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<b>REQUEST</b>	Current Zoning: R-3(CD) (single family residential, conditional) and R-17MF(CD) (multi-family residential, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional), with five-year vested rights
<b>LOCATION</b>	Approximately 41 acres located south of South Tryon Street near the intersection of Steele Creek Road and Walker Branch Drive. (Council District 3 - Mayfield)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow 410 multi-family residential units on vacant land that lies adjacent to the Rivergate Shopping Center.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Steele Creek (1997) Limited Partnership MPV Properties, LLC Collin Brown and Bailey Patrick, Jr.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: None
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"><li>• The Zoning Committee found the residential use to be consistent with the <i>Steele Creek Area Plan</i>, but the proposed density to be inconsistent with the Plan, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none"><li>• The proposed multi-family use is consistent with the <i>Steele Creek Area Plan</i> recommendation for residential development on the site; however, the proposed density of 10 dwelling units per acre is inconsistent with the plan recommendation for a maximum of eight dwelling units per acre. The petition proposes to extend Walker Branch Drive into the site as recommended by the area plan and provides for future connectivity to Rivergate Parkway.</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 requested residential use is proposed to be developed at a slightly higher density (10 dwelling units per acre) than the eight dwelling units per acre recommended in the area plan; and</li><li>• However, the proposed multi-family development is located within the Rivergate Mixed Use Activity Center, and the density is appropriate for a Center location; and</li><li>• As part of this development, the petitioner has committed to the design and construction of an important creek crossing to accommodate the extension of Walker Branch Drive. This connection will allow residents of this property to access the rest of the Activity Center without having to travel on Steele Creek Road; and</li><li>• In addition to connectivity for motor vehicles, this development will provide important pedestrian and bike connections to the adjacent shopping center via the proposed street connections and Walker Branch Greenway; and</li><li>• The petitioner has committed to a number of site and building design standards, including standards designed to promote a walkable environment and to break up long buildings;</li></ul></li></ul> <p>By a 6-1 vote of the Zoning Committee (motion by Majeed seconded by Watkins).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-1 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <p><u>Environment</u></p> <ol style="list-style-type: none"> <li>1. Petitioner has depicted and labeled on the site plan a 50-foot (from top of stream bank) future stream restoration easement on parcel 219-06-117 to facilitate the construction and maintenance associated with a possible capital improvement project affiliated with Walker Branch.</li> <li>2. The petitioner agrees to dedication and conveyance of the 100-foot SWIM Buffer to Mecklenburg County for future greenway use prior to the issuance of the first certificate of occupancy. Mecklenburg County Park and Recreation (MCPR) notes that property dedicated to Mecklenburg County Park and Recreation may not have any developed trails that do not meet MCPR Greenway Standards. MCPR further agrees with the petitioner providing safe, accessible, pedestrian connectivity to the future Walker Branch Greenway via proposed Bridge/Crossings along the proposed network streets extending Walker Branch Dr. and Rivergate Pkwy.</li> </ol> <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> <li>3. A public access easement for the proposed private drive connection between Walker Branch Drive and RiverGate Parkway is now labeled on the site plan.</li> </ol> <p><b>TECHNICAL ISSUES</b></p> <ol style="list-style-type: none"> <li>4. The petitioner has amended the site plan to note that all setbacks will be from the "future" back of curb.</li> <li>5. The site plan has been revised to replace "landscape areas" on the perimeter of the site with "buffers".</li> <li>6. The site plan has been revised to identify where buffers are proposed to be reduced from 50 feet to 30 feet.</li> <li>7. The petitioner has modified the site plan to note that the buffer along the western property line will be 30 feet.</li> <li>8. All sheets have been revised to reflect proposed zoning is UR-2(CD).</li> </ol>
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**VOTE**

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

**ZONING COMMITTEE DISCUSSION**

Staff reviewed this request, noting that all outstanding issues had been addressed by the petitioner. Staff also noted that this petition is consistent with recommended land use in the *Steele Creek Area Plan* and the density is inconsistent with the adopted plan.

A Committee member expressed concerns regarding student generation information provided by Charlotte-Mecklenburg Schools, the impacts of multi-family housing in the area, and possible target population. The rules were suspended to allow Mr. Collin Brown, the agent for the petition, to respond to questions regarding the number of bedrooms in units, and the market in the area for multi-family residential homes. Mr. Brown also briefly discussed the proposed transportation improvements associated with the project, most notably the bridge to connect Walker Branch Drive, estimated at \$1 million dollars. There was no further discussion of this request.

