

**REQUEST** Proposed Zoning: MX-2 SPA, mixed use, site plan amendment

**LOCATION** Approximately 20.16 acres located within the existing Park South Station development along Park South Station Boulevard south of Archdale Drive and generally bounded by Delchester Drive, Montpelier Road and Edgewater Drive.

**SUMMARY OF PETITION** The petition proposes a site plan amendment to allow the construction of 71 single family attached units or 73 single family homes in a portion of the Park South Station development currently limited to 71 single family attached units.

**PROPERTY OWNER** Piston, LLC, J&B Development and Management, Inc., and Park South Station Master Association

**PETITIONER** Robert W. Burkett

**AGENT/REPRESENTATIVE** Robert W. Burkett

**COMMUNITY MEETING** Meeting is required and has been held. Report available online.

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted unanimously to <b>DEFER</b> of this petition until to a Special Meeting on July 18, 2011.
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**VOTE**

Motion/Second:	Fallon/Firestone
Yeas:	Dodson, Fallon, Firestone, Lipton, Phipps, and Rosenburgh
Nays:	None
Absent:	Walker
Recused:	None

**ZONING COMMITTEE DISCUSSION**

Staff presented the petition to the Zoning Committee and indicated all outstanding issues had been resolved except one. The outstanding issue dealt with no commitment being made by the petitioner to limit garages from extending beyond the main façade of the proposed homes.

One Commissioner questioned why staff had an issue with the garages extending beyond the main facade of the homes. Staff responded by stating the reason for the request was so the proposed single family homes would be consistent with the existing townhomes within the development. The existing two-car garage units are recessed and the one-car garage units are recessed or slightly extend beyond the main façade.

The Zoning Committee suspended their rules to question the petitioner on their proposed product type regarding the garage placement. The petitioner stated most homes would be two-car garage units that would extend from a few inches to up to seven feet beyond the main façade of the homes.

The Commissioners had concerns regarding the design of the garages and the variations in the placement of the garages. The petitioner stated they would work with staff to address those concerns.

**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**

This subject property was part of a larger 120-acre rezoning approved in 2005 (rezoning petition 2004-121). This previously approved rezoning allowed for 851 condominiums and townhome units at an overall density of 7.1 dwelling units per acre. Portions of this previously approved rezoning, currently identified as Park South Station, have been constructed.

- **Proposed Request Details**

The site plan amendment contains the following changes:

- The ability to construct 71 single family attached units or 73 single family homes within the subject site.
- Five-foot internal sidewalks to be provided in front of all single family detached lots.
- A 32.5 percent tree save area rather than the minimum 15 percent.
- All of the development standards included in rezoning petition 2004-121 shall remain in effect in addition to the ability to establish single family lots.
- Typical building elevations provided for single family homes.
- Innovative provisions to be requested from the Zoning Committee if the rezoning is approved include:
  - Private streets constructed per the cross sections shown on Sheet #3.
  - Setback for single family homes to be 20 feet from the back of curb. The current standard is 32 feet from the back of curb of a public street. Driveways to have a minimum length of 20 feet from the back of curb or back of sidewalk, whichever is greater.
  - Rear yard for single family lots to be 20 feet instead of 30 feet.
  - Minimum area for single family lots to be 3,500 square feet instead of 4,500 square feet.
  - Allow single family lots to front private streets.
  - Eliminate internal buffers between various residential types within the unified Park South Station development.

- **Public Plans and Policies**

- The *South District Plan* (1993), as amended by rezoning petition 2004-121, recommends a mix of residential units with a density of up to 7.1 dwelling units per acre.
  - The petition is consistent with the *South 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 Transportation:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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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*.
    - Minimizes impacts to the City's tree canopy by exceeding the minimum Tree Ordinance requirements for tree save area.
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### **OUTSTANDING ISSUES**

- The petitioner should:
    1. Renumber the rezoning areas. Eliminate all references to rezoning area one and the portion of rezoning area two from the first submittal. "Rezoning Area 2" to be renumbered as "Rezoning Area 1" and "Rezoning Area 3" to be renumbered as "Rezoning Area 2".
    2. Eliminate "to allow single family" from the title block for the table on Sheet #1.
    3. Modify the tax parcel numbers listed on Sheet #1 to identify only those properties within the subject rezoning (eliminate 173-067-(66, 68, 74, 77, and 78) and 173-068-95 and indicate 173-067-57 as a portion of).
    4. Indicate the number of units under "Development Data" on Sheet #1 as "73 single family lots or 71 single family attached units".
    5. Provide areas for additional parking.
    6. Include all applicable conditional notes from rezoning petition 2004-121 onto this subject conditional rezoning site plan.
    7. Indicate a five-foot sidewalk along the western side of Park South Station Boulevard between Sunchaser Lane and Royal Gorge Avenue on Sheet #2.
    8. Extend the five-foot sidewalk along Park South Station Boulevard from Lot #37 to the intersection with Milwaukee Road and provide a crosswalk at the intersection to connect across the street.
    9. Modify the setback shown on Sheets #1 and #2 so they match the 20-foot setback indicated within the notes on Sheet #3.
    10. Indicate that the single family lots will comply with five-foot side yards.
    11. Indicate that the single family homes will comply with the following:
      - a. One-car garage homes will be designed so the garage does not extend beyond the main façade.
      - b. Two-car garage homes will be designed so the garage is recessed a minimum of three feet behind the main façade.
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### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- 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 Parks and Recreation Review

**Planner:** Shad Spencer (704) 353-1132