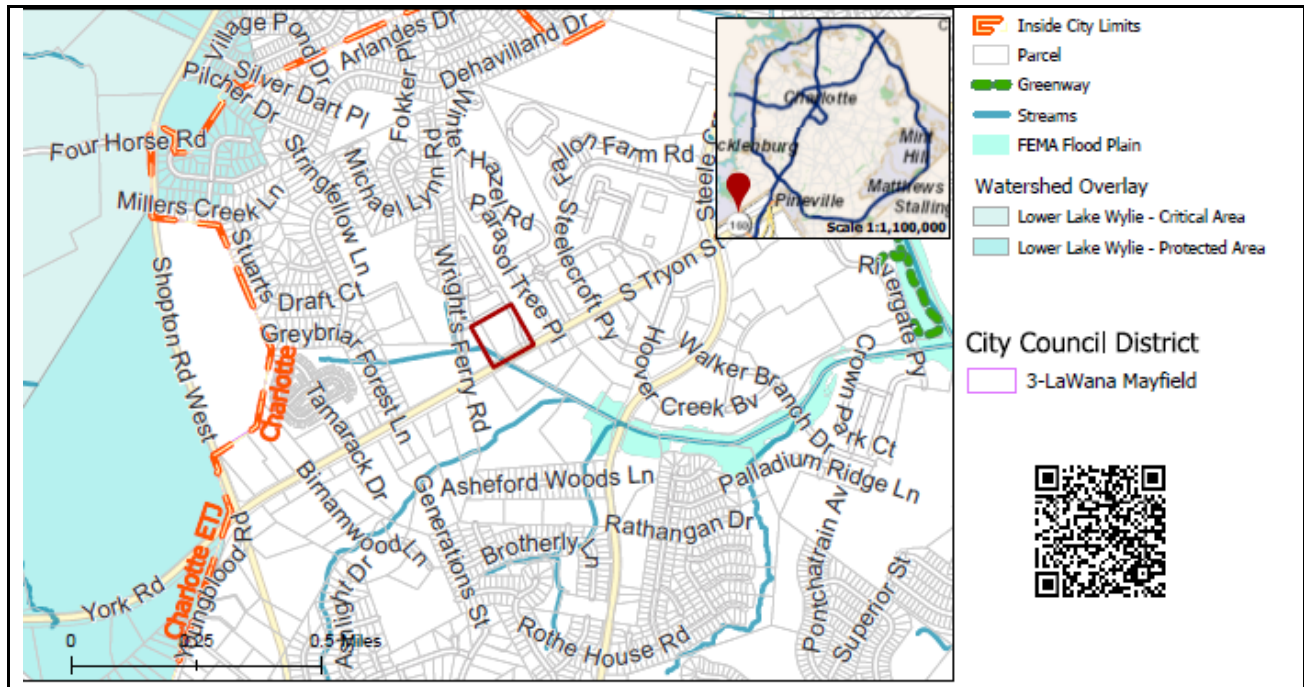


**REQUEST**

Current Zoning: R-3 (single family residential) and BD(CD) (distributive business, conditional)  
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

**LOCATION**

Approximately 4.35 acres located off South Tryon Street, south of Steele Creek Road.  
(Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes to allow up to 33 attached dwelling units on vacant land near Rivergate Shopping Center, at a density of ~~7.59~~ **7.58** units per acre. This proposal will be the second phase of a larger townhouse project. Phase 1 directly abuts the rezoning site to the north and was approved via petition 2016-025, allowing up to 74 townhouse units at a density of 8.90 units per acre. Phase 1 is currently under construction.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

Profile Homes – Wright Crossing LLC  
Profile Homes LLC  
Keith MacVean and Jeff Brown, Moore & Van Allen, PLLC  
Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 2

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency  
The petition is consistent with the *Steele Creek Area Plan* recommendation for residential uses. However, it is inconsistent with the recommendation for up to four dwelling units per acre.

Rationale for Recommendation

- The proposed townhomes provide a transition from the apartments zoned R-17MF(CD) (multi-family residential,

conditional) and assisted living facility zoned INST(CD) (institutional, conditional) to the northeast of the site, and the single family detached homes zoned R-3 (single family residential) located on the southwest of the site.

