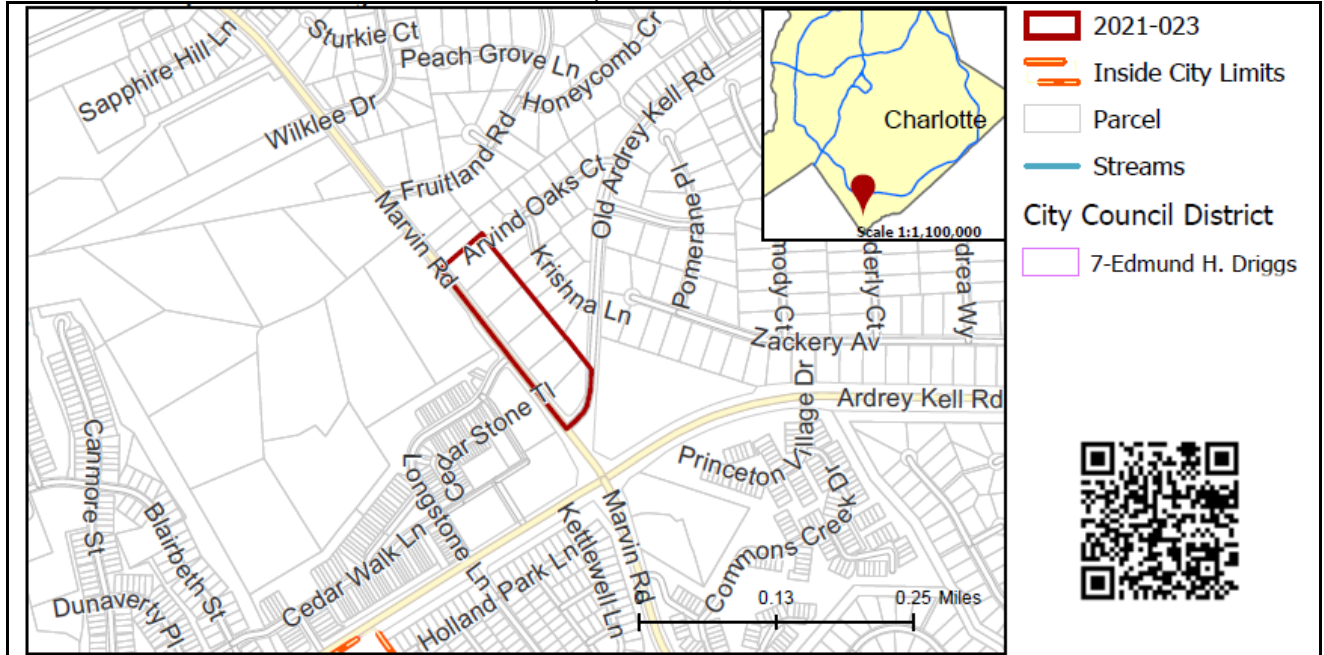


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 4.81 acres at the intersection of Marvin Road and Old Ardrey Kell Road, on the eastern side of Johnston Road.



SUMMARY OF PETITION

The petition proposes redevelopment of 6 single family homes for a single family attached development with up 42 units at a density of 8.7 units per acre.

PROPERTY OWNER

Bene Properties, LLC & Carolina Properties, LLC

PETITIONER

Carolina Properties

AGENT/REPRESENTATIVE

John Carmichael, Robinson Bradshaw

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 16.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

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

Rationale for Recommendation

- The *General Development Policies* would support up to 17 units per acre on this site. However, the petition proposed single family attached use with density limited to 8.7 units per acre.
- The development provides a transitional land use for subdivisions on Old Ardrey Kell Rd to Marvin Road and the commercial node.
- The site plan provides a minimum 30 foot wide tree save and landscape area along the rear and side of the site abutting single family homes.

- Limits the height of units nearest to single family homes to 39 feet, same as the base height in R-3 zoning and limits the height of all other units to 48 feet.
- Provides architectural design standards and conceptual renderings that ensure buildings are developed with residential character.
- The site is on a minor thoroughfare, in an area with a mix of uses including detached residential, attached residential, office and financial institution uses across Marvin Road and around the intersection of Marvin Road and Ardrey Kell Road.

