

REQUEST	Current Zoning: NS (neighborhood services) and I-2 (general industrial) Proposed Zoning: NS (SPA) (neighborhood services, site plan amendment) and NS (neighborhood services)
LOCATION	Approximately 2.51 acres located on the northeast corner at the intersection of Statesville Avenue and Woodward Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the development of a Mecklenburg County Parks and Recreation pool facility, with pools up to 9,000 square feet in size and up to 3,000 square feet for administration, service, and reception building(s) with community meeting room(s).
PROPERTY OWNER	Partnership INC Charlotte-Mecklenburg Housing + Double Oaks Development LLC
PETITIONER	Jim Donaldson
AGENT/REPRESENTATIVE	Chris Muryn
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3
STATEMENT OF CONSISTENCY	<p>This petition is found to be inconsistent with the <i>Statesville Avenue Corridor Area 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 residential up to 22 units per acre for the majority of the site; and • The plan recommends a mix of single family/multi-family/office/retail and residential up to 12 units per acre for the remainder of the site not included in the 2008 rezoning. <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because this rezoning will allow:</p> <ul style="list-style-type: none"> • A proposed swimming pool facility which will complement the surrounding residential community; and • The proposed use which will provide a recreational facility for nearby residents; <p>By a 5-1 vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Nelson).</p> <p>One commissioner opposed the consistency statement because the site was part of the Brightwalk community and the commissioner believed that, as proposed, the plan did not complement or reinforce the community.</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications and subject to the petitioner's commitment to address three additional outstanding issues:</p> <ol style="list-style-type: none"> 1. Added a note stating that the 60-foot of right-of-way will be dedicated along Statesville Avenue per previously approved rezoning 2008-073. 2. Added a note providing a 35-foot by 35-foot easement for future traffic signal poles, cabinets and other associated appurtenances at the corner of Statesville Avenue and Woodward Avenue. 3. Added a note that the 30-foot right-of-way will be dedicated along the property's frontage on Woodward Avenue, measured from the centerline of the existing right-of-way. 4. Added a note that the petitioner will work with the owner of Parcel 07904301 in a good faith effort to eliminate the short section of
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- substandard sidewalk along Statesville Avenue, and will replace with an eight-foot wide planting strip and eight-foot wide sidewalk and any associated easements for construction and maintenance activities.
5. Revised the site plan to include a receiving curb ramp on the southeast quadrant of the intersection of Statesville Avenue and Woodward Avenue using a blended transition style curb ramp due to site constraints.
 6. Staff rescinded the request to provide a pedestrian, sidewalk connection to the multi-family developments to the north of the site.
 7. Provided "build to" lines along Statesville Avenue and Woodward Avenue.
 8. Provided a note stating that "buildings located on Statesville and Woodward Avenues will be oriented to the street" and "street-facing walls are to be varied with a frequency of vertical landscape elements, community art, changes in material, and other architectural treatments, and expanses of blank walls over 20 feet are not to be allowed. All buildings are to have four sided architecture" to address the request to carry over architectural standards from the previously approved rezoning 2008-073.
 9. Provided conceptual scale building elevations for all sides and identified proposed building materials and features to clearly convey the appearance of the buildings and to indicate how the architectural standards will be addressed.
 10. Amended the building facade and elevations along Statesville Avenue and Woodward Avenue by providing varying building elements, materials, and landscaping to animate the public realm and to avoid the appearance of expansive blank walls.
 11. Reduced the maximum building height to 30 feet.
 12. Amended the proposed use to allow a Mecklenburg County Parks and Recreation pool facility, with pools up to 9,000 square feet in size and up to 3,000 square feet for administration, service, and reception building(s) with community meeting room(s).
 13. Committed to provide additional trees/landscaping between the building and the sidewalk to soften the stark appearance of the street-facing facades.
 14. Committed to indicate the functionality of the louvers, if any, along Statesville Avenue.
 15. Committed to incorporate additional vertical architectural elements along the Woodward elevation to mitigate the expanse of blank wall and horizontal orientation of the building face.

