
REQUEST	Current Zoning: R-3 (single family residential) and R-8MF(CD) (multi-family residential, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional), with five-year vested rights
LOCATION	Approximately 6.01 acres located on the west side of Randolph Road between Sloane Square Way and Rutledge Avenue. (Council District 6 - Smith)
SUMMARY OF PETITION	This petition proposes the redevelopment of two parcels, one developed with an existing institutional use and the other a single family home, located in the Cotswold area for 180 age-restricted, multi-family units in three buildings at a density of 26.28 dwelling units per acre.
PROPERTY OWNER	Trustees for the Scottish Rite Bodies of Charlotte and A. Ray Mathis Revocable Living Trust U/W/A dated April 18, 2012
PETITIONER	Greystar GP II, LLC.
AGENT/REPRESENTATIVE	Jeff Brown and Keith MacVean
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 74.
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none">• The Zoning Committee found this petition to be inconsistent with the <i>South District Plan</i> recommendation for institutional use for the R-3 (single family residential) portion of the site. The R-8MF (CD) (multi-family residential, conditional) portion of the site is consistent with the multi-family use recommended by the plan but inconsistent with the density of 7.25 units per acre as amended by a previous rezoning petition. However, the proposed density is aligned with the <i>General Development Policies</i>, which support consideration of a density over 17 dwellings per acre, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The proposal is for multi-family residential use at a density of 26.28 dwelling units per acre.• 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">• The subject site is located on a major thoroughfare on the southern edge of the Cotswold Mixed Use Activity Center, a priority area to accommodate future growth in an urban, pedestrian-oriented development form. The proposal has buildings along the street frontage with parking behind, and provision for good pedestrian connections to the sidewalk/multi-use trail system; and• The <i>Centers, Corridors, Wedges Growth Framework</i> recommends moderate (up to 22 dwelling units per acre) to high (over 22 dwelling units per acre) density residential within Mixed Use Activity Centers. The proposed density is 26.28 units per acre; and• The proposed use is compatible with nearby uses on Randolph Road, both within and outside of the Activity Center; and• The site design provides a transition to the established neighborhood through the use of the following:<ul style="list-style-type: none">• Yards (115-foot rear yard, 50-foot side yard along northern property line, and 26-foot side yard along southern property line); and• Buffers (45-foot buffer with a fence along the majority of the rear property line, a 26-foot buffer with a fence along

- the southern property lines, and 15-foot buffer with a fence along the northern property line); and
- Building heights (limited to three stories and not to exceed 40 feet);

By a 5-0 vote of the Zoning Committee (motion by Wiggins seconded by Majeed).

ZONING COMMITTEE ACTION

The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition with the following modifications:

