



February 20, 2017

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 6.32 acres located on the east side of Sharon Lane between Providence Road and Heathmoor Lane. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes the redevelopment of five single family home sites for 24 duplex (single family attached) dwelling units in 12 buildings in the Foxcroft area.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Mark and Diane Leclaire, et al Simonini Saratoga Foxcroft, LLC Jeff Brown, Keith MacVean and Bridget Dixon, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 78
STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to site design and other technical revisions.</p> <p><u>Plan Consistency</u> The proposed residential land use is consistent with the <i>South District Plan</i>, and the density increase over three units per acre is supported by the criteria in the district plan.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none">• The subject site is located adjacent to the Cotswold Mixed Use Activity Center and abuts a large institutional land use (St. Gabriel Catholic Church).• The proposed development provides a transition between the institutional use and the adjacent established single family residential development located north and west of the site.• The site plan is limited to a maximum of 24 duplex (single family attached) dwelling units in up to 12 buildings at a density of 3.8 units per acre.• The proposal meets the criteria described in the district plan for an increase in density from three to four units per acre. The proposal meets these criteria as follows:<ul style="list-style-type: none">• Location: The site is within ½ mile of the Cotswold Mixed Use Activity Center, which includes a concentration of retail and office development.• Water and Sewer: Charlotte Water will serve the subject site with water and sewer.• Open space: The duplex units are clustered in order to provide a “central green.” In addition, a tree save area is provided along the Sharon Lane frontage.• Streetscape Amenities: The proposal provides a 24-foot planting strip (extra width for a future bike lane) and a six-foot sidewalk along Sharon Lane. The project also provides an internal private street with sidewalks and a minimum of six, on-street, visitor parking spaces.• Compatibility: The proposed development includes a number of elements to make the new housing compatible with the existing neighborhood along Sharon Lane. These include large setbacks consistent with the established setback on Sharon Lane; a 40-foot rear yard abutting the single family development to the west; and building and architectural commitments, including elevations and height limitations, which result in structures which resemble large single family homes.

PLANNING STAFF REVIEW**• Background**

- A public hearing was held on this petition on October of 2016. The Zoning Committee considered the petition at their work session on January 4, 2017 and unanimously recommended a new public hearing due to the changes made to the site plan related to layout, density, yards and buffers. At the January 17, 2017 City Council Zoning Meeting, the City Council agreed with the recommendation of the Zoning Committee and scheduled a new public hearing for February 20, 2017.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 24 duplex (single family attached) dwelling units in a maximum of 12 principal buildings for a density of 3.8 units per acre.
- Limits building height to two stories and not to exceed 40 feet.
- Provides a 100-foot setback along Sharon Lane. This setback is equivalent to other single family homes along Sharon Lane. The rezoning plan commits to retaining existing vegetation within the setback except as may be required to remove existing driveways and construct the new driveways and sidewalks. The petitioner may also remove any invasive plant species and will provide supplemental landscaping where existing and invasive vegetation is removed.
- Provides a 15-foot rear yard along the northern property line, a ten-foot rear yard along the eastern property line and a 40-foot rear yard along the southern property line, abutting single family homes with a 25-foot "Class C" buffer.
- Commits to using good faith efforts to preserve existing trees of five-inch caliper or greater within 12 feet of the southern property line.
- Specifies that the development may be completed in two phases and that transportation improvements, landscaping, and buffer improvements per phase be completed prior to issuance of the first certificate of occupancy for each phase.
- Provides access via a private street off Sharon Lane and a looping, internal private drive.
- Provides a minimum 24-foot planting strip, including width for a future bike lane, and six-foot sidewalk along Sharon Lane. Provides an internal network of five-foot wide sidewalks to provide pedestrian access throughout the site and from units to the public sidewalk.
- Commits to a minimum of six visitor parking spaces within the development.
- Provides building elevations and specifies building materials. Specifies that side elevations along Sharon Lane will contain windows so that blank walls will not occur.
- Provides additional architectural commitments related to unit entrances along Sharon Lane, pitched roofs, porches and stoops, and garage doors.
- Specifies that accessory buildings and structures will be constructed utilizing building materials, colors, architectural elements, and designs similar to the principal buildings.
- Commits to screening meter banks, HVAC, and related mechanical equipment from adjoining properties and Sharon Lane.
- Provides waste management through rollout containers collected by private contractor.
- Limits detached lighting to 15 feet in height.

