

<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>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to stream restoration and greenway dedication.</p> <p><u>Plan Consistency</u> 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.</p> <p><u>Rationale for Recommendation</u></p> <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.</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.</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.</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.</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>
---------------------------------	---

**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 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 be 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.
  - 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.
  - Identifies potential tree save areas.
  - Limits maximum height of any detached lighting fixtures to twenty-two feet in height.
- **Existing Zoning and Land Use**
    - The rezoning site is currently vacant and located in the Rivergate Mixed Use Activity Center generally located at and around the intersection of South Tryon Street and Steele Creek Road.
    - The 39-acre portion of the rezoning site zoned R-3(CD) (single family residential, conditional) is part of a larger 525.65-acre tract rezoned via petition 1992-014C in order to allow 511 single family units, 185 cluster single family units, 2,238 multi-family units, and 700,000 square feet of office/retail at all quadrants of South Tryon Street and Steele Creek Road. The approval allowed up to 119 single family units on the subject rezoning site.
    - To the north is the Rivergate Mixed Use Activity Center, consisting of retail, office and multi-family residential development on properties zoned CC (commercial center), B-1(CD) (neighborhood business, conditional), B-2(CD) (general business, conditional), NS (neighborhood services), R-3 (single family residential) and R-17MF(CD) (multi-family residential, conditional).
    - East of the site is a single family neighborhood, multi-family units and athletic fields zoned R-3 (single family residential) and R-17MF(CD) (multi-family residential, conditional).
    - To the south are undeveloped acreage and single family neighborhoods zoned R-3 (single family residential).
    - To the west are single family neighborhoods, office and retail uses zoned R-4(CD) (single family residential, conditional), R-3 (single family residential), and CC (commercial center).
    - See "Rezoning Map" for existing zoning in the area.
  - **Rezoning History in Area**
    - Petition 2013-060 rezoned approximately 3.56 acres located on the southeast corner at the intersection of South Tryon Street and Steelecroft Parkway from R-3 (single family residential) to NS (neighborhood services) to allow a 30,000-square foot commercial development with a minimum 10,000 square feet for office uses or a 25,000-square foot commercial development

- with no office development.
- Petition 2011-083 rezoned approximately 22 acres located on the south side of the intersection of Steele Creek Road and Walker Branch Drive from R-17MF(CD) (multi-family residential) to CC (commercial center) in order to allow a 155,000-square foot shopping center adjacent to the existing Rivergate Shopping Center to include a mix of nonresidential uses.
  - Petition 2011-082 rezoned approximately 11 acres located on the southwest corner of the intersection of South Tryon Street and Steele Creek Road to allow 100,000 square feet of predominantly office uses with support retail uses.
- **Public Plans and Policies**
    - The adopted future land use for this site, as per the *Steele Creek Area Plan* (adopted 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: 1,490 trips per day.
      - 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:** Charlotte Water currently does not have water system availability via a water distribution main. The closest water distribution main is approximately 360 feet north of the property along Rivergate Parkway. Charlotte Water has sewer system availability via an existing 24-inch gravity sewer mains located on Walker Branch Drive and Rivergate Parkway.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See Outstanding Issues, Note 1.
- **Mecklenburg County Park and Recreation Department:** See Outstanding Issues, Note 2.

#### OUTSTANDING ISSUES

##### Environment

1. Mecklenburg County Storm Water Services is considering a Capital Improvement Project along Walker's Branch which would involve stream restoration practices. Mecklenburg County requests that a 50-foot easement (from top of bank) be provided on parcel 219-06-117 to facilitate the

- construction and maintenance associated with this project.
2. Mecklenburg County Park and Recreation Department notes that Parcel 219-061-17 is adjacent to the Walker Branch Greenway corridor as indicated on the 2014 Mecklenburg County Park and Recreation Master Plan. Mecklenburg County Park and Recreation requests the petitioner dedicate and convey the 100-foot SWIM (Surface Waters Improvement Management) buffer to Mecklenburg County for future greenway use prior to the issuance of the first certificate of occupancy. Park and Recreation further request the petitioner provide safe, accessible, pedestrian connectivity to the Future Walker Branch Greenway via sidewalks along the proposed network streets extending Walker Branch Drive and Rivergate Parkway.

Site and Building Design

3. Provide a public access easement for the proposed private drive connection between Walker Branch Drive and RiverGate Parkway.

**TECHNICAL ISSUES**

4. Amend the site plan to note that all setbacks will be from the "future" back of curb.
  5. Label the "landscape areas" on the perimeter of the site as "buffers" and modify the note accordingly.
  6. Clarify that the only buffer areas that may be reduced from 50 feet to 30 feet are shown on the site plan.
  7. Clarify the width of the buffer along the western property line. The notes say buffers will not be less than 30 feet; however, the site plan shows the buffer as 25 feet.
  8. Modify all site plan sheets to reflect proposed zoning is UR-2(CD).
- 

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