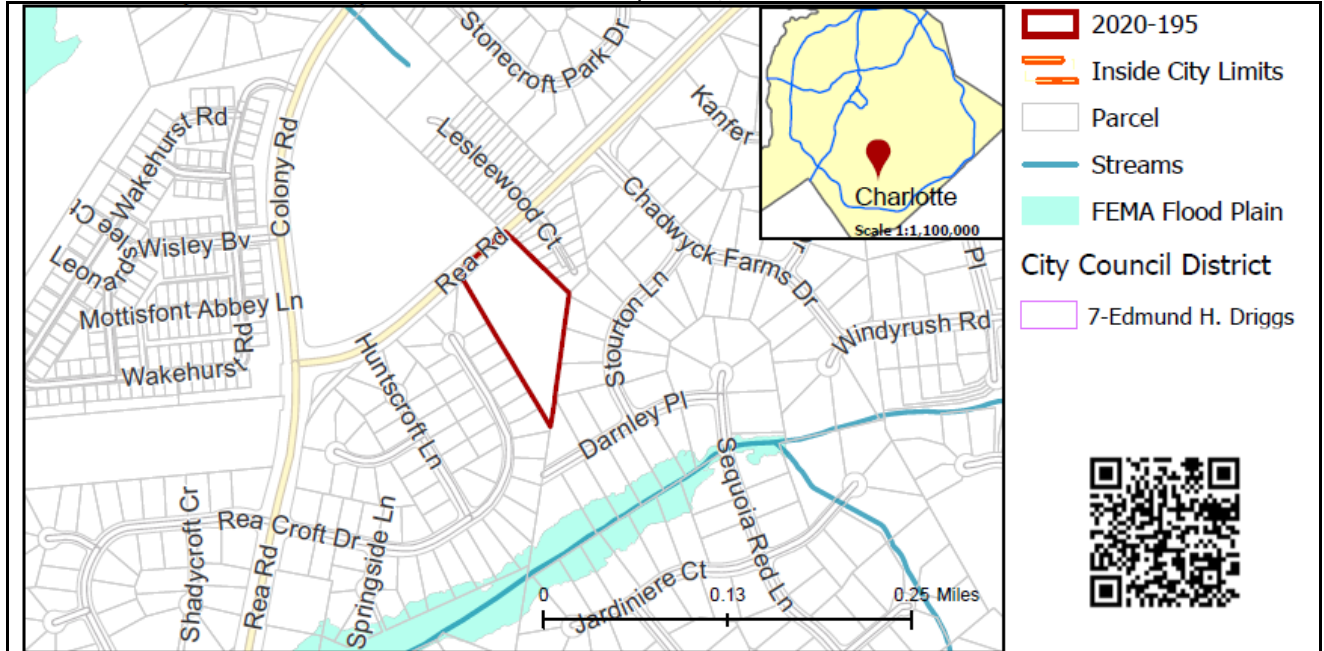


**REQUEST**

Current Zoning: B-1(CD) (neighborhood business, conditional)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 2.9 acres located along the south side of Rea Road, east of Colony Road, and west of Stourton Lane.



**SUMMARY OF PETITION**

The petition proposes redevelopment of the existing commercial nursery with up to 26 single family attached dwelling units (townhomes) at a density of 8.9 dwelling units per acre.

**PROPERTY OWNER**

Southern Styles Nursery & Garden Center Company

**PETITIONER**

Smith Southeast Development, LLC

**AGENT/REPRESENTATIVE**

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: 41.

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *South District Area Plan* recommendation for single family land uses at 3 dwelling units per acre on this site. However, the *General Development Policies* support the requested density of less than or equal to 12 DUA.

Rationale for Recommendation

- The *General Development Policies* would support residential use over to 17 DUA for the site. However, the petition proposes single family residential attached use with a density limited to 8.9 DUA.
- The maximum building height is limited to 45 ft., with building setbacks increased to accommodate additional height, similar to single family zoning.
- The plan provides landscape area planted to Class C buffer standards adjacent to single family homes and architectural design

requirements that mitigate the projects impact on surrounding single family homes.

- The site is located on a minor thoroughfare and is located less than ¼ of a mile from transit service.
- The existing zoning and land use are non-residential, the proposed residential use is more compatible with the existing residential development than commercial use.
- There is a mix of land uses in the area including single family to the south and east, townhomes to the north and northwest and non-residential uses to the west.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from single family residential at 3 dwelling units per acre to residential ≤ 12 DUA for the site.