Site and Building Design

1. Amended the proposed fence location on the site plan to be along the inside edge of the buffers to reduce impacts to existing trees within the buffers.
2. Amended Note 5.d to specify that the fence will be located along the inner edge of the buffer along the western property line and amended the language to specify a 13-foot undisturbed tree save area within the buffer as indicated on the site plan and site cross-sections.
3. Amended note 5.a to specify that the inner 20 feet of the setback is a transition zone and specified elements such as patios, private open space, low walls and above ground backflow preventers, are allowed within that transition zone.
4. Amended Note 5.a to change "sidewalk" to "multi-use trail."
5. Amended Note 5.b to say "may extend up to two feet into the transition zone described in Note 5.a."
6. Amended Note 5.c to specify that the multi-use trail will be paved.
7. Amended Note 5.d related to buffers by removing the following, "the fence will not extend along the portion of the southern property boundary where the building abuts the landscape buffer."
8. Amended Note 5.g to prohibit retaining walls within the undisturbed portion of the buffers.
9. Amended Note 5.p to state "Above ground backflow preventers will be screened from public view and will be located outside of the proposed buffers and outside of required setbacks except that they may be located within the transition zone described in Note 5.a."
10. Revised Note 6.i to include "and provide pedestrian connection to the multi-use trail along Randolph Road."
11. Staff rescinded the request to amend the site plan to remove the southernmost sidewalk connection so that it is located outside of the buffer because the Ordinance allows walkways in buffers and the petitioner will provide a fence on the outer side of the sidewalk.
12. Committed to amending the site plan to clearly depict the fence locations as described in the development notes.
13. Reduced the number of proposed units from 180 (29.95 DUA) to 158 (26.28 DUA).
14. Reduced the maximum building height from three (40 feet) and four (50 feet) story buildings to all three-story buildings not to exceed 40 feet.
15. Amended Note 3.a related to access to specify that the northern driveway will be limited to a right-in/right out restricted with a "pork-chop" type median.
16. Split note 5.d in two creating note 5.d related to the western buffer and 5.e related to the southern buffer.
17. Increased the width of the western buffer from 26 feet to 45 feet along the majority of the boundary with a portion that may be reduced to 26 feet to accommodate a driveway turn around.
18. Specified in Note 5.d that the outer 13 feet of the buffer along the western property line will be an undisturbed tree save area and increased the number of additional trees to be planted from 7.5 for every 100 feet to 12 for every 100 feet.
19. Decreased the rear yard from 125 feet to 115 feet.
20. Decreased the area of the amenity courtyard from 5,000 square feet to 4,000 square feet.

21. Increased detached lighting height from 15 feet to 16 feet.

VOTE

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

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the rezoning request and the changes made since the public hearing. Staff noted that only one outstanding issue remained related to the buffer fence but the petitioner had worked with staff and committed to resolve the issue by darkening the line on the site plan to more clearly show the fence. Staff explained that the petition is not consistent with the *South District Plan* recommendation for institutional use for the R-3 (single family residential) zoned portion of the site. However, the petition is consistent with the multi-family use recommended by the plan for the R-8MF(CD) (multi-family residential, conditional) portion of the site but inconsistent with the density as amended by the previously approved plan. The *General Development Policies* support consideration of density of over 17 units per acre.

A commissioner stated they felt the project was a good fit for the property, and the development would buffer the single family homes to the rear of the site from Randolph Road. Another Commissioner stated that the petitioner had worked with the neighborhood and made changes to the site plan as a result. There was no further discussion.

STAFF OPINION

Staff agrees with the recommendation 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 the construction of up to 158 age-restricted multi-family dwelling units at a density of 26.28 units per acre.
- Limits the maximum height of the buildings to three stories and not to exceed 40 feet. Limits the total number of buildings on the site to three.
- Specifies that 100% of the units shall have at least one occupant who is 55 years of age or older. Commits to the community publishing and adhering to policies and procedures that demonstrate intent to operate as “55 or older” housing and compliance with HUD’s requirements for age verification.
- Specifies building materials and provides a number of building design and architectural standards.
- Provides access through two driveways to Randolph Road. The northernmost driveway will be limited to right-in/right-out access. The access points may be gated at locations to be determined during the permitting process. Parking is located behind the proposed buildings.
- Provides a 38-foot setback from the existing back of curb along Randolph Road where minimum required for the proposed district is 14 feet. The inner 20 feet of the setback may be utilized for private open space courtyards for ground floor units. A low decorative fence located at least two feet from the back of the sidewalk and not to exceed four feet may be used to enclose the courtyards.
- Specifies that balconies located on second and third floors may extend up to two feet into the 38-foot setback.
- Provides an eight-foot planting strip and 10-foot multi-use trail along the site’s frontage on Randolph Road.
- Provides the following buffer and yards along the northern property line (abutting townhomes):
 - Buffer – 15-foot “Class C” buffer with an eight-foot tall decorative opaque fence, utilizing existing trees and new trees. Buffers are not required by the Ordinance between multi-family developments.
 - Yard – 50-foot side yard, with parking and maneuvering between the building and the buffer. Minimum Ordinance standard for UR-2 (urban residential) is five-foot side yard;

