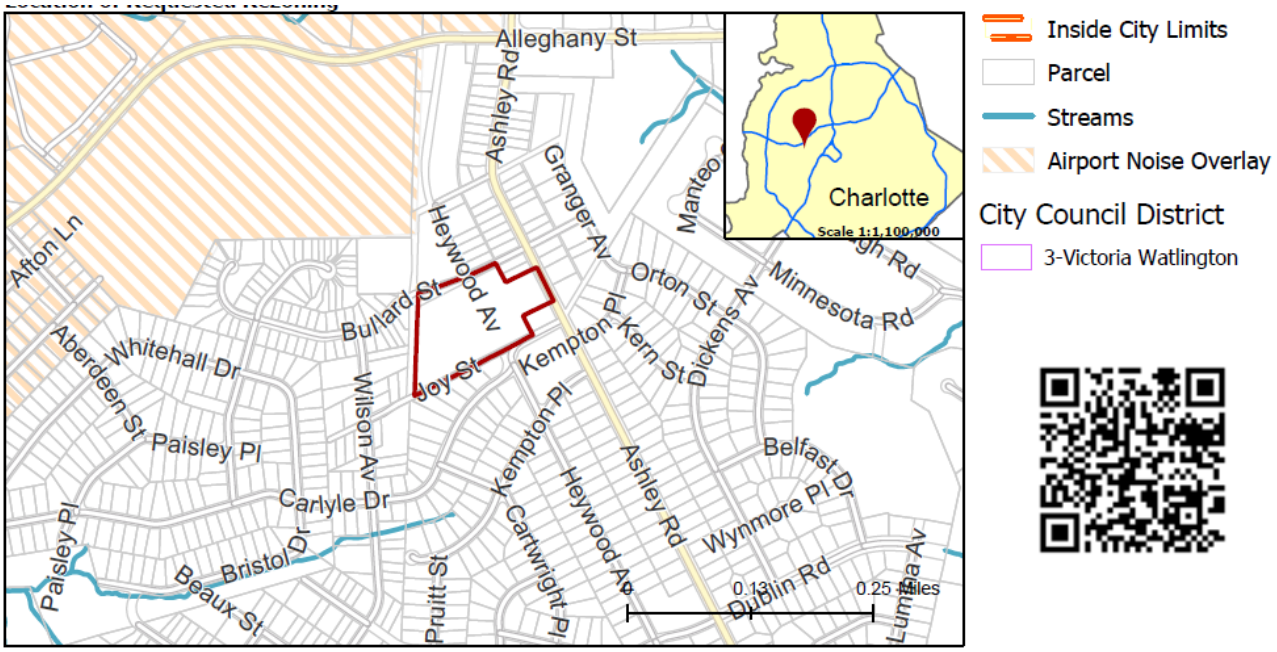
CHARLOTTE.
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-070
Post-Hearing Staff Analysis
August 4, 2020

REQUEST	Current Zoning: UR-2(CD) (urban residential, conditional) Proposed Zoning: UR-2(CD) SPA (urban residential, conditional, site plan amendment)
LOCATION	Approximately 5.8 acres located on the south side of Bullard Street, the north side of Joy Street, and west of Ashley Road



