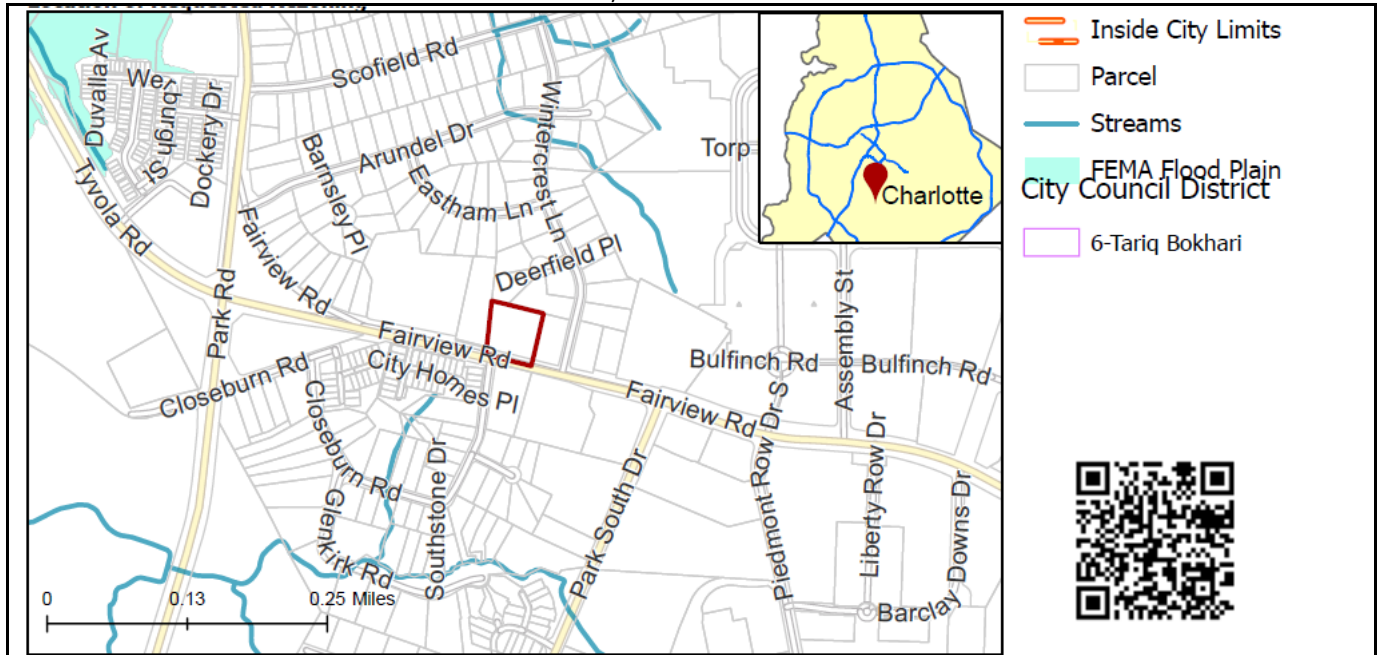


**REQUEST**

Current Zoning: N1-A (neighborhood 1-A)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 1.21 acres located on the north side of Fairview Road, west of Wintercrest Lane, and east of Park Road.



**SUMMARY OF PETITION**

The petition proposes to allow a 14-unit townhome development on a vacant parcel located between Park Road and Wintercrest Lane and on the north side of Fairview Road.

**PROPERTY OWNER**

MIRSA 2 LLC

**PETITIONER**

Shinnville Ridge Partners LLC/Courtney Sloan

**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: 10

**STAFF RECOMMENDATION**

Staff recommends approval of the petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for N1 (neighborhood 1) Place Type.

Rationale for Recommendation

- While inconsistent with the Neighborhood 1 Place Type, the project provides a housing type that can help facilitate the goal of housing variety.
- A petition for single family attached housing (townhomes) is consistent with the variety of housing types in the immediate area.
- The site is surrounded by a mix of single-family neighborhoods, multi-family, condominiums, and townhomes.
- The petition proposes a 12-foot multi-use path and eight-foot wide planting strip along Fairview Road.