• Existing Zoning and Land Use

- The site is currently zoned R-3 (single family residential) and developed with five single family homes.
- This section of Sharon Lane is zoned R-3 (single family residential).
- Adjacent to the site to the southwest are single family homes fronting Heathmoor Lane.
- Across Sharon Lane to the northwest are single family homes facing Sharon Lane.
- Adjacent to the site to the northeast is a single family home owned by St. Gabriel Catholic Church and used for church purposes.
- Further to the northeast along Sharon Lane abutting the site to the rear (southeast) is the St. Gabriel Catholic Church and School campus. In addition to St. Gabriel Catholic Church, uses at the intersection of Providence Road with Sharon Lane/Sharon Amity Road are Providence United Methodist Church, the Rosedale multi-family condominium development in R-17MF (multi-family residential) zoning, and the Providence Plaza office/retail development in MUDD(CD) (mixed use development, conditional) zoning.
- See "Rezoning Map" for existing zoning in the area.

• Rezoning History in Area

- Petition 2016-018 rezoned approximately 1.45 acres located at South Sharon Amity Road and Woodlark Lane from R-17MF (multi-family residential) to UR-2(CD) (urban residential, conditional) to allow a maximum of 19 single family attached units at a density of 13.2 units per acre.
- Petitions 2011-030 and 2013-051 rezoned two sites of approximately 2.27 and 1.97 acres

located on Providence Road, just south of the intersection of Sharon Lane and Sharon Amity Road, from R-3 (single family residential) to INST(CD) (institutional, conditional) to allow two preschool/child development centers.

- **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 has specific criteria for an increase in density to four dwellings per acre. The criteria are:
 - Location: within ½ mile of a transit corridor; within ½ mile of a commercial and/or employment center or public park; where clustering could preserve environmental features such as floodplain, steep slopes or trees; within a large scale mixed use development with a variety of housing types; or adjacent to multi-family development.
 - Water and Sewer: Water and sewer provided by Charlotte Water or use of a private system meeting Charlotte Water standards.
 - Open space: Provision of common open space as densities rise. Clustering units to create open space amenities is encouraged.
 - Streetscape Amenities: Provision of sidewalks, street trees, curb, gutter and on-street parking.
 - Compatibility: Blend new development with adjacent single family development of lesser density. This may include lots on project edges having densities, yards, and setbacks similar to the existing development as a transition.

- **TRANSPORTATION CONSIDERATIONS**

- This site is located along a major thoroughfare approximately 1000 feet from a signalized intersection with another major thoroughfare. This petition will replace the existing back of curb sidewalk with new sidewalk behind a wide planting strip, which reserves sufficient area to accommodate a future cross section that includes a bike lane.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 70 trips per day (based on five single family dwellings).

Entitlement: 220 trips per day (based on 18 single family dwellings).

Proposed Zoning: 190 trips per day (based on 24 duplex 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 development allowed under the existing zoning would generate 11 students, while the development allowed under the proposed zoning will produce 11 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 0 students.
 - The proposed development is not projected to increase the school utilization (without mobile classroom units) over existing conditions for Sharon Elementary (154%), Alexander Graham Middle (112%), or Myers Park High (114%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water distribution main located along Sharon Lane. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along Sharon Lane.
- **Engineering and Property Management:** 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. Tree save area is to be a minimum of 30 feet wide; no structures will be allowed within ten feet of the tree save area.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Annotate the proposed elevations highlighting the key elements committed to in the architectural standards.

2. Amend the provided elevations to match the buildings shown on the site plan.
 - a. Elevation 1 does not show the recessed area between the units;
 - b. Elevation 3 does not appear to match any of the buildings shown;
 - c. Elevations 1 and 2 are not "sides"; they should be labeled as "private drive elevation";
 - d. The site plan does not show any "garden";
 - e. The label to elevation 4 should be amended to say it is the elevation that faces external property lines and Sharon Lane; and
 - f. The "L" shaped buildings do not appear to have corresponding elevation.
3. If the townhomes are for sale or may be for sale at some time in the future, show the required 400 feet of private open space per unit.
4. Show proposed phasing lines on the site plan.
5. Provide a minimum size and commitment to amenities for the "central green."

REQUESTED TECHNICAL REVISIONSSite and Building Design

6. Amend the proposed use under "Site Development Data" and Note 2 "Permitted Uses & Development Area Limitation" under the "Development Standards" to further clarify that the development shall be a 24 duplex (single family attached) dwelling units in a condominium format.

Attachments Online at 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-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: John Kinley (704) 336-8311