



REQUEST Current Zoning: R-43MF, multi-family residential
Proposed Zoning: MUDD-O, mixed use development district, optional

LOCATION Approximately 4.0 acres on the southwest corner of Park South Drive and Fairview Road.

CENTER, CORRIDOR OR WEDGE Wedge

SUMMARY OF PETITION This petition proposes to add 50 age restricted residential units and 10,000 square feet of ground floor retail to a site that currently contains a 163-unit age restricted housing tower. The density will increase from 40.8 dwelling units per acre to 53.5.

Property Owner City of Charlotte Housing Authority
Petitioner Charles Woodyard/City of Charlotte Housing Authority
Agent/Representative Rick Porter

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:

1. The access to Park South Drive has been labeled as a "future driveway" and its details will be decided upon during the permitting process.
2. A note has been added that restaurants will provide one parking space for each 125 square feet of floor area, including outdoor dining.
3. A note has been added that the additional residential units are intended to be age and income restricted and will provide parking at a rate of one space per four units. If the units are not income restricted they will be parked at one space per unit.
4. The requested optional provision for monuments signs has been deleted.

VOTE

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

ZONING COMMITTEE DISCUSSION Planning staff reviewed this petition, noting that staff's opposition was to the land use; all site plan issues had been resolved. Several Committee members commented that this petition justified deviating from the approved plan since the proposed retail would actually support the nearby residential uses. It was suggested that proposal would "add synergy" to the area. An overall positive effect was expected.

STATEMENT OF CONSISTENCY This petition is found to be inconsistent with the *South District Plan* but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Rosenburgh seconded by Commissioner Locher).

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee. This petition introduces retail uses beyond the boundaries of the *South Park Small Area Plan*.

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:

- A second building will be constructed on the same site where the 163-unit senior housing tower is currently located.
- A second access to Fairview Road and a new access to Park South Drive.
- Preservation of seven significant trees within the area to be developed along Fairview Road.
- Optional standards to allow:
 - the existing sidewalk and planting strip to remain in front of the current building along Fairview Road, thereby saving existing trees;
 - the sidewalk and planting strip relationship to be reversed in the area adjacent to the two 36-inch oak trees along Fairview Road, to provide more tree save protection;
 - a parking ratio of 0.25 spaces per unit for elderly housing;
 - an existing limited amount of parking to remain between the building and the street, and;
 - an additional monument sign along each street frontage.
- Provides 1 parking space per 250 square feet of commercial floor area.
- Allows for the substitution of up to one residential unit for 750 square feet of commercial space.

Public Plans and Policies

The *South District Plan* (1993) recommends multi-family residential (with no density specified) for the petitioned site. Staff would normally refer to the multi-family location criteria in the *General Development Policies (GDP)* for a recommended density. However, since the *GDP* have a peak residential category of "over 17 dwelling units per acre" (which this site meets) they are not instructive given the proposed density (53.5 du/a). The proposed non-residential portion of this petition is inconsistent with the *South District Plan*.

STAFF RECOMMENDATION (Updated)

- Staff disagrees with the recommendation of the Zoning Committee.
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PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **CATS:** No comments received.
 - **Connectivity:** No issues.
 - **Schools:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
- **LUESA:** No issues.
- **Site Design:** The petition exceeds the minimum requirements of the Tree Ordinance.

OUTSTANDING ISSUES

There are no outstanding site plan issues.

Attachments Online at www.rezoning.org

- Application Form
- CDOT Review
- Community Meeting Report
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

Planner: Tom Drake (704) 336-8312