

REQUEST	Proposed Zoning: UR-2(CD) SPA, urban residential, conditional, site plan amendment
LOCATION	Approximately 12.00 acres located on the southwest corner at the intersection of Ardrey Kell Road and Providence Road.
SUMMARY OF PETITION	The petition proposes a site plan amendment to increase the maximum number of townhome buildings and allow patio encroachments into the rear yard.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Numerous. See application on website. Fairway Row, LLC Walter Fields
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is required and has been held. Report available online. This petition is found to be consistent with the <i>Providence Road/I-485 Area Plan Update</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Commissioner Dodson).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modification: 1. All buildings illustrated on the "Golf Course Buffer Planting" sheets have been removed.
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VOTE	Motion/Second: Zoutewelle/Dodson Yeas: Dodson, Firestone, Griffith, Phipps, Rosenburgh, and Zoutewelle Nays: None Absent: Allen Recused: None
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ZONING COMMITTEE DISCUSSION	Staff presented the petition to the Committee and indicated the outstanding issue had been addressed. Committee members discuss some of the recent developments approved and proposed within the area of the subject rezoning. One Committee member clarified that the private street on the western side of the site is proposed to be shifted closer to Ardrey Kell Road than what was shown on the 2006 rezoning. There was also discussion regarding the encroachment of on-grade patios within the 30-foot rear yard. It was indicated that the 2006 rezoning plan does not allow encroachments into the 30-foot rear yard. Two sheets of the previous rezoning plan indicated a 30-foot wide vegetative buffer along the golf course but did not quantify the amount of plantings. The proposed rezoning modifies this 30-foot area to allow only on-grade patios to encroach up to 15 feet within the area. The vegetative buffer along the golf course remains as a requirement of the subject rezoning. One Committee member indicated that the area residents received notice of the rezoning site plan amendment and no opposition to the modifications were received.
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STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.
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FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
The subject site was rezoned in 2006 (rezoning petition 2006-002) from R-3 to UR-2(CD) to allow for up to 54 townhome units. The conditional site plan limited the number of buildings to 16 townhome buildings.
 - **Proposed Request Details**
The site plan amendment contains the following changes:
 - Increase the maximum number of townhome buildings from 16 to 22.
 - Allow on-grade patios to encroach into the 30-foot rear yard up to 15 feet.
 - Maximum of 53 townhome units.
 - **Public Plans and Policies**
 - The *Providence Road/I-485 Area Plan Update* (2000), as amended by rezoning petition 2006-002, recommends residential uses up to a density of 4.5 dwelling units per acre.
 - The petition is consistent with the *Providence Road/I-485 Area Plan Update*.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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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 comments received.
 - **Charlotte Department of Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **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.
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OUTSTANDING ISSUES

- No issues.
- Attachments Online at www.rezoning.org**
- Application
 - Pre-Hearing Staff Analysis
 - Site Plan

- Community Meeting Report
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review

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