

**REQUEST**

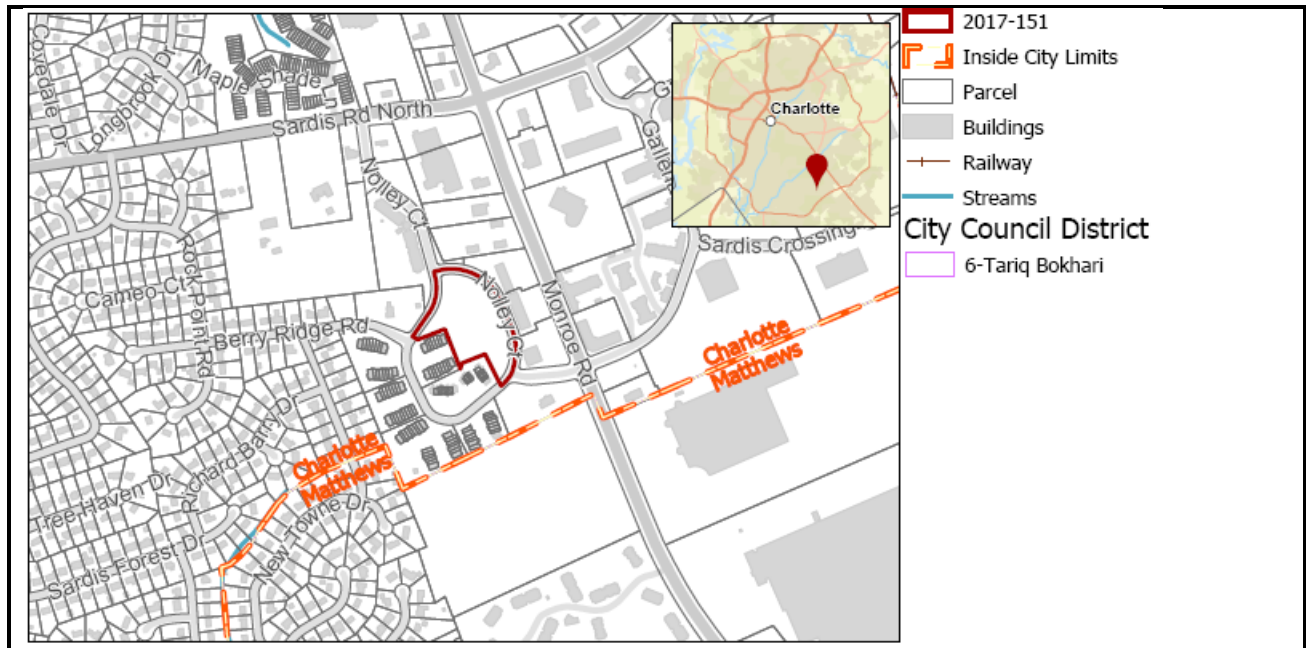
Current Zoning: NS (neighborhood services)

Proposed Zoning: MUDD-O (mixed use development, optional)

**LOCATION**

Approximately 3.69 acres located on Nolley Court, off of Galleria Boulevard, west of Monroe Road.

(Council District 6- Bokhari)



**SUMMARY OF PETITION**

The petition proposes to develop a vacant site, located between Monroe Road and the Sardis Forest neighborhood, with an age-restricted multi-family development consisting of 103 dwelling units, at a density of 27.9 units per acre.

**PROPERTY OWNER**

The Proverbs 31 Ministry Inc.

**PETITIONER**

The Housing Partnership

**AGENT/REPRESENTATIVE**

Bridget Grant, Keith MacVean, Jeff Brown, Moore & Van Allen, PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 30

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding Environmental issues.

Plan Consistency

The petition is consistent with the *Independence Boulevard Area Plan*, which recommends residential, office and retail uses.

Rationale for Recommendation

- The subject site is located on a vacant parcel that is surrounded by a mix of retail, office, and residential uses.
- The proposed multi-family use is consistent with the *Independence Boulevard Area Plan*, and was previously rezoned via petition 2004-022 as part of a larger 17.38-acre parcel that allowed a multi-use, pedestrian-friendly development consisting of commercial and office uses, and multi-family residential units.
- The site is located in close proximity to a proposed but unfunded transit route proposed along Monroe Road.
- The age-restricted dwelling units will offer a viable housing option in the area close to an existing bus line and potential future light rail line.

