

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

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<b>REQUEST</b>	Current zoning: R-12MF(CD), multi-family residential, conditional Proposed zoning: R-12MF(CD) SPA, multi-family residential, conditional, site plan amendment
<b>LOCATION</b>	Approximately 4.50 acres located on the west side of East W. T. Harris Boulevard between Wallace Avenue and Delta Crossing Lane.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This petition proposes a site plan amendment to allow the construction of 48 multi-family units at a density of 10.66 units per acre.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Eastland Area Plan</i> .
<b>Property Owner</b>	Bleeka Hubbel, Estate Executor for W. A. Johnston
<b>Petitioner</b>	VSL Construction, Inc.
<b>Agent/Representative</b>	Brandon Plunkett, P.E., The John R. McAdams Company, Inc.
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

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**PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Construction of 48 multi-family units at a density of 10.66 units per acre.
- Private street with stub connections for future extension to the north and south.
- Private street with access onto Wallace Drive.
- Amenity area consisting of a community building, pool, picnic shelter, and playground.
- Possible location for storm water detention area.
- Proposed 30-foot Class "C" landscaped buffers.
- Refuse/recycling area.
- Designated natural areas.

**Rezoning History of Subject Site**

The subject site was part of a larger rezoning (rezoning petition 1999-046) for the construction of 262 apartments and townhomes on approximately 23 acres at a density of 11.86 units per acre.

- **Existing Zoning and Land Use**

The subject property is currently undeveloped. The site is immediately surrounded by primarily single and multi-family residential development on properties zoned R-3, R-5, R-6(CD), R-12MF (CD), R-17MF, and R-20MF.

- **Rezoning History in Area**

The approval of rezoning petition 2004-058 allowed for 21 townhomes on the southernmost 2.27-acre portion of original rezoning petition 1999-046 at a density of 9.26 units per acre. There have been no other recent rezonings in the area.

- **Public Plans and Policies**

- The *Eastland Area Plan* (2003) recommends multi-family residential up to 12 dwelling units per acre.
- The petition is consistent with the *Eastland Area Plan*.

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

Current zoning: 360 trips per day.

Proposed zoning: 320 trips per day.

**CDOT:** No issues.

**Charlotte Fire Department:** No issues.

**CATS:** CATS is requesting that the petitioner construct a concrete shelter pad on East W.T. Harris Boulevard at the location of the existing bus stop (CATS Stop ID#45235), constructed to CATS Development Standards 60.03A.

**Connectivity:** No issues.

**Schools:** The development allowed under the existing zoning would generate 20 students, while the development allowed under the proposed zoning will produce 17 students. Therefore, there is a net reduction in the number of students generated from the proposed zoning.

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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

**Storm Water:** No issues.

**LUESA:** Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating land clear, demolition and/or construction activities.

**Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.

Reduces ground level temperatures by providing recreation and natural areas.

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

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**OUTSTANDING ISSUES**

The petitioner should:

1. Address the request by CATS to provide a concrete shelter pad on East W.T. Harris Boulevard.
2. Add a note to the site plan committing to the provision of a Solid Waste Management Plan prior to initiating land clearing, demolition, and/or construction activities.
3. Show the entire area rezoned by petition 1999-046 in a small insert and identify the area associated with this rezoning.
4. Limit permitted uses to multi-family residential and associated accessory uses. The "Parcel Information" indicates the proposed use as multi-family residential, but Note A indicates all uses in the R-12 MF district are permitted.
5. Modify Notes J 1 and 2 to include Planning Department approval.
6. Modify Note J 3 to indicate the right-of-way will be *dedicated* and conveyed prior to planned multi-family approval.
7. Modify Note N 2 to state that storm water facilities will not be allowed in any buffer or setback.
8. Modify Note M 1 to include a statement that the site plan may only be amended in accordance with Section 6.2 of the City of Charlotte Zoning Ordinance.
9. Modify the "parcel information" to also include the proposed number of stories.

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Attachments Online at [www.rezoning.org](http://www.rezoning.org)

Application

CATS Review  
CDOT Review  
Charlotte Fire Department Review  
CMS Review  
Community Meeting Report  
LUESA Review  
Site Plan  
Storm Water Review

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