

REQUEST	Current Zoning: R-5, single family residential, O-2, office, and B-2, general business Proposed Zoning: UR-2(CD), urban residential, conditional
LOCATION	Approximately 1.24 acres located on the south side of Iverson Way between South Boulevard and Lyndhurst Avenue. (Council District 1 – Maddalon)
SUMMARY OF PETITION	The petition proposes a “for sale” multi-family development with up to 22 residential units.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The majority of the petition is located within and is consistent with the <i>New Bern Transit Station Area Plan</i> . A small portion of the subject site, approximately 0.2 acres, is located within and is inconsistent with the <i>Dilworth Land Use and Streetscape Plan</i> . However, the petition is consistent with the surrounding land uses and can provide for a good transition to the residential uses east of the site if commitments regarding site layout and building design/orientation are made to ensure an appropriate transition to the abutting residential neighborhood.
PROPERTY OWNER	Richard and Rose Thompson
PETITIONER	Weekley Homes, L.P.
AGENT/REPRESENTATIVE	Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Up to 22 “for sale” multi-family dwelling units with an overall density of 17.7 dwelling units per acre.
 - Installation of recessed on-street parking along the site’s Iverson Way frontage.
 - Maximum 10-foot wide buffer abutting the R-5 zoned property to the east.
 - Six-foot wide easement to allow possible future public pedestrian access across the site to connect to Atherton Street.
 - Maximum building height not to exceed 40 feet.
 - Minimum 30 percent of the exterior building walls shall be constructed with brick, stone, similar masonry product, and/or fiber cement board.
 - Fences or walls installed along Iverson Way will be limited to four feet in height and any portion above three feet will be no more than 25 percent opaque.
 - Freestanding lighting will be limited to 20 feet in height and will utilize full cut-off luminaries.
- **Existing Zoning and Land Use**
The subject properties are currently occupied by two single family homes and a commercial/warehouse use. Northwest and southwest of the site are additional commercial/warehouse uses that are zoned B-2 and I-1(CD). A single family home abuts the subject rezoning to the southeast and is zoned R-5. Northeast, across Iverson Way, is a large scale commercial use zoned MUDD-O.
- **Rezoning History in Area**
There have been numerous rezonings in this area to accommodate various transit oriented developments.

- **Public Plans and Policies**

- The *New Bern Transit Station Area Plan* (2008) recommends mixed use transit supportive development for the majority of property. The site is located within a ¾ mile walk distance from the New Bern transit station.
 - The *Dilworth Land Use and Streetscape Plan* (2006) recommends residential land uses at a maximum density of four dwelling units per acre for a small portion of the subject rezoning on eastern most parcel along Iverson Way.
 - The majority of the petition is consistent with the *New Bern Transit Station Area Plan* while a smaller portion, approximately 0.2 acres, of the site is inconsistent with the *Dilworth Land Use and Streetscape Plan*. The location of the subject rezoning is directly across Iverson Way from a large scale commercial and residential development called Southborough and abuts other nonresidential uses closer to South Boulevard. With this land use relationship, and if the petitioner is willing to provide additional notes on the site plan regarding the site layout and building design/orientation to ensure an appropriate transition to the abutting residential neighborhood, this petition is considered appropriate for approval.
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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.
 - **Transportation:** The portions of the proposed public sidewalk along Iverson Way located outside the existing right-of-way will need to be located within a sidewalk utility easement measured a minimum of two feet from the back of sidewalk.
 - **Vehicle Trip Generation:**
Current Zoning: 257 trips per day.
Proposed Zoning: 172 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** This proposed rezoning will not add students to the schools in the area.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** 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 natural environment by building on an infill lot.

OUTSTANDING ISSUES

- The petitioner should:
 1. Rewrite the note under "Streetscape and Landscaping" on Sheet RZ-1 to read: "A minimum 10-foot buffer will be provided per the TOD district regulations found in Section 12.1208(9) of the Zoning Ordinance along the property line next to the existing single family home within the R-5 zoning district. If the adjoining R-5 zoned land is rezoned to a zoning district where a buffer would not be required, the buffer may be removed."
 2. Provide elevations for the buildings along Iverson Way and clarify that the front façade of those buildings face Iverson Way.

3. Provide an additional "Architectural Standards" note on Sheet RZ-1 to state: "The development of this site will be governed by the TOD district regulations found in Section 9.1209(1) Street Walls and Section 9.1209(4) Building Entrances and Orientation of the Zoning Ordinance".
4. Modify the note "a" under "Architectural Standards" on Sheet RZ-1 to eliminate "hardi-plank/fiber cement board" from the list of building materials allowed to be used to meet the minimum 30 percent masonry products required on the building exteriors.
5. Modify note "c" under "Transportation" on Sheet RZ-1 to read: "A minimum six-foot wide pedestrian access trail will be constructed along the entrance drive and continuing to the property line with parcel 121-074-09. An easement will be provided to allow public use of the pedestrian access trail with the intention that the trail will be extended across the abutting property in the future to connect to Atherton Street."
6. Reorganize the three buildings on the rear portion of the site so that the building on the eastern side has a front orientation onto the proposed six-foot wide pedestrian access trail and the building on the western portion of the site has a rear/alley orientation abutting the B-2 zoned property.
7. Modify the setback identified on Sheet RZ-1 as "20-foot setback from the back of existing or proposed curb".
8. Modify the yard requirements illustrated on the Technical Data Sheet and the Conceptual Site Plan to indicate "5-foot side yard/10-foot rear yard".
9. Delete the following wording from the first sentence of note "b" under "General Provisions" on Sheet RZ-1: "..., such as those that regulate streets, sidewalks, trees, bicycle parking, and site development,...".
10. Delete the second sentence of note "b" under "General Provisions" on Sheet RZ-1.
11. Modify the "Lighting" note on Sheet RZ-1 to read: "All lighting on the site will utilize full cut-off luminaries. Freestanding lighting will be limited to 20 feet in total height."
12. Delete the note on the upper right corner of Sheet RZ-2 which indicates the Conceptual Site Plan reflects a possible arrangement of uses and they may be modified so long as the maximum building envelope and intensity limitation are not violated.
13. Address Transportation's comment.

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-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

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