

<b>REQUEST</b>	Proposed Zoning: MX-1 (INNOV) SPA LLW-CA and LLW-PA, mixed use, innovative, site plan amendment with five-year vested rights, within the Lower Lake Wylie Critical Area and Lower Lake Wylie Protected Area.
<b>LOCATION</b>	Approximately 319.91 acres located on the east side of Shopton Road West generally extending from Green Heron Court to Winget Road and on the west side of Shopton Road West generally extending from Winget Road to Limehurst Place.
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to increase the single family density for a portion of the original Sanctuary rezoning from approximately one dwelling unit per acre to approximately 1.75 dwelling units per acre for a total of 559 single family lots. The overall density of the original rezoning increases from 0.40 to 0.52 dwelling units per acre.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the draft <i>Steele Creek Area Plan</i> .
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Chapel Cove at Glengate, LLC Chapel Cove at Glengate, LLC John Carmichael, Robinson, Bradshaw & Hinson, P.A.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

---

#### PLANNING STAFF REVIEW

- **Background**

This subject property was part of a larger 1,828-acre rezoning approved in 2003 (rezoning petition 2003-024). This previously approved rezoning allowed up to 740 single family lots at an overall density of approximately 0.40 dwelling units per acre. Portions of this previously approved rezoning, currently identified as the Sanctuary and Chapel Cove subdivisions, have been developed.
- **Proposed Request Details**

The site plan amendment contains the following changes:

  - Increase the density from approximately one to 1.75 dwelling units per acre equaling 559 single family lots.
  - Architectural standards for the single family homes that regulate:
    - Exterior building materials.
    - Roof pitches and materials.
    - Front porches required on 50 percent of the homes.
    - Two-car garage required for each home.
    - Front-loaded garages shall not extend four feet beyond the primary façade.
    - Two hardwood trees per lot in addition to the required street trees.
    - Four hardwood trees per corner lot in addition to the required street trees.
  - A 100-foot common open space area along the Shopton Road West frontage with a provision to preserve all existing trees measuring four inches or greater in caliper.
  - Minimum 15 percent tree save area.

- Common open space equaling 25 percent of the area on the west side of Shopton Road West (Parcel B) and 20 percent of the area on the east side of Shopton Road West (Phase 3).
  - Walking paths and trails within common open space areas to create a trail system throughout the development.
  - All lots require a minimum lot width of 50 feet.
  - Innovative provisions to be requested from the Zoning Committee if the rezoning is approved include:
    - Curb, gutter and sidewalk shall not be required along Hatfield Road and Traymore Lane.
    - Curb, gutter and sidewalk shall not be required along Withers Cove Road except the petitioner shall install a sidewalk/shared waking path along one side of Withers Cove Road.
    - Curb and gutter shall not be required along the Shopton Road West frontages.
  - **Existing Zoning and Land Use**

The subject properties are currently vacant. Surrounding properties are zoned for single family residential with R-3, MX-1, and R-12PUD zoning categories. These properties are predominately vacant or occupied with single family homes. A City of Charlotte fire station is located on property north of the subject property on the west side of Shopton Road West
  - **Rezoning History in Area**

There have been no rezonings in the immediate area in recent years.
  - **Public Plans and Policies**
    - The draft *Steele Creek Area Plan*, currently in the review and adoption process, recommends residential land uses up to one dwelling unit per acre within the original Sanctuary rezoning area. A slightly higher density may be appropriate in some areas when developments are clustered to preserve environmental features.
    - The *Southwest District Plan* (1991) recommends single family residential up to one dwelling unit per acre and a neighborhood convenience retail center at the intersection of Winget Road and Shopton Road West.
    - The site plan amendment is consistent with the draft *Steele Creek Area Plan* recommendation of up to one dwelling unit per acre. While the density of the property included in the site plan amendment is approximately 1.75 dwelling units per acre, the overall density of the original rezoning from which this petition was a part will remain below one dwelling unit per acre at approximately 0.52 dwelling units per acre.
- 

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.
- **Transportation:** The existing street network is limited in this area, therefore the proposed development will most likely have major traffic impacts to Shopton Road West. The petitioner initiated a transportation planning study in order to address any potential transportation issues. CDOT has received the study and is in the process of reviewing the analysis.
  - **Vehicle Trip Generation:**

Current Zoning: 4,650 trips per day.  
Proposed Zoning: 5,350 trips per day.
  - **Connectivity:** CDOT is in discussions with the petitioner regarding the extension of Winget Road past (east of) the existing stream crossing to provide a street connection (two-travel lanes, two 5' bike lanes, and 6' sidewalks) between the site's southeastern property line and the entrance to T.M. Winget Regional Park. In the absence of a full street connection, a 10-foot wide pedestrian/bike trail would provide significant benefit by linking the residential development to T.M. Winget Regional Park and Winget Park Elementary School. The trail and bridge should be located so as to not be impacted by future street construction.

- **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** No comments received.
  - **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 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-Environment*.
  - Minimizes impacts to the City's tree canopy by providing for a tree save area that exceeds the minimum 10 percent requirement. Approximately 15 percent of the site is designated as tree save.
  - Protects environmentally sensitive areas by providing for open space that exceeds the minimum requirements and by designing the proposed development in a manner that helps to preserve existing steep slopes along the various tributaries that feed into Lake Wylie.
  - Facilitates the use of alternative modes of transportation by providing a trail system throughout the development and to abutting properties.

#### **OUTSTANDING ISSUES**

- The petitioner should:
    1. Modify the second sentence of Note #4 under "Transportation" to read "...the Petitioner shall increase the pavement width of Withers Cove Road (10-foot travel lanes and a one-foot shoulder on each side of the road) and install a sidewalk/shared walking path along one side of Withers Cove Road extending from Wildlife Road to Traymore Lane ~~along Parcel B's frontage on Withers Cove Road~~".
    2. Modify Note #2 under "Innovative Standards" to read "...the Petitioner shall increase the pavement width of Withers Cove Road (10-foot travel lanes and a one-foot shoulder on each side of the road) and install a sidewalk/shared walking path along one side of Withers Cove Road extending from Wildlife Road to Traymore Lane ~~along Parcel B's frontage on Withers Cove Road~~".
    3. Modify Note #1 under "Streetscape and Landscaping" to indicate a minimum five-foot wide trail along the Shopton Road West frontage to reflect the requirements of the 2003 rezoning.
    4. Address CDOT comments.
- 

#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Parks and Recreation Review

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