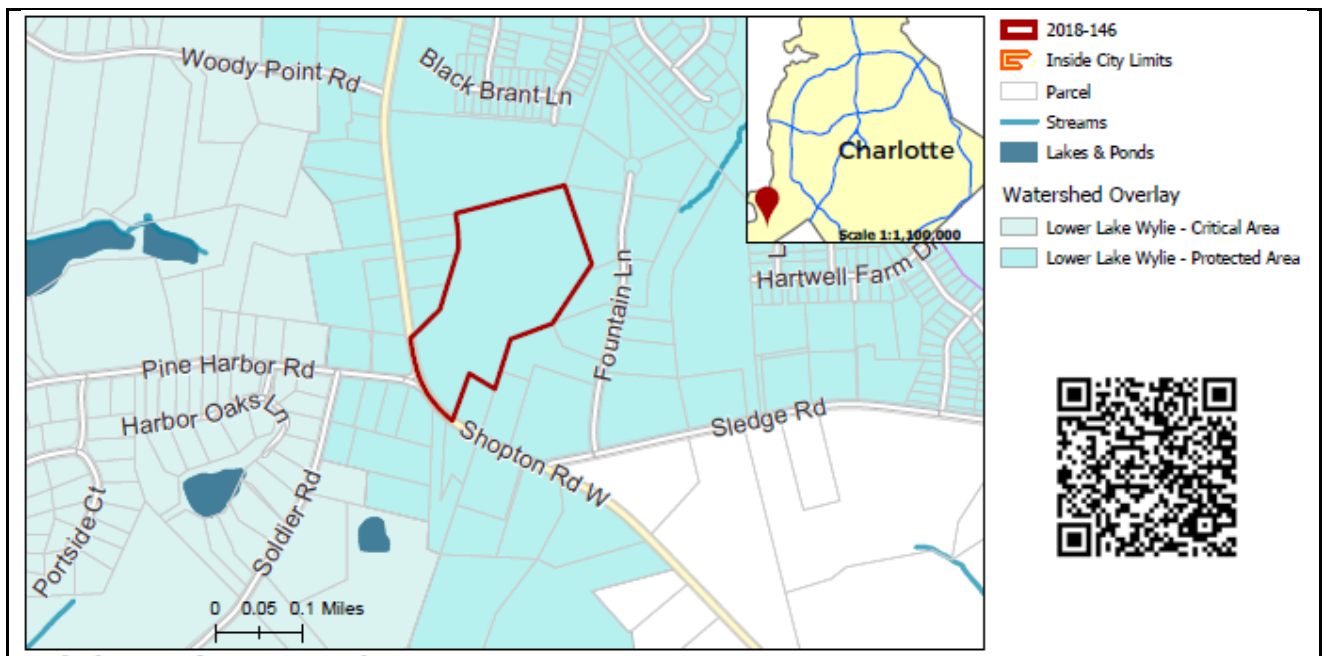


REQUEST

Current Zoning: R-3 LLWWPA (single family residential, Lower Lake Wylie Watershed Protected Area)
Proposed Zoning: MX-1 LLWWPA (mixed use, innovative, Lower Lake Wylie Watershed Protected Area)

LOCATION

Approximately 18.39 acres located on the east side of Shopton Road West, north of Sledge Road across from Pine Harbor Road. (Outside City Limits)



SUMMARY OF PETITION

The petition proposes to allow a single family detached residential development on acreage currently developed with a single family home and a cell communications tower, located in southwest Charlotte.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

Charles Land Taylor & Helen B. Taylor c/o Thomas E. Taylor
NorthState Development, LLC
Sonny Crater

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 44

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *Steele Creek Area Plan* recommendation for residential uses up to 4 dwelling units per acre.

Rationale for Recommendation

- The proposed land use and density are consistent with the adopted land use recommendations for the site.
- The area is surrounded by low density residential uses.
- The proposed site plan provides a road network that supports connectivity in the area.

- The proposed site plan includes an existing cell phone tower, and allocates for the distance requirements for residential uses from cell phone towers.
- The request proposes an overall density of 3 dwelling units per acre, which is lower than the adopted plan recommendation of 4 units per acre.