- The single principal building is located along Nolley Court toward adjacent commercial sites, with parking to the rear of the building, and a 33-foot landscaped area and potential tree save area between the parking and adjacent residential property.

## PLANNING STAFF REVIEW

### • Proposed Request Details

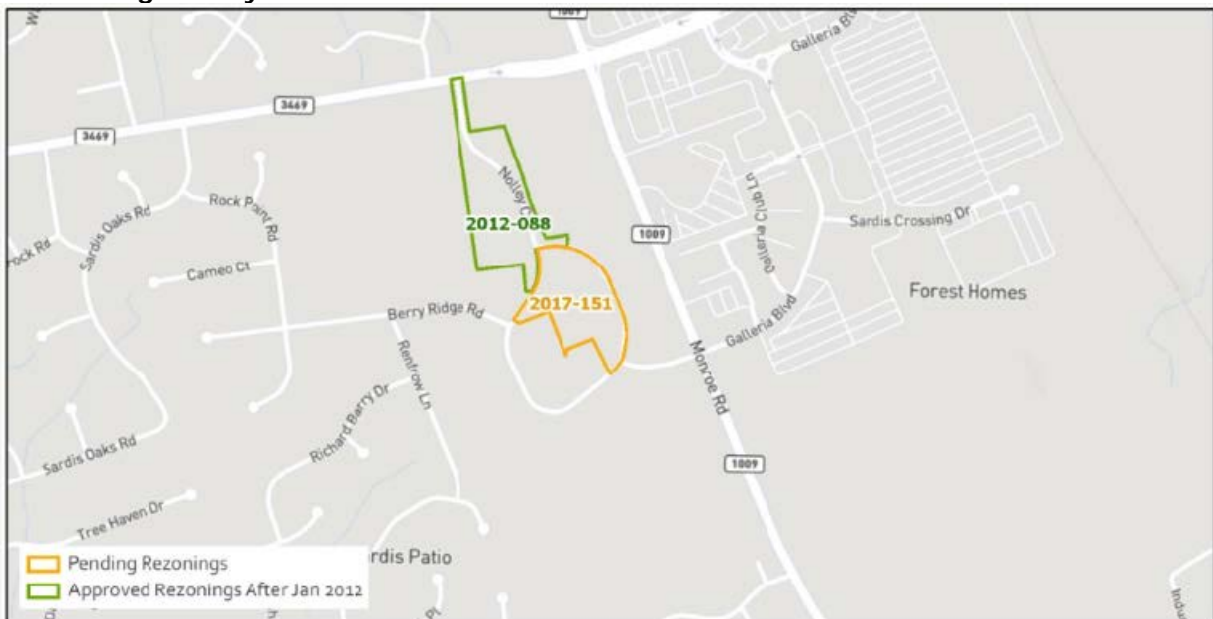
The site plan accompanying this petition contains the following provisions:

- Maximum of 103 multi-family dwelling units, at a density of 27.9 units per acre, restricted to residents a minimum of 55 years old and their guests and dependents. A limited number of units will be reserved for tenant residents of at least 45 years of age and their dependents and guests as required by the NC Housing Finance Agency.
- Vehicular access via Nolley Court.
- On-street parallel parking and surface parking provided.
- One principal building a maximum of four stories and 55 feet in height.
- The height of building edges shall be three stories and transition to a maximum building height of four stories as reflected on the site plan.
- Building will front Nolley Court and no parking will be located between the building and the street.
- A 20-foot setback will be provided along Nolley Court from Galleria Boulevard to the western edge of the site, and a 14-foot setback along Nolley Court on the western edge of the site as measured from the future back of curb. The existing eight-foot planting strip and six-foot sidewalk along the Nolley Court frontage will remain.
- The entire building façade (all sides) in the aggregate shall be comprised of 20% brick provided that no less than 10% brick shall be on the interior elevation, which will allow for an increased percentage of brick on the facades facing public streets.
- Concrete masonry not architecturally finished, and vinyl siding are prohibited. Vinyl may be used on handrails, door trim and windows.
- Each building corner will be designed with prominent architectural features such as a covered porch, greater transparency or similar.
- Building walls that are at least 150 feet in length will be modulated with recesses, projections and architectural details every 75 linear feet. Buildings fronting public streets will not have blank walls greater than 25 feet, and architectural features will be provided.
- An architectural base will be provided on all buildings fronting public streets. The base of a multi-story building is typically defined as the ground floor plus the second or third story and which are articulated differently than upper stories.
- Provided architectural elevations, with perspectives from Galleria Boulevard, near Sardis Forest Swim Club, from interior parking, and from the exterior street.
- Roof-top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.
- A 33-foot wide landscaped area will be provided between the parking located to the rear of the building and adjacent residential property.
- Tree save area provided along a portion of Nolley Court and between the parking located to the rear of the building and adjacent residential property.
- A minimum 15% of the tree save area will be provided on-site through a combination of tree preservation, tree replanting, or as otherwise permitted by the Tree Ordinance except that the percentage may be reduced to 12% as a result of PCO compliance related design features or other site development.
- Signage limited to one per street front.
- Optional provisions for the following:
  - Allow parking at a rate of 0.9 spaces per unit instead of one space per unit as required in the MUDD (mixed use development) district. As the request is for senior housing this reduction is typical for this type of development.