- The petition commits to a 10-foot wide Class C buffer along the east property line.
- The petition proposes a left-turn lane into the site from Fairview Road.
- An existing bus shelter directly south on the opposite side of Fairview Road services Bus 19.
- A petition for residential uses, versus retail or mixed-use, helps to preserve the existing residential character of the area. This goal is important given the site's close proximity to the SouthPark area.
- The petition could facilitate the following 2040 Comprehensive Plan Goals:
  - 1: 10- Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility
  - 7: Integrated Natural & Built Environments
  - 9: Retain Our Identity & Charm

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from current Neighborhood 1 Place Type to new recommended Neighborhood 2 Place Type for the site.

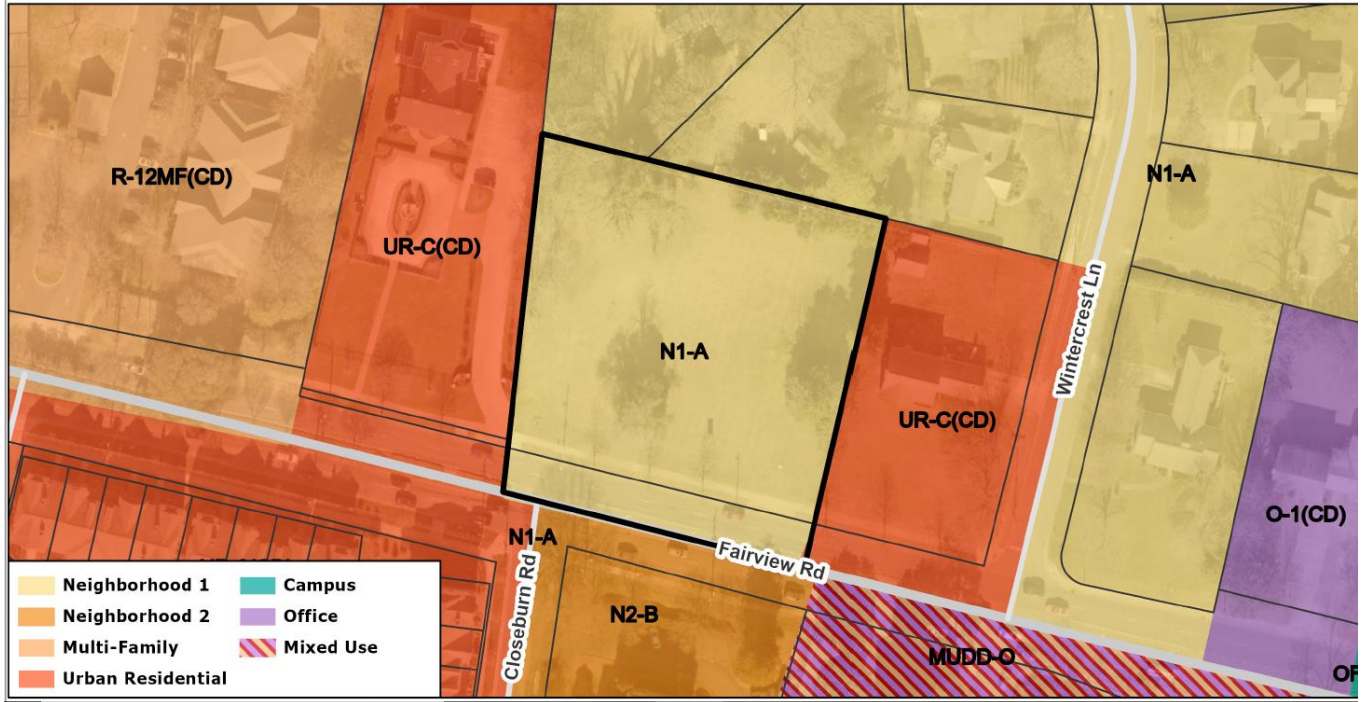
## PLANNING STAFF REVIEW

### • Proposed Request Details

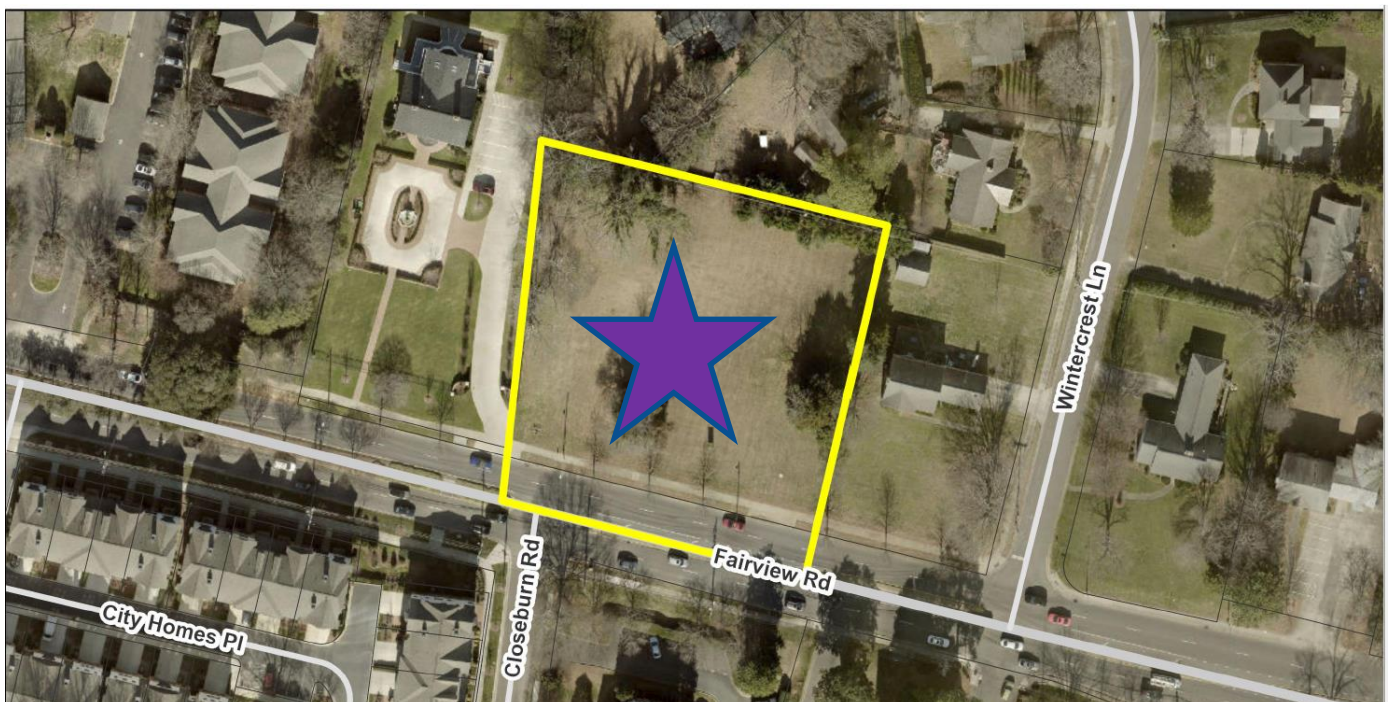
The site plan accompanying this petition contains the following provisions:

- Proposes up to 14 single family attached (townhome) units to be served by internal private street alleys and pedestrian paths.
- Illustrates possible guest parking spaces and possible refuse/recycling area at the northwest corner of the site.
- Provides one point of access onto Fairview Road.
- Provides a minimum 12-foot-wide multi-use path and eight (8) foot planting strip along Fairview Road.
- Notes all principal and accessory shall be comprised of a combination of portions of brick, natural stone (or its synthetic equivalent), stucco, cementitious siding, fiber cement (HardiPlank) and/or other materials approved by the Planning Director.
- Prohibits vinyl siding, excluding vinyl handrails, windows, soffits, doors or door trim; and concrete masonry units not architecturally finished.
