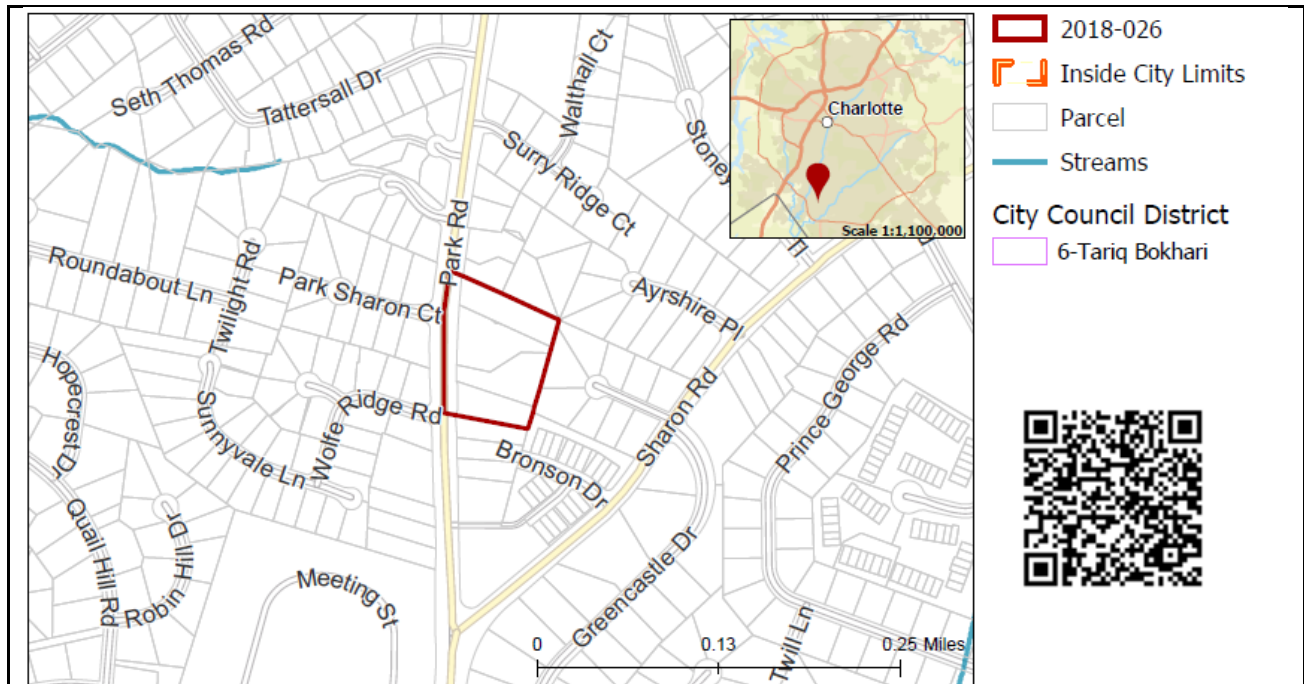


REQUEST

Current Zoning: R-3 (single family residential)
 Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights.

LOCATION

Approximately 3.49 acres located on the east side of Park Road, north of Sharon Road.
 (Council District 6 - Bokhari)



SUMMARY OF PETITION

The petition proposes redevelopment of four parcels containing three single family homes with a 20-unit, single family attached development along Park Road north of Sharon Road.

PROPERTY OWNER

Park Cottage, LLC, Ronald Harris and Elaine Hoke White

PETITIONER

Llewellyn Development, LLC

AGENT/REPRESENTATIVE

Walter Fields, Walter Fields Group, Inc.

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
 Number of people attending the Community Meeting: 14.

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *South District Plan* recommendation for single family residential use. The proposed density of 5.73 units per acre is consistent with the *General Development Policies* recommendation for up to six dwellings per acre.