VOTE

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

ZONING COMMITTEE DISCUSSION

The staff presented the petition, changes and remaining outstanding issues to the committee. The Zoning Committee suspended the rules to ask the petitioner's agent to confirm that the remaining issues would be addressed. Frank Quattrocchi, representing the petitioner agreed that the issues would be addressed. (Note: These issues have been addressed and a revised site plan submitted.)

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

PLANNING STAFF REVIEW

• **Background**

- Petition 2008-073 rezoned approximately 64.11 acres to allow the development of a mixed use community known as Double Oaks Phase II. A 1.54-acre portion of the subject rezoning site was included and identified as Development Area 6.
- The approved site plan contains the following conditions for Development Area 6, which is a portion of the subject rezoning site:
 1. Allows up to 72 single family attached and/or multi-family dwelling units.
 2. Prohibits certain uses, parking between buildings and public streets and limited the size and height signage.
 3. Provides new sidewalks and planting strips along the public streets.
 4. Specifies that buildings with frontage on Statesville Avenue and Woodward Avenue shall have clear glass windows and doors that face the streets. Walls shall be varied with a frequency of windows and doors and other architectural treatments. Expanses of blank walls over 20 feet in length are not permitted.
 5. Specifies that all buildings will be built using four-sided architecture

• **Proposed Request Details**

The site plan amendment contains the following changes:

- Converts the allowed use from residential to a Mecklenburg County Parks and Recreation pool facility with associated accessory uses and structures.
- Allows swimming pools up to 9,000 square feet in size and up to 3,000 square feet for administration, service, and reception building(s) with community meeting room(s).
- Limits the number of buildings to three.
- Dedicates 60-foot of right-of-way along Statesville Avenue and 30-feet of right-of-way along Woodward Avenue.
- Provides an easement for future traffic signal and construction of a receiving curb ramp on the southern side of Woodward Avenue at Statesville Avenue.
- Specifies a maximum building height up to 30 feet.
- Amends signage regulations to meet the standards of the Zoning Ordinance.
- Specifies building materials including masonry, cementitious products, architectural metals and shingles.
- Specifies that buildings located on Statesville Avenue and Woodward Avenue will be oriented to the street with pedestrian-friendly street walls, building entrances, porches, and canopies with translucent glazed openings.
- Amends the standard for blank walls to read "buildings located on Statesville and Woodward Avenues will be oriented to the street" and "street-facing walls are to be varied with a frequency of vertical landscape elements, community art, changes in material, and other architectural treatments, and expanses of blank walls over 20 feet are not to be allowed. All buildings are to have four sided architecture."
- Adds specification that pedestrian-friendly, decorative, urban-style fence/walls will be used to screen and secure the pool and activity areas. Prohibits the use of chain link fencing.

The site plan accompanying this petition contains the following provisions in addition to the items listed above:

- Provides building, pool, and parking envelopes with build-to lines along Statesville Avenue and Woodward Avenue.
- Specifies that the petitioner will work with the owner of Parcel 07904301 in a good faith effort to eliminate the short section of substandard sidewalk along Statesville Avenue, and replace with an eight-foot wide planting strip and eight-foot wide sidewalk and any associate easements for construction and maintenance activities.
- Specifies that trash and recycling will be located at the rear of the site.
- Provides conceptual building renderings.
- Limits free standing lighting to a height of 20 feet.

• **Public Plans and Policies**

- The *Statesville Avenue Corridor Area Plan* (2001), as amended by Petition 2008-073, recommends residential up to 22 units per acre for the majority of the site. The plan recommends a mix of single family/multi-family/office/retail and residential up to 12 units per acre for the remainder of the site not included in the 2008 rezoning.
- The petition is inconsistent with the *Statesville Avenue Corridor Area Plan*; however, the proposed use is compatible with the surrounding neighborhood and development patterns of the area and will serve the surrounding community.

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 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*.
 - Minimizes impacts to the natural environment by developing on an infill lot.
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OUTSTANDING ISSUES

- No issues.
 - 1.
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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 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: John Kinley (704) 336-8311