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

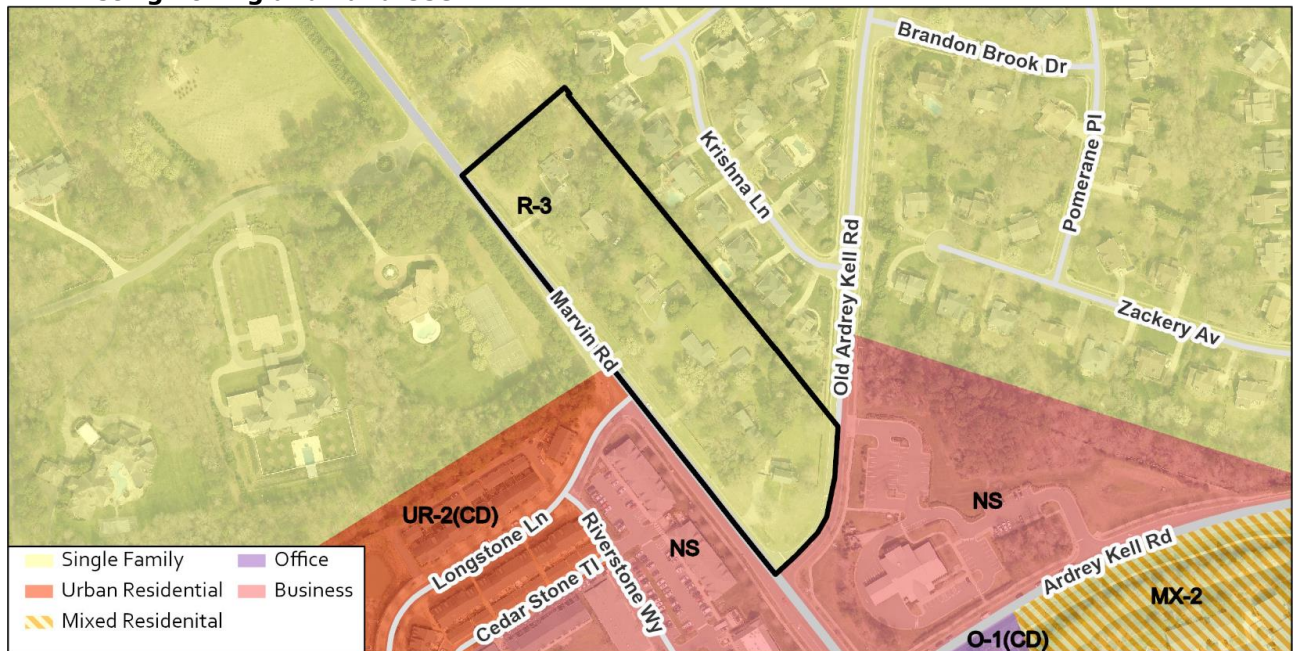
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows 42 single family attached dwellings.
- Access via private alley connecting to Old Ardrey Kell Road and Marvin Road.
- Pedestrian walkways throughout the site.
- Installs a southbound left turn lane at the site's northern driveway on Marvin Road and restricts the entrance on Old Ardrey Kell Road to right-in/right out.
- Provides a minimum of 7 visitor parking spaces.
- Limits the heights of 4 buildings at the northeast corner of the site, nearest to single family homes, to 39 feet. All other units are limited to 48 feet.
- Provides conceptual renderings and building design standards related to raised entrances and allowed building materials.
- Provides a minimum 30 foot wide tree save and landscape area along the northern and eastern property lines planted to a Class C standard.
- Provides areas of shared improved open space.
- Added notes limiting hours of construction.
- Commits removal of existing fences with adjacent land owner permission and to construction of vinyl or wood fence along the north and eastern property lines within the landscape area.

• Existing Zoning and Land Use



There is a mix of uses including detached residential, attached residential, office and financial institution uses in the area, across Marvin Road and around the intersection of Marvin Road and Ardrey Kell Road.



The site (indicated by red star below) is developed with 6 single family detached homes.



North of the site, on the east side of Marvin Road, are single family homes.



East of the site, along Krishna Lane, are single family homes.