Rationale for Recommendation

- The proposal is for 20 single family attached residential dwelling units with a density of 5.73 units per acre.
- There are similar residential developments zoned UR-2 (urban residential) in the area along Park Road, including a recently approved development with single family attached and multi-family residential dwellings at Park Road and Sharon Road.
- The site is located along a major thoroughfare and not located within or at the entrance to an established single family neighborhood.

- The proposal contains commitments that provide compatibility with adjacent single family homes including:
 - Limiting the building height to 45 feet. The base height in residential zoning is 40 feet.
 - Providing a 24-foot class C buffer along the property lines abutting single family homes. Traditional multi-family zoning would require also require a 24-foot class C buffer abutting single family.
 - Committing to architectural standards that specify building materials, limit blank walls and reduce the impacts of garage doors and lighting.

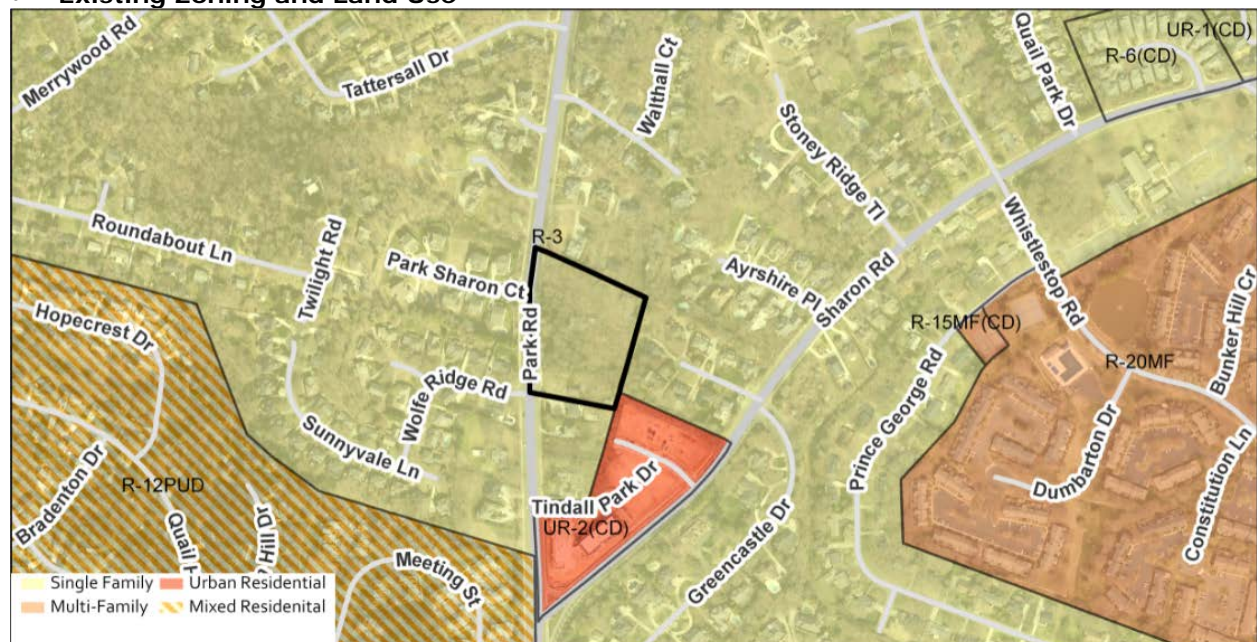
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows the demolition of three existing single family homes and the construction of up to 20 single family attached dwellings with no more than four units per building.
- Limits the maximum building height to no more than 45 feet and three stories on the front and two stories on the back. The buildings will have two full floors over partial basements.
- Provides a 24-foot Class C buffer along the north, eastern, and a portion of the southern property lines abutting single family homes. Provides evergreen screening along the remainder of the southern property line.
- Specifies trash and recycling collection provided through private roll out containers, and notes that if the owners abandon private collection then the dumpsters will be located and screened in the area of visitor parking along the northern driveway.
- Proposes the construction of a new six-foot sidewalk which will be set back from Park Road to preserve existing trees along the street.
- Proposes access to the site via an internal driveway loop connecting to Park Road.
- Provides a number of architectural standards including standards for pitched roofs, recessed garage doors, treatments for blank walls on end units that face the public street, and allowed building and roofing materials.
- Requires downwardly directed lighting on the rear of the buildings and specifies that freestanding lighting will utilize full cut-off luminaries.

