

<b>REQUEST</b>	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 4.5 acres located on the east side of Carmel Road between Shadowlake Drive and Carmel Hills Drive. (Council District 6 - Smith)
<b>SUMMARY OF PETITION</b>	The petition proposes the redevelopment of a single family parcel in the Carmel Road area with the construction of 35 townhomes units for a density of 7.77 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Carmel Road Development Partners, LLC & Blanchard Family (NC) LLC Blanchard Family (NC) LLC Jeff Brown & Keith MacVean
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 55
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be consistent with the <i>South District Plan</i>, and the density is supported by the <i>General Development Policies</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends single family residential up to three units per acre and references the <i>General Development Policies</i> location criteria for areas of higher density; and</li> <li>• The <i>General Development Policies</i> supports a density of up to eight units per acre.</li> </ul> </li> <li>• 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: <ul style="list-style-type: none"> <li>• The petition limits the number of townhome units to 35 for a density of 7.77 units per acre, consistent with the <i>General Development Policies</i>; and</li> <li>• The site is located along a segment of Carmel Road that is primarily developed with single family homes. However, the site abuts a convenience store with gas sales and a religious institution; and</li> <li>• The proposed development provides a transition from the institutional and commercial uses southwest of the site to the single family residential north and east of the site; and</li> <li>• The site plan provides setbacks and side and rear yards abutting single family residential that are sensitive to and compatible with the existing residential context; and</li> <li>• The site plan also limits the height of the proposed units to two stories with an additional partial story on the roof (penthouse) not to exceed 40 feet, which is the same height allowed for single family homes;</li> </ul> </li> </ul> <p>By a 5-0 vote of the Zoning Committee (motion by Eschert seconded by Dodson).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-0 to recommend <b>APPROVAL</b> of this petition with the following modifications subject to the commitment to resolve the issues as noted below:</p> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> <li>1. Amended the Parking note under Site Development Data to commit to a minimum of ten visitor parking spaces.</li> <li>2. Removed the second sentence of Note 4o as townhomes do not</li> </ol>
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- qualify for City garbage service.
3. Added the following to Note 4, Architectural Standards.
    - a) "To provide privacy, all residential entrances within 15 feet of the sidewalk shall be raised from the average sidewalk grade a minimum of 24 inches."
    - b) "Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12."
    - c) "Usable porches and stoops shall form an element of the building design and be located on the front and/or side of the building. Stoops and entry-level porches may be covered but not be enclosed."
    - d) Note: Staff rescinded the request that all corner/end units that face a public or private street shall have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to ten feet on all building levels because the petitioner has limited blank wall lengths to a maximum of 20 feet facing Carmel Road.
    - e) Note: Staff rescinded the request that garage doors visible from public or private streets shall minimize the visual impact by providing a setback of a minimum 12 inches from the front wall plane and additional architectural treatments such as transparent windows or projecting elements over the garage door opening because the petitioner has committed to utilizing decorative carriage style doors with a projecting element with a depth of at least 12 inches over the doors.
    - f) "Sidewalks shall be provided to connect all residential entrances to sidewalks along public and private streets."
    - g) "Townhouse buildings shall be limited to five units or less."
  4. Specified roofing material to be architectural asphalt shingles and/or metal.
  5. Specified that end units of each building will have two-car garages and other units may have either one or two-car garages.
  6. Added a notes specifying that a decorative four-foot tall metal fence will be provided as part of the buffers along the southern, eastern and a portion of the northern property boundary and the existing fence along the eastern property boundary will be preserved.
  7. Committed to indicate potential location for dumpster/compactor with appropriate access and turnaround design.
  8. Committed to amend Note 4o. to state "Garbage pickup for the site will be through the HOA and private company, via roll out containers from each unit. Trash pickup through private service will not occur before 7:30am or after 8:00pm. A potential dumpster location has been indicated to meet the requirement of Section 12.403 of Zoning Ordinance."
  9. Committed to remove the "entry monument" from the site plan and elevations.
- Other Technical Issues
10. Specified that garbage pickup will occur before 7:30 am or after 8:00 pm.
  11. Added a detailed landscape plan and specified that landscaping along Carmel Road will be automatically irrigated. Committed to installing landscaping and buffers prior to the issuance of the first certificate of occupancy.
  12. Committed to providing a copy of the CC & R's for the site to the HOA presidents of the adjoining neighborhoods prior to the issuance of the first certificate of occupancy. The HOA documents will indicate that no more than 20% of the proposed units may be rented at any one time and that if a unit becomes distressed the HOA for the site will be offered the first right of refusal to purchase of the property.
  13. Committed to amend Note 8 to state, "Signage as allowed by

Ordinance. Entry signage, if provided, will be composed of individual, opaque letters that will be either back lit or illuminated with up lighting. Letters shall not be internally illuminated.”

Transportation

14. Added a note that the petitioner will modify the southern end of the existing Carmel Road median to provide a pedestrian refuge island.
15. Committed to amend the site plan to depict the future curb line or note that the existing curb line is the future. Committed to label the setback from the future back of curb and label the existing/future right-of-way. Committed to add a note that the petitioner will dedicate any additional right-of-way necessary to include the proposed planting strip and sidewalk. Sidewalks may be located within an easement with approval of Planning and CDOT staff during construction plan review.

