

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights.
LOCATION	Approximately 3.63 acres located on the north side of Rea Road between Colony Road and Chadwyck Farms Drive. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes the redevelopment of a 3.63-acre single family parcel, located adjacent to the Colony Place shopping center, with a single family attached, duplex development consisting of 24 units at a density of 6.52 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Bob and Leslee Vichengrad Jacobs David Weekley Homes Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 18.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>South District Plan</i> recommendation for residential use and the density is supported by the <i>General Development Policies</i>.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The petition limits the number of units to 24 for a density of 6.52 units per acre, consistent with the <i>General Development Policies</i> which supports a density of up to eight units to the acre. The site is located on Rea Road between a neighborhood shopping center, Colony Place, and the single family detached Stonecroft neighborhood. • The proposed single family attached, duplex development provides a transition from the commercial uses southwest and west of the site to the lower density single family residential north and east of the site. • The site plan commits to the provision of a 20-foot wide landscape area, a portion of which will contain a berm with evergreen trees and shrubs and another portion will contain existing trees and new evergreen shrubs, along the northeastern property line to screen the proposed development from the adjacent single family homes. • The building height is limited to 40 feet, comparable to the maximum base height allowed for single family homes.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Allows up to 24 single family attached units, the site plan shows 12 duplex buildings, at a density of 6.52 units per acre.
 - Limits the building height to 40 feet.
 - Proposes site access via a private street connecting to Rea Road.
 - Commits to re-striping Rea Road to provide a left-turn lane into the site.
 - Constructs an eight-foot planting strip and six-foot sidewalk along Rea Road with pedestrian access to the units via five-foot sidewalks along each side of the private street.
 - Commits to the installation of a pedestrian connection to the adjoining shopping center in coordination with