



Zoning Committee

REQUEST

Current Zoning: R-4 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 9.82 acres located on the east side of W. Sugar Creek Road, east of Merlane Drive.
(Council District 4 - Phipps)

PETITIONER

C4 Investments, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 4-2 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *East District Plan*, however, inconsistent with the *General Development Policies* based on the information from the staff analysis and the public hearing and because:

- The plan recommends multi-family residential uses;
- However, the site does not meet the *General Development Policies* criteria for more than 17 units per acre.

Therefore we find this petition 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 on West Sugar Creek Road between Interstate 85 and single family residential uses; and
- The area plan recommends multi-family residential uses for the site although, the proposed density of 18.3 units is slightly higher than the General Development Policies recommendation for 17 units per acre; and
- The proposed multi-family development will provide a transition between the existing nonresidential uses to the north and existing single family neighborhood to the south; and
- The site plan commits to a private street, future access to abutting nonresidential property, pedestrian network, open space; and
- In addition, the request includes building elevations and commits to architectural details such as building orientation, façade standards, and roof types along with other design standards that are compatible with the surrounding single family development.

Motion/Second: McClung / Spencer
 Yeas: McClung, McMillan, Spencer, and Sullivan
 Nays: Fryday and Majeed
 Absent: None
 Recused: Nelson

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that the proposed land use is consistent with the adopted area plan but is not consistent with the density garnered per the *General Development Policies*.

Staff explained that the one remaining outstanding issue is that the density of 18.3 units per acre exceeds the density of 17 units per acre qualified for per the *General Development Policies*, which results in an overage of approximately 13 units. A committee member stated that the surrounding environment, which has a plethora of issues such as prostitution, high drug usage area, and vagrants, will have a devastating effect on livability at the site. The police are working to rectify issues in the area but those issues currently exist. As such, units placed here would not benefit the community. This project would defeat the purpose of providing affordability.

Another committee member stated that there is fast traffic on Sugar Creek Road, which necessitates the need for traffic improvements beyond the average cross-walk as was mentioned by speakers at the public hearing. It was added that speakers at the public hearing also mentioned the need for something new in the area. The committee member noted that the proposed development fits in the realm of trying to improve the area, and something new must be provided if an area is expected to improve. While the proposed development cannot do anything about traffic or crime it may have a positive effect on the area. The member also pointed out that the development is in a walkable neighborhood located across the street from a Family Dollar and a park, with nearby hotels.

Another committee member indicated that the City of Charlotte is committed to changing the current situation and uses in the area at Interstate 85, and one way to achieve that is to provide more density and households in close proximity to the interchange, which might be able to make new and different uses attractive. The member also added that the proposed development will be a positive in the community.

Staff clarified that there is no commitment to provide affordable units on the site plan though it was mentioned and discussed at the public hearing.

There was no further discussion of this petition.

MINORITY OPINION

Area needs homeownership opportunities instead of more rental units. The surrounding environment, which has a plethora of issues such as prostitution, high drug usage area, and vagrants, will have a devastating effect on livability at the site. The police are working to rectify issues in the area but those issues currently exist. As such, units placed here would not benefit the

community. This project would defeat the purpose of providing affordability. In addition, it is inconsistent with the GDP (*General Development Policies*) density.

STAFF OPINION

Staff disagrees with the recommendation of the majority of the Zoning Committee, and does not support the petition due to the density.

PLANNER

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