- equivalent multi-family zoning would require a ten-foot side yard.
- Provides the following buffer and yards along the southern property line (abutting Randolph Oaks Ct, single family):
 - Buffer – 26-foot “Class C” buffer with an eight-foot tall decorative opaque fence extending along the buffer and utilizing existing trees and new trees at a rate of 7.5 trees for every 100 feet. Buffers are not required in the UR (urban residential) districts; equivalent multi-family zoning would require a 25.5-foot wide “Class C” buffer with a fence.
 - Yard – 26 foot side yard. Minimum Ordinance standard for UR-2 (urban residential) is five-foot side yard; equivalent multi-family zoning would require a ten-foot side yard.
- Provides the following buffer and yards along the eastern property line (abutting single family homes):
 - Buffer – 45-foot “Class C” buffer along the majority of the property line and 26-foot “Class C” buffer along a portion of the property line to accommodate parking with a turn-around with an eight-foot tall decorative opaque fence along the entire buffer, utilizing existing trees in the outer 13 feet and new trees at a rate of 12 for every 100 feet. Buffers are not required in the UR (urban residential) districts; equivalent multi-family zoning would require a 25.5-foot wide “Class C” buffer with a fence.
 - Yard – 115-foot rear yard, with parking and maneuvering between the building and the buffer. Minimum Ordinance standard for UR-2 (urban residential) is ten-foot rear yard; equivalent multi-family zoning would require a 40-foot rear yard.
- Specifies that retaining walls may be located within the proposed landscaped buffers, but outside of the undisturbed portion of the buffers.
- Specifies that accessory structures and uses such as parking areas, detached garages, dumpsters, and water quality facilities may be located within the established rear and side yards but outside of the buffers.
- Commits to an internal sidewalk network connecting the parking and buildings on the site to the multi-use trail along Randolph Road.
- Commits to a ground level amenity courtyard as usable open space for the residents with an area of at least 4,000 square feet.
- Restricts location of staging and timing of construction.
- **Public Plans and Policies**
 - The *South District Plan* (1993) shows the majority of the subject property as institutional. The plan shows the northern portion of the site as multi-family residential at eight units per acre, as amended by rezoning petition 1995-024.
 - 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 over 17 dwellings per acre as illustrated in the table below.
 - The *General Development Policies* also provide for consideration of additional factors when evaluating a higher density residential proposal. In this case, the provision of age-restricted senior living is considered to be an additional benefit.

Assessment Criteria	Density Category - over 17 du/a
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	3 (High)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	1 (Yes)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	Yes – age restricted housing
Minimum Points Needed: 14	Total Points: 14

- The petition supports the *General Development Policies-Environment* by redeveloping an existing site in a developed area identified as a Mixed Use Activity Center, thereby minimizing further environmental impacts while accommodating growth.
- **TRANSPORTATION CONSIDERATIONS**
 - The primary transportation goal for this site is to improve walkability and bicycle accommodations, which is achieved by providing a 10-foot multi-use path along the property frontage. There will not be significant traffic impacts based on the expected vehicle trip generation. The trips associated with the proposed use typically do not occur during peak hours. The trip generation estimate for the existing fraternal lodge is based on very limited data.
 - **Vehicle Trip Generation:**
 Existing Uses: 200 trips per day (based on a single family home and fraternal lodge).
 Current Zoning Entitlements: 210 trips per day (based on nine townhomes and 13 single family

homes).

Proposed Zoning: 544 trips per day (based on 158 age-restricted dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The proposed multi-family units are age-restricted and not projected to generate any students.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** Charlotte Water has water system availability via the existing eight-inch water main located along Randolph Road and the two-inch water main located on Randolph Oaks Court and sewer system availability via the existing eight-inch gravity sewer mains located along Randolph Road and Randolph Oaks Court.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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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-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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