

<b>REQUEST</b>	Current Zoning: R-3 (single family residential) and R-22MF(CD) (multi-family residential, conditional) Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)
<b>LOCATION</b>	Approximately 20.6 acres near the intersection of I-485 and North Tryon Street along Salome Church Road. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow development of a vacant parcel with up to 228 residential dwelling units, at a density of 11 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Various BRC Salome Church LLC Jeff Brown and Keith MacVean, Moore & Van Allen
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.
<b>STATEMENT OF CONSISTENCY</b>	<p>The Zoning Committee found this petition to be consistent with the <i>Northeast Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends residential development at up to 12 dwelling units per acre for this site.</li> </ul> <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"> <li>• The proposed development is consistent with the adopted plan recommendation, which calls for residential development up to 12 units per acre; and</li> <li>• The site is located at a confluence of major streets, on or near I-485, North Tryon Street and Salome Church Road, and is located in an area planned and zoned for primarily residential development; and</li> <li>• The site design meets the plan’s recommendation for higher density residential, by providing an internal network of streets that connects to abutting properties and to Salome Church Road and by fronting buildings along these streets; and</li> <li>• Architecture features such as building materials, minimization of long and blank walls, and roof pitches have been included to support the goal of designing buildings to fit into a larger neighborhood context;</li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Commissioner Labovitz).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The proposed southernmost private driveway has been labeled for Emergency Access Only.</li> <li>2. The petitioner committed to one-half of the widening of the future Salome Church Road cross-section along the site frontage, including a shared use path for pedestrians and cyclists.</li> <li>3. A pedestrian/bicycle connection to the adjacent multi-family site has been provided.</li> <li>4. The petitioner added vertical architectural elements to the short side of Building 1.</li> <li>5. Note 5f was amended as follows: “Parking lots will be screened from internal private streets if applicable.”</li> <li>6. The word “wainscot” referenced in the General Design Guidelines Note D was removed.</li> <li>7. The “Preferred Exterior Building Materials” referenced in the</li> </ol>
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	<p>General Design Guidelines Note D were defined as brick, stone, precast stone, precast concrete, stucco and decorative block.</p> <p>8. Note 3e has been added as follow: "Petitioner will improve Salome Church Road. The improvements along Salome Church Road will include the required left-turn lanes, an 11-foot southbound through lane, two and a half (2.5) foot curb and gutter, an eight-foot planting strip and an 11-foot asphalt multi-use trail."</p> <p>9. Note 3f has been added as follows: "Petitioner will work with CDOT to set the proposed curb and gutter to include the improvements described above plus the additional pavement needed to create a future second southbound through lane on Salome Church Road, as generally depicted on the Rezoning Plan. The petitioner will provide the necessary improvement to construct a future second southbound through lane if the petitioner and City enter into Pavement Widening Reimbursement Agreement that will reimburse the petitioner for the cost of the pavement associated with a future second southbound through lane. Due to the nature of the widening by the petitioner, the amount of pavement needed for the future second southbound through lane will be less than a full lane width."</p> <p>10. Note 3g has been added as follows: "The petitioner will provide an 11-foot asphalt multi-use trail and an eight-foot planting strip along the site's frontage on Salome Church Road. The 11-foot multi-use trail will be constructed in lieu of a sidewalk along Salome Church Road. Along the two new public streets eight-foot planting strips and six foot sidewalks will be constructed along both sides."</p> <p>11. Cross-sections have been added for the major thoroughfare ultimate section and interim section for Salome Church Road.</p>
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**VOTE**

Motion/Second: Dodson/Wiggins  
 Yeas: Dodson, Eschert, Labovitz, Majeed, Sullivan, and Wiggins  
 Nays: None  
 Absent: None  
 Recused: Lathrop