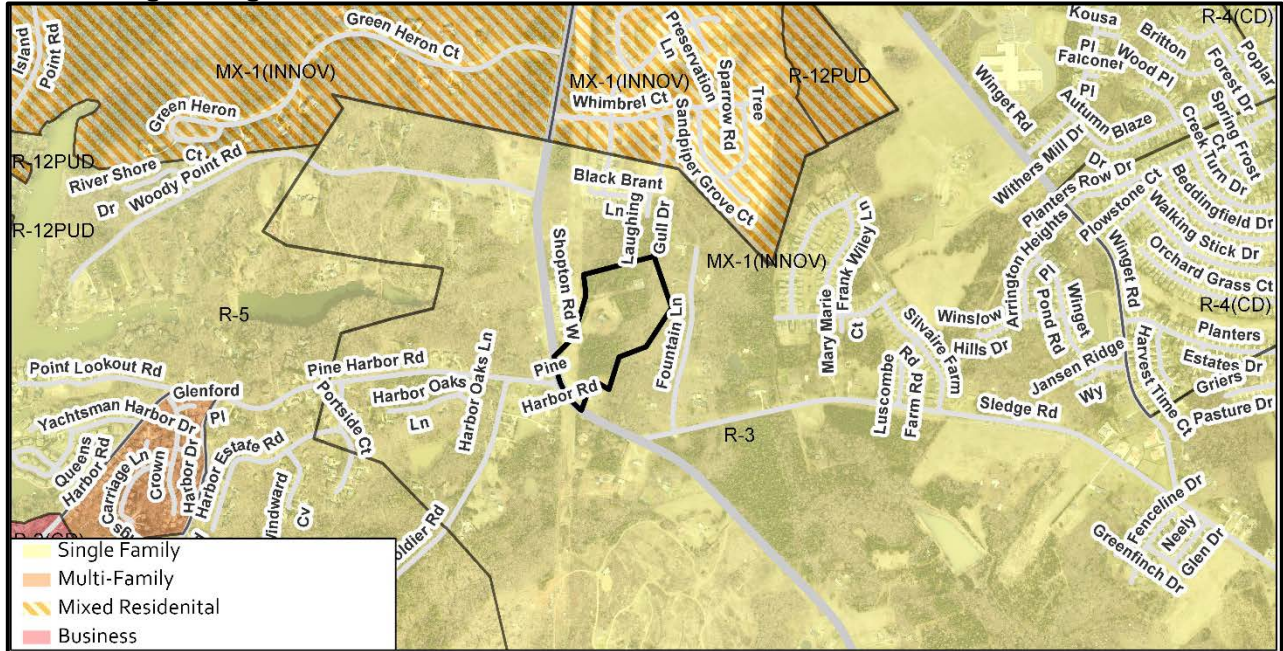
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 55 single family detached residential units at approximately 3.0 dwelling units per acre.
- Proposes access onto Shopton Road West via creation of an internal network of private and public streets with on street parking, along with alleyways. Includes the extension of Laughing Gull Drive to provide access into the site.
- Installs 6-foot sidewalk and 8-foot planting strip along all new public streets within the site.
- Installs 6-foot sidewalk and 8-foot planting strip within new rights-of-way associated with Laughing Gull Drive.
- Seeks the following innovative provisions (single family residential must meet lot width and yard requirement for the R-6 district):
 - Allow single family lots to front on private streets.
 - Minimum lot area of 3,600 square feet (minimum 4,500 square feet required).
 - Minimum lot width of 36 feet (minimum 40 feet required).
 - Minimum principal building setback measured from back of sidewalk at 5 feet (17 feet required at edge of right-of-way).
 - Minimum setback measured from common open space boundary line at 0 feet.
 - ~~Minimum side yard of 5 feet (minimum 5 feet required).~~
 - ~~Minimum building separation of 10 feet.~~
 - Minimum rear yard of 15 feet (minimum 30 feet required).
 - Allow proposed property lines associated with newly created residential lots to be located a minimum of 200 feet from the center of the existing cell structure that is on site, as shown on the site plan.
 - Allow proposed property lines associated with rights-of-way, common open space, tree save and easements within the proposed development to be within the 200 feet limit as described in section 12.108(7) of the ordinance.
- Proposes building materials to be constructed of cementitious siding (such as hardi-plank) with accents of brick, cultured and simulated stone, pre-cast concrete, glass and wood.
- Prohibits flat roofs.
- Notes corner lots will not be provided garage access via driveway along a public street.
- Illustrates proposed common open space and tree save areas, and possible stormwater quality location.
- Identifies portion of potential 30-foot post construction stormwater ordinance stream buffer to be removed (per completed investigation).
- Illustrates located intermittent tributary and proposed potential 30-foot post-construction stormwater ordinance stream buffer.
- Notes development within the PCSO buffer will be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Petitioner acknowledges that intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions.