- Notes that units having frontage along Fairview Road shall ~~contain~~ provide a porch/stoop that wraps a portion of the front and side of the unit to the extent that such porch/stoop may count toward the required 400 square foot private open space requirement, facing Fairview Road.
- Limits the number of dwelling units in one building to ~~six~~ four units or fewer when fronting Fairview Road.
- Specifies for units fronting Fairview Road, petitioner shall provide blank wall provisions that limit the maximum blank wall expanse to 20 feet on all building levels.
- Notes garage doors will not front Fairview Road.
- Proposes a minimum ~~eight~~ **ten (10)** foot-wide Class C buffer, ~~planted to 10-foot wide standards~~ along the east property line, to not be reduced by 25%.
- Notes petitioner shall work with Charlotte Water to partially abandon the existing 15-foot sanitary sewer main line parallel to the Site's northern property line and replace with a minimum 10-foot wide Class C buffer, to not be reduced by 25%.
- Petitioner shall provide peak flow control for the 100-year, six-hour storm runoff from the developed site to the predevelopment peak flow rate. The petitioner reserves the right to perform a ~~100-year storm no rise~~ downstream analysis of the Site to demonstrate that the additional peak control for the 100-year storm event is not needed.
- Petitioner shall contribute a total of \$5,000 to the SouthPark City Homes Homeowners Association to be used for their on-site stormwater mitigation facilities. The contribution shall be made prior to the issuance of the first building permit on the Site.
- Identifies proposed left turn into site from Fairview Road.
- Relocates existing pedestrian refuge west of turn lane (final location to be determined by CDOT).
- Identifies existing median in Fairview Road.