- The proposed townhomes will provide a transition between the single family homes, institutional use and the higher density multi-family development.
- The proposed townhomes will be phase 2 of the adjacent townhome development to the north that was approved in 2016. The subject site is situated between Phase 1 and South Tryon Street, a major thoroughfare.
- The proposed site plan adheres to the *Steele Creek Area Plan* Residential Design Policies that support critical treatments pertaining to blank walls along pedestrian circulation areas; building orientation towards the internal street network; and encouraging on-street parking along public and private streets.

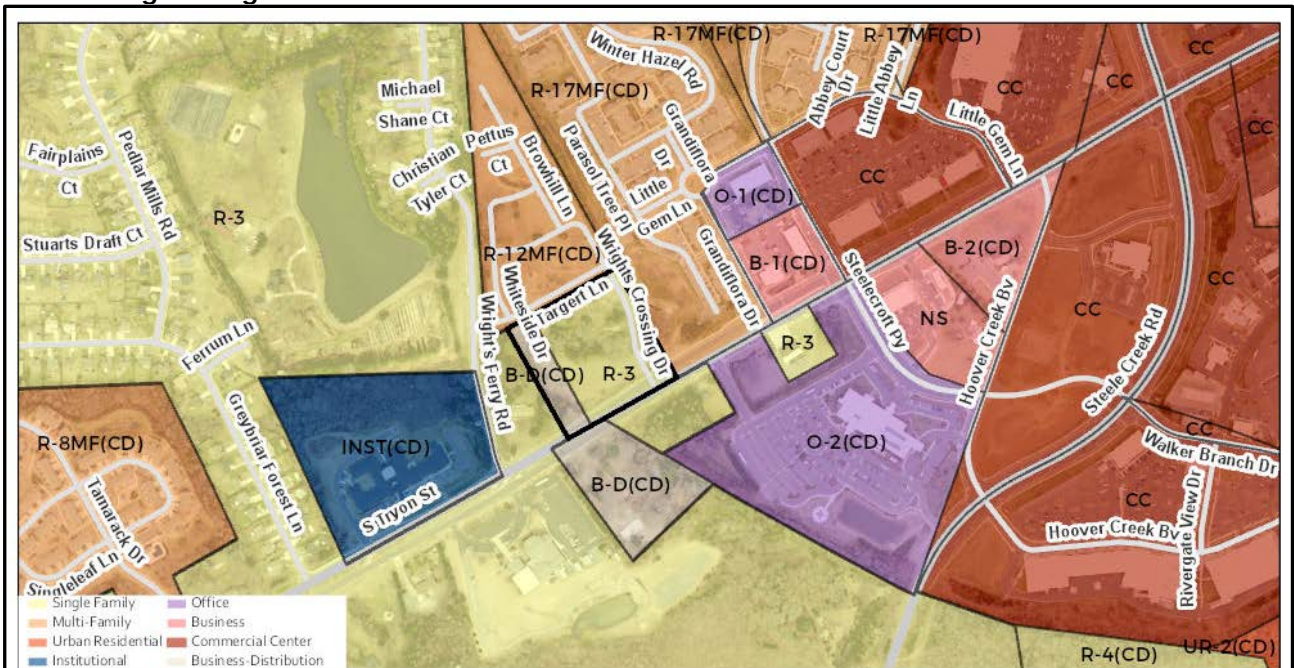
## PLANNING STAFF REVIEW

### Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 33 attached homes (for sale townhouse units) at a density of ~~7.59~~ 7.58 units per acre and not to exceed two stories or 38 feet in height.
- Proposed Phase 2 of a larger townhouse project, with Phase 1 approved via petition 2016-025 for up to 74 attached units (under construction).
- Notes provision of minimum of four on-street parking spaces.
- Provides a 30-foot setback along South Tryon Street.
- Provides point of access onto South Tryon Street and connects to street network within Phase 1.
- Dedicates and conveys in fee simple a minimum of 67 feet of right-of-way from the existing center line of South Tryon Street.
- Commits to front door entrances; pitched roofs; treatment of porches on units; and recessed garage doors.
- Notes when vinyl siding is used as a building material notes minimum thickness will be .042 inches.
- Provides a 36-foot Class C buffer along a portion of the south property line.
- Identifies potential tree save/reforestation areas, existing BMP (stormwater facility), and 35-foot SWIM buffer.
- Identifies existing trees to be preserved within the South Tryon Street right-of-way.

