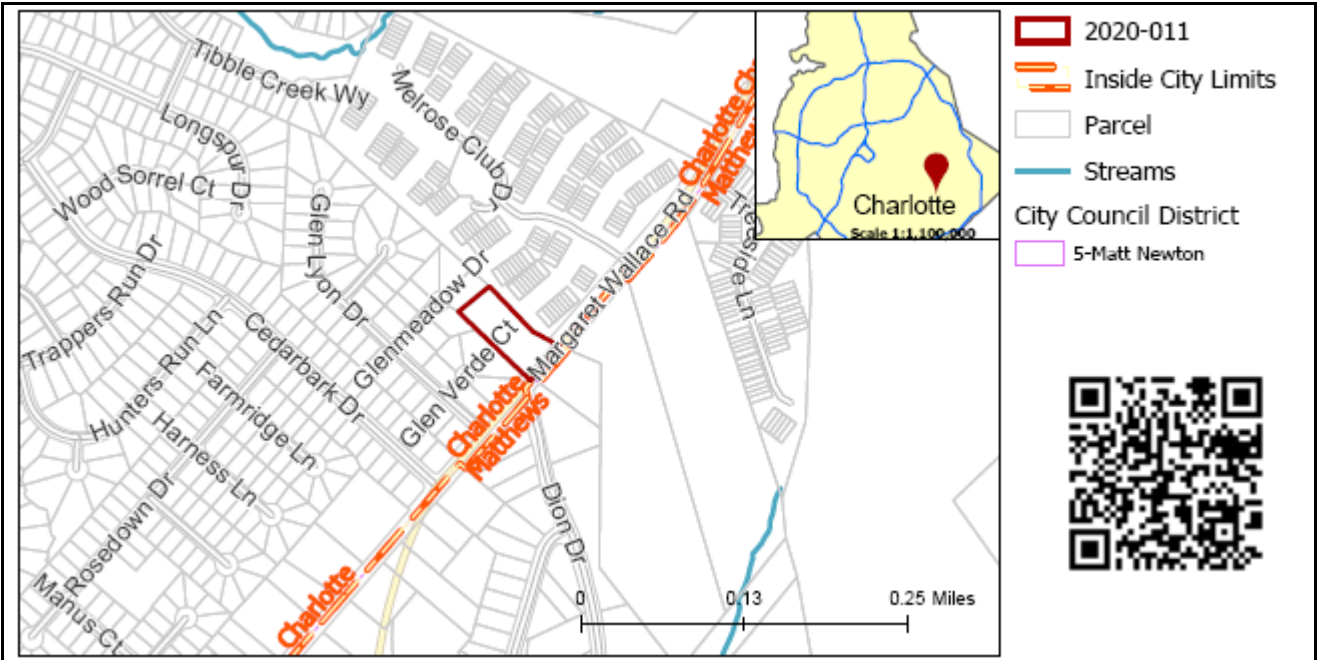


**REQUEST**

Current Zoning: R-4 (single family zoning)  
Proposed Zoning: UR-1(CD) – (urban residential, conditional)

**LOCATION**

Approximately 1.35 acres located west of Margaret Wallace Road, northeast of Glen Lyon Drive.



**SUMMARY OF PETITION**

The petition proposes to rezone property to an urban residential district which would allow for the potential subdivision of the property into seven lots each with a single family dwelling resulting in a density of 5.18 dwelling units per acre (DUA)

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

James and Bonnie Batten  
Souvik Ghosal  
Charles M. Brown, Capstone Civil Engineering

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 6

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment and site and building design.

Plan Consistency

The petition is **inconsistent** with the *East District Plan's* (1990) recommendation for single family uses up to four dwelling units per acre. The petition is **consistent** with *General Development Policies (GDP)* recommendation for density up to 6 dwelling units per acre for the site.

Rationale for Recommendation

- The *General Development Policies* support additional density on this site.
- The site is a larger isolated parcel with access only from Margaret Wallace Road, a major thoroughfare.

- This site is located between townhomes and single family homes.
- This proposal will construct several single family dwelling units on small lots that provide a transition between the existing single family and multi-family units.

The approval of this petition will revise the adopted future land use as specified by the *East District Plan* from single family uses up to 4 dwelling units per acre to residential uses up to 6 dwelling units per acre for the site.