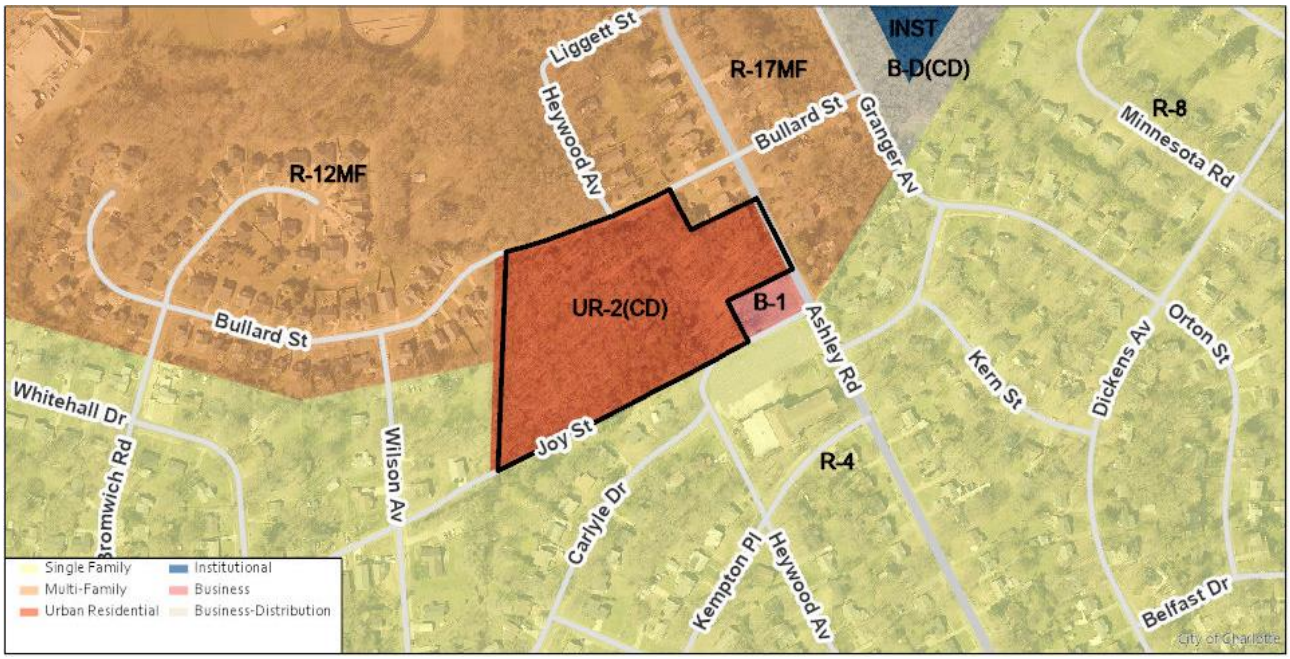
SUMMARY OF PETITION	The petition proposes a site plan amendment for UR-2(CD) SPA to allow the construction of 150 dwelling units with a density of 26 dwelling units per acre.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Ashley Road Holdings, LLC Elmington Capital Group Collin Brown and Brittany Lins, Alexander Ricks
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design and technical revisions related to environment. Plan Consistency The petition is **consistent** with the *Central District Plan's* (1993) recommendation for multi-family residential uses. Rationale for Recommendation • The petition is consistent with the multi-family land use recommendation for the site. • The site is already zoned for multi-family development, as per rezoning petition 2016-134.

