

Note: The petitioner is requesting an indefinite deferral of this petition.

REQUEST	Current zoning: R-3, single-family residential Proposed zoning: Inst(CD), institutional conditional
LOCATION	Approximately 19.52 acres located on the south side of Erwin Road between Moss Road and Ivey Creek Drive.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes an adult community with 35 for sale villa townhomes for ages 55 and above, 110 dependent senior condominiums, and a 7,500 square foot clubhouse.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of the outstanding issues. This petition is consistent with the <i>Southwest District Plan</i> and the density supported by the <i>General Development Policies</i> .
Property Owner Petitioner Agent/Representative	Richard and Mary Sellentin Neighboring Concepts Chris Ogunrinde
Community Meeting	Meeting is required but has not been held. Report will be available online when received.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- 35 age restricted duplex units and 110 dependent senior condominiums resulting in 7.43 units per acre.
- A 24-foot wide private drive with control gates with sidewalks and planting strips.
- A 58-foot wide public road with six-foot sidewalks and eight-foot planting strips.
- Common areas with recreational amenities, including a clubhouse, putting green, shuffleboard courts, tennis courts, and gazebo.
- Proposed detention pond areas.
- Provision of 37.5' Class C undisturbed buffer with six-foot screen wall.
- Refuse/recycling areas.
- Bicycle parking.

- **Existing Zoning and Land Use**

The site is generally surrounded by residential development on properties zoned R-8MF(CD), R-15(CD), R-3, R-4(CD), R-3(CD), R-12MF (CD), R-8(CD), and R-20MF. A parcel located at the northeast corner of Erwin Road and South Tryon Street is zoned Inst (CD).

Rezoning History in Area

Recent rezoning approvals in the immediate area allow the construction of 99 townhomes on the south side of South Tryon Street across from Erwin Road (petition 2007-147), and permit a decrease in the number of children allowed in a daycare and an increase building size on the northeast corner of South Tryon Street and Erwin Road (petition 2004-150).

Public Plans and Policies

The *Southwest District Plan* (1991) recommends single-family development at a density of up to 3 dwelling units per acre. However, the petition meets the *General Development Policies* (GDP) for the density requested, as illustrated in the table below.

Assessment Criteria	Density Category - >6 up to 8 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 12

This petition is consistent with the *Southwest District Plan* and the density supported by the *General Development Policies*.

PUBLIC INFRASTRUCTURE (see full department reports online)**Vehicle Trip Generation**

Current zoning: 560 trips per day.

Proposed zoning: 570 trips per day.

CDOT: Requests improving vehicular access to this site via the appropriate design of proposed public and private streets, and the construction of left-turn lanes.

Charlotte Fire Department: No issues.

Charlotte Police Department: Requests that pedestrian scale lighting be installed in all pedestrian areas, and that lighting be considered for the alleyway.

CATS: No comments received.

Connectivity: Connectivity is proposed via the construction of a 24-foot private drive with control gates, a 58-foot public right-of-way with access to the project, and an internal sidewalk system with connections to the proposed road and Erwin Road.

Schools: No comments received.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water Services: No comments received.

LUESA: Indicated the site may require submission of an asbestos Notification of Demolition and Renovation due to possible demolition or relocation of an existing structure or renovation of a load-bearing wall in an existing structure. In addition, Mecklenburg County Solid Waste Services requests the petitioner submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.

Site Design:

Facilitates the use of alternative modes of transportation by providing an internal pedestrian system that connects residential and amenity areas.

OUTSTANDING ISSUES

The petitioner should:

1. Add a note regarding the maximum building heights of the villas and the condominiums.
2. Recalculate the density as it appears to be 7.43 units per acre not 7 as indicated on the site plan.
3. Resolve the conflict between the "proposed use" in the site development data and the "permitted uses" in the development notes.
4. Add a reference to Section 6.2 under the General Provisions #2 relating to changes to the site plan.
5. Show compliance with the requirement for minimum subplot being sufficient to accommodate the dwelling unit and 400 square feet of private open space.
6. Provide the percentage being provided for tree save area (minimum 10%) under "Development Data". In addition, the petitioner should show the location(s) of the tree save area(s).
7. Revise Note #1 under "Design and Performance Standards" to include recycling containers and/or areas, as shown on the site plan.
8. Note the single villa adjacent to the proposed 58-foot right-of-way encroaches into the required setback. This unit may have a 15-foot setback if the building side can comply with Section 9.303.19(f).
9. Ensure that no buildings or parking areas encroach into required 40-foot setback from the proposed right-of-way.
10. Identify the width of the proposed buffer along the south property line adjacent the condo building and detention pond.
11. Revise the site plan to identify a 45-foot rear yard along the south property line (not "set back" as noted).
12. Note the 37'-6" rear yard along the west property line, not 37'-5" set back as stated. The site plan also shows a note related to the buffer along this property line, which needs to be corrected to indicate a 37'-6" buffer and 9 trees per 100 linear feet, not 7.
13. Show the 20-foot rear yard and 37'-6" buffer required by the Institutional district.
14. Extend the planting strip and sidewalk to the end of the proposed east/west right-of-way in front of the condominium building and adjacent the single villa.
15. Provide pedestrian scale lighting in all pedestrian areas, and that lighting also be considered for the alleyway as requested by the Charlotte-Mecklenburg Police Department.
16. Comply with the request made by CDOT to show both required left-turn lanes on Erwin Road on the site plan (reference CDOT memorandums dated July 29, 2008 and September 30, 2008).
17. Indicate the width of the sidewalk and planting strip along the 24-foot private drive.
18. Indicate under Note #2 under "Vehicular Access, Driveways and Streets" that the 58-foot right-of-way will be dedicated and conveyed prior to the issuance of building permits.
19. Consider providing a range for the square footage of the villas. At a minimum, it should be clarified if each unit will be 1460 square feet.
20. Provide sidewalks from the front doors of the villas to the sidewalk system along the 24-foot private drive.
21. Provide sidewalk access gates for the villas fronting the 58-foot public street.
22. Correct the conflict regarding height of the condominium building on the site plan. The building is labeled as three stories however the elevations are labeled as four stories.
23. Show the parking spaces for the villa units.
24. Clearly indicate where the screen wall and perimeter fence are located.

Attachments Online at www.rezoning.org

Application
CDOT Review
LUESA Review
Site Plan
Storm Water Review

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