• **Existing Zoning and Land Use**



- The site is currently developed with a single family home and a cell tower, and is surrounded by undeveloped land and single family homes zoned R-3 (single family residential) and MX-1 Innov. (mixed use, innovative). Most of the surrounding properties are located within the Lower Lake Wylie Protected Area Watershed or Lower Lake Wylie Critical Area Watershed.



The subject property along Shopton Road West is developed with a single-family home.



Properties to the east along Sledge Road are developed with large lot residential.



Properties to the west along Shopton Road West are developed with single-family homes.

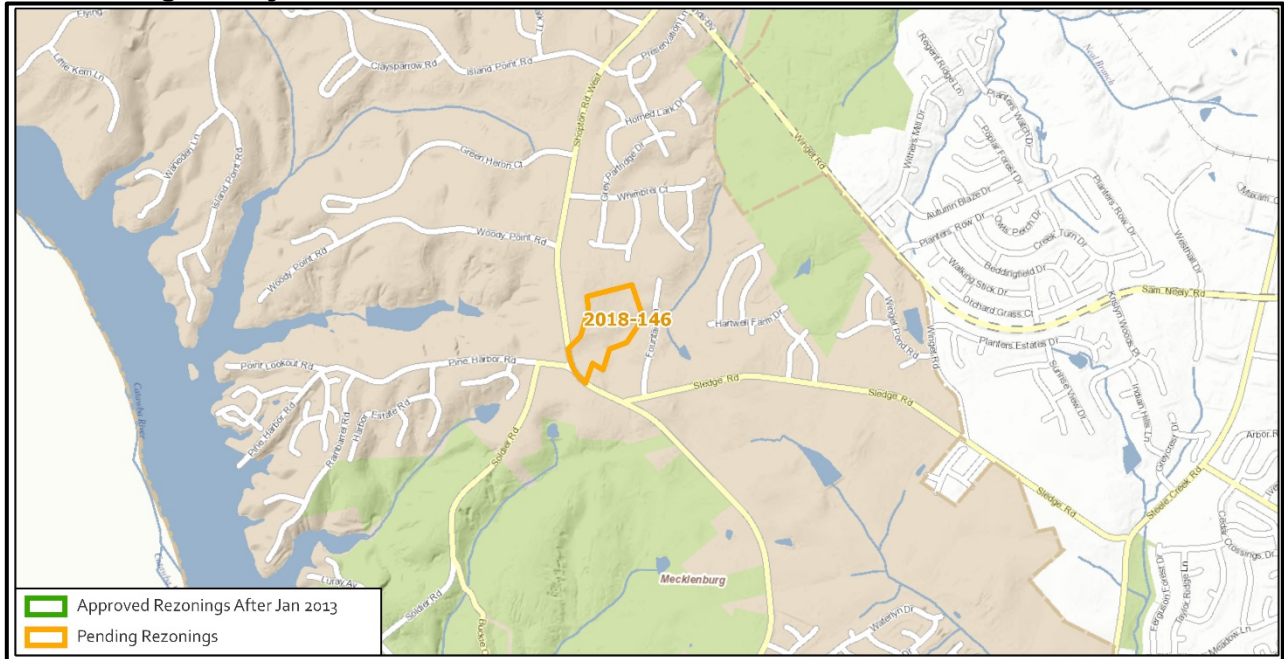


Properties to the south along Pine Harbor Road are developed with single-family homes.