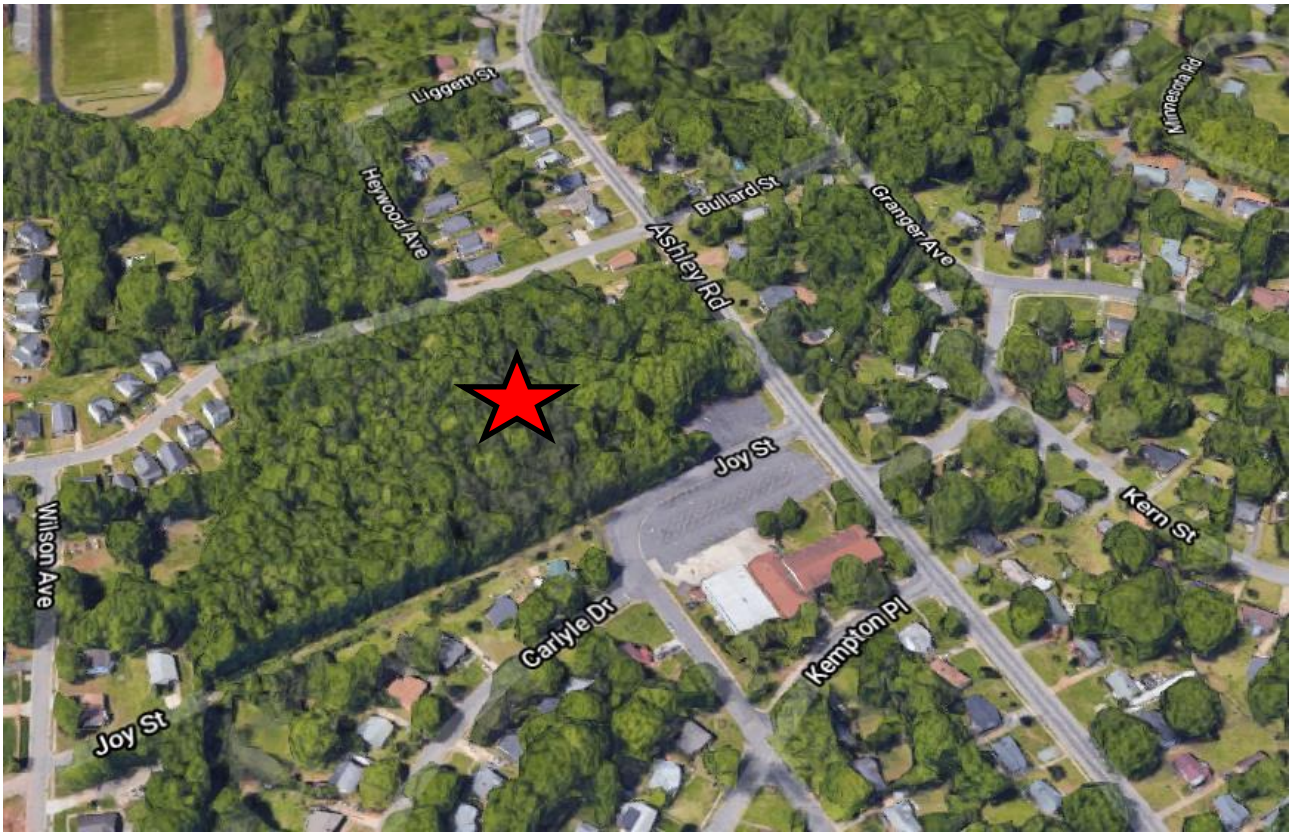
- The proposed plan helps to expand housing options within the neighborhood by providing income restricted multifamily units.
- The plan addresses compatibility with single family residential by providing additional buffers and architectural standards.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan amendment contains the following changes:
  - Increases the total number of units from 108 multi-family dwellings to 150 multi-family dwellings.
  - Changes the type of housing product from a mix of age restricted and non-age restricted to all income restricted units. The units will be restricted to households that earn 30-80% area median income (AMI) for a period of fifteen (15) years.
  - Requests to abandon a portion of Joy Street.
  - Provides an 8' planting strip and 8' sidewalk along public street frontages.
  - Maintains the requirement for architectural standards that include building materials, building massing and height, elevation design, and roof form and articulation.
  - Requires site lighting to be less than 21' in height and full cut off fixtures.
  - Commits to constructing a new public street connecting Bullard and Joy Street.
- **Existing Zoning and Land Use**



The site was rezoned in 2017 under petition 2016-134 from R-12MF to UR-2(CD) to allow 108 multi-family dwelling units. The surrounding land uses include single family residential and institutional uses.



The subject property is undeveloped wooded land. The site is marked with a red star.



The properties to the north are developed with single family houses.



The properties to the south are developed with single family houses and a religious institution. The subject property is marked with a red star.

