
REQUEST	Current Zoning: R-3 (single family residential), R-8MF(CD) (multi-family residential, conditional), and INST(CD) (institutional, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 16.98 acres located on the southwest corner at the intersection of Brown-Grier Road, West Arrowood Road, and Sandy Porter Road. (Council District 3 - Mayfield)
SUMMARY OF PETITION	The petition proposes to allow up to 291 multi-family dwelling units for a density of 17.1 units per acre.
STAFF RECOMMENDATION	Staff recommends denial of this petition. The proposed residential use is consistent with the <i>Steele Creek Area Plan</i> , but the density is inconsistent. The <i>Steele Creek Area Plan</i> recommends preserving the character and integrity of neighborhood areas, which are identified as being located within a Wedge in the <i>Centers, Corridors and Wedges Growth Framework</i> . Staff is also concerned about the precedent that may be set for similarly situated, adjacent tracts.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Numerous. See application on website. TWO Capital Partners, LLC Jeff Brown and Keith MacVean, Moore & Van Allen
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 13.

PLANNING STAFF REVIEW

- **Background**

- Petition 2008-111 rezoned approximately a 7.8-acre portion of the subject site at the intersection of Brown-Grier and Sandy Porter Roads and along Sandy Porter Road from R-3 (single family) to INST (institutional, conditional) and R-8MF (CD) (multi-family residential, conditional) to allow for a 19,500 square-foot child care center, and up to 31 single family attached dwellings at a density of 6.08 units per acre.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 291 multi-family dwelling units, in up to 20 buildings.
- Limits building height to three stories or 50 feet. Due to topography some buildings may be a three/four-story split and the fourth level will not be considered a story for the purpose of the height limit.
- Specifies that surface parking will not be allowed between Sandy Porter and Brown-Grier Roads and the proposed buildings, except parking areas may be located alongside the proposed buildings adjacent to Sandy Porter and Brown-Grier Roads.
- Provides access from Sandy Porter and Brown-Grier Roads via two new public streets with stubs provided to abutting properties to the south and west.
- Indicates angled parking along portions of the proposed public streets.
- Provides an eight-foot sidewalk along Sandy Porter Road and a ten-foot sidewalk along Brown-Grier Road and extends the sidewalk to the west provided the City obtains the necessary easements in order to connect with the City's sidewalk project at Griers Fork neighborhood and Gallant Lane.
- Provides a pedestrian refuge island on Sandy Porter Road and contributes up to \$50,000 dollars for the installation of a pedestrian hawk signal to be installed by the City at the location of the refuge.
- Provides a westbound left-turn lane on Brown-Grier Road to serve the site's access from Brown-Grier Road.
- Dedicates 50 feet of right-of-way along Brown-Grier Road and 43 feet along Sandy Porter Road with a 30-foot setback measured from the future right-of-way along both roads.

- Commits to building materials including brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Prohibits vinyl or aluminum except for windows, soffits and railings.
 - Specifies that accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal buildings.
 - Provides a multi-family building rendering.
 - Specifies that the percentage of brick, stone, precast stone, precast concrete and synthetic stone per building façade may vary but in no case be less than 30% as long as the average percentage on all principal buildings constructed on the site is no less than 35%.
 - Commits to the provision of at least one open space/amenity area on the site to be improved with landscaping, seating areas, pavers and pedestrian scale lighting. Also commits to utilizing specialty pavers, stained and patterned concrete/paving or similar means in amenity areas, gathering spaces, plazas and as a method of way finding.
 - Provides disturbed and undisturbed buffers ranging from 37.5 to 50 feet in width along the western and southern property lines with the installation of a five-foot black vinyl chain link fence on the interior edge of the buffers adjacent to the Griers Fork neighborhood. Provides a minimum five-foot wide internal sidewalk network linking parking and buildings to sidewalks along Sandy Porter and Brown-Grier Roads.
 - Specifies that windows and doors shall be provided for at least 20% of the total façade area along Brown-Grier, Sandy Porter and internal public roads with each floor counted separately. Limits maximum contiguous area without windows or doors on any floor to 20 feet in length.
 - Incorporates windows, arches balconies or other architectural details along with varying building materials or roof lines or building offsets on all facades.
 - Specifies that ground floor elevations along the existing and proposed public roads shall be treated with a combination of fenestration, clear glass, prominent entrances, porches, stoops, changes in materials, building step backs, art work and landscaping. Blank walls cannot be addressed with landscape only.
 - Specifies that facades, along the existing and proposed public streets, over 75 feet in length will incorporate wall projections or recesses a minimum of three feet in depth, including patio and balconies, with a combined length of at least 20% of the total façade length.
 - Limits detached lighting to a maximum of 15 feet in height.
 - **Existing Zoning and Land Use**
 - The site is currently developed with six single family homes.
 - The properties to the north, west, and south are zoned R-3, R-4 and R-4(CD) (single family residential and single family residential, conditional) with a mixture of undeveloped tracts and developed tracts with single family homes and schools. The properties to the east are zoned B-1(CD) (neighborhood business, conditional), B-2(CD) (general business, conditional) and O-2(CD) (office conditional) and are undeveloped.
 - **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
 - **Public Plans and Policies**
 - The *Steele Creek Area Plan* (2012) recommends a portion of the site for single family residential up to four units per acre, a portion for multi-family residential up to eight units per acre and a portion for institutional land uses.
 - *Centers, Corridors and Wedges Growth Framework* identifies the north and southwest corners of Sandy Porter and Brown-Grier Roads as a Wedge Area and appropriate for low to moderate density residential uses.
 - The plan also recommends preserving the character and integrity of the neighborhoods within the Wedge, while improving connectivity and access to green spaces and neighborhood serving land uses. The form and design of future development should follow the Community Design policies to ensure long-term sustainability of the Wedge area.
 - The residential use is consistent with the *Steele Creek Area Plan*; however, the proposed density is inconsistent with the density by the *Steele Creek Area 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:**
 1. Convert angled parking to parallel parking along the proposed public streets according to the

