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| <b>REQUEST</b>  | Current Zoning: R-3 (single family residential)<br>Proposed Zoning: MX-2 (mixed use) with 5-year vested rights   |
| <b>LOCATION</b>   | Approximately 15.2 acres located on the southwest corner at the intersection of North Community House Road and Paulston Road. (Council District 7 - Driggs)  |
| <b>SUMMARY OF PETITION</b>                                    | The petition proposes to allow the redevelopment of four single family homes near the Ballantyne Country Club between Ballantyne Commons Parkway and Bryant Farms Road into a residential community with up to 87 dwelling units in a mixture of townhomes and single family detached homes with a total average density of 5.72 units per acre. |
| <b>PROPERTY OWNER<br/>PETITIONER<br/>AGENT/REPRESENTATIVE</b> | The Giblin Paulston Road F/L/P, et al<br>David Weekley Homes<br>Walter Fields  |
| <b>COMMUNITY MEETING</b>                                      | Meeting is required and has been held. Report available online.<br>Number of people attending the Community Meeting: 55.   |

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| <b>STAFF<br/>RECOMMENDATION</b> | <p>Staff does not recommend approval of this petition in its current form because the proposed site plan does not comply with the <i>Subdivision Ordinance</i> provision requiring more than one point of access.</p> <p><u>Plan Consistency</u><br/>The land use proposed is consistent with the <i>South District Plan</i>, and the density is supported by the <i>General Development Policies</i>.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• Staff does not recommend approval of this petition because the proposed site plan is not compliant with the <i>Subdivision Ordinance</i>, and compliance would require changes to the proposed site plan.</li> <li>• Staff would consider recommending approval of this petition if the proposal is brought into compliance with the <i>Subdivision Ordinance</i> and if the additional outstanding issues and technical revisions are addressed, for the following reasons:             <ul style="list-style-type: none"> <li>• The petition is consistent with the recommended density for the area.</li> <li>• The petition provides a mixture of single family residential housing options by including single family homes and attached townhomes in a single unified development.</li> <li>• The proposal includes buffers where adjacent to single family development and places the lowest density housing closest to existing single family homes.</li> </ul> </li> </ul> |
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Allows 87 dwelling units (60 townhomes and 27 single family detached homes for a density of 5.72 units per acre).
  - Specifies that waste management will be provided through rollout containers by a private contractor.
  - Provides a gated network of internal private streets and alleys with a single point of access to the site from North Community House Road.
  - Commits to the installation of a left-turn lane into the site from North Community House Road.
  - Provides a number of architectural standards including allowed building materials, rear orientation of homes along Paradise Ridge Road, and roof pitch.
  - Specifies that homes along Paradise Ridge Road may be attached but limited to duplexes.

- Provides landscaped buffers abutting Paradise Ridge Road and the adjacent single family homes to the rear of the site and specifies that they will be maintained in perpetuity by a home owners association created by the developer.
- Commits to increasing the normal number of shrubs and trees within the buffer along adjoining single family lots by 100%.
- Request for 5-year vested rights.
- **Existing Zoning and Land Use**
  - The site is zoned R-3 (single family residential) and is undeveloped. Properties along this section of Community House Road are primarily undeveloped, and single family detached homes zoned MX-1 (mixed use) and R-12(PUD) (residential, planned unit development).
  - An undeveloped parcel at the corner of Bryant Farms Road and Community House Road was recently rezoned to NS (neighborhood services).
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Petition 2014-074 rezoned approximately 10 acres located on the northeast corner at the intersection of North Community House Road and Bryant Farms Road from B-1(CD) (neighborhood business, conditional) to NS (neighborhood services) to allow up to 15,000 square feet of non-residential uses and up to 194 residential dwelling units.
  - Petition 2013-069 rezoned approximately 5.0 acres located on the north side of Providence Road West near its intersection with Tolliver Drive from R-3 (single family residential) to UR-1(CD) (urban residential, conditional) to allow up to 19 single family detached units for a density of 3.8 units per acre.
  - Petition 2013-013 rezoned approximately 9.50 acres located on the north side of Providence Road West at the intersection of Old Ardrey Kell Road from R-3 (single family residential) to R-4 (single family residential) to allow all uses permitted in the R-4 (single family residential) district.
- **Public Plans and Policies**
  - The *South District Plan* (1993) recommends single family residential at three dwelling units per acre and references the residential location criteria of the *General Development Policies (GDP)* for areas of higher density development.
  - The *General Development Policies (GDP)* provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to six dwellings per acre as illustrated in the table below.

| Assessment Criteria                | Density Category - up to 6 dua |
|------------------------------------|--------------------------------|
| Meeting with Staff                 | 1 (Yes)                        |
| Sewer and Water Availability       | 2 (CMUD)                       |
| Land Use Accessibility             | 2 (Medium)                     |
| Connectivity Analysis              | 1 (Low)                        |
| Road Network Evaluation            | 0 (No)                         |
| Design Guidelines                  | 4 (Yes)                        |
| Other Opportunities or Constraints | NA                             |
| <b>Minimum Points Needed: 10</b>   | <b>Total Points: 10</b>        |

- **TRANSPORTATION CONSIDERATIONS**
  - This site is required according to the Subdivision Ordinance to have a second access. This could be achieved by connecting to Paradise Ridge Road or Community House Road. If a connection were made to Paradise Ridge, CDOT would recommend the streets be made public and not use gates. To minimize congestion along Community House Road, the site will be served by a left-turn lane on Community House with a corresponding left-turn into existing Briarwick Lane. This site is served by existing sidewalks and planting strips along Community House Road.
  - See Outstanding Issues, Notes 2 and 3.
  - **Vehicle Trip Generation:**  
 Current Zoning: 450 trips per day (based on 45 single family detached homes).  
 Proposed Zoning: 800 trips per day (based on 27 single family homes and 68 townhomes).

**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-Mecklenburg Schools:** The development allowed under the existing zoning would generate 36 students, while the development allowed under the proposed zoning will produce 41 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 5 students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
  - Ballantyne Elementary from 105% to 107%
  - Hawk Ridge Elementary from 118% to 119%
  - Community House Middle from 141% to 143%
  - Ardrey Kell High from 140% to 141%.
- **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.

### OUTSTANDING ISSUES

#### Land Use

1. Amend Permitted Uses note to say "will be residential single family attached and detached dwelling units..."

#### Transportation

2. Amend the site plan so that it is in compliance with the Subdivision Ordinance Section 20-14 b. which requires new development to provide more than one point of access where feasible, dead ends and cul-de-sacs should be avoided.
3. Modify Transportation Note 'c' and on sheet RZ-2 to remove the language referencing working within the existing curbline (this requires confirmation of available pavement width during permitting).

#### Site and Building Design

4. Provide a note stating that open space, tree save, and common open space will be provided in locations as generally located on the site plan.

#### Other Minor Issues

5. Limit the height of freestanding lighting to 20 feet, except street lights along North Community House Road and Paradise Ridge Road.
6. Provide a note that water quality and detention BMPs will be aesthetically appealing through the use of grass, landscaping, water features, rain gardens, or other similar features.

### REQUESTED TECHNICAL REVISIONS

1. Label the width of the existing planting strip and sidewalk along North Community House Road and Paradise Ridge Road.
2. Add 5-year vested rights to the requested zoning in the "Development Data."

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### Attachments Online at [www.rezoning.org](http://www.rezoning.org)

- Application
- Site Plan
- Locator Map
- 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-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
  - Transportation Review