### Existing Zoning and Land Use



- The rezoning site is currently vacant and surrounded by apartments, single family attached and detached homes, institutional facilities, commercial uses and vacant land in various zoning districts.



- Rezoning petition 2016-028 was a request to rezone 3.65 acres of the subject rezoning site to BD(CD) (distributive business, conditional) to allow up to 100,000 square feet of climate controlled storage space. The request was denied.
- The portion of the rezoning site that is zoned BD(CD) (distributive business, conditional) was part of petition 2016-025 that rezoned that acreage and the abutting acreage to the northwest to R-12MF(CD) to accommodate Phase 1 of the townhouse project (74 units under construction) and provide access to South Tryon Street.



The subject property is vacant.



The property to the north along Wrights Crossing Drive was rezoned (2016-025) for townhomes that are currently under construction.

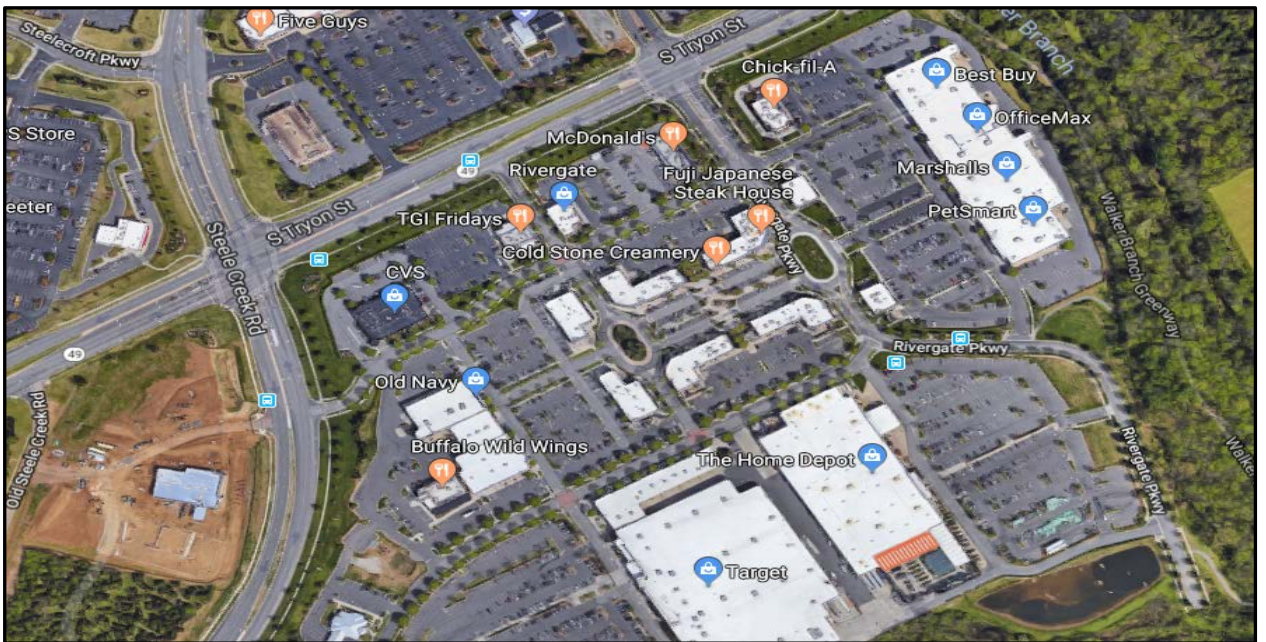


Properties to the north and east along South Tryon Street are developed with a mix of apartments, office, and retail uses.





The abutting property to the west along South Tryon Street is developed with a single family home.



