
REQUEST	Current Zoning: INST (CD), institutional, conditional Proposed Zoning: R-12MF(CD), multi-family residential, conditional
LOCATION	Approximately 7.23 acres located on the west side of Weddington Road between Simfield Church Road and Portstewart Lane. (Council 7 – Driggs)
SUMMARY OF PETITION	The petition proposes to allow the development of the property with up to 70 multi-family residential dwelling units, at a density of 9.68 units per acre.
STAFF RECOMMENDATION	Staff recommends approval of the petition upon resolution of the one minor outstanding technical issue. The petition is inconsistent with the <i>South District Plan</i> which calls for institutional uses at this location. However, the proposed multi-family development is a less intense use both in terms of traffic generation and land use than the previously approved child care center. The <i>General Development Policies</i> recommend 8 dwelling units per acre and this development proposes a density of 9.68. This slight increase above the recommended density is appropriate because the use is less intense than the currently approved child care use and is compatible in character with the adjacent institutional and residential uses. The <i>General Development Policies</i> also encourages a range of housing types and densities that will meet the needs of people with a range of incomes.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	New Dominion Bank Charlotte-Mecklenburg Housing Partnership Keith MacVean/Jeff Brown, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**

Rezoning petition 2009-077 rezoned the subject property from R-3 (single family residential) to INST(CD) (institutional, conditional), to allow the development of a childcare center serving a maximum of 425 children located in two buildings, which are limited to 13,000 and 16,000 square feet in size.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

Proposed Uses

- Maximum of 70 multi-family dwelling units in one principal building.
- Accessory buildings and structures are permitted on the site.

Architectural Standards

- Building height limited to 40 feet and three stories.
- Building materials consisting of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, decorative block and/or wood. Vinyl or aluminum are prohibited as a building material and may only be used on windows and soffits.
- Building roofs will utilize architectural shingles.
- Building elevations are provided.
- Building façade along Weddington Road will have a minimum of three off-sets of at least 15 feet in depth and 50 feet in length to allow for a variety of building setbacks as measured from the Weddington Road right-of-way.

- A minimum 50 percent of the ground floor façade facing Weddington Road will be articulated principally through the use of windows, doors, balconies, and breezeway/pedestrian access corridors.
- No spans of blank, unarticulated walls greater than 20 feet will be allowed along Weddington Road.
- A central open space at least 50 feet in width facing Weddington Road will be incorporated into the design of the principal building.
- The principal building end closest to Nottingham Estates and the end closest to the Willowmere neighborhood will be designed so that patios/decks located on the units closest to these neighborhoods are oriented toward the interior of the development and not toward the adjoining property owners.

Transportation

- Access to the site will be provided via one driveway on Weddington Road; vehicular access from Riseley Lane is prohibited.
- Up to 50 feet of right-of-way from the center line of Weddington Road will be dedicated prior to the issuance of a certificate of occupancy.
- A northbound left-turn lane into the site from Weddington Road will be provided if required by CDOT or NCDOT.
- A right-turn deceleration lane on Weddington Road into the site's driveway will be provided if required by NCDOT.

General

- Parking spaces provided at 1.6 spaces per unit, which exceeds the ordinance requirement of 1.5 spaces per unit.
 - Surface parking prohibited between the principal building and Weddington Road.
 - Meter banks will be screened from adjoining properties and from Weddington Road.
 - The wall or fence used to enclose dumpster and recycling areas will be architecturally compatible with the building materials and colors used on the principal building.
 - The principal building end along the northern property line adjacent to the Willowmere neighborhood will not be located closer than 65 feet to the property line.
 - The principal buildings end along the southern property line adjacent to the Nottingham Estates neighborhood will not be located closer than 60 feet from the property line.
 - A 38-foot Class C buffer will be provided abutting single family uses and zoning. A fence is also being provided. The provision of the fence is in addition to the buffer and will not be used to reduce the width of the buffer.
 - The existing trees in the buffer along the northwest property line adjacent to the Willowmere neighborhood will be preserved and used to meet the buffer requirements. The required buffer planting will be enhanced by utilizing only evergreen trees.
 - A six-foot fence will be installed along the site's perimeter and will be located on the interior edge of the buffer. No more than 25 percent of the fence surface shall be left open and the finished side of the fence shall face the abutting property.
 - A five-foot sidewalk and eight-foot planting strip will be provided along the project frontage on Weddington Road.
 - An internal sidewalk and crosswalk network will be provided that links the principal building to the public sidewalk along Weddington Road.
 - Detached lights limited to 15 feet in height and utilizing full cut-off fixtures, excluding lower decorative lighting that may be installed along the driveways, sidewalks and parking areas.
- **Existing Zoning and Land Use**
The property is currently undeveloped. The surrounding area is zoned R-3 (single family residential), R-3(CD) (single family residential, conditional), and R-4(CD) (single family residential, conditional) and developed primarily with single family homes. A private school and a religious institution are located directly across Weddington Road south of Simfield Church Road.
 - **Rezoning History in Area**
 - Petition 2006-145 rezoned six acres located on the east side of Weddington Road, south of Simfield Church Road, from R-8MF(CD) (multi-family residential, conditional) to R-3 (single family residential) to allow all uses permitted in the district.

• **Public Plans and Policies**

- The *South District Plan* (1993), as modified by a previous rezoning, recommends an institutional use (child care center).
- The *General Development Policies* (GDP) (2003) support a residential density up to eight (8) dwelling units per acre. For scoring purposes, GDP measurements are taken from the center point of a site and the Plantation Market shopping center is just beyond the ½ mile distance that would qualify the site for up to 12 dwelling per acre.

Assessment Criteria	Density Category - up to 8 dua	Density Category - up to 12 dua
Meeting with Staff	1 (Yes)	1 (Yes)
Sewer and Water Availability	2 (CMUD)	2 (CMUD)
Land Use Accessibility	2 (Medium: 3 uses in ½ mile)	2 (Medium: 3 uses in ½ mile)
Connectivity Analysis	2 (Medium Low)	2 (Medium Low)
Road Network Evaluation	0 (No)	0 (No)
Design Guidelines	4 (Yes)	4 (Yes)
Other Opportunities or Constraints	NA	NA
	Total Points: 11 (11 needed)	Total Points: 11 (12 needed)

- The petition is inconsistent with the *South District Plan* and the *General Development Policies*.

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 the following comments:
 - The petitioner elected to provide a Transportation Technical Memorandum (TTM) to evaluate transportation impacts associated with the proposed development. CDOT does not have additional comments based on review of the TTM. Because the report identifies operational challenges with the existing Socrates Academy student loading and unloading activities, CDOT will conduct visual observations to identify potential solutions independent of the subject rezoning petition.
 - Required curb and gutter along Weddington Road must be located 34 feet from the center line and should be shown on the site plan.
 - **Vehicle Trip Generation:**
Current Zoning: 1,900 trips per day.
Proposed Zoning: 550 trips per day.
 - **Connectivity:** No issues
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The proposed development would generate 13 students. The net change in the number of students generated from existing zoning to the proposed zoning is 13 students.
- **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.
- **Urban Forestry:** 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*.
 - This site meets minimum ordinance standards.

OUTSTANDING ISSUES

- Address Transportation comment.
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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-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
- Urban Forestry Review

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