

REQUEST	Current Zoning: I-2, general industrial Proposed Zoning: UR-2(CD), urban residential, conditional
LOCATION	Approximately 3.629 acres located on the west side of Bingham Drive near North Tryon Street.
SUMMARY OF PETITION	The petition proposes to allow the construction of up to 24 townhomes for sale at a density of 6.61 units per acre.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The request is inconsistent with the <i>Northeast District Plan</i> . However, the site is located just over ½ mile from a planned rapid transit station and abuts existing housing. The proposed density is supported by the <i>General Development Policies</i> .
Property Owner	Habitat for Humanity of Charlotte, Inc.
Petitioner	Habitat for Humanity of Charlotte, Inc./Attn: Merritt Card
Agent/Representative	Jeff Brown and Keith MacVean/King & Spalding, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum of 24 townhouse units for sale at 6.61 units per acre, with a provision to allow the site to be developed in phases.
- Public streets with on-street parallel parking spaces, and with access to Bingham Drive and future connections to adjacent properties.
- Alleys accessing some townhouse units and connecting to the proposed public street, with optional turnarounds in lieu of second alley connections to public street.
- Proposed 10-foot Class "C" buffer along portions of the northern and southern property lines.
- Common open space areas and playground/tot lot.
- Approximate locations of proposed detention/water quality areas.
- Identification of on-site wetlands.
- Identification of a 30-foot S.W.I.M. buffer along a portion of the southern property line.
- Six-foot sidewalks and eight-foot planting strips along both sides of internal public streets.
- Six-foot sidewalk and eight-foot planting strip along frontage on Bingham Drive.
- Pedestrian scale decorative lighting along internal public streets.

• **Existing Zoning and Land Use**

The site is currently undeveloped and is surrounded by a mix of industrial, residential, and commercial uses and undeveloped acreage on properties zoned R-22MF, R-5, and I-2.

• **Rezoning History in Area**

There have been no rezonings in the immediate area in recent years.

• **Public Plans and Policies**

- The *Northeast District Plan* (1996) recommends industrial uses at this location.
- Although not planned for residential use, the *General Development Policies* (2003) would support a density of up to 8 dwelling units per acre, as illustrated in the table below:

Assessment Criteria	Density Category – up to 8 DUA
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	2 (Medium Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
	Total Points: 11

- The request is inconsistent with the *Northeast District Plan*; however, the density is supported by the *General Development Policies*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:**
 - **Vehicle Trip Generation:**
Current Zoning: The petition will allow a wide range of trip generation based on the existing zoning classification.
Proposed Zoning: 190 trips per day.
This petition will have a minor impact on the surrounding road network.
 - **Connectivity:** The project will provide for new street connections that will enhance the surrounding street network.
- **Charlotte Fire Department:** Dead end travel is limited to 150 feet without a means to turn fire apparatus. Hammerhead shown on rezoning plan does not meet an approvable design for this requirement.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would not generate students, while the development allowed under the proposed zoning will produce three students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is three.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Park and Recreation Department:** No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
 - Minimizes impacts to the natural environment by building on infill lots.
 - Minimizes impacts to the natural environment by providing landscape buffers not required as part of this petition.
 - Minimizes impacts to the natural environment by providing 17.25 percent of site to common open space.

OUTSTANDING ISSUES

- The petitioner should:
 1. Show building setbacks on the site plan.
 2. Provide the elevations that are referenced in Note I(2).
 3. Provide parameters regarding proposed phasing of project.
 4. Add a note limiting non-residential uses to customary home occupations.
 5. Amend tax parcel numbers for subject properties to reflect those listed on the application.
 6. Amend Note E(1) to state that a variance is required in order to reduce the width of the planting strip.
 7. Address Fire Department comment identified in this analysis.
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Attachments Online at www.rezoning.org

- Application
 - Site Plan
 - Community Meeting Report
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Department of Transportation Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Park and Recreation Review
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- **Planner:** Claire Lyte-Graham (704) 336-3782