
REQUEST	Existing Zoning: UR-3(CD), urban residential, conditional and UR-3(CD) PED-O, urban residential, conditional, pedestrian overlay district, optional Proposed Zoning: UR-3(CD) PED-O SPA, urban residential, conditional, pedestrian overlay district, optional, site plan amendment
LOCATION	Approximately 1.6 acres located on the northwest corner at the intersection of Wesley Heights Way and Duckworth Avenue.
SUMMARY OF PETITION	The petition proposes a site plan amendment to allow a 40-unit elderly multi-family housing facility.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of the outstanding issues. The petition is consistent with the <i>West End Land Use & Pedscape Plan</i> and the <i>Central District Plan</i> .
PROPERTY OWNER	New Bethel Church Ministries, Inc.
PETITIONER	Charlotte-Mecklenburg Housing Partnership, Inc.
AGENT/REPRESENTATIVE	Keith MacVean and Jeff Brown/King & Spalding, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**

- The subject property was part of a larger 4.5-acre rezoning approved in 2007 (rezoning petition 2007-104). This previously approved rezoning allowed for 132 condominium units, 25 townhome units and 5,500 square feet of ground floor retail. The optional provision allowed for an increase in the maximum height from the 40 feet allowed by the Pedestrian Overlay District (PED Overlay) to 63 feet.
- A future rezoning will be required for the remaining portion of the original 2007 rezoning.

- **Proposed Request Details**

The site plan amendment contains the following provisions:

- A 40-unit elderly multi-family housing facility.
- Building elevations are included as part of the conditional site plan to indicate the architectural style and exclude the use of vinyl except for window trim and soffits.
- An eight-foot planting strip and eight-foot sidewalk will be established along Wesley Heights Way.
- Duckworth Avenue will be improved to a "residential wide" street type and will include an eight-foot planting strip and six-foot sidewalk.
- A CATS passenger waiting pad will be installed along Wesley Heights Way.
- A five-foot internal sidewalk connection is indicated to be provided out to all abutting streets. However, the petitioner has reserved the right to request a variance from the connection to Wesley Heights Way.
- Detached lighting fixtures on the site will be limited to 20 feet.
- No "wall pak" lighting will be allowed along the public street sides of the building.
- Extension of the PED Overlay boundary from the center of the subject site to the northern boundary so the entire site is located within the district.
- Three optional requests to allow the following variations from the minimum standards of the PED Overlay section of the City of Charlotte Zoning Ordinance:
 - Reduce the parking ratio for residential uses from one space per unit to 0.25 spaces per unit. The underlying UR-3 allows parking at 0.25 spaces per unit for elderly multi-family.
 - Eliminate the requirement that at least one operable pedestrian entrance per building must face a street.
 - Exceed the 40-foot height limitations to allow a maximum height of 60 feet.

- **Existing Zoning and Land Use**

The subject property is currently vacant. The majority of the site is surrounded by R-22MF PED zoning. The properties west of the site are occupied by single family homes, a fire station and a commercial building. Multi-family uses are located south of the site across Wesley Heights Way and single family homes are located east of the site across Duckworth Avenue. The property to the north is the remaining UR-3(CD) zoning from the previous petition of which this site was a part.

- **Rezoning History in Area**

A number of rezonings have taken place in the area to accommodate various multi-family developments.

- **Public Plans and Policies**

- The *West End Land Use & Pedscape Plan (2005)* and the *Central District Plan (1993)*, as amended by rezoning petition 2007-104, recommend a mix of uses for this site which include multi-family with a limited amount of ground floor retail.
 - The petition is consistent with the *West End Land Use & Pedscape Plan* and the *Central District Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Charlotte Department of Transportation:** Indicate that on-street parking will be provided along both Wesley Heights Way and Duckworth Avenue.
 - **Vehicle Trip Generation:** This petition is requesting a site plan amendment for a smaller component of a larger conditional zoning district. The proposed 40 units will generate approximately 265 trips per day. This will not have an impact on the surrounding street system.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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-Environment*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

The petitioner should:

1. Modify Note 2.b. to indicate an operable pedestrian entrance will be provided to at least one of the two abutting public streets.
 2. Modify the maximum building height under "Site Data" to read: "60 feet as defined by the ordinance and as allowed by the optional provision".
 3. Eliminate Note 11 "Building Heights" and Note 12 "Parking".
 4. Eliminate the last sentence within Note 6.c.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste 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

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