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- standards of the Local Residential Wide street type.
 - **Vehicle Trip Generation:**
Current Zoning: 2,100 trips per day.
Proposed Zoning: 1,900 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 25 students, while the development allowed under the proposed zoning will produce 20 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 0 students.
 - **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:** Add the following condition to the site plan: "The properties shall be inspected for septic systems prior to any site development. Any septic tanks identified shall be pumped by a licensed waste hauler to removal residual contents, crushed and backfilled with suitable materials before site development begins."
 - **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.

OUTSTANDING ISSUES

- The petitioner should:
 - Land Use Issues:
 1. Convert the land use to single family residential and reduce the density to four dwelling units per acre for the portions zoned R-3 (single family residential).
 2. Reduce the density to eight units per acre for the portions of the property zoned R-8MF (CD) (multi-family residential, conditional) and INST (CD) (institutional conditional).
 3. Provide a greater mixture of building types adjacent to the single family neighborhood and zoning with building heights limited to 40 feet within 100 feet of the western and southern property lines.
 - Other Issues:
 4. Address CDOT issue.
 5. Address Mecklenburg County Land Use and Environmental Services Agency issue.
 6. Amend Note 1. d. to change "principal building" at the end of the note to "principal buildings."
 7. Remove "private streets" when referencing network required streets. The network required streets need to be public.
 8. Amend the proposed use to commit to a minimum number of carriage units to be provided. Specify if carriage units will be above garages.
 9. Specify that the 291 multi-family units allowed include all unit types and 20 buildings is the total number of residential structures allowed.
 10. Delete the last sentence of Note 3. b. and amend the site plan to reflect that proposed streets, sidewalks and planting strips will be constructed according to Subdivision Ordinance standards.
 11. Provide a note stating that if the easements necessary for the sidewalk extension as specified in Note 3. e. are not obtained prior to the issuance of the final Certificate of Occupancy then the petitioner will contribute up to \$10,000 towards the construction of the sidewalk extension.
 12. Amend Note 3.g. to refer to Sandy Porter Road rather than Brown-Grier Road.
 13. Connect internal sidewalks at the parking lots to the sidewalk along Brown-Grier and Sandy Porter Road.

14. Provide typical dimensions for the sidewalk and planting strips on the proposed public streets.
15. Provide a note stating that the purpose of the 30-foot minimum setback is to preserve existing large maturing trees. The sidewalk may meander in the 30-foot setback to meet this intent.
16. Provide a note stating that no parking is permitted between the buildings and the public and private streets except as generally depicted on the schematic site plan.
17. Provide a note committing to building orientation towards internal public and network required streets.
18. Remove the second part of Note 4. c. that states "as long as the average of the percentage of brick, stone, precast stone, precast concrete, synthetic stone on all the principal buildings constructed on the site is not less than 35%."
19. Specify that Note 5. h. does not apply to sidewalks along the proposed public streets. These sidewalks shall be eight feet in width, with an eight-foot planting strip.
20. Amend Note 6. b. to read "Windows and doors shall be provided along the ground floor, along Brown Grier and Sandy Porter Roads and the internal public streets with a maximum contiguous area without windows or doors not to exceed 15 feet in length."
21. Amend Note 6. e. to change the word "build" to "building."
22. Amend Site Development Data for Maximum Building Height to clarify the maximum building heights. Buildings 1, 2,3,4,6 and 7 limited to three stories, 50 feet and Building 5 is three stories on the street front side, four stories on the rear side.
23. Provide typical building elevations for facades facing public streets (front and side). Include elevations for carriage unit facades that face the public streets.
24. Amend the rendering to illustrate the maximum building height of three stories.
25. Specify a minimum percentage or acreage of open space to be provided.
26. Extend the 50-foot undisturbed buffer along the southern property line as close as possible to Carriage Unit # 5.

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-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: John Kinley (704) 336-8311