**ZONING COMMITTEE DISCUSSION**

Staff provided an overview of the petition and noted that there are no outstanding issues.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
 (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**  
 A 2.0 acre portion of the site was rezoned by petition 1998-43c to R-22MF(CD) (multi-family residential, conditional) to allow a temporary construction access to the adjoining multi-family tract, which could become a permanent access point.
- **Proposed Request Details**  
 The site plan accompanying this petition contains the following provisions:
  - A maximum of 228 residential dwelling units (multi-family, duplex, triplex, and quadraplex) along with permitted accessory uses.
  - Number of principal residential buildings limited to 12.
  - Building height not to exceed three stories or 48 feet.
  - Building Design and Architecture
    - The principal buildings will provide a minimum 30% of brick, stone, precast stone, precast concrete, and/or synthetic stone per building façade.
    - Building materials to include a combination of portions of brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, and handrails/railings.
    - Building elevations are provided and will be designed with vertical bays or articulated

- architectural façade features.
- Vertical elements have been added to the short side of Building 1.
- Accessory buildings will be similar in materials, color, architectural elements and design as the principal buildings.
- Buildings shall front a minimum 50% of the total street frontage on the site.
- Buildings exceeding 120 feet in length shall include modulation (areas that are either recessed or extended from the building massing/façade plane). Modulations shall be a minimum of 10 feet wide and extend or recess a minimum of five feet extending through all floors.
- Building elevations facing streets shall not have expanses of blank walls greater than 20 feet.
- Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure.
- **Streets, streetscape, and parking**
  - Two internal public streets will be constructed as required by the *Subdivision Ordinance*.
  - Surface parking will not be allowed between Salome Church Road, the proposed streets and proposed buildings except for a specified area between the proposed club house and Salome Church Road.
  - The southernmost access to Salome Church Road will be designed for use only by emergency vehicles and will be restricted/controlled to prohibit access by tenants and visitors.
  - A six-foot sidewalk and eight-foot planting strip will be provided along all public streets.
  - Northbound left-turn lanes will be constructed on Salome Church Road.
  - 50 feet of right-of-way on Salome Church Road will be dedicated and conveyed when the right-of-way for the site's internal public streets are dedicated.
  - A pedestrian/bicycle connection to the adjacent multi-family site has been provided.
  - The petitioner committed to one-half of the widening of the future Salome Church Road cross-section along the site frontage, including a shared use path for pedestrians and cyclists.
  - Petitioner will improve Salome Church Road. The improvements along Salome Church Road will include the required left-turn lanes, an 11-foot southbound through lane, two and a half (2.5) foot curb and gutter, an eight-foot planting strip and an 11-foot asphalt multi-use trail.
  - Petitioner will work with CDOT to set the proposed curb and gutter to include the improvements described above plus the additional pavement needed to create a future second southbound through lane on Salome Church Road, as generally depicted on the Rezoning Plan. The petitioner will provide the necessary improvement to construct a future second southbound through lane if the petitioner and City enter into Pavement Widening Reimbursement Agreement that will reimburse the petitioner for the cost of the pavement associated with a future second southbound through lane. Due to the nature of the widening by the petitioner, the amount of pavement needed for the future second southbound through lane will be less than a full lane width.
  - The petitioner will provide an 11-foot asphalt multi-use trail and an eight-foot planting strip along the site's frontage on Salome Church Road. The 11-foot multi-use trail will be constructed in lieu of a sidewalk along Salome Church Road. Along the two new public streets eight-foot planting strips and six foot sidewalks will be constructed along both sides.
  - Cross-sections have been added for the major thoroughfare ultimate section and interim section for Salome Church Road.
  - The proposed southernmost private driveway has been labeled for Emergency Access Only.
- **Other**
  - A 50-foot "Class C" buffer will be provided abutting existing single family zoning, which may be reduced by 25% with a fence or berm.
  - The portion of 100-foot SWIM buffer associated with Stoney Creek located on the site will be conveyed to Mecklenburg County Parks and Recreation for the development of a greenway.
- **Public Plans and Policies**
  - The *Northeast Area Plan* (2000) recommends residential uses up to 12 units per acre for this site. The plan recommends that higher density residential housing be developed as part of the fabric of a larger neighborhood, and that such developments should not be built as large, inward orienting complexes.
- **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-Mecklenburg Schools:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Charlotte Fire Department:** No comments received.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

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

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