• Existing Zoning and Land Use



- The subject site includes four large parcels developed with three single family homes.



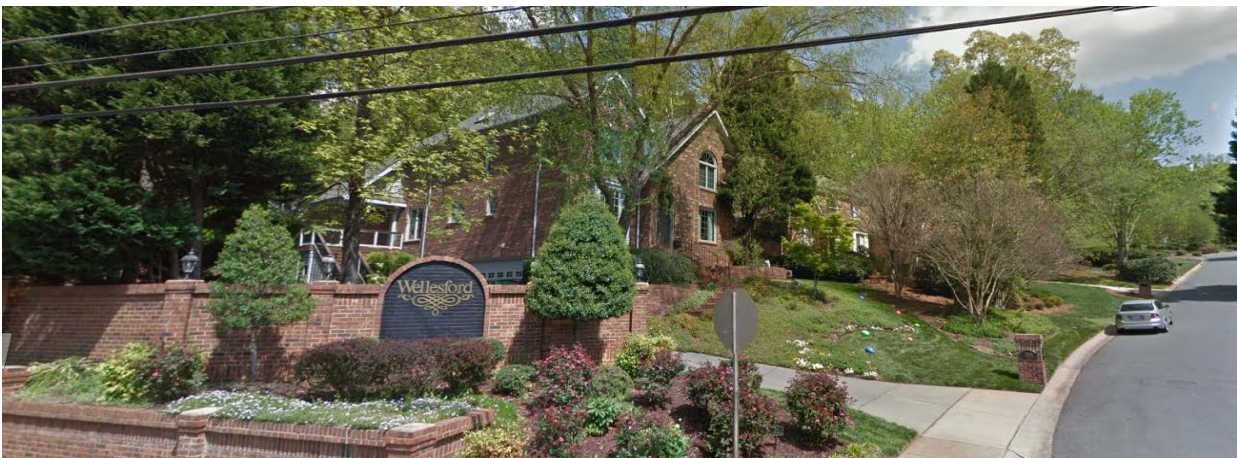
The subject property is zoned R-3 and developed with single family homes.



Properties to the west are developed with single family homes.



Properties to the east are developed with single family homes.



Properties to the north are developed with single family homes.

