



REQUEST	Current Zoning: R-3, single family residential and MX-1, mixed use residential Proposed Zoning: MX-1, mixed use residential and MX-1, SPA, mixed use residential, site plan amendment
LOCATION	Approximately 14.07 acres located near the southwest corner of Quail Hollow Country Club and east of Heydon Hall Circle.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes a site plan amendment to remove/abandon a public street and develop vacant acreage with single family lots at R-3 Cluster standards, with access from proposed private streets.
Property Owner	Heydon Hall LLC, Camdee Land Company, and Ruth Stewart
Petitioner	Heydon Hall LLC
Agent/Representative	Marc A. Houle, P.E.
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

Update: The following outstanding issues have been addressed:

1. A note has been added to state that "Tract 2B will remain as common open space."
2. Tract 2B has been labeled as "common open space" and Tract 1 "common open space" acreage has been listed.
3. Note #2 has been added to state that "All lots will meet the requirements of the Charlotte Zoning standards for R-3 Cluster with SWIM incentives. No lots shall be less than 8000 square feet."
4. A note has been added to state that "It is the intent to abandon the portion of right-of-way platted as a public street. Failure to abandon the right-of-way will require that it be constructed to public street standards."
5. A note has been added indicating that a Solid Waste Management Plan will be submitted to Mecklenburg County Solid Waste prior to initiating land clearing, demolition, and/or construction activities.

The following outstanding issues have been addressed as noted:

6. Amend Note #4 on the site plan to indicate that eight lots are proposed on Tract 2A. Note #4 has been amended to state that "no more than 24 lots will be created on the portion of the site that is labeled as Tract 2A on the site plan, exclusive of any parcel that is created as part of the conveyance of land to Mecklenburg County for future greenway purposes and not more than 5 lots will be created on Tract 1."
7. Show layout of all lots on the site plan. The lot layout for Tract 2A will be submitted to staff for approval at the time of subdivision review.

8. Indicate that the SWIM buffer will be dedicated prior to the issuance of any building permits. A note has been added to state that “prior to issuance of any building permits on Tract 2A the SWIM buffer will be dedicated to Parks and Recreation.”

9. Show tree save area and any large tree specimens being preserved. This issue will be addressed during the subdivision review.

10. LUESA states that no fill may be placed within the Community and/or FEMA Special Flood Hazard Area. This issue will be addressed during the subdivision review.

The following note has been added:

11. A note has been added to state that “Developer reserves the option of requesting innovative site plan approval for setbacks and yards per Charlotte Zoning Ordinance Section 11.208.”

VOTE

Motion/Second:	Allen/Locher
Yeas:	Allen, Griffith, Locher, Rosenburgh, Simmons and Walker
Nays:	None
Absent:	Howard
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee, briefly providing details regarding approval of the 2003 rezoning to allow a gated subdivision with private streets. Staff noted that the residential units proposed with this site plan amendment would also take access from those private streets. Staff stated that there is a (sufficient) protest petition affiliated with this request.

A Commissioner inquired into the issue specified in the protest petition filed by the Quail Hollow Country Club and if there has been any resolution. Staff responded that the group is concerned with a building setback that is too close to the country club fairway. Staff stated that the petitioner is in discussions with the country club to resolve this issue. Staff noted the S.W.I.M. buffer and topography on the site and indicated that a note has been added to the site plan reserving the option to request innovative site plan approval for setbacks and yards. There was no further discussion of this request.

STATEMENT OF CONSISTENCY

This petition is found to be consistent with the *South District Plan* and to be reasonable and in the public interest, by a 6-0 vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Rosenburgh).

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**
 The site plan accompanying this petition contains the following provisions:
 - Creation of 29 residential lots, with each lot having a minimum area of 8,000 square feet and developed at R-3 Cluster standards with SWIM incentives.
 - Installation of private streets.
 - Provision of common open space.
 - Compliance with S.W.I.M. stream buffer regulations.
 - Dedication of the 100-foot S.W.I.M. buffer on McMullen Creek to Mecklenburg County for greenway purposes.

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- Reservation of option to request innovative site plan approval for setbacks and yards per City of Charlotte Zoning Ordinance Section 11.208.
 - Abandonment of portion of right-of-way platted as a public street, with requirement to construct to public street standards in the event of failure to abandon right-of-way.
 - **Public Plans and Policies**
The *South District Plan* (1993) recommends single family residential up to three dwelling units per acre on the majority of the site. The plan also identifies private recreation (Quail Hollow Country Club) on the northerly portion and open space along the creek to the east. This petition is consistent with the *South District Plan*.
 - **STAFF RECOMMENDATION (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.

PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
- **Charlotte Fire Department:** No issues.
- **CATS:** No issues.
- **Connectivity:** No issues
- **Schools:** No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
- **LUESA:** No issues.
- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*:
 - Protects/restores environmentally sensitive areas and minimizes impacts to the natural environment by dedicating the 100-foot SWIM buffer on McMullen Creek to Mecklenburg County Park and Recreation for greenway purposes.

OUTSTANDING ISSUES

No issues.

Attachments Online at www.rezoning.org

- Application Form
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Parks and Recreation Department
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

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