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| REQUEST | Current Zoning: MX-2, mixed use district Proposed Zoning: R-17MF(CD), multi-family residential, conditional |
| LOCATION | Approximately 16.2 acres located on the west side of Lancaster Highway between Springwell Street and Johnston Road. |
| SUMMARY OF PETITION | The petition proposes to develop up to 252 multi-family dwelling units at 15.5 units per acre. |
| STAFF RECOMMENDATION | Staff recommends approval of this petition upon resolution of outstanding issues. The proposed land use is consistent with the land use recommendation as amended in the <i>South District Plan</i> but the density exceeds the amended adopted density. However, the site meets the criteria for an increase in density set forth in the <i>General Development Policies</i> . |
| PROPERTY OWNER | YFP, LLC |
| PETITIONER | GCI Acquisitions, LLC |
| 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

- **Background**

- The subject property was originally rezoned in 2003, via petition 2003-047, to allow up to 58 for sale attached housing units (duplex and quadraplex units) on individual sub lots, at a density of 3.94 units per acre.
- Buildings limited to a maximum height of 40 feet.
- Each unit would have a two-car garage.
- A 50-foot Class C buffer was provided abutting single family zoning and uses.
- Property abutting the greenway proposed for dedicated to the Park and Recreation Department and an internal connection to the greenway was provided on-site.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum 252 multi-family units at a density of 15.5 units per acre.
- Most buildings limited to three stories, with the exception of buildings that back up to Clems Creek may have four stories facing Clems Creek and three stories facing the parking area. Building 5 adjacent to the single family dwellings on Stewarts Bend Lane and Clementine Court will be limited to two stories.
- Parking provided at 1.5 spaces per unit.
- A 50-foot Class C buffer, with an undisturbed outer 30 feet, will be provided abutting single family homes in R-5(CD) zoning.
- Building materials consist of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco or wood.
- Vinyl siding not permitted as an exterior building material, except on windows and soffits.
- Access to the site from Lancaster Highway and the required public street extension of Landing Place Lane.
- Parking prohibited between the buildings and Landing Place Lane and Lancaster Highway.
- Approximately 2.38 acres along Clems Branch will be dedicated and conveyed to Mecklenburg County Park and Recreation Department.
- Provision of a northbound left turn lane and a southbound right-turn lane (if required by NCDOT) from Lancaster Highway into the site.
- Detached lighting limited to 20 feet in height.
- Pedestrian scale lighting provided along the extension of Landing Place Lane.

- **Existing Zoning and Land Use**

- The subject property is vacant. Properties on the north side of Lancaster Highway are zoned MX-2, O-1(CD) and NS and are developed with detached and attached dwellings, a school or are vacant. Properties on the south side of Lancaster Highway are zoned R-5(CD), R-12MF(CD) and R-17MF(CD) and contain detached dwellings, condominiums units or are vacant.

- **Rezoning History in Area**

Recent rezonings in the area include:

- Petition 2008-93 approved a NS site plan amendment for four acres located at the intersection of Lancaster Highway and Johnston Road to allow all uses permitted in the district except gasoline sales and restaurants with drive-through facilities.
- Petition 2007-117 approved an O-1(CD) site plan amendment to increase the approved square footage from 30,000 to 40,000 for uses permitted in the O-1 district excluding hotels/motels.
- Petition 2006-48 approved a MX-2 innovative site plan amendment for 38.8 acres located east of Lancaster Highway and south of Providence Road West to allow 88 single family dwellings and an elementary school.

- **Public Plans and Policies**

- The *South District Plan* (1993) as amended by the prior rezoning shows the subject property as multi-family residential at four dwelling units per acre.
- The *General Development Policies* (GDP) support residential densities at up to 17 units per acre.

| Assessment Criteria | Density Category >12 up to 17 dua |
|------------------------------------|-----------------------------------|
| Meeting with Staff | 1 (Yes) |
| Sewer and Water Availability | 2 (CMUD) |
| Land Use Accessibility | 2 (Medium) |
| Connectivity Analysis | 4 (Medium High) |
| Road Network Evaluation | 0 (No) |
| Design Guidelines | 4 (Yes) |
| Other Opportunities or Constraints | NA |
| Total Points Needed: 13 | Total Points: 13 |

- The land use is consistent with the amended *South District Plan* but the density is inconsistent with the density as amended. However, the site meets the density recommendations of the GDP.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT has requested that the petitioner provide a technical transportation memorandum and traffic signal warrant analysis. In addition, the petitioner should:
 - Reflect the proposed back of curb along the property frontage on Lancaster Highway as 37 feet from the existing center line. Align the conditional notes and site plan.
 - Indicate sidewalk/utility easements from any sidewalk outside of the public right-of-way along any proposed public street.
 - Remove the marked crosswalk locations from the proposed internal intersections along Landing Place Lane. Note B under the heading of Transportation can remain.
 - Add a note stating that the proposed Landing Place Lane southbound intersection approach needs to be properly aligned with the existing Clems Branch northbound approach at Lancaster Highway so as to not affect operations of a future traffic signal.
 - Provide enough pavement width on the southbound Landing Place Lane to support three travel lanes.
 - Specify that if additional right-of-way and/or easements are required at the proposed intersection the acquisition of this property will be the petitioner’s responsibility.

- Amend the rezoning plan to reflect the design of a left-turn lane necessary to serve the traffic using the proposed public street driveway connections prior to submittal/approval of the public street connections. The left-turn lane needs to be designed using NCDOT standards with a minimum 150 feet of storage. This roadway improvement is required to meet the traffic demands of the proposed development.
 - Provide enough width along the public street (Landing Place Lane) connection to Lancaster Highway for three (3) travel lanes between Lancaster Highway and the site's first internal driveway connection to parking. The geometry of the proposed Landing Place Drive needs to align properly with the existing Clems Branch Drive serving Ballantyne Elementary School and will be finalized during the subdivision review process.
 - **Vehicle Trip Generation:**
Current Zoning: 630 trips per day.
Proposed Zoning: 1,700 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** The proposed development would generate 56 students. The net change in the number of students generated from existing zoning to the proposed zoning is 43 students.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** Delineate stream wetland and buffers.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **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*.
 - Protects/restores environmentally sensitive areas by preserving environmentally sensitive areas consisting of 2.38 acres along Clems Branch to be dedicated and conveyed to Mecklenburg County Park and Recreation Department.

OUTSTANDING ISSUES

- The petitioner should:
 1. Address Transportation comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte Solid Waste Services Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Parks and Recreation Review

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