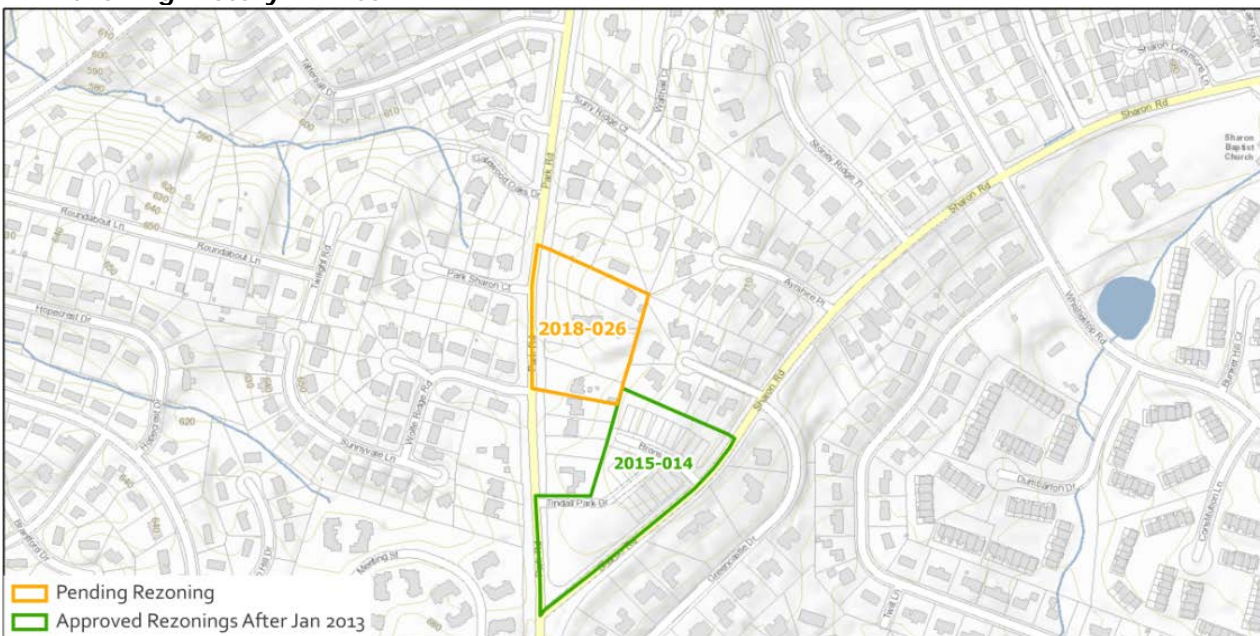


Properties to the south are developed with single family homes.



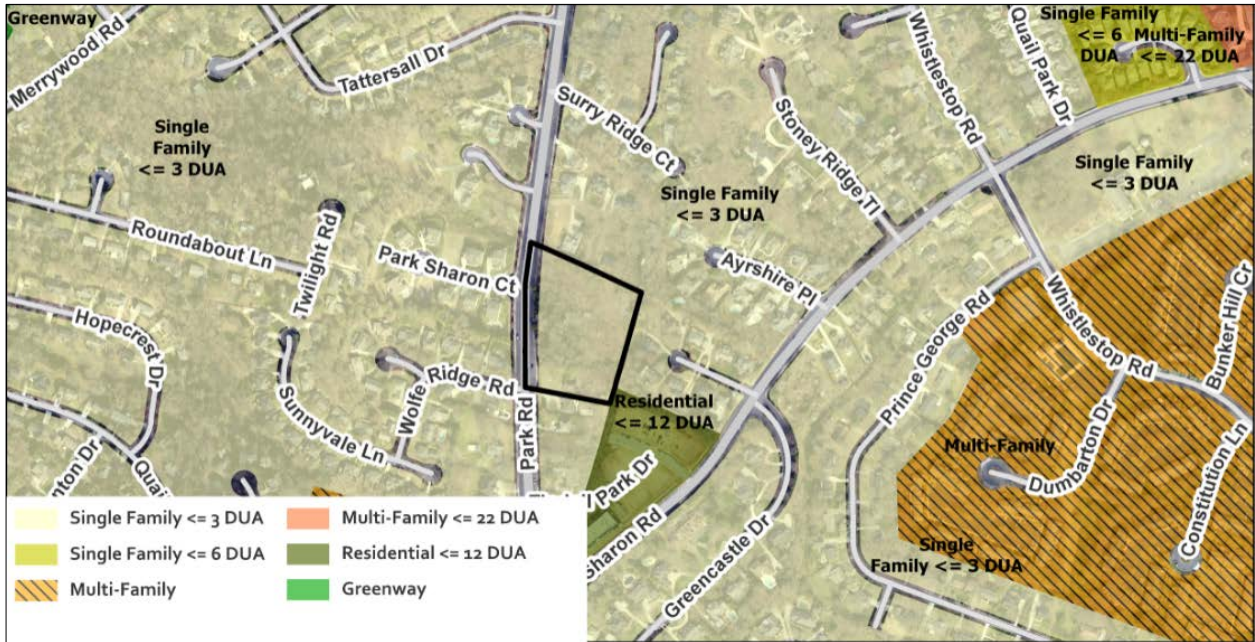
Property at the corner of Park Road and Sharon Road, south of the site, is developed with multi-family residential and townhomes.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-014	Rezoned 4.66 acres at the northeast corner of the intersection of Park Road and Sharon Road to UR-2(CD) (urban residential, conditional) to allow a residential development with multi-family and single family attached dwellings.	Approved

• **Public Plans and Policies**



- The South District Plan (1993) recommends residential uses up to three dwellings per acre.
- 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 the six dwellings per acre requested, as illustrated in the table below.

