



**Rezoning Petition 2016-026
Zoning Committee Recommendation**

March 30, 2016

REQUEST

Current Zoning: R-8 (single family residential), UR-3 PED-O (urban residential, pedestrian overlay, optional), and UR-3(CD) (urban residential, conditional)

Proposed Zoning: UR-3 PED-O (urban residential, pedestrian overlay, optional) and UR-3 PED-O SPA (urban residential, pedestrian overlay, optional, site plan amendment)

LOCATION

Approximately 4.55 acres located on the north side of Wesley Heights Way, west of Duckworth Avenue and east of Walnut Avenue. (Council District 2 - Austin)

SUMMARY OF PETITION

The petition proposes to redevelop property located in the Seversville neighborhood and currently developed with a religious institution and a single family detached dwelling with a maximum of 85 single family attached residential units for a density of 18.66 units per acre.

PROPERTY OWNER

New Bethel Church Ministries, Inc.

PETITIONER

Hopper Communities

AGENT/REPRESENTATIVE

John Carmichael

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 4

**STATEMENT OF
CONSISTENCY**

The Zoning Committee found this petition to be consistent with the *Central District Plan*, based on information from the staff analysis and the public hearing, and because:

- The majority of the petition is consistent with the *Central District Plan's* land use recommendation, as amended by previous rezonings, for higher density residential uses. The petition is inconsistent with the *Central District Plan's* recommendation for residential at up to eight dwelling units per acre for a small portion of the site.

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:

- The proposed overall density of 18.6 units per acre is consistent with the adopted plan recommendation of higher density residential development for the majority of the site, except for one single family lot, for which the plan recommends eight dwelling units per acre; and
- However, including the single family parcel benefits the site layout and overall design and results in a more cohesive site plan; and
- The proposed building orientation shows units fronting common open space, with vehicular access via residential alleys. This results in a more inviting pedestrian environment by eliminating conflicts between pedestrians and vehicles; and
- The site is located less than 500 feet from the proposed LYNX Gold Line Phase 2 (streetcar) along West Trade Street providing public transportation options at a comfortable walk distance from the site; and
- The extensive exterior tree save areas separate and buffer the proposed townhomes from abutting lower density residential uses;

By a 6-0 vote of the Zoning Committee (motion by Majeed seconded by Dodson).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:
	<ol style="list-style-type: none">1. The following changes were made to support the creation of a pedestrian oriented environment were made:<ol style="list-style-type: none">a. Added note that width of some or all of the lots may be increased from width as depicted on rezoning plan, resulting in fewer units. In such an event, the width and configuration of the 15-foot wide open space areas between buildings may be reduced and modified, and such open space areas may not be linear and unobstructed. A pedestrian connection through the site from Duckworth Avenue to Sumter Avenue will be providedb. Connected internal sidewalks to tie into the sidewalk along public streets.c. Provided sidewalks to connect to Duckworth Avenue and Sumter Avenue.2. Added a note stating pedestrian scale lighting and benches shall be provided along primary pedestrian paths labeled on the rezoning plan.3. Provided typical front and side architectural elevations, and additional notes to state the front and side elevations are proposed as depicted on the conceptual architectural renderings of these elevations. Noted that exterior building materials for all other elevations of the single family attached dwelling units will be composed of a combination of brick veneer or similar masonry products and cementitious siding (such as hardi-plank).4. Provided architectural elevations that identify a stoop on front of each unit.5. Added notes stating front entrances into the single family attached dwelling units abutting Wesley Heights Way and Duckworth Avenue shall be located above the average grade of the sidewalks along Wesley Heights Way and Duckworth Avenue, at an average of 24 inches above the average grade of the sidewalk.6. Provided building elevations depicting roof treatment for proposed units.7. Provided building elevations that depict building design.8. Added a note indicating that all solid waste and recycling collection services will be provided by a private collection service. Roll-out bins will be provided for each dwelling unit and will be stored internally within each dwelling unit's footprint when not rolled out for collection.9. Amended optional provision to allow maximum height of each building constructed to be 45 feet.10. Added an optional provision to allow rooftop terraces on one or more of the single family attached dwelling units to be constructed on the site at the option of the petitioner.11. Added an architectural note stating vinyl, EIFS or Masonite may not be used as an exterior building material on the single family attached dwelling units, but vinyl may be used on windows, soffits, trim and railings.12. Added an architectural note stating that actual exterior colors of the single family attached dwelling units may vary from the colors shown on the conceptual architectural renderings.13. The added where shed roof/side terraces are located on the site plan. At a minimum, corner units will be visible from the public streets and main pedestrian ways.14. Staff has rescinded this request to label the zoning of abutting properties and properties on the other side of Duckworth Avenue and Wesley Heights Way as petitioner has provided this information on the site plan.