**MINORITY OPINION**

A commissioner cited school overcrowding as the reason for recommending denial on this petition.

**STAFF OPINION**

Staff agrees with the recommendation of the majority 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 up to 410 multi-family residential units at a density of 10 units per acre.
  - Limits building height to a maximum of 50 feet.
  - Proposes the design and construction of a vehicular creek crossing over Walker's Branch in order to accommodate the extension of Walker's Branch Drive from its current terminus through the site.
  - Commits to working with Charlotte Department of Transportation (CDOT) to explore options for extending Rivergate Parkway from its current terminus through the site to adjacent property to the south.
  - Provides a private drive connection between Walker Branch Drive and Rivergate Parkway to ensure publically accessible pedestrian and vehicular connectivity between those two streets.
  - Provides a public access easement for the proposed private drive connection between Walker Branch Drive and RiverGate Parkway.
  - Provides a number of architectural commitments:
    - The building facades of all principal and accessory buildings abutting a subdivision required public or private street will contain 30 percent brick; natural stone (or synthetic equivalent); or other equivalent or better material approved by the Planning Director or designee.
    - Vinyl siding (except for soffits and trim including window and door trim) and concrete masonry units (CMU) not architecturally finished are prohibited.
    - Buildings will be arranged and oriented to front along Walker Branch Road and Rivergate Parkway.
    - Buildings must front a minimum of 50% of the total street frontage on site.
    - Prohibits parking lots from being located between any building and any public or private street.
    - Prohibits placement of driveways for private residential garages and/or parking on all network required streets.
    - Buildings exceeding 120 feet in length will include modulations of the building massing/façade plane thru recesses, projections, and/or architectural treatment.
    - Architectural elevations will be designed to create visual interest through standards relating to vertical modulation and rhythm, building base, blank walls, and architectural features.
  - Provides amenity and open space areas, including a swimming pool, seating areas, trail network and enhanced landscaping.
  - Provides a landscaped buffer along the perimeter of the site, to be at least 50 feet in width except in certain areas where lesser width shall be permissible but in no case shall be less than 30 feet wide. Site plan identifies where buffer will be reduced to 30 feet.
  - Provides enhanced landscaping or low walls on each side of the public street stub extending from Walker Branch Drive, in areas generally depicted on the site plan, in order to provide a visual transition between this site and future development to the south.
  - Provides a trail network within the site that will connect to adjacent Park and Recreation properties owned by Mecklenburg County, with connection points generally depicted on the site plan.
  - Delineates future greenway, including locations of proposed connections, FEMA floodway and community encroachment boundaries, with post construction and water quality buffers, and approximate location of BMP (best management practices) facility.
  - Depicts a 50-foot (from top of stream bank) future stream restoration easement to facilitate the future construction and maintenance associated with a possible capital improvement project affiliated with Walker Branch.
  - Identifies potential tree save areas.
  - Limits maximum height of any detached lighting fixtures to twenty-two feet in height.
- **Public Plans and Policies**
- The adopted future land use for this site, as per the *Steele Creek Area Plan* (2012), is for residential uses up to eight dwelling units per acre.
  - The plan recommended that two roads, Walker Branch Drive and Rivergate Parkway, be extended into the site. The plan also calls for extending the Walker Branch Greenway, and providing pedestrian connections to the adjacent Rivergate shopping center.
  - The Rivergate Mixed Use Activity Center boundary was recommended to be adjusted to include this parcel, as an appropriate location for more intense development.

• **TRANSPORTATION CONSIDERATIONS**

- This petition will provide a bridge connection and extension of Walker Branch Drive between the proposed site and the Shoppes at Rivergate South. The petitioner has agreed to work with CDOT to provide a second bridge connection and extension of Rivergate Parkway between the proposed site and Rivergate Shopping Center. These connections will create connectivity and provide alternate access points between existing and proposed residential development and the shopping center.
- **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 0 (based on vacant property).  
Entitlement: 1,490 trips per day (based on 119 single family dwellings and 22 multi-family dwellings).  
Proposed Zoning: 2,610 trips per day (based on 410 multi-family dwellings).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** Developer must comply with the City's Housing Policies if seeking public funding.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 78 students, while the development allowed under the proposed zoning will produce 296 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 218 students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
    - Rivergate Elementary from 100% to 116%;
    - Southwest Middle from 127% to 132%; and
    - Olympic High from 152% to 157%.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** 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
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business 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:** Claire Lyte-Graham (704) 336-3782