Assessment Criteria	Density Category – up to 6 dua
Meeting with Staff	1 – Yes
Sewer and Water Availability	2 – Charlotte Water
Land Use Accessibility	2 – Medium
Connectivity Analysis	4 – Medium high
Road Network Evaluation	0 – No
Design Guidelines	4 – Yes
	NA
Minimum Points Needed: 11	Total Points: 13

• **TRANSPORTATION CONSIDERATIONS**

- The site is located along a major thoroughfare. CDOT is requesting that the petitioner show dimensions on site plan for the location of the future back-of-curb and show the planting strip to be 16 feet to accommodate a future buffered bike lane. Also, it appears the site will not be removing the existing sidewalk with the installation of the new; CDOT requests a note to clearly state that the existing sidewalk will be removed.
- See Outstanding Issues, Notes 4, 5, 7 and Requested Technical Revisions Notes 13 and 15.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 40 trips per day (based on three single family dwellings).
Entitlement: 130 trips per day (based on ten single family dwellings).
Proposed Zoning: 160 trips per day (based on 20 single family attached dwellings).

DEPARTMENT COMMENTS (see full department reports online)

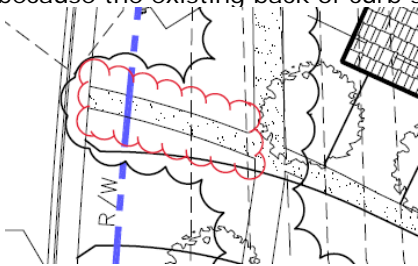
- **Charlotte Area Transit System:** No outstanding issues.

- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No on street parking if unable to maintain 20 feet unobstructed access at all times.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate six students, while the development allowed under the proposed zoning will produce four students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) which are as follows:
 - Beverly Woods Elementary at 104%
 - Carmel Middle from at 114%
 - South Mecklenburg High at 125%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing eight inch water distribution main located along Park Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight inch gravity sewer main located along Park Road.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed from the public right of way of any existing (Park Road) or newly created city maintained street without explicit authorization from the City Arborist or his designee. The location of structures, driveways, and other items illustrated on the site plan are conceptual in nature; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right-of-way.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** ~~See Requested Technical Revisions, Note 16.~~
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. ~~Remove the section of internal sidewalk, shown below, that is parallel to the northern most driveway between the proposed sidewalk along Park Road and the existing back of curb sidewalk because the existing back of curb sidewalk should be removed.~~ Addressed



2. ~~Add a commitment for a minimum number of visitor parking spaces, not including those that could be replaced with dumpsters in the event private trash service ends. Add a label to the visitor spaces on the northern driveway referencing the trash and recycling collection note.~~ Addressed.
3. ~~Add the following note to the transportation section of the development standards:~~
~~"Notwithstanding the planting strip and sidewalk depicted on the site plan, the petitioner reserves the right to request a deviation of the Zoning Ordinance requirements per Section 9.407(4)(c) and an Administrative Variance per Chapter 19 Section 19-176.~~ Addressed. If the deviation/ administrative variance are granted and the trees ultimately cannot be preserved during the construction process the petitioner will construct a minimum 16-foot planting strip to accommodate a future buffered bike lane, to be constructed by others, behind the existing back-of-curb and a six-foot sidewalk behind the planting strip." **Outstanding. The petitioner notes that the intent is the construct a minimum eight-foot planting strip and six-foot sidewalk as depicted on the site plan. The petitioner has asked for an adopted plan that shows this future curb line. The petitioner states that their plan accommodates the development of such public facilities in the future and contains the eight-foot planting strip and six-foot sidewalk required by Ordinance.**