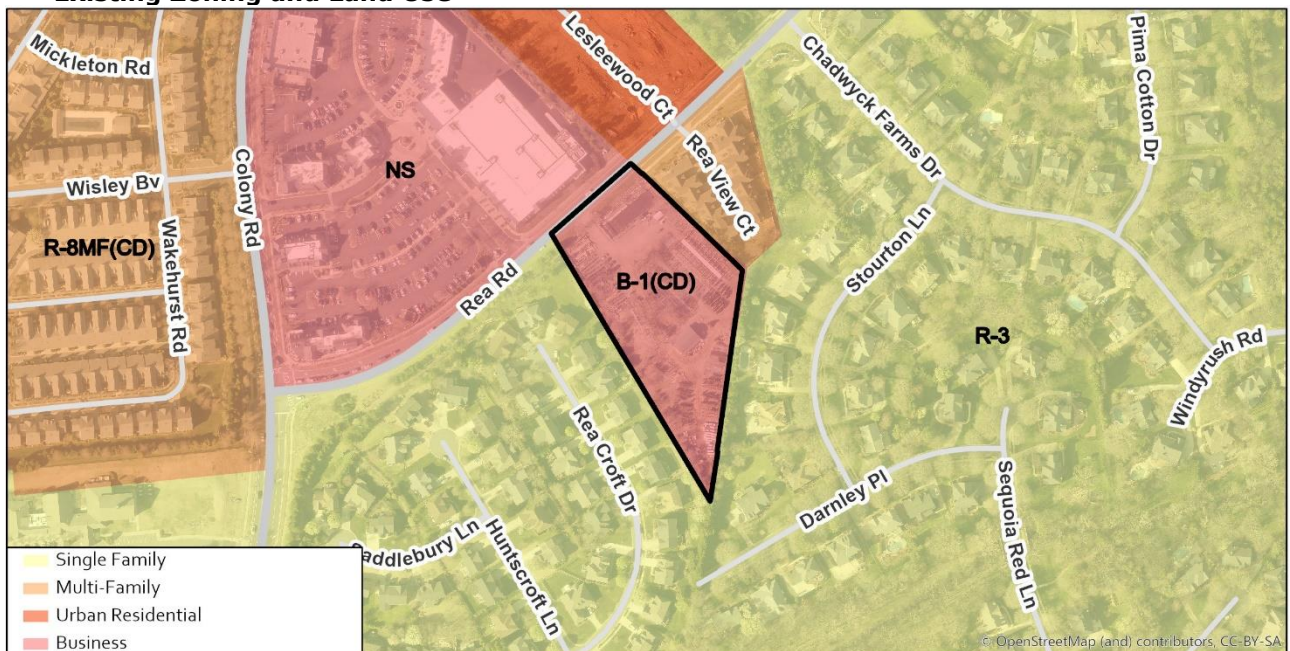
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Proposes up to 26 single family attached dwelling units (townhomes).
- Limits maximum building height to 45 feet.
- Provides architectural standards related to building materials, raised entrances abutting sidewalks, end units facing public streets, number of units per building and pitched roofs.
- Shows 4 visitor parking spaces within the site.
- Provides 20 ft landscaped area around the perimeter of the site planted to a Class C buffer standard abutting single family residential use.
- Proposed a fence at the property line of the western boundary of the site, petitioner will either construct a new fence or work with abutting neighbors to tie into existing fences.
- Vehicular access via shared private street connecting to Rea Road.
- Constructs left turn lane into site, bike lane, 8 ft planting strip and 6 ft sidewalk along the site frontage.
- Provides pedestrian crossing on Rea Road south of the site driveway with a pedestrian refuge island.

### • Existing Zoning and Land Use



The site was originally zoned under the County Ordinance as RU(CD) to allow a commercial nursery including retail sales, office and caretaker residence. In 1989 the site was annexed and rezoned to B-1(CD) and utilized the original site plan. The site (indicated by red star below) is located in an area with a mixture of commercial, office, single family detached and attached residential uses.





The site is developed with a commercial nursery.



North of the site are townhomes along Rea View Court.





West of the site across Rea Road is commercial node anchored by a grocery store.



East of the site along Stourton Lane are single family homes.



South of the site along Rea Croft Drive are single family homes.

