
REQUEST	Proposed Zoning: NS, neighborhood services, site plan amendment, and UR-2(CD), urban residential, conditional, site plan amendment
LOCATION	Approximately 9.06 acres on the west corner of Ardrey Kell Road and Marvin Road.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition seeks to modify an existing mixed-use center by adding nine townhomes, allowing 30 previously approved (but unbuilt) live/work units to convert to townhomes, and adding up to 9,000 square feet of office uses.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of the outstanding issues. The proposed land uses are consistent with the <i>South District Plan</i> .
Property Owner	Ardrey Kell Horizontal, LLC
Petitioner	RED Partners
Agent/Representative	Hall Johnston
Community Meeting	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**

The subject property was a part of rezoning petition 2005-65. This petition rezoned 24.4 acres to allow a mixed-use center with up to 45,000 square feet of commercial and office uses. There is a maximum of 35,000 square feet of retail allowed, excluding the commercial square footage from the 42 live/work units. Up to 120 townhomes were permitted. A portion of the proposed development has been built.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- An increase of nine townhomes from 120 to 129 units. Common open space remains the same on the residential portion of the petition. The proposed townhomes are smaller than the originally approved units.
- The option for the previously approved live/work units to be developed as townhomes or live/work units.
- Substitution of 9,000 square feet of office space for 12 live/work units in Building Envelope D.

- **Existing Zoning and Land Use**

The petitioned site is part of an existing mixed-use center zoned UR-2(CD) and NS. Existing uses are retail and townhomes or live/work units. Single family homes and townhomes exist in R-3 zoning to the north and MX-2 zoning to the west of the site. A school and single family homes exist on the south side of Ardrey Kell Road in R-3 and MX-1 zoning.

- **Rezoning History in Area**

Recent rezonings in the area include:

- Petition 2004-149 rezoned a small mixed-use center across Marvin Road from the petitioned site from R-3 to NS.
- Petition 2005-29 rezoned the northeast corner of US 521 and Ardrey Kell Road from R-3 to NS for a neighborhood shopping center.
- Petition 2006-24 rezoned the property to the west of the petitioned site from R-3 to MX-2 (Innovative) for a townhouse development.

- **Public Plans and Policies**

- The *South District Plan* (1993) was amended by petition 2005-65 and recommends a mixed-use center of 45,000 square feet and up to 42 live/work units and 120 townhomes on the site.

- This petition’s proposed land uses are consistent with the *South District Plan*.
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PUBLIC INFRASTRUCTURE (see full department reports online)

- **Vehicle Trip Generation:**
Current Zoning: 6,700 trips per day.
Proposed Zoning: 6,900 trips per day.
 - **CDOT:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Neighborhood and Business Services:** No issues.
 - **Schools:** This petition will not impact the schools.
 - **Park and Recreation:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** The site will comply with the adopted PCCO water quality ordinance. This note is needed since part of the site was developed prior to the adoption of the PCCO ordinance.
 - **LUESA:** No issues.
 - **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
 - Facilitates the use of alternative modes of transportation by providing sidewalks on private streets and by providing a bus stop pad on Ardrey Kell Road.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Clarify that the office building cannot be used entirely for medical office, which is a high parking generator. Include a maximum square footage for medical office.
 2. Modify the proposed parking standard from “all other commercial” to “general office” in the Development Summary. Modify Note 25 to reflect the same.
 3. Amend Note 17 to state that buildings in Envelope 1 will be oriented toward Cedar Walk Lane or the existing wet pond and sidewalk connections will be provided to Cedar Walk Lane.
 4. Amend Note 18 to state that the buildings in Building Envelopes 2 and 3 will be oriented toward Cedar Walk Lane or Juniper Trace Drive and individual sidewalk connections will be provided to the street.
 5. Amend Note 19 to state that Building Envelope 4 can have up to five buildings and Building Envelope 5 can have up to four buildings and that all buildings will front Evergreen Terrace Drive or Cedar Walk Lane and individual sidewalks will be provided to the streets.
 6. Amend Note 20 to state that units in Building Envelope A will front Longstone Lane and individual sidewalk connections will be provided to the street.
 7. Modify notes to require sidewalks from townhomes and live/work unit entrances to the street sidewalk system.
 8. Delete all “plat” sheets and retain only sheets RZ-1 and RZ-2.
 9. Modify the annotation on sheet RZ-1 for Building Envelope 5 to “landscaping shall effectively screen the rear elevations of all units from Ardrey Kell Road”. The same annotation needs to be added to Building Envelopes 2 and 3.
 10. Amend existing zoning on Sheet RZ-1 to reflect NS along Longstone Lane.
 11. Provide dumpster and recycling locations.
 12. Amend Note 16 to state that each building envelope may have up to two buildings.

Attachments Online at www.rezoning.org

- Application
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Neighborhood and Business Services Review
- Site Plan
- Solid Waste Services Review
- Storm Water Review

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