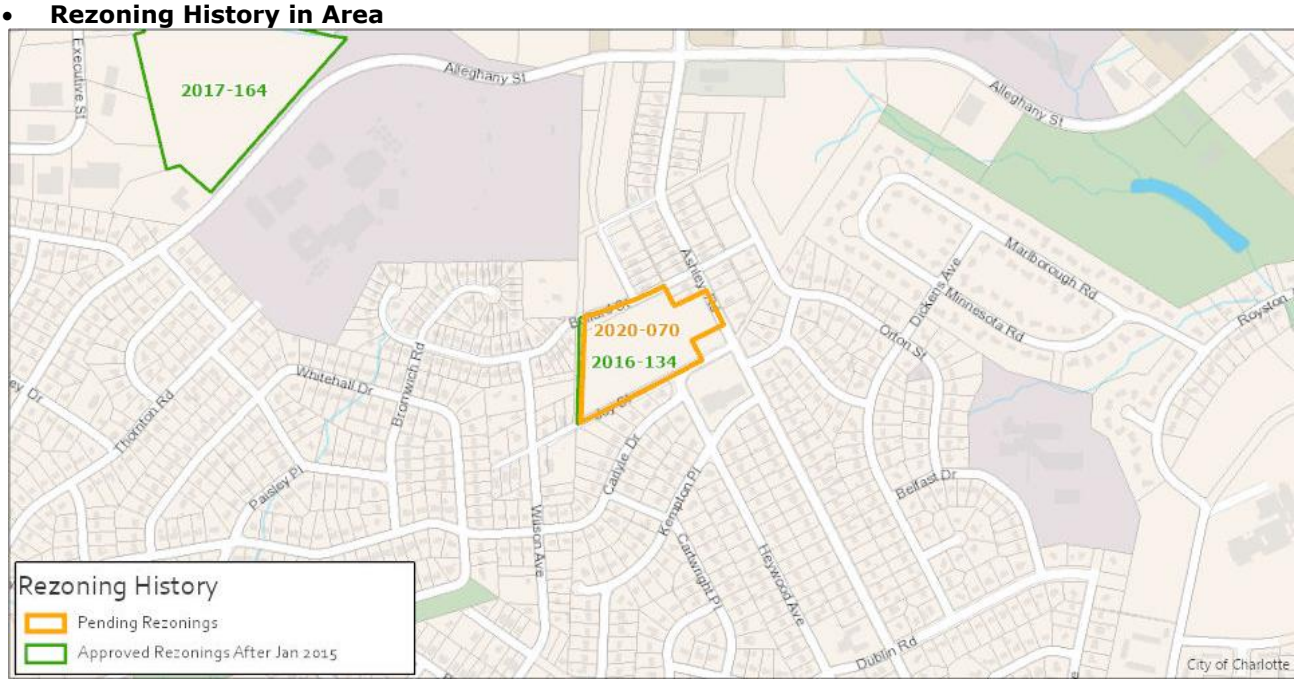


The properties to the east are developed with single family residences.



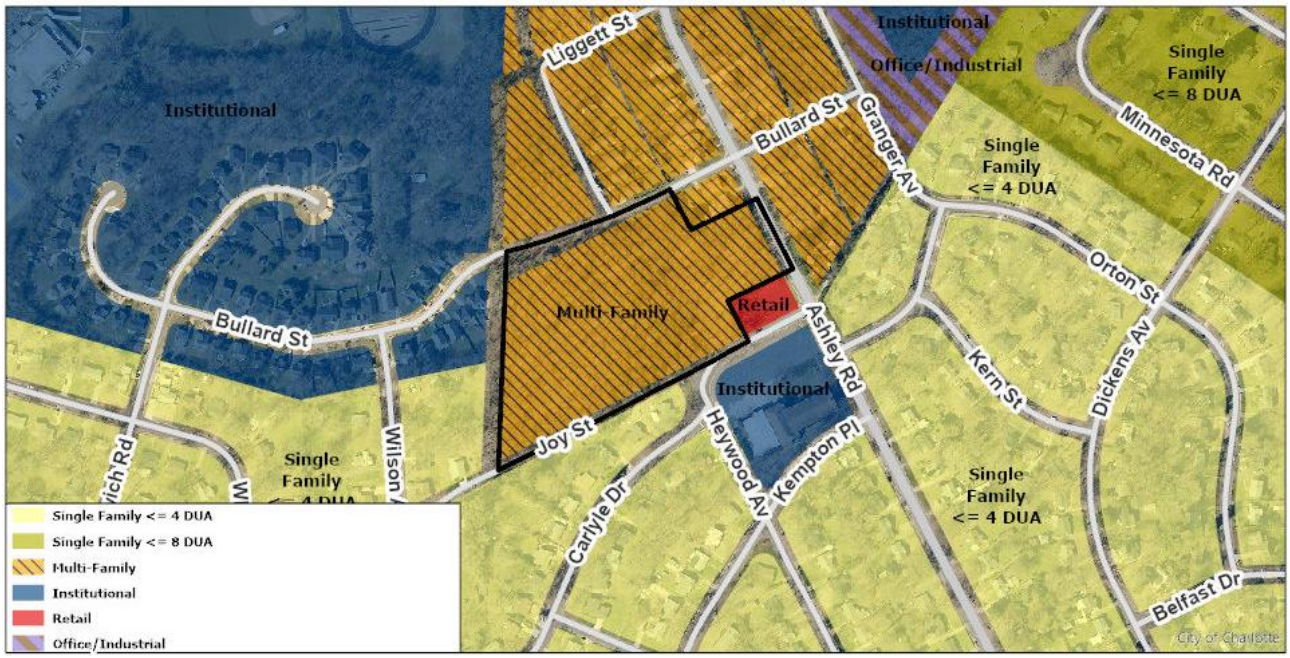
The properties to the west are developed with single family residential houses. The subject property is marked with a red star.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-134	The petition rezoned property to UR-2 (CD) to allow the development of a 108 unit multi-family development.	Approved
2017-164	The petition rezoned property to R-12MF(CD) AIR (multi-family residential, conditional, airport noise overlay) to allow the development of a multi-family housing development.	Approved

- **Public Plans and Policies**



  - The *Central District Plan* recommends multi-family residential development for this site, as a result of rezoning petition 2016-134.