Transportation

4. Revise the site plan and add a conditional note to show a minimum 16-foot planting strip. The

wide planting strip will accommodate a future buffered bike lane to be installed by others. The minimum width of the planting strip should be 16 feet measured from the existing back-of-curb except as indicated and noted that topography imposes a restriction. **Outstanding.** The petitioner notes that an eight-foot planting strip and six-foot sidewalk will be constructed as depicted on the site plan. The petitioner has asked for a plan that shows this future curb line. The petitioner states that their plan accommodates the development of such public facilities in the future and contains the eight-foot planting strip and six-foot sidewalk required by Ordinance.

5. Revise the site plan to 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. The right-of-way should be set 22-feet from the existing back of curb. Add a note stating, "The proposed six-foot sidewalk may meander and any portion of the sidewalk located outside of the right-of-way shall be located in a public access easement. The exact location will be reviewed, and approved by City staff during permitting." **Outstanding.** The petitioner added the following note: "If the existing right-of-way for Park Road does not meet ordinance standards the Petitioner will provide for the dedication and fee simple conveyance of the right of way for Park Road based on 50' from the centerline to the City before the site's first building certificate of occupancy is issued."
6. Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. **Addressed.** The petitioner added the following note: "If any are required, all transportation improvement to Park Road will be completed prior to the issuance of the first certificate of occupancy."
7. Add a note to the Transportation section of the development standards to specify the removal of the existing sidewalk with the installation of the new sidewalk. **Outstanding.** The petitioner states that the sidewalk is not on their site and will not be disrupted by the development. The petitioner says that such removal will have a significant impact on the trees at the front of the site. The City can remove their sidewalk at any time or during widening for future road improvements.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

8. ~~Amend the site plan to commit to a minimum 20-foot setback measured from the future back-of-curb along Park Road.~~ **Addressed,** the petitioner has committed to adding a note that the buildings will be placed as generally depicted on the site plan and no closer to the property line. The petitioner will provide the specific distance; staff was unable to determine it at the time of writing this document. This commitment will ensure that the buildings are further back than the minimum 14-foot setback as required by the Zoning Ordinance.
9. ~~Remove the label for "existing trees to be preserved" along Park Road so the area will not be confused for tree save area and because the final location of the sidewalk will be determined during permitting.~~ **Addressed.**
10. ~~Amend the labels that read "setback" along the northern, eastern and southern property line to say "side/rear yard."~~ **Addressed.**
11. ~~Delete "3 story" in the development data table for maximum building height and replace with a reference to the height note in the architectural standards.~~ **Addressed.**
12. ~~Add five-year vested rights to the proposed zoning on the site plan or amend the rezoning application to remove the request for five-year vesting.~~ **Addressed.**

Transportation

13. Amend the site plan to show the location of the future back of curb, to be installed by others, eight feet behind the existing back of curb. **Outstanding.** The petitioner has asked for an adopted plan that shows this future curb line.
14. ~~Add a note that acknowledges that CDOT may consider restricting access on the proposed southern driveway during permitting due to geometries of the intersection.~~ **Addressed,** the petitioner added the following note: "The design of the driveway connections to Park Road will be approved by CDOT as part of the design and development process."
15. Revise the site plan by labeling, and dimension the existing sidewalk to be removed, and the proposed sidewalk. **Outstanding.** The petitioner states that the sidewalk is not on their site and will not be disrupted by the development. The petitioner says that such removal will have a significant impact on the trees at the front of the site. The City can remove their sidewalk at any time or during widening for future road improvements.

Environment

16. ~~Amend the site plan to show tree save calculations. Site is in a wedge and will be required to provide 15% tree save area based on gross acreage (15% of 3.49 acres = 0.523 acres of tree save). Tree save must contain existing healthy tree canopy. Tree save must be 30-foot width minimum.~~ **Addressed.**

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-Hearing Staff Analysis
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools 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: John Kinley (704) 336-8311