front of the property. Adjust the site design to be consistent with existing development along Marsh Road which incorporates large setbacks.~~ **ADDRESSED**
6. ~~Entitlement Services: Please specify what type of open space is being proposed.~~ **ADDRESSED**
7. ~~Urban Design: Expand the footprint of open space and increase minimum open space dimension The allocation of 10' in front of the units for open space is narrow and will not be ample to program or activate with quality open space.~~ **ADDRESSED**

Environment

8. ~~Urban Forestry: Replanted tree save is not a default option and some preservation is required.~~ **ADDRESSED**
9. ~~Urban Forestry: When using the drip line of heritage tree or specimen trees, the actual drip line must be used, not just an area based on tree diameter. This area must also be protected in order to qualify.~~ **ADDRESSED**
10. ~~Urban Forestry: Protected tree save must be a min of 30' wide.~~ **ADDRESSED**
11. ~~Urban Forestry: There is a 10' no build zone around tree save area. This would apply to buildings and wall/enclosures.~~ **ADDRESSED**
12. ~~Urban Forestry: Utilities are not permitted within tree save areas.~~ **ADDRESSED**

REQUESTED TECHNICAL REVISIONS PRIOR TO PUBLIC HEARING

Site and Building Design

1. ~~Entitlement Services: List the rezoning petition number.~~ **ADDRESSED**
2. ~~Entitlement Services: Show adjacent building footprints on the plan~~ **ADDRESSED**
3. ~~Entitlement Services: Prohibited materials should list limitations on the use in terms of percentage of the material on façades.~~ **ADDRESSED**

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Sheighla Tippet (980) 384-4632