

REQUEST	Current Zoning: INST(CD) (institutional, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 4.53 acres located on the north side of Pineville-Matthews Road between Rea Road and Windswept Drive. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of the site of an institutional use with up to 25 single family attached dwelling units at 5.51 dwelling units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	TPM Properties Limited Partnership Copper Builders, Inc. John Carmichael, Robinson Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 17
STATEMENT OF CONSISTENCY	<p>The Zoning Committee found this petition to be inconsistent with the <i>South District Plan</i>; however, they found the petition to be consistent with the <i>General Development Policies-Residential</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 uses for this site as amended by a previous rezoning; and • The proposed residential density of 5.51 units per acre is supported by the <i>General Development Policies-Residential</i>. <p>Therefore, this petition was 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"> • The requested residential density of 5.51 units per acre is supported by the <i>General Development Policies</i>; and • The residential density in the area surrounding the subject property ranges from three dwelling units per acres to eight units per acre; and • There is a concentration of six to eight units per acre adjoining the subject property at the intersection of Rea Road and Pineville-Matthews Road; and • The proposal is also compatible with the low scale residential character of the surrounding area; <p>By a 6-1 vote of the Zoning Committee (motion by Commissioner Labovitz seconded by Commissioner Dodson).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-1 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Reduced the number of dwelling units from 29 to 25 for a density of 5.51 units per acre. 2. Shifted the driveway approximately 50 feet to accommodate sight lines.
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VOTE	<p>Motion/Second: Eschert/Sullivan Yeas: Dodson, Eschert, Labovitz, Lathrop, Majeed, and Sullivan Nays: Wiggins Absent: None Recused: None</p>
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ZONING COMMITTEE DISCUSSION	Staff presented a summary of the petition and the changes since the public hearing. There was no additional discussion.
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MINORITY OPINION

The site should remain sacred ground.

STAFF OPINION

Staff agrees with the recommendation of the majority of the Zoning Committee.

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

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 25 single family attached dwelling units at a maximum density of 5.51 dwelling units per acre.
- Provides architectural renderings of the front, rear and side elevations indicating proposed building materials, and prohibits vinyl as an exterior building material except for windows, soffits and trim.
- Limits maximum building height to 45 feet and two stories with a pitched roof.
- Commits to a 30-foot undisturbed "Class C" buffer along the site's northern and eastern property lines.
- Provides access to the site from Pineville-Matthews Road via a private drive that may be gated at the option of the petitioner.
- Provides a network of internal sidewalks connecting units to one another and to the ten-foot public sidewalk along Pineville-Matthews Road. Sidewalks may meander to preserve existing trees.
- Provides an eight-foot planting strip along Pineville-Matthews Road and commits to planting trees behind the sidewalk if NCDOT does not permit trees within the planting strip.
- Dedicates 50 feet of right-of-way as measured from the Pineville-Matthews Road centerline.
- Commits to an 80-foot setback from the 50-foot dedicated right-of-way along Pineville-Matthews Road to be consistent with nearby properties and to preserve the parkway concept along this road.

• **Public Plans and Policies**

- The *South District Plan* (1993), as amended by rezoning petition 2003-118, recommends institutional use.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The site meets minimum *General Development Policies* (GDP) criteria for consideration of up to eight dwelling units per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 12

- The petition supports the *General Development Policies-Environment* by redeveloping an infill site, thereby minimizing further environmental impacts while accommodating growth.

• **TRANSPORTATION CONSIDERATIONS**

- No issues.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Solid Waste Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No issues.

- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Engineering and Property Management:** No issues.
- **Charlotte Water:** No comments received.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Department of Solid Waste Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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