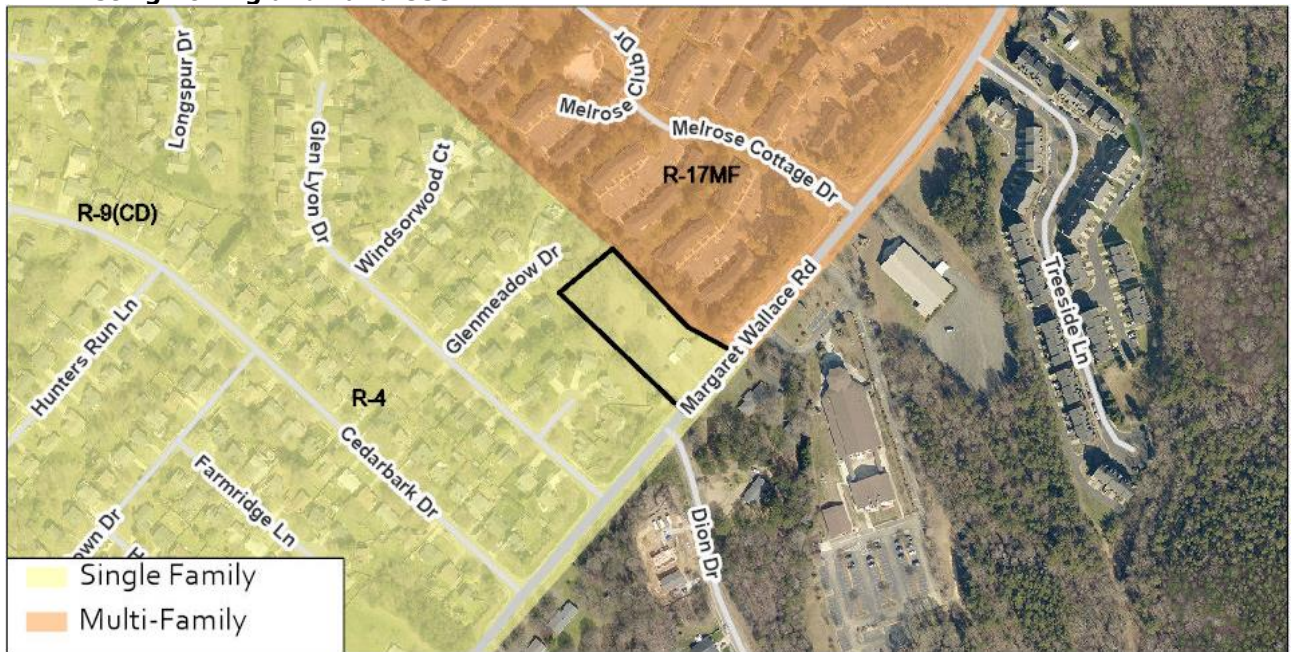
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

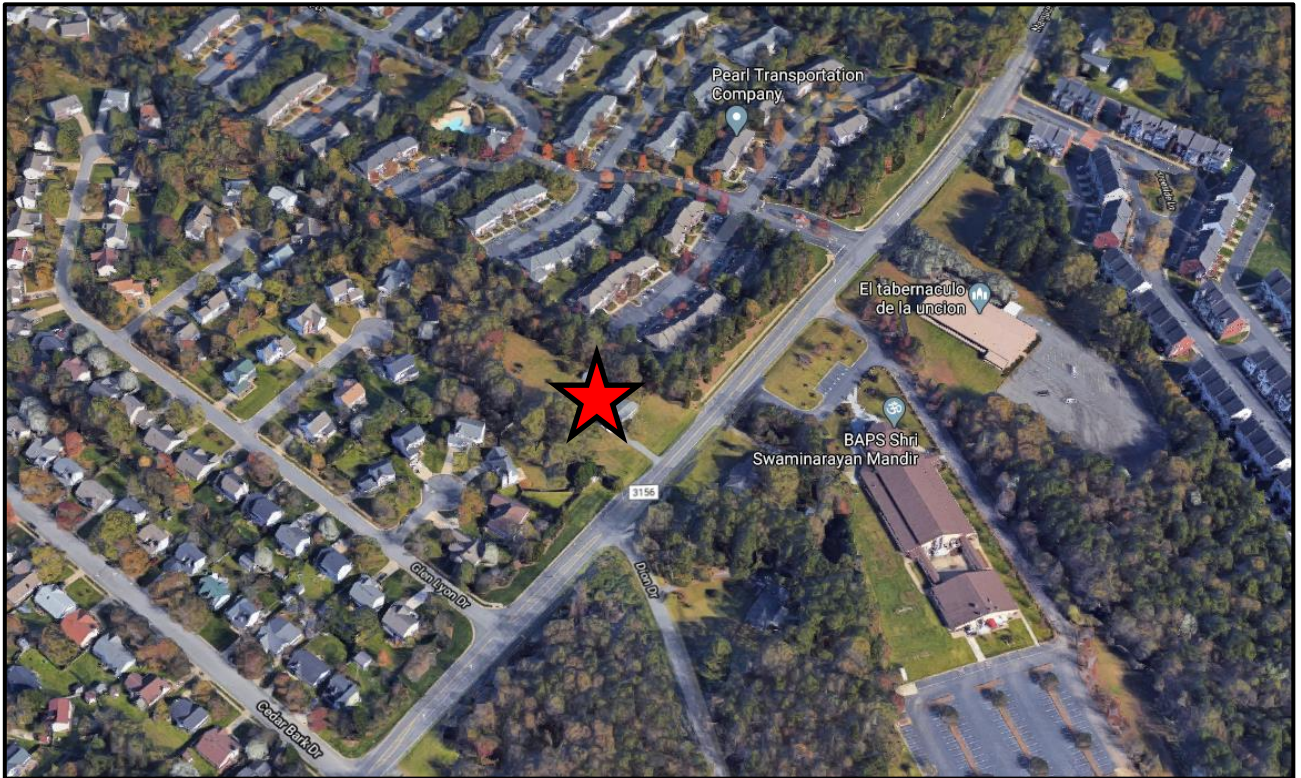
The site plan accompanying this petition contains the following provisions:

- Proposes to allow up to seven single family detached dwellings.
- Commits to a maximum building height of 40 feet.
- Commits to the construction of improved streetscape along Margaret Wallace Road.
- Provides screening along the west, north, and eastern property lines in the form of evergreen trees and shrubs.
- Provides full cutoff fixtures for both attached and detached lighting.
- Commits to architectural design guidelines including raised entryways and usable porches/stoops.

• **Existing Zoning and Land Use**



The subject property is located in a largely residential area along Margaret Wallace Road at the southeastern extent of Charlotte’s city limits. Mint Hill’s zoning jurisdiction is located along the opposite side of Margaret Wallace Road.



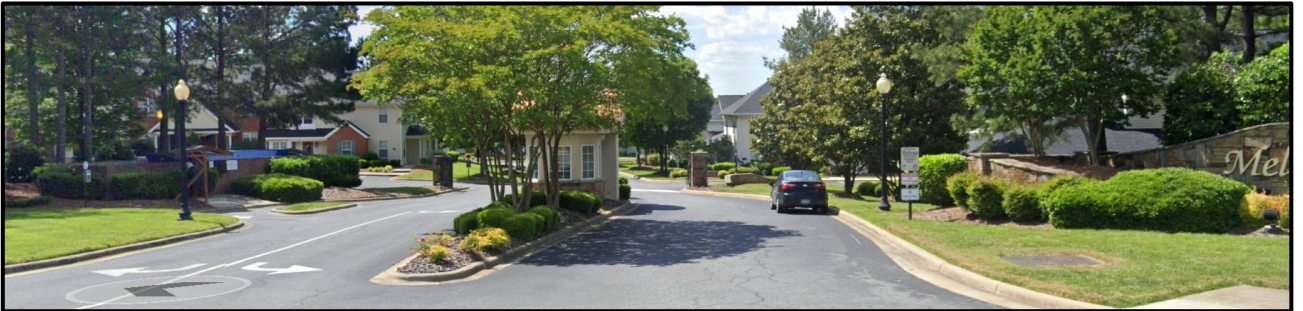
The site (denoted by red star) is located between a single family neighborhood and a townhome development. Across Margaret Wallace Road are homes and institutional uses in Mint Hill's jurisdiction.



The site is developed with one single family home.



South of the site, across Margaret Wallace Road is a single family home.



East of the site, on Margaret Wallace Road is a large townhome development.

