
REQUEST	<p>Current Zoning: MX-2(INNOV)(LWCA) (mixed use, innovative, Lake Wylie Critical Area), MX-2(INNOV)(LLWCA) (mixed use, innovative, Lower Lake Wylie Critical Area), and NS(LLWCA) (neighborhood services, Lower Lake Wylie Critical Area)</p> <p>Proposed Zoning: MX-2(INNOV)(LWCA) SPA (mixed use, innovative, Lake Wylie Critical Area, site plan amendment), MX-2 (INNOV)(LLWCA) SPA (mixed use, innovative, Lower Lake Wylie Critical Area, site plan amendment), and NS(LLWCA) SPA (neighborhood services, Lower Lake Wylie Critical Area, site plan amendment)</p>
LOCATION	<p>Approximately 391 acres generally located on the east and west side of Amos Smith Road, south of Old Dowd Road and south of the Southern Railroad in this area. (Outside City Limits)</p>
SUMMARY OF PETITION	<p>The petition proposes a site plan amendment to allow the modification of development standards for density, lot widths and sizes, transportation improvements, and proposed street cross sections.</p>
STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Dixie Berryhill Strategic Plan</i> as amended by petition 2005-014.</p>
PROPERTY OWNER	<p>Provident Development Group, Inc., DR Horton, Inc., and REO Funding Solutions III, LLC.</p>
PETITIONER AGENT/REPRESENTATIVE	<p>Provident Land Services Tom Waters and Keith MacVean</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 59</p>

PLANNING STAFF REVIEW

• Background

- The subject property is a part of 596 acres located on both sides of Amos Smith Road rezoned by Petition 2005-014. The approved rezoning allows up to 1,030 residential units, at a density of 1.7 units per acre, 30,000 square feet of retail uses, and 70,000 square feet of office uses or a school. Development standards include the following:
 - A mixture of single family and townhomes residential units throughout the proposed development.
 - Three development options for Parcel K, which allowed retail development.
 - A 50-foot landscape buffer along both sides of Amos Smith Road.
 - A 30-foot landscape screening area along Duke Power Right-of-way.
 - A 100-foot landscape buffer along the Norfolk Southern Railroad Line.
 - A 100-foot watershed buffer.
 - Details of the typical lots widths and dimensions.
 - Limited the number of possible docks allowed on the lake in Parcel G-1 and G-2 to 14.
 - Cross sections of proposed residential and collector streets.
 - Transportation improvements consisting of:
 - New parallel bridge to existing Amos Smith Road Bridge across the Norfolk Southern Railway.
 - Installation of curb, gutter, sidewalks, and 10-foot trail along Amos Smith Road.
 - Large truck turnaround off-site south of the intersection of Amos Smith Road and Midsomer Road.
 - Construction of turn lanes and possible traffic signal at Old Dowd Road and Amos Smith Road.
 - Construction of turn lanes at Old Dowd Road, Sam Wilson Road, and Wilkinson Boulevard.

- Signal improvements and re-striping at Wilkinson Boulevard and I-485 southbound ramps.
- Provision of a new public street from Johnston Road to the southern property boundary.
- **Proposed Request Details**

The site plan amendment contains the following changes:

 - Overall total allowed residential dwelling units on the site will be 1,030 for a density of 2.60 units per acre.
 - Modifications to Parcel A to:
 - Decrease the number of single family attached units from 262 to a maximum of 90.
 - Add possible boat storage area.
 - Add possible open space area for the overall development.
 - Modification to Parcel B to:
 - Reduce the minimum lot width from 65 feet to 50 feet.
 - Modification to Parcel E to:
 - Add possible boat storage area.
 - Modifications to Parcel G-1 and H to:
 - Add common docks and associated parking areas.
 - Remove the limitation on the number of docks that may be built.
 - Modifications to Parcel I to:
 - Remove the options for a school or office use and replace with a maximum of 60 single family dwelling units.
 - Install a 20-foot landscape buffer along the eastern edge adjacent to the existing residential homes.
 - Modifications to the general notes for Parcel G-1, G-2, D and H:
 - Remove the requirement that lots cannot be mass graded.
 - Remove the requirement that homebuilders are required to use crawl spaces, stem walls, and various techniques to minimize tree disturbance.
 - Removal of required approval of site plans by the architectural review committee.
 - Modifications to Parcel K (retail parcel) to:
 - Remove two of the three development scenarios shown on the 2005 approved site plan.
 - Add that attached and detached lighting will be fully shielded and full cutoff fixtures.
 - A modification to the amenity areas:
 - Removes the requirement for play areas to be installed once 480 units have been permitted.
 - Modifications to architectural restrictions:
 - Removes the requirement for 6/12 roof pitches.
 - Removes the requirement for building foundations to be masonry materials.
 - Removal of the requirement for the 100-foot buffer against the lake for Parcels G-1 and H.
 - Modifications to the transportation improvements:
 - Removal of the requirement to install a parallel bridge to the existing Amos Smith Road bridge across Norfolk Southern Railway.
 - Provision of 35 feet of private right-of-way to the Hendrix Property.
 - Installation of a directional signage for oversized trucks that there is no outlet along Amos Smith Road and redirect them to towards Old Dowd Road.
 - Modification to the Innovative Requests:
 - Changes to the proposed cross-sections of Amos Smith Road and Midsomer Road, to allow no curb and gutter to be installed.
 - Eight-foot planting strip and five-foot sidewalk, and a 10-foot multi-use trail along Amos Smith Road.
 - Eight-foot planting strip and a five-foot sidewalk along one side of Midsomer Road.
- **Existing Zoning and Land Use**
 - The subject property is currently zoned MX-2(INNOV)(LWCA) (mixed use, innovative, Lake Wylie Critical Area), MX-2(INNOV)(LLWCA) (mixed use, innovative, Lower Lake Wylie Critical Area), and NS(LLWCA) (neighborhood services, Lower Lake Wylie Critical Area) and is vacant. The surrounding properties are zoned R-5(LWCA) (single family, Lake Wylie Critical Area), MX-2(LLWCA) (mixed use, Lower Lake Wylie Critical Area), R-MH(LWCA) (residential, manufactured homes, Lake Wylie Critical Area), I-1(LLWCA) (light industrial, Lower Lake Wylie Critical Area), and I-2(LLWCA) (general industrial, Lower Lake Wylie Critical Area) and are vacant or developed with residential and commercial structures.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**

- The *Dixie Berryhill Strategic Plan* as amended by petition 2005-014 recommends a mix of land uses including residential and retail for the subject site.
 - The petition is consistent with the *Dixie Berryhill Strategic Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** Petitioner should clarify the development entitlements under permissible development section and clarify building materials under general provisions.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 14,100 trips per day.
Proposed Zoning: 8,300 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 607 students, while the development allowed under the proposed zoning will produce 394 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** In order to provide service for parcels under review, the petitioner will need to work with CMUD Installation and Development Services Group.
 - **Engineering and Property Management:** Petitioner should provide a wetlands letter for the subject property.
 - **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*.
 - Facilitates the use of alternative modes of transportation by providing a 10-foot shared-use path.

OUTSTANDING ISSUES

- The petitioner should:
 1. Provide the number of residential units for each parcel area and an overall total.
 2. Provide a detail of the typical lots.
 3. Under "Architectural restrictions," add the note from the 2005 rezoning that commits to 6/12 roof pitches.
 4. Add a note which requires foundations to be masonry under "Architectural restrictions".
 5. Add a note under Parcel K specifying the spacing of the proposed pedestrian lighting.
 6. Add a note that open space areas will be provided in each development area and indicate the size of the open space.
 7. Under General Notes, the following should not be deleted: "lots in parcel G-1, G-2, D, and H will not be mass graded".
 8. Under Amenity Areas, add a note that "play areas and amenity areas will be provided once 480 homes have been permitted."
 9. Add the following note Under Watershed-Undisturbed Lake Buffer that was approved as a part of the 2005 rezoning: "For Parcels G-1 and H, each individual lot with private lake frontage will have a 100-foot undisturbed buffer and the deeds to purchasers of these lots will contain restrictions which require that this buffer remain undisturbed in accordance with the Ordinance's watershed regulations. This 100-foot buffer will be increased in width to 150 feet in those areas where slopes adjacent to the lake are greater than 50 percent."

10. Clarify if the open space in Development Area A is private or public and provide the acreage.
 11. Petitioner should provide a wetlands letter for the subject property.
 12. Clarify if there will be an architectural review committee for the overall development as the notes on the revised site plan are unclear. Also, indicate when submittal to the review board is required.
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Attachments Online at 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

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