- **TRANSPORTATION SUMMARY**
  - The site is located on Ashley Road (minor thoroughfare, city maintained) and Joy Street (local street, city maintained). The petition is in a Corridor and is inside Route 4. The applicable plan for the area is the Westside Strategy Plan.
- **Active Projects:**
  - Ashley Road Sidewalk
    - Scope: Install sidewalk on east side of Ashley Road between Greenland Avenue and Alleghany Street
    - Phase: Construction
    - PM: Chandler Crofts
      - ccrofts@charlottenc.gov
      - 980-214-7291
- **Transportation Considerations**
  - See Outstanding Issues, Notes 1-6
  - **Vehicle Trip Generation:**

    Current Zoning:

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

    Entitlement: 770 trips per day (based on 72 apartments and 60 senior apartments).

    Proposed Zoning: 1,100 trips per day (based on 150 apartments).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 14 students, while the development allowed under the proposed zoning may produce 30 students. Therefore, the net increase in the number of students generated from existing zoning to proposed
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:

- Westerly Hills Elementary from 103% to 106%
- Wilson Middle from 90% to 92%
- Harding University High from 132% to 132%.

- **Charlotte Water:** No comments submitted.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** See Requested Technical Revisions, Note 8
  - **Storm Water Services:** See Requested Technical Revisions, Note 8
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

OUTSTANDING ISSUES

Transportation

~~1. Curbline The proposed zoning district has a setback measured from back of the existing or proposed future curbline.~~

~~a. Ashley Road: The typical future location of curb and gutter is 21.5 feet from road center line to accommodate for one thru lane and a buffered bike lane, in accordance with the Charlotte BIKES council-adopted policy. As discussed from the 06/22/2020 meeting please show the future and existing curb lines for reference and confirm that setback is from existing road centerline.~~ Addressed

~~2. As discussed from the 06/22/2020 meeting please add dimension from road centerline to proposed back-of-curb for a local residential medium section per USDG. The site plan should show the curb and gutter labeled and dimensioned from the centerline for each road.~~ Addressed

~~3. Outstanding with additional clarifying comments: The petitioner should revise the site plan and conditional note(s) to revise all references to right-of-way abandonment to "potential abandonment." A conditional note within Section III should include "The petitioner should complete and submit the Right of way Abandonment Petition form to CDOT for review. The decision of this rezoning petition does not correlate with the decision of the possible abandonment, as this decision is issued within the separate Right of Way Abandonment process that is controlled by North Carolina General Statutes." Please add the aforementioned statement to the conditional notes and highlight specific limits of requested right-of-way abandonment.~~

~~4. Right of way should be set at 2' behind back of sidewalk where feasible.~~ Addressed

5. ~~New Comment from 06/22/2020 meeting: Should be included in conditional notes, Section III, "Additional residential amenities, such as bus passes, that will further encourage use of the Public Transportation System, should be pursued and provided by the Petitioner if and when feasible."~~ Addressed

~~6. To conditional Note III.8, please add language demonstrating that the constructed crosswalk will be a HAWK Signal. This was due to the speeds on Ashley Road.~~ Addressed

Site and Building Design

7. Provide some vegetation as a buffer along property line if Joy Street ROW is abandoned. Please note on plan. Original submittal committed to a buffer in this location (34' Class C), a continuous row of shrubs is not sufficient.

REQUESTED TECHNICAL REVISIONS

Environment

8. Add the following note under the Environmental Features heading: For adjoining parcels receiving storm water discharge the petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to the nearest improved public R/W (downstream of Joy Street). If the existing storm water conveyance on the adjoining parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.

Site and Building Design

~~9. Clarify on plan the section of Joy Street for which abandonment will be requested.~~ Addressed

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Lisa Arnold (704) 336-5967