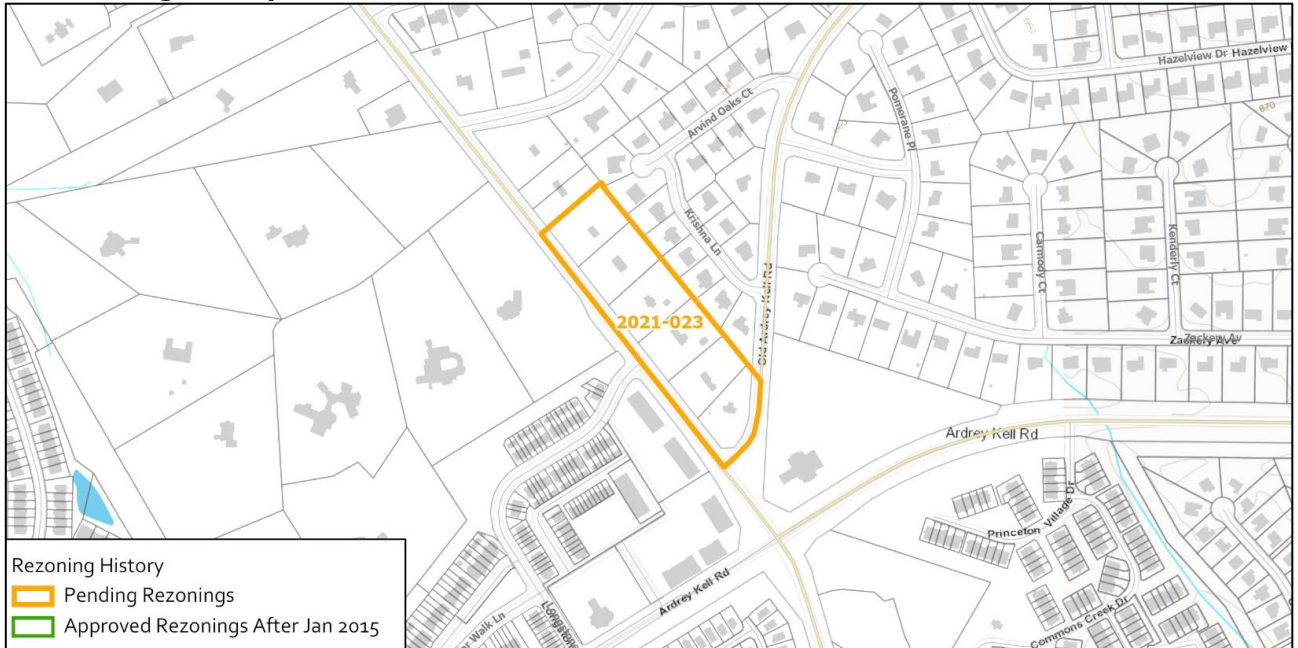


South of the site, across Old Ardrey Kell Road, is a financial institution.



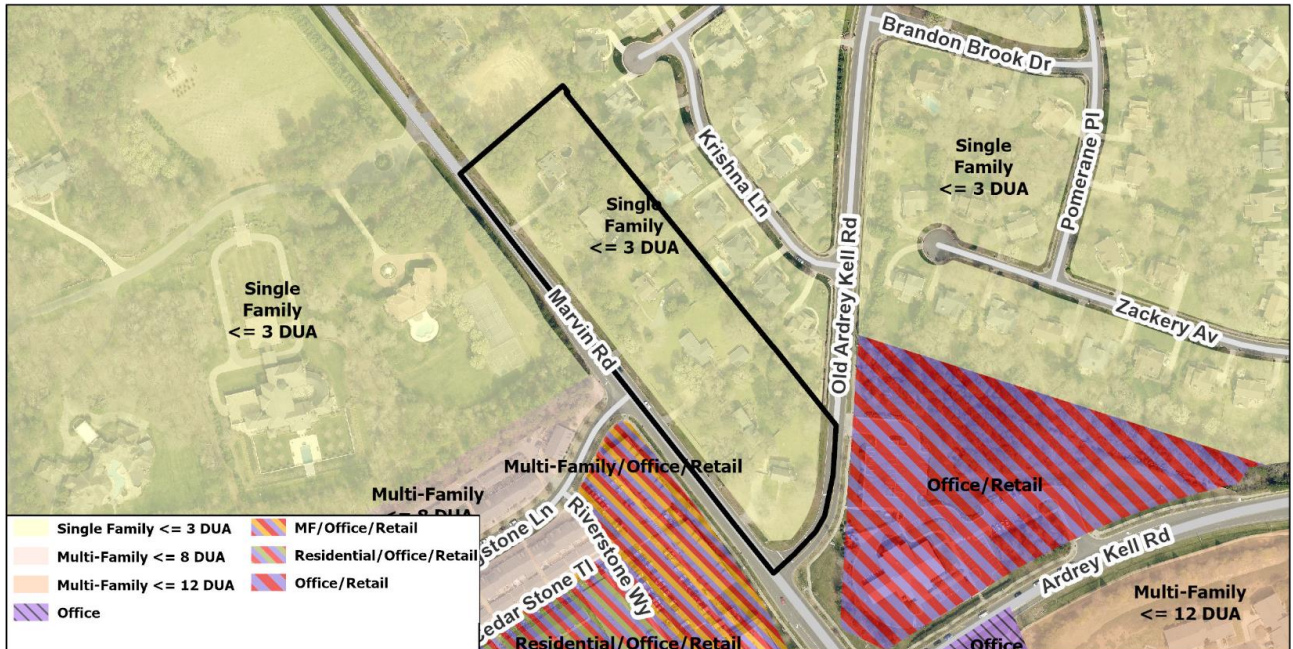
West of the site, across Marvin Road, there are office and personal service uses within the Cedar Walk development.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
NA	No recent rezonings in the immediate area.	NA