Requested Technical Revisions

16. Amended Maximum Building Height under Site Development Data to change “or 40 feet” to “not to exceed 40 feet.”
17. Committed to amend the site data table on sheet RZ-1 to reflect the setbacks and yards depicted.
18. Committed to amend the site data table to remove the following: “total number of units allowed: 8 / ac.”
19. Committed to amend the “Access” depicted on sheet RZ-1 to more closely reflect the proposed drive location.
20. Committed to amend the label for the fence detail on sheet RZ-3 to say “4’ tall buffer fence detail.”

**VOTE**

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

**ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the rezoning petition and noted that the petition is consistent with the adopted land use plan and the density is supported by the *General Development Policies*. Staff stated that the petitioner had committed in writing to address the remaining issues noted in the agenda.

There was no further discussion on the request.

**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**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the construction of a maximum of 35 single family attached dwelling units in a maximum of ten buildings for a density of 7.77 units per acre.
- Limits the maximum number of units per building to five or less.
- Limits the height of the buildings to two stories with a penthouse and not to exceed 40 feet.
- Provides access to the units via a private drive from Carmel Road.
- Specifies the building materials and prohibits the use of vinyl and aluminum except on windows, soffits, and railings.
- Commits to the use of architectural asphalt shingles and/or metal as a roofing material.
- Specifies that end units of each building will have two-car garages and other units may have one or two-car garages.
- Provides building elevations depicting the architectural style of the front and side of the units.
- Specifies that side elevations of the building along Carmel Road will contain windows so that blank walls over 20 feet will not occur.

- Requires the units exclusive of garages be a minimum of 1,800 square feet.
  - Specifies that garage doors utilized throughout the site will be decorative carriage style doors with a projecting element with a depth of at least 12 inches over the doors.
  - Provides five-foot decorative metal ornamental fence and detailed landscaped plan along Carmel Road between the sidewalk and the private drive and the site.
  - Commits to automatic irrigation for landscaping along Carmel Road and stipulates that landscaping and buffers will be installed prior to the issuance of the first certificate of occupancy.
  - Provides an 80-foot building setback along Carmel Road, a 39-foot rear yard along the eastern property line and side yards of 24 feet and 35 feet along the northern and southern property lines abutting single family zoning.
  - Provides a 21-foot "Class C" buffer along the northern, eastern and southern property lines and specifies that a decorative four-foot tall metal fence will be provided as part of the buffers along the southern, eastern and a portion of the northern property boundary and the existing fence along the eastern property boundary will remain.
  - Provides an internal sidewalk network, with a minimum of a six-foot planting strip with street trees and six-foot sidewalk on at least one side of the proposed private drive. Pedestrian scale lighting will also be provided along the portion of the private drive that is parallel to Carmel Road.
  - Provides a pedestrian refuge island in the existing Carmel Road median.
  - Dedicates any additional right-of-way necessary to include the proposed planting strip and sidewalk. Sidewalks may be located within an easement with approval of Planning and CDOT staff during construction plan review.
  - Depicts and commits to a minimum of 10 visitor parking spaces on the proposed site plan.
  - Limits garbage pickup to private service with roll out containers and prohibits pickup before 7:30am and after 8:00pm.
  - Commits to providing a copy of the CC & R's to the HOA presidents of the adjoining neighborhoods and that these documents indicate that no more than 20% of the proposed units may be rented at any one time and that if a unit becomes distressed the HOA for the site will be offered the first right of refusal to the purchase of the property.
- **Public Plans and Policies**
    - The *South District Plan* (1993) shows the subject property as single family residential up to three dwellings per acre. The plan references the residential location criteria of the *General Development Policies* 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 eight dwellings 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	1 (Low)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 11</b>	<b>Total Points: 11</b>

- *General Development Policies-Environment*: The petition supports the *General Development Policies-Environment* by redeveloping an existing site in a developed area, minimizing further environmental impacts while accommodating growth.
- **TRANSPORTATION CONSIDERATIONS**
    - This petition will not significantly increase the amount of traffic that can be generated on the site. The primary transportation goals for this site are to improve walkability by implementing streetscape improvements around the site. The petition provides these improvements, with wide sidewalks and planting strips. CDOT is requesting the petitioner modify the existing median on Carmel Road to provide a pedestrian refuge median to improve transit accessibility.
    - **Vehicle Trip Generation:**  
 Existing Use: 20 trips per day (based on two single family dwellings).  
 Current Zoning: 180 trips per day (based on the entitlement for 15 single family dwellings).  
 Proposed Zoning: 260 trips per day (based on 35 townhome units).

**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:** See Advisory Comments Note 1.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate two students, while the development allowed under the proposed zoning will produce three students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is one student. The proposed development is not projected to increase the school utilization (without mobile classroom units) compared to the existing conditions for Smithfield Elementary (93%), Quail Hollow Middle (83%) or South Mecklenburg High (142%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Note 2.
- **Engineering and Property Management:** See Advisory Comments Note 3.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**ADVISORY COMMENTS**

1. Ensure that the site is compliant with New/Shell Building Requirements sections A and B of the Charlotte Fire Plan Review Guidelines.
2. Charlotte Water has water system availability via the existing 12-inch water main located along Carmel Road and sewer system availability via the existing 8-inch gravity sewer mains located on the northwest corner of parcel 211-411-13 and along Carmel Road.
3. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance. Property is located in the Wedge, therefore trees save shall be provided on site.

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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 Fire Department 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

**Planner:** John Kinley (704) 336-8311