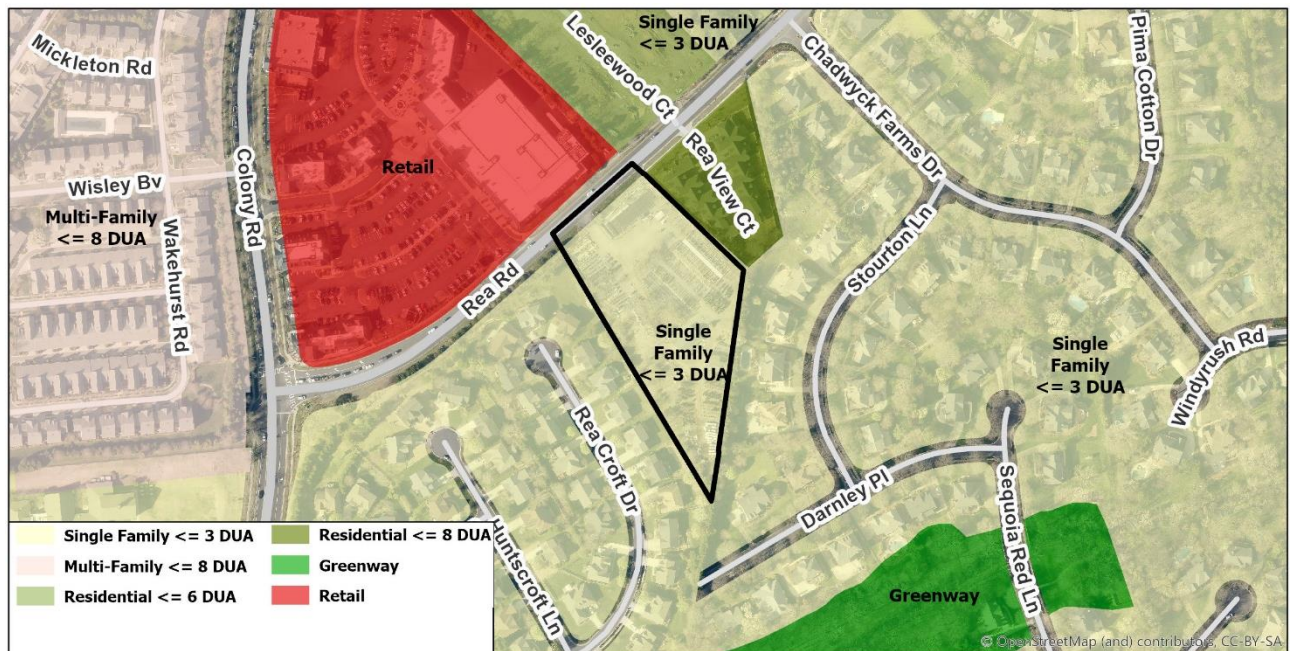


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-102	Rezoned 3.68 acres northeast of the site, across Rad Rd to UR-2(CD) to allow up to 24 single family attached units.	Approved

- Public Plans and Policies**



- The *South District Plan* (1993) recommends single family homes at 3 units per acre for this site.
- 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 up to 12 dwellings per acre as illustrated in the table below. The petitioner is requesting 8.9 units per acre.

Assessment Criteria	Density Category – up to 12 dua
Meeting with Staff	1
Sewer and Water Availability	3
Land Use Accessibility	4
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 12</b>	<b>Total Points: 14</b>

• **TRANSPORTATION SUMMARY**

- The site is located on State-maintained minor thoroughfare (Rea Road) and has been an existing commercial space (landscape nursery). There are no active projects near this site. The site is being proposed for a residential use. Site plan revisions are needed to meet ordinance requirements and the outstanding items including, but not limited to providing a 35' right-of-way from Rea Road and 2' right-of-way at the back of sidewalk. Further details are listed below.
- **Active Projects:**
  - No active projects near the site.
- **Transportation Considerations**
  - ~~See Outstanding Issues, Notes 3, 4 and 5.~~ Addressed
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: No data (based on plant nursery).
    - Entitlement: 1,100 trips per day (based on retail zoning/use).
  - Proposed Zoning: 160 trips per day (based on 26 townhome units).

**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 Outstanding Issues, Note 2.~~ Addressed.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate zero students, while the development allowed under the proposed zoning may produce 9 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 9 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Olde Providence Elementary at 125%
    - Carmel Middle at 125%
    - Myers Park High at 121%.
- **Charlotte Water:** Water service is accessible for this rezoning boundary. Charlotte Water currently does not have sewer system accessible for the rezoning boundary under review. The development will need to donate pipeline infrastructure to CLTWATER to serve this parcel. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** ~~See Outstanding Issues, Note 6.~~ Not fully addressed. Addressed
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Site and Building Design

1. ~~Add a note committing to a minimum of 4 visitor parking spaces.~~ Addressed

2. Ordinance requires that solid waste and recycle area be shown on the site plan even if it is noted the private roll out will be utilized. Addressed

#### Transportation

3. Revise site plan and conditional note(s) to commit to dedicate 35' right of way from the road centerline. The site plan shall label and dimension the right of way from the road centerline per Chapter 20 of the City Code. Addressed
4. Note that right of way will be set 2 ft back of the sidewalk where feasible. Addressed
5. Add a site plan note(s) specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Addressed

#### Environment

6. Provide calculation for 15% tree save area on site plan and show tree save areas on site plan. Revise the label for tree save areas around the perimeter to say "preserved tree save areas." The plan shows a wall within part of the area and walls are not permitted in tree save areas. Additionally, there are existing trees near the property line that should be shown for preserved tree save. Addressed

### **REQUESTED TECHNICAL REVISIONS**

#### Site and Building Design

7. Clarify area shown on site plan at the individual driveway aprons. If it's a sidewalk the garage setback must be measured from the back of the sidewalk. Addressed
8. Amend landscape area note V.b. to specify the 20 ft wide area planted to a Class C standard will be provided on all property lines abutting residential use. Addressed
9. Amend Open space note V.d to remove the word "urban" and replace with "usable common open space." Addressed
10. Clarify setback is measured from future BOC. Addressed

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** John Kinley (704) 336-8311