

<b>REQUEST</b>	Current Zoning: R-8MF(CD) (multi-family residential, conditional) Proposed Zoning: NS (neighborhood services)
<b>LOCATION</b>	Approximately 3.78 acres located on the west side of Lancaster Highway between Southcrest Lane and Winghurst Drive. (Outside City Limits)
<b>SUMMARY OF PETITION</b>	The petition proposes to develop a mixture of office and residential uses, consisting of 10,000 square feet of office uses and up to 24 residential dwelling units, at a density of 10 dwelling units per acre.
<b>STAFF RECOMMENDATION</b>	Staff does not recommend approval of this petition in its current form. The petition proposes an increase in density from the previously approved site plan. However, the site does not meet the criteria per the <i>General Development Policies</i> for the proposed increase in density. In addition, the proposed office component is out of character with the surrounding residential uses.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Notion Properties, LLC Southern Apartment Group – Ballantyne, LLC Jeff Brown and Keith MacVean, Moore & Van Allen
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report will be available online when received. Number of people attending the Community Meeting: 12

**PLANNING STAFF REVIEW**

- **Background**
  - The subject property was rezoned via Petition 2008-01(c) from R-3 (single family, residential) to R-8MF (CD) (multi-family residential, conditional) to allow 22 residential townhome units for sale, at a density of six dwelling units per acre. Each unit is to provide a two-car garage, in addition to two drive spaces.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

  - Maximum 24 multi-family residential dwelling units, not to exceed three stories and 40 feet in height. Residential units to be located at rear of site.
  - Maximum 10,000 square feet of general and medical office uses, not to exceed one story and 30 feet in height. Office uses to be located at front of site along Lancaster Highway.
  - Providing 1.5 parking spaces per dwelling unit and 1.0 space per 300 square feet of office use.
  - No more than four principal buildings.
  - Building elevations for the proposed apartment units and office facilities.
  - Surface parking not allowed between Lancaster Highway and the proposed buildings.
  - Up to 50 feet of right-of-way from the centerline of Lancaster Highway will be dedicated.
  - Building materials consisting of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum prohibited as an exterior building material but may be used on windows, soffits and handrails/railings.
  - No spans of blank articulated walls greater than 20 feet allowed along Lancaster Highway.
  - A 10-foot wide Class C buffer, with a decorative solid six-foot high fence, will be provided along the site's perimeter.
  - Open space areas improved with seating and landscaping.
  - Detached lighting not to exceed 15 feet in height.
- **Existing Zoning and Land Use**
  - The subject property is developed with a single family dwelling. Adjacent properties are zoned R-3 (single family, residential) and MX-1 (mixed use, residential) and developed with single family detached dwellings, a nonconforming retail use, or are undeveloped.
- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**

- The subject property is located within a portion of unincorporated Mecklenburg County designated as the Sphere of Influence of the Town of Pineville. To date, the Town of Pineville has not accepted jurisdiction over the property. There is no adopted plan that specifically addresses this site. The existing conditional site plan for the site, rezoned via Petition 2008-001(c), allowed 22 dwelling units, at a density of six dwelling units per acre. This density is consistent with the General Development Policies (GDP), which support residential density up to six units per acre for this site.

Assessment Criteria	Density Category – 12 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	1 (Low; 2 uses in ½ mile)
Connectivity Analysis	2 (Med-Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 12</b>	<b>Total Points: 10</b>

- There is no County adopted policy basis upon which to judge the application, except for the prior rezoning of the site, which allows a maximum of six dwelling units per acre. In addition, the proposed development density of 10 dwelling units per acre is inconsistent with the General Development Policies locational criteria, which only support a density up to six units per acre. In addition, the office component was not included in the prior rezoning and is out of character with the surrounding residential dwellings.

---

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

- **Transportation:** No issues.
  - **Vehicle Trip Generation:**  
Current Zoning: 125 trips per day.  
Proposed Zoning: 500 trips per day.
  - **Connectivity:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate nine students, while the development allowed under the proposed zoning will produce 11 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is two students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **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*.
  - This site meets minimum ordinance standards.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Eliminate the office uses and reduce the density of the residential.
-

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

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- 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

**Planner:** Sonja Sanders (704) 336-8327