VOTE	Motion/Second: Yea: Nays: Absent: Recused:	Eschert / Dodson Dodson, Eschert, Lathrop, Majeed, Sullivan, and Wiggins None Labovitz None
ZONING COMMITTEE DISCUSSION		Staff presented this item to the Committee, describing the proposal and noting outstanding items that had been addressed. Staff mentioned one outstanding item the petitioner is working to resolve regarding tree save. Staff noted this request is consistent with the <i>Central District Plan</i> . A Commissioner expressed concerns about the original character of the neighborhood, and how this proposed development affects those conditions. The Committee voted to recommend approval contingent upon resolving the issue pertaining to tree save. There was no further discussion of this request.
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 85 new single family attached dwelling units at a density of 18.66 units per acre.
- Requires units to front Duckworth Avenue or Wesley Heights Way, or on common open space and/or tree save areas, with landscaped areas proposed along the end of buildings.
- Requests the following optional provisions:
 - Permit the maximum height of the single family attached dwelling units to be 45 feet.
 - Allow the pedestrian connection from the site to Sumter Avenue to be gated at the option of petitioner.
 - Allow rooftop terraces on one or more of the single family attached dwelling units to be constructed on the site at the option of the petitioner.
- Notes that width of some or all of the lots may be increased from width as depicted on rezoning plan, resulting in fewer units. In such an event, the width and configuration of the 15-foot wide open space areas between buildings may be reduced and modified, and such open space areas may not be linear and unobstructed. A pedestrian connection through the site from Duckworth Avenue to Sumter Avenue will be provided.
- Provides two points of ingress/egress onto Duckworth Avenue.
- Proposes Duckworth Avenue to be improved to meet local residential wide street standards, including provision of on-street parking spaces.
- Provides internal vehicular and pedestrian access/connectivity via a series of residential alleys and pedestrian walkways, with visitor parking.
- Connects internal pedestrian walkways to proposed sidewalks along Duckworth Avenue, Wesley Heights Way, as well as Sumter Avenue.
- Provides typical front and side architectural elevations, and additional notes to state the front and side elevations are proposed as depicted on the conceptual architectural renderings of these elevations. Noted that exterior building materials for all other elevations of the single family attached dwelling units will be composed of a combination of brick veneer or similar masonry products and cementitious siding (such as hardi-plank).
- Provides an architectural note stating vinyl, EIFS or Masonite may not be used as an exterior building material on the single family attached dwelling units, but vinyl may be used on windows, soffits, trim and railings.
- Provides an architectural note stating that actual exterior colors of the single family attached dwelling units may vary from the colors shown on the conceptual architectural renderings.
- Commits that front entrances into the single family attached dwelling units abutting Wesley Heights Way and Duckworth Avenue will be located above the average grade of the sidewalks along Wesley Heights Way and Duckworth Avenue, at an average of 24 inches above the average grade of the sidewalk.
- Provides a ten-foot vegetated buffer along all property lines abutting properties with residential zoning and/or use.
- Identifies tree save areas and open space.

- Proposes pedestrian scale lighting and benches shall be provided along primary pedestrian paths labeled on the rezoning plan.
- Notes that all solid waste and recycling collection services will be provided by a private collection service. Roll-out bins will be provided for each dwelling unit and will be stored internally within each dwelling unit's footprint when not rolled out for collection.
- **Public Plans and Policies**
 - The *Central District Plan* (1993), as amended by rezoning petition 2007-104 and petition 2011-025, recommends residential greater than 22 units per acre for the majority of the site. The remaining portion of the site is recommended for residential development at up to eight units per acre.
 - The petition supports the *General Development Policies-Environment* by redeveloping an existing site in a developed area, thereby 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, including on-street parking, wide sidewalks and planting strips.
 - **Vehicle Trip Generation:**
Current Zoning: 280 trips per day (based on 40 age restricted residential units).
Proposed Zoning: 560 trips per day (based on 85 townhomes).

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 development allowed under the existing zoning would generate 63 students, while the development allowed under the proposed zoning will produce seven students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students. The proposed development is not projected to increase the school utilization (without mobile classroom units) for Bruns Pre K-8 (129%) or West Charlotte High (94%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** See Outstanding Issues, Note 1.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESEnvironment

1. A note should be added to the site plan that a portion of the property is located in the Wedge, and on-site tree save for that portion must be a minimum of 30 feet in width, with no buildings within 10 feet of the tree save area.
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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 Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

Planner: Claire Lyte-Graham (704) 336-3782