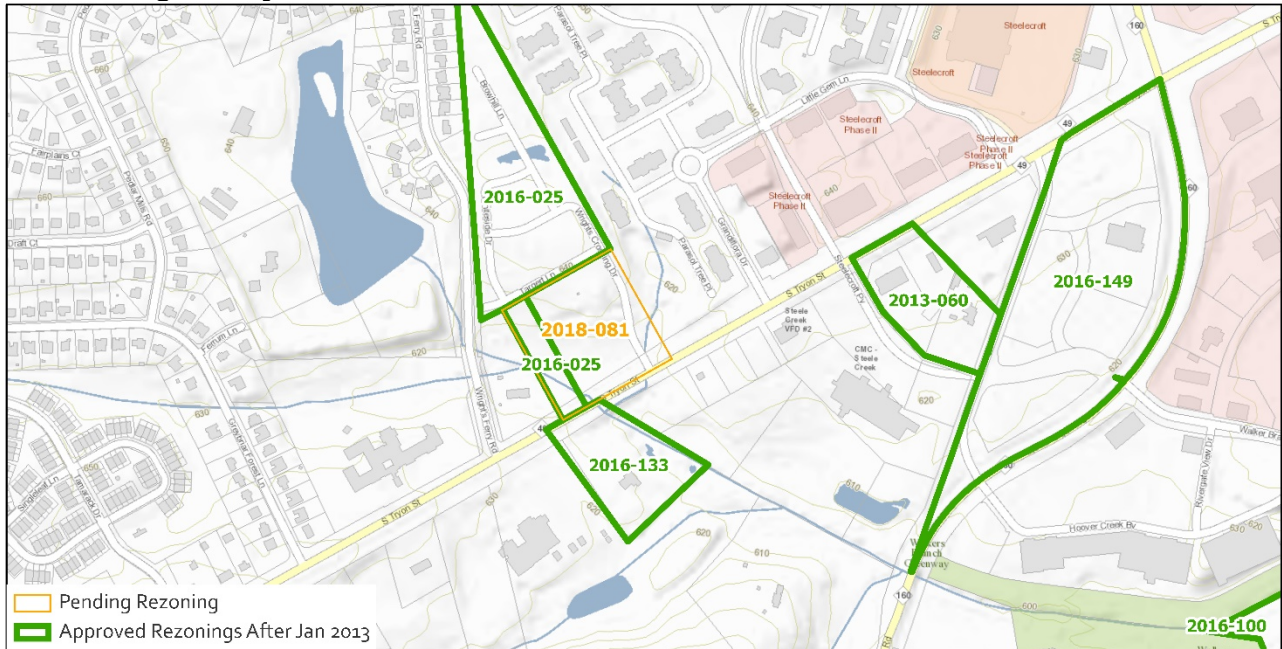
The Rivergate Shopping Center is located along South Tryon Street within a half-mile to the subject property.



The property to the south across South Tryon is currently vacant.