- Public Plans and Policies**



- The *South District Plan* (1993) recommends single family residential use up to 3 DUA.
- 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 the density requested as illustrated in the table below. The petitioner is requesting 8.7 units per acre.

Assessment Criteria	Density Category – up to 12 DUA
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	4
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 13

- **TRANSPORTATION SUMMARY**

- The site is located on a State-maintained Minor Thoroughfare road (Marvin Road) and a City-maintained Collector road (Old Ardrey Kell Road). There is an active project in the area, Marvin Road Sidewalk Project, which has constructed sidewalk on Marvin Rd. from Johnston to Ardrey Kell Rd. The Petitioner has coordinated with General Services regarding Marvin Road Sidewalk Project for pedestrian sidewalk and refuge access. The petitioner commits to relocating driveways on Marvin Road and Old Ardrey Kell Road, a left turn lane with 100-foot storage lane on Marvin Road, a right in/right out (RI/RO) access with both a porkchop and centerline median on Old Ardrey Kell Road, and utilizing 100-foot protected driveway stems. CDOT and the petitioner have coordinated and determined an acceptable resolution regarding the concrete island on Old Ardrey Kell Rd. to allow for more left-turn storage capacity, as feasible.

- **Active Projects:**

- Project Marvin Road Sidewalk Project
 - Install sidewalk on northeast side of Marvin Rd. from Johnston Rd/US-521 to Ardrey Kell Rd (proposed mid-block crossing/pedestrian refuge near Longstone Ln)
 - Out for Bid
 - General Services PM: Derrel Poole
 - <https://charlottenc.gov/Projects/Pages/MarvinRdSidewalk.aspx>

- **Transportation Considerations**

- ~~See Requested Technical Revisions, Note 8~~ Addressed

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 50 trips per day (based on 5 single family homes).

Entitlement: 175 trips per day (based on 14 single family homes).

Proposed Zoning: 280 trips per day (based on 42 townhomes).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** ~~See Requested Technical Revisions, Note 4.~~ Addressed
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 9 students, while the development allowed under the proposed zoning may produce 14 students. Therefore, the net increase in the number of students generated from existing zoning to proposed 5 students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Elon Park Elementary at 137%
 - Community House Middle at 142%
 - Ardrey Kell High at 164%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Marvin Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Marvin Road. No outstanding issues.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.

- **Erosion Control:** No outstanding issues.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** See Requested Technical Revisions, Note 6 & 7. Addressed
- **Urban Forestry:** See Requested Technical Revisions, Note 9 & 10
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. Amend the site plan to provide masonry screen walls and landscaping at the end of each private alley facing the public streets. Addressed
2. Provide setbacks from Marvin and Old Ardrey Kell Roads as measured from future back of curb. The setback along both frontages should reflect the location of the buildings depicted on the plan, not the Ord. minimum. Addressed
3. Annotate the concept renderings to point out key features of the proposed building design. Addressed

REQUESTED TECHNICAL REVISIONS

Site and Building Design

4. Show space for solid waste and recycle receptacles even if private, rollout collection is planned. Addressed
5. Amend note H.1 to specify a minimum size for open space areas. Addressed

Environment

6. Add the following note to the site plan, "The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points." Addressed
7. Add the following note to the site plan, "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 public R/W. 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." Addressed

Transportation

8. Based on feedback from the community, please revise the dimension of the concrete island proposed on Old Ardrey Kell Rd. to allow room for more left turn storage at the Old Ardrey Kell and Marvin Rd. intersection. Addressed, the petitioner and NCDOT/CDOT have discussed the issue and have come to an agreement.

Urban Forestry

9. Clarify in the notes that tree save area is to be "preserved" replanted tree save is not an option. Addressed
10. Amend the label for the buffer/tree save area to state "Preserved Tree Save" and that within the buffer/tree save area where preserved trees do not exist to meet the buffer standard additional plantings will be provided such that the buffer meets a Class C standard. Addressed

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

Planner: John Kinley (704) 336-8311