• Existing Zoning



- The rezoning site is vacant and surrounded by single family homes, apartments, condominiums, townhomes, and office on parcels in various zoning districts.
- The petition is part of a three-acre site rezoned from R-3 and R-8MF to UR-C(CD) to accommodate up to 65 residential units, parking, and a single-family home. Rezoning petition 2017-026 approved a UR-C(CD) SPA to allow the estate style home directly west of the current rezoning site and constructed in 1900 to allow office uses. Petition proposes to allow the reuse of an existing structure, formerly a single-family home, and the addition of a future building in the rear for an office on a parcel fronting Fairview Road just west of the SouthPark area.
- The subject rezoning site was rezoned from UR-C(CD) to R-3 (N1-A) via petition 2021-043.



The rezoning site (denoted by purple star) is immediately surrounded by single family homes, apartments, townhomes, condominiums, and an office (Belk Gambrell).



The site is currently vacant.



North of the site are single family homes.



Directly east of the site at the intersection of Fairview Road and Wintercrest Lane are single family homes.



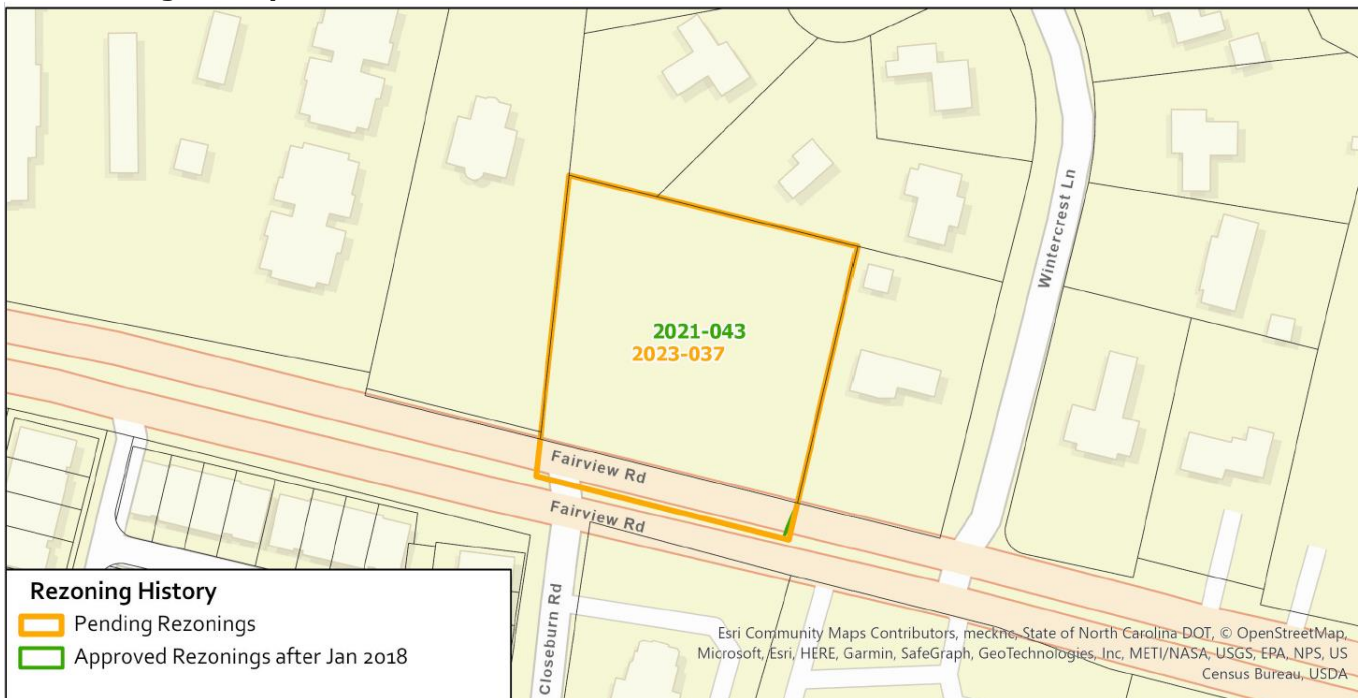
South of the site, across Fairview Road, are apartments and townhomes.





