

<b>REQUEST</b>	Current Zoning: R-17MF (multi-family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 9.07 acres located on the north and south sides of Abbey Place near the intersection of Park Road and Abbey Place. (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the redevelopment of an existing apartment complex with 265 new multi-family dwelling units in up to four buildings for a density of 29.23 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Abbey Apartments, LLC Spectrum Properties Residential, Inc Jeff Brown/ Keith MacVean
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 22
<b>STATEMENT OF CONSISTENCY</b>	<p>The proposed land use requested by this petition is found to be consistent with the <i>Park Woodlawn Area Plan</i>, but the proposed density is found to be inconsistent with the <i>Park Woodlawn Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends multi-family residential at up to 17 dwelling units per acre.</li> </ul> <p>However, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The increase in density is appropriate due to compliance with the residential design principals in the area plan, which include but are not limited to avoidance of blank walls, orientation of buildings, internal pedestrian network, and increased yards abutting single family residential uses;</li> </ul> <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Eschert).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 7-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Addressed CDOT issues as follows: <ol style="list-style-type: none"> <li>a. Amended transportation Note 3.c. to remove "and the necessary grading and clearing for the construction of the sidewalk can also be accommodated within the existing right-of-way." Added the following: "If the construction of this sidewalk cannot be accommodated within the existing right-of-way of Abbey Place the Petitioner will approach the adjoining property owner to secure the needed easements to construct the sidewalk. If the adjoining property owner is not willing to provide the necessary easements the Petitioner will not be required to construct the sidewalk."</li> <li>b. Amended transportation Note 3.d. to read: "The petitioner will request that it be allowed to construct crosswalks on Abbey Place. CDOT will determine during the construction permitting process if marked mid-block crosswalks are necessary for crossing Abbey Place."</li> <li>c. Removed the three designated marked mid-block crosswalks on the site plan sheet RZ-2.</li> </ol> </li> <li>2. Amended Note 5. a. to reflect a required setback of 16-feet and to match the eight-foot sidewalk and eight-foot planting strip provided</li> </ol>
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- on each side of Abbey Place.
3. Amended Note 4. b. to change the word "building" to "buildings" when referencing the buildings that may be constructed on the site and actual buildings constructed on the site.
  4. Provided a note specifying that the area depicted as Possible Open Space/Stormwater BMP is not to be used for parking or building area.
  5. Committed to a minimum of 12,000 square feet in each development area that will be included the Open Space/Stormwater BMP area.
  6. Deleted the Note 6. e. about end fronting facades and specified in the revised Note 6. e. that all facades shall incorporate windows, arches, balconies, or other architectural details along with varying build materials or roof lines, or building offsets.
  7. Deleted Note 6. f. and specified in the revised Note 6. e. that all facades shall incorporate windows, arches, balconies, or other architectural details along with varying build materials or roof lines, or building offsets.
  8. Added a note stating that "if approved by CDOT and approved by the residents of Halstead Drive/Drexmore Avenue as required by the City's Neighborhood Traffic Management Policies, the Petitioner will replace the existing speed bump located on Halstead Drive near the intersection of Drexmore Avenue with stop signs".
  9. Added a note stating the "working in conjunction with CDOT, the petitioner will explore the installation of traffic calming measures at the intersection of Longwood Drive and Bradbury Drive".
  10. Added a note specifying that the petitioner will instruct contractors to access the site from Park Road for construction traffic.
  11. Added a note specifying that staging for the development will not be allowed on adjoining single family zoning properties.
  12. Removed, through a formatting error, the words "in interest or assigns" from Note 12. a.
  13. The petitioner requested the following note be added: "The petitioner will use good faith efforts to direct the general contractor for the Site to not begin outdoor construction activity on the Site on Saturday mornings before 8:30 AM EST. The Petitioner will also use good faith efforts to direct the general contractor for the Site to avoid late night concrete pours."

**VOTE**

Motion/Second:	Ryan/Sullivan
Yeas:	Ryan, Sullivan, Walker, Nelson, Dodson, Ryan Labovitz
Nays:	None
Absent:	None
Recused:	None

**ZONING COMMITTEE DISCUSSION**

Planning staff reviewed the petition. The petitioner addressed all the issues and requested an additional note be added related to construction activity. There was no further discussion.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
 (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the demolition of the existing 128 apartment units.
- Allows the construction of 265 multi-family residential units in up to four buildings.
- Limits the building height to four stories or 65 feet.

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- Restricts surface parking between buildings and Abbey Place.
  - Improves Abbey Place with sidewalks and on-street parking.
  - Provides sidewalk along one side of Abbey Place from the eastern edge of the property to connect with the sidewalk along Park Road.
  - Provides midblock crosswalks with CDOT approval.
  - Specifies building materials and prohibits the use of vinyl and aluminum except for soffits, windows and handrails.
  - Provides building elevations depicting the architectural style and quality of the proposed buildings.
  - Provides amenity courtyards improved with seating, walkways, lighting and/or landscaping. Additional features may also be provided such as water features, art work and/or a swimming pool.
  - Provides a minimum of 12,000 square feet of open space/stormwater BMP in each development area.
  - Provides buffers with opaque fencing between the site and single family homes.
  - Commits to providing windows and doors for at least 30 percent of the total façade area along Abbey Place with each floor calculated independently. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length.
  - Commits to a combination of fenestration, clear glass, prominent entrances, stoops, porches, changes in materials, building step backs, art work and landscaping on the ground floor along Abbey Place.
  - Commits to facades over 75 feet in length incorporating wall projections or recesses a minimum three feet in depth with a combined length of recesses and projections constituting at least 20 percent of the total façade length.
  - Specifies that all facades shall incorporate windows, arches, balconies or other architectural details.
  - Commits to screening retaining walls with landscaping if walls are required due to topography along Abbey Place.
  - Limits lighting to full cut-off type fixtures, excluding lower, decorative lighting along drives, sidewalks, parking areas and courtyards.
  - Limits detached lighting to 15 feet in height.
  - Commits to the provision of traffic calming measures and stop signs if approved by CDOT and the neighborhood.
  - Specifies that the petitioner will instruct contractors to access the site from Park Road for construction traffic.
  - Specifies that staging for the development will not be allowed on adjoining single family zoning properties.
  - **Public Plans and Policies**
    - The *Park Woodlawn Area Plan* (2013) recommends multi-family residential use up to 17 dwelling units per acre.
    - The petition is consistent with the *Park Woodlawn Area Plan* recommended land use, but inconsistent with the recommended density.
    - The plan recommends any new development be at a scale compatible with the neighboring single family residential.
    - The increase in density is appropriate due to compliance with the residential design principals included in the plan.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **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.
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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 sidewalk connection from the site out to the existing sidewalk along Park Road.
    - Minimizes impacts to the natural environment by redeveloping an infill site.
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**OUTSTANDING ISSUES**

- No issues.
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**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-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

**Planner:** John Kinley (704) 336-8311