

REQUEST	Current Zoning: R-15(PUD) (planned unit development) Proposed Zoning: R-4(CD) (single family residential, conditional) and INST(CD) (institutional, conditional)
LOCATION	Approximately 9.48 acres located on the west side of Providence Road between Cedar Croft Drive and Candlewyck Lane. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes to allow the development of 20 single family detached homes on approximately 5.7 acres with an existing religious institution located on the remaining 3.78 acres.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Candlewyck Baptist Church of Charlotte Meritage Homes of the Carolinas McAdams Company
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 25
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>South District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends institutional land uses for the site. <p>Therefore, 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"> • At a density of 3.52 dwelling units per acre, the proposed residential use is consistent with the surrounding residential land use pattern; and • The petitioner is committing escrow funding for a traffic signal at Candlewyck Road and Providence Road. <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Labovitz).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Revised site plan to note proposed zonings as INST(CD) and R-4(CD). 2. Labeled the width of proposed sidewalks in the residential development as five feet. 3. Specified the width of the sidewalk extension that will connect to the sidewalk along Lawton Bluff Road on the site plan as five feet. 4. Identified the proposed parking spaces (10 new spaces) for the existing religious institution on the site plan. 5. Placed Note 2a. previously located under heading Permitted Uses under heading General Provisions. 6. Modified Signage note to read "Signage will be provided per ordinance." 7. Indicated that pedestrian scale, freestanding lighting fixtures will be installed throughout the site along all internal roads at approximately 225-foot intervals. 8. Addressed Transportation comments as follows: <ol style="list-style-type: none"> a. Added a private driveway access from the proposed residential subdivision to the church parking lot. b. Extended the minimum five-foot sidewalk from the end of the proposed public street through the religious institution parking lot to the existing sidewalk along Lawton Bluff Road.
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9. Added a note pertaining to installation of a traffic signal at the intersection of Candlewyck Lane and Providence Road to the site plan. The note reads as follows:
 "Petitioner, if Petitioner purchases the property, agrees to deposit Eighty-Five Thousand Dollars (\$85,000) (the "Traffic Signal Deposit") into an escrow account held by an escrow agent of Petitioner's choosing when the site plan/construction plans are approved. If CDOT/NCDOT determines (by written notification delivered to Petitioner) within two (2) years after approval of the Subdivision Plans that a traffic signal is justified at the intersection of Candlewyck Lane and Providence Road (the "Intersection") based on a traffic impact analysis with standards consistent with those used by CDOT/NCDOT for road intersections within the same classification as the Intersection, then the escrow agent shall deliver the Traffic Signal Deposit to CDOT/NCDOT, which shall be used by CDOT/NCDOT to install a traffic signal at the Intersection pursuant to a signal installation agreement between Petitioner and CDOT/NCDOT. If CDOT/NCDOT fails to make such determination within such 2-year period, then CDOT/NCDOT shall return the Traffic Signal Deposit to Petitioner."
10. Added a note indicating a ten-foot landscape easement where existing vegetation will remain where feasible, and if cleared additional landscaping will be installed to provide a buffer. Proposed landscape easement is shown along the rear property lines of proposed Lots 7-13.
11. Added a proposed speed hump in the existing church parking lot.
12. Shifted the proposed east/west road directly accessing Providence Road slightly to the north.
13. Reduced the proposed number of additional spaces in the church parking lot from 12 to 10.

VOTE

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

ZONING COMMITTEE DISCUSSION

Staff presented this item to the Committee, along with the changes and modifications made to the site plan. Staff presented a new note on the revised site plan regarding a commitment provide funds for a new traffic signal at Providence and Candlewyck Roads subject to certain conditions being met. There was no discussion of this request.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
 (Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - The subject site was previously rezoned as part of an approximately 185-acre planned unit development project (rezoning petition 1975-006C) consisting of single family residential dwellings, multi-family residential units, a 10-acre religious institution site, a village center, a swim and tennis club, and other amenities including parks, a tot lot, a lake and open space. The rezoning currently under review consists of the acreage associated with the religious institution aforementioned.
- **Proposed Request Details**
 The site plan accompanying this petition contains the following provisions:
 - Approximately 3.78 acres to accommodate an existing religious institution and associated parking in

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- INST(CD) (institutional, conditional) zoning.
 - Addition of 10 parking spaces for the religious institution, increasing the number of parking spaces from 75 to 85, along with the installation of a speed hump in the parking lot
 - Internal sidewalk extension/system connecting the proposed residential subdivision and religious institution to the existing sidewalk along Lawton Bluff Road.
 - Approximately 5.7 acres with up to 20 single family detached residential lots at a density of 3.52 units per acre, in R-4(CD) (single family residential, conditional) zoning.
 - Utilization of the cluster provision in the zoning ordinance.
 - Minimum lot area for residential lots of 6,000 square feet.
 - Maximum residential building height of 40 feet.
 - New 50-foot wide internal street to accommodate proposed residential development.
 - Dedication of 50 feet of right-of-way to the City of Charlotte for new streets.
 - Proposed five-foot wide sidewalks and eight-foot planting strips along new internal streets.
 - Proposed access point to residential project from Providence Road.
 - Private driveway access (with speed hump) from proposed residential development to church parking lot.
 - Tree save areas and common open space.
 - Possible storm water management facility location.
 - Proposed 24-foot wide Class "C" buffer between existing religious institution and proposed residential development, with the right to reduce the buffer by 25% with a wall, berm, or combination.
 - Proposed ten-foot landscape easement along new Lots 7-13, with existing vegetation to remain where feasible. If cleared, additional landscaping will be installed to provide a buffer.
 - Commitment to escrow funding (\$85,000) for a traffic signal at Candlewyck Road and Providence Road.
 - **Public Plans and Policies**
 - The *South District Plan* (1993) recommends institutional uses on the subject site, as approved via rezoning petition 1975-006C.
 - The existing religious institution is consistent with the *South District Plan*, which recommends institutional on the entire 9.48 acres. The residential portion of the proposal is inconsistent with 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.
 - **Vehicle Trip Generation:**
Current Zoning: 640 trips per day.
Proposed Zoning: 420 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** 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*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- 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 Water 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: Claire Lyte-Graham (704) 336-3782