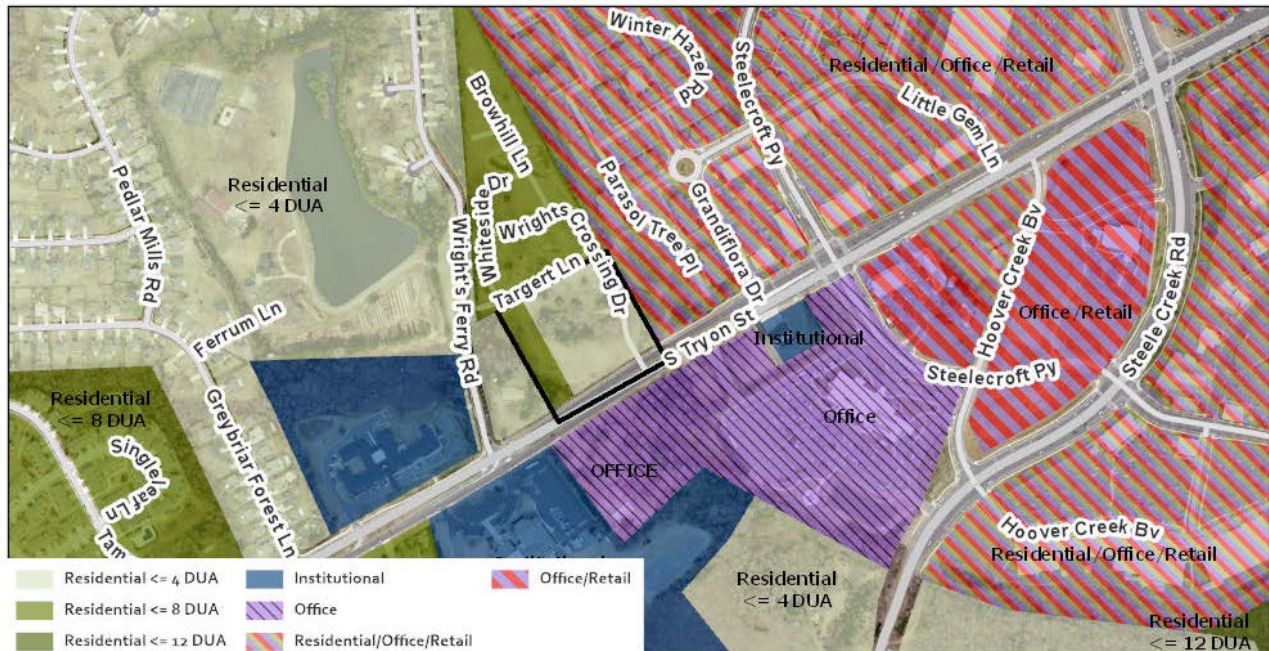


- Rezoning History in Area



Petition Number	Summary of Petition	Status
2016-149	Rezoned approximately 11.73 acres from CC (commercial center) to CC SPA (commercial center, site plan amendment) and NS (neighborhood services) in order to modify an approved site plan to allow freestanding single buildings containing retail and office uses.	Approved
2016-133	Rezoned approximately 3.58 acres from O-1(CD) (office, conditional) to BD(CD) (distributive business, conditional) to allow up to 100,000 square feet of climate controlled storage space.	Approved
2016-039	Rezoned approximately 3.48 acres from R-3 (single family residential) to O-1(CD) (office, conditional) to allow up to 45,000 square feet of office/and or other uses, including a child care facility.	Approved
2016-025	Rezoned approximately 9.52 acres from R-3 (single family residential) to R-12MF(CD) (multi-family residential, conditional) and BD(CD) (distributive business, conditional) to allow up to 74 townhouse units, with the BD(CD) portion to allow a new public street to serve the townhouse community, or accessory uses associated with a climate controlled storage facility.	Approved
2013-060	Rezoned approximately 3.56 acres from R-3 (single family residential) to NS (neighborhood services) to allow 30,000 square feet of commercial uses.	Approved

## • Public Plans and Policies



- The *Steele Creek Area Plan* (2012) recommends residential up to 4 dwelling units per acre for this site.
- The proposed site plan adheres to the *Steele Creek Area Plan* Residential Design Policies that support critical treatments pertaining to blank walls along pedestrian circulation areas; building orientation towards the internal street network; and encouraging on-street parking along public and private streets.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on S. Tryon Street. The site plan commits to providing right-of-way along South Tryon Street for the future NC DOT project. In addition, the site plan commits to new street network with sidewalk network to improve pedestrian connectivity.
  - ~~See Outstanding Issues, Note 1:~~ Addressed
  - **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 140 trips per day (based on 11 single family homes).

Proposed Zoning: 250 trips per day (based on 33 townhomes; site plan 09-05-18).

## 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 on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along South Tryon Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along South Tryon Street.
- **Engineering and Property Management:**
  - **Arborist:** ~~See Outstanding Issues, Note 2:~~ Addressed
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

**OUTSTANDING ISSUES**Transportation

1. ~~The petitioner should 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. CDOT requests right of way set at 2' behind back of sidewalk where feasible.~~

Addressed

Environment

2. ~~Submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right of way. Tree survey may be completed by landscape architect, surveyor, or other land development professional.~~

Addressed

**REQUESTED TECHNICAL REVISIONS**

3. ~~Site Data on Sheet 1 needs to specify the proposed number of units.~~
4. ~~Show dumpster pad location for proposed development.~~
5. ~~Indicate how parking will be provided for the units and the minimum number of on-street spaces that will be provided.~~

Addressed

Addressed

Addressed

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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 Parks and Recreation Review
  - Transportation Review

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