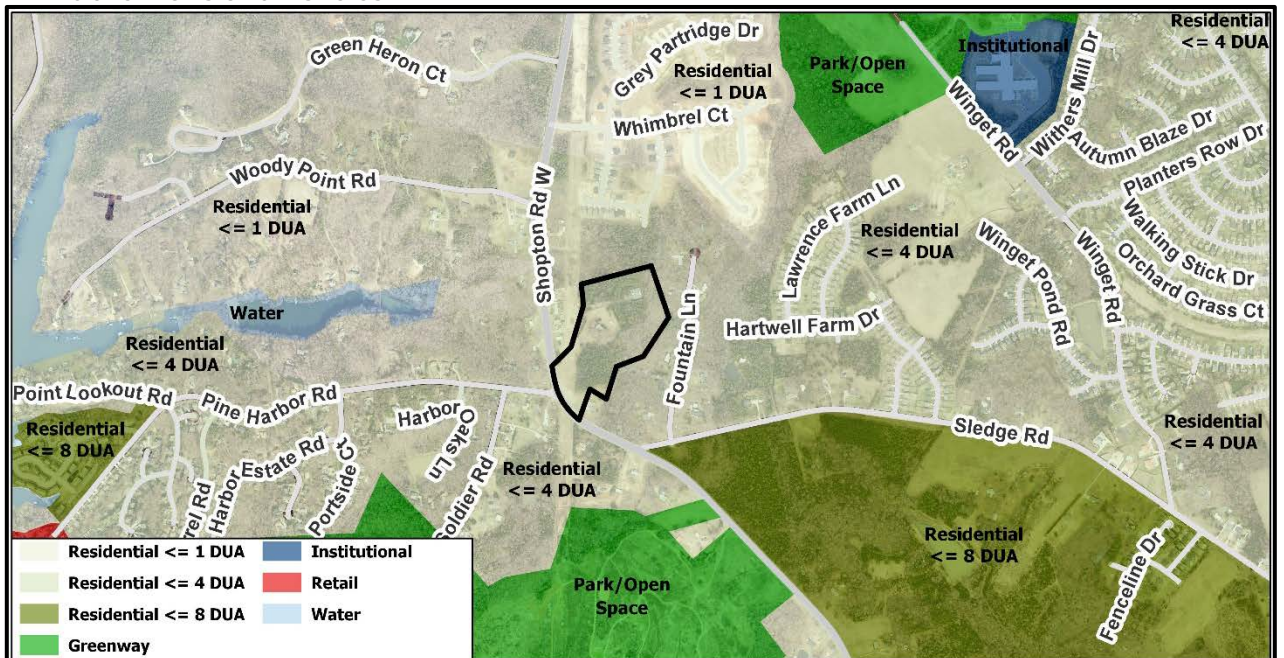
Property to the north along Shopton Road West is undeveloped.

- Rezoning History in Area**



- There have been no recent rezonings in the immediate area.

- Public Plans and Policies**



- The *Steele Creek Area Plan* (2012) recommends residential uses up to four units per acre for this site and surrounding area.
- TRANSPORTATION CONSIDERATIONS**
 - The site is located on a minor thoroughfare. The site plan commits to constructing curb and gutter along Shopton Road West along with an 8-foot planting strip and 6-foot sidewalk. The petitioner has committed to several public streets to provide better street network within the area.
 - Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 10 trips per day (based on single family residential home).
 - Entitlement: 610 trips per day (based on 55 single family residential homes).
 - Proposed Zoning: 610 trips per day (based on 55 single family residential homes).

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:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 31 students, while the development allowed under the proposed zoning will produce 31 students. Therefore, there would be no change from existing zoning to proposed.
 - The proposed development is projected to impact the school utilization over existing conditions (without mobile classroom units) as follows:
 - Winget Park Elementary to increase from 104% to 106%
 - Southwest Middle to remain at 134%
 - Olympic High to remain at 132%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along Shopton Road West.

Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The closest available sewer main is approximately 900 feet southeast of the rezoning boundary on Sledge Road. A developer donated project will be required in cases when there is not direct service.
- **Engineering and Property Management:**
 - **Arborist:** No outstanding issues.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** ~~See Outstanding Issues, Note 1.~~ Addressed
 - **Storm Water Services:** ~~See Outstanding Issues, Note 1.~~ Addressed
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUESEnvironment

1. ~~Under "Environmental Features" note #6 please add the following language: "Petitioner acknowledges intermittent/perennial stream delineation reports are subject to review and approval upon submission of development plans for permitting and are not approved with rezoning decisions."~~ Addressed
2. ~~Development Summary commits to 19% tree save, but Environmental Features Note 5 states a minimum of 10% land area will be set aside as common open space and tree save area. Please clarify as these are conflicting statements.~~ Addressed

TECHNICAL ISSUES

3. ~~Clarify if proposed private street will have sidewalk and planting strip.~~ Addressed
4. ~~Remove innovative requests regarding side yard and building separation as they meet the minimum ordinance requirements.~~ Addressed

Attachments Online at 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 Department of Solid Waste 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 Parks and Recreation Review
- Transportation Review

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