West is an estate style home constructed in 1900. As noted above, this site was part of three acres rezoned from R-3 and R-8MF to UR-C(CD) via petition 2007-053. Rezoning petition 2017-026 approved a UR-C(CD) site plan amendment to allow the reuse of the structure and the addition of a future building in the rear for an office.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-043	Rezoned site from UR-C(CD) to R-3 (N1-A)	Approved

• **Public Plans and Policies**



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

• **TRANSPORTATION SUMMARY**

The site is located at the intersection of Fairview Road, a City-maintained major arterial and Closeburn Road, a City-maintained local street. The petitioner commits to 12-foot multi-use path along the frontage of the site, a new eastbound left turn lane along Fairview Road, and relocation of the existing pedestrian crossing. A Traffic Impact Study (TIS) is not required for this site. All outstanding CDOT comments have been addressed.

- **Active Projects:**

- N/A

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant parcel).

Entitlement: 30 trips per day (based on 3 dwelling units-N1-A).

Proposed Zoning: 60 trips per day (based on 14 single family attached units).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 0 students, while development allowed with the proposed zoning may produce 5 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Selwyn Elementary remains at 85%
    - Alexander Graham Middle remains at 106%
    - Myers Park High remains at 123%.
  - See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Fairview Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located inside parcel 17705309. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No outstanding issues.

- **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:** ~~See Outstanding Issues, Note 6.~~ **Addressed**
- **Storm Water Services:** ~~See Outstanding Issues, Note 6.~~ **Addressed**
- **Urban Forestry / City Arborist:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

- ~~1. Limit the building height to 45 feet.~~ **Addressed**
- ~~2. Proposed eight-foot Class C buffer along east property line should be increased to 10 feet with language included it will not be reduced by 25%. Update: There is a discrepancy between labeling on the site plan and Note V.2. Please revise so note matches the graphic depiction of a 10' wide buffer.~~ **Addressed**
- ~~3. Amend Architectural Standards Note 4 to read "The units along Fairview Road shall provide a porch or stoop facing Fairview Road." The 400 square feet of private open space will be required by the ordinance anyway, so that language can be removed.~~ **Addressed**
- ~~4. Amend language to Limit the number of dwelling units in one building to four when fronting Fairview Road.~~ **Addressed**
5. The site plan shows a 15-foot sanitary sewer main line that runs parallel to a portion of the north property line. The petitioner needs to show and label the actual width of the sanitary sewer easement on the site plan. Provide a minimum 10-foot Class C buffer outside the sanitary sewer easement along the north property line. Show and label the buffer on the site plan and commit to this improvement in the development notes, specifying to not be reduced by 25%. **Rescind Petitioner's response: We are unable to make this commitment due to space limitations on site. We can commit to providing a buffer if the sanitary sewer easement is abandoned.**

### Environment

- ~~6. A no-rise analysis wouldn't apply to this site. Please change "100-year storm no-rise analysis" to "downstream analysis."~~ **Addressed**

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

**Planner:** Claire Lyte-Graham (704) 336-3782