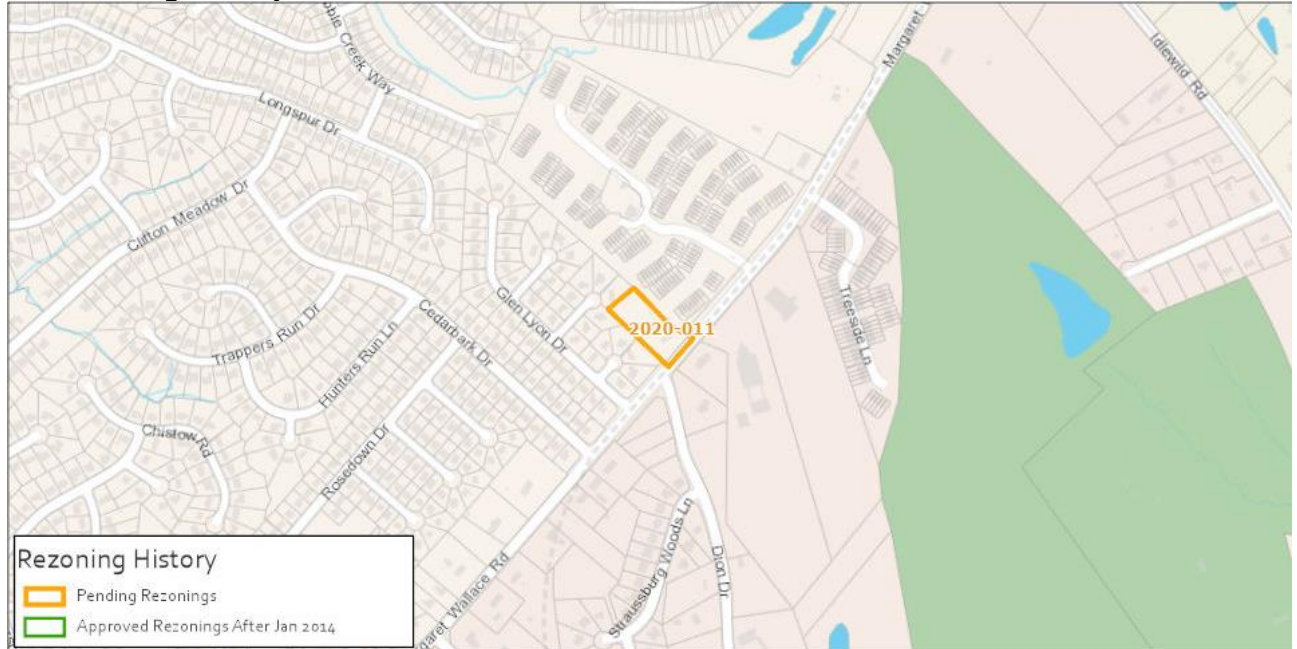


West of the site, off Glen Verde Court are single family homes.



North of the site, off Glenmeadow Drive are single family homes.

• **Rezoning History in Area**



There have been no rezonings in the area post-January 2014.

• **Public Plans and Policies**



- The *East District Plan* (1990) recommends single family uses up to 4 DUA for the site.
- 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 6 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category - up to 6 DUA
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	1
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 10</b>	<b>Total Points: 10</b>

- **TRANSPORTATION SUMMARY**

- The site is located on a major thoroughfare road. The petitioner should update the site plan to meet Chapter 19<sup>th</sup> curb and gutter requirement and sidewalk along the site's frontage. In addition, the petitioner should provide a left-turn into their access due to large trips on Margaret Wallace Road.
- **Active Projects:**
  - Margaret Wallace Rd. sidewalk – Cedarbark to Idlewild – completed
- **Transportation Considerations**
  - See Outstanding Issues, Note 1-4 and Technical Revisions 8-9
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 10 trips per day (based on current land use – one single family home).
    - Entitlement: 50 trips per day (based on five dwellings).
  - Proposed Zoning: 70 trips per day (based seven single family dwellings).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate three students, while the development allowed under the proposed zoning may produce four students. Therefore, the net increase in the number of students generated from existing zoning to proposed is one student
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Piney Grove Elementary remains at 129%
    - Mint Hill Middle remains at 118%
    - Butler High remains at 107%
- **Charlotte Water:** Insert location information from memo. No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** See Outstanding Issues, Note 5
  - **Storm Water Services:** See Outstanding Issues, Note 5
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Transportation

1. Revise the site plan to show, label and dimension the 50' right-of-way from the road centerline on the site plan and add a conditional note to commit to dedicate 50' right-of-way from the road centerline to meet CRTPO guidelines for R/W on a major thoroughfare.
2. Add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at 2' behind back of sidewalk where feasible.
3. Revise the site plan to show the left turn lane into the site and add a conditional note committing to the provision of a left turn lane into the proposed street connection of the site.
4. Revise the site plan and conditional note(s) to connect to existing sidewalk and extend to Glen Lyon Drive to complete the pedestrian infrastructure for this block and help with meeting the City Council Adopted Charlotte Walks Policy

Environment

5. Add the following note under the ENVIRONMENTAL FEATURES heading: "*The petitioner shall tie-into and analyze the adequacy of the existing storm water conveyance to the nearest public right-of-way. If the existing storm water conveyance is found to be inadequate, the Petitioner shall make a good faith effort to improve the storm water conveyance or mitigate the storm water discharge.*"

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

6. Amend the Rezoning Summary table to reflect a 17 ft rear yard as specified in the development note.
7. Amend the Rezoning Summary table to specify that a 20 ft garage setback is required between the sidewalk and the face of the garage along the internal street.

Transportation

8. Revise the site plan and conditional note(s) to specify the petitioner will construct an 8' planting strip and 6' sidewalk behind the curb and gutter to be installed.
  9. Revise the site plan and conditional note(s) to construct the "private street" to meet USDG standards per the subdivision ordinance. CLDS U-03A
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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** John Kinley (704) 336-8311