- Existing Zoning and Land Use



- The subject property is zoned NS (neighborhood services) and is currently vacant.
- The site was rezoned as part of a larger 17.38-acre parcel via petition 2004-022 that allowed a multi-use, pedestrian-friendly development consisting of commercial and office uses, and multi-family residential units. The subject property was identified as Tract B, and allowed 20,856 square feet of bank, general office and medical office uses. Hotels and drive through facilities are prohibited.
- Rezoning History in Area



| Petition Number | Summary of Petition  | Status   |
|-----------------|--|----------|
| 2012-088        | A NS SPA (neighborhood services, site plan amendment) for approximately 5.09 acres located on the north side of Nolley Court near the intersection of Nolley Court and Galleria Boulevard to allow the construction of an 80-unit senior independent living apartment community, and to remove a development note prohibiting the construction of rental apartments. | Approved |

- **Public Plans and Policies**



- The *Independence Boulevard Area Plan* (2011) recommends residential, office, and retail uses.
- The *2030 Transit System Plan* proposes a transit line along Monroe Road but the location of the proposed transit station closest to this site has not been identified. The project is unfunded.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a local street near the signalized intersection of a major thoroughfare and a minor collector. Adequate streetscape is in place to support the proposed development.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant property).
      - Entitlement: 400 trips per day (based on 20,856 square feet of office uses).
    - Proposed Zoning: 350 trips per day (based on 103 senior apartments).

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

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Water:** Charlotte Water has water system infrastructure accessible for the rezoning boundary via an existing eight-inch water distribution main located along Nolley Court, and sanitary sewer system accessible via existing eight-inch gravity sewer mains located along Nolley Court.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the right-of-way without explicit authorization from the City Arborist or his designee. Trees cannot be planted in the right-of-way of all existing and newly created City of Charlotte maintained streets without authorization from the City Arborist.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**OUTSTANDING ISSUES**Transportation

1. ~~This site is located on a local street near the signalized intersection of a major thoroughfare and a minor collector. Adequate streetscape is in place to support the proposed development. However, CDOT continues to request that the petitioner remove the on-street parking from their plans or show curblane reconstruction to create recessed parking as envisioned by the area plan.~~

Addressed by removing on-street parking along Nolley Court.

Site and Building Design

2. ~~Provide a sidewalk from the front of the building to the public sidewalk, to the proposed open space, and to the corner of Nolley Court and Galleria Boulevard.~~ Addressed.
3. ~~Provide additional screening and landscaping where parking is adjacent to Nolley Court.~~ Addressed by providing a double row of offset plantings to screen parking areas adjacent to Nolley Court.

Environmental

4. BMP location shown on the rezoning plan does not appear to be consistent with the pre-development drainage patterns for the site. Please review and revise BMP location as necessary. Outstanding. BMP Area location was amended. "Building Envelope" on Sheet RZ-1 conflicts with the proposed storm drain routing and also is inconsistent with the building layout on Sheet RZ2.0 of the revised rezoning plans.

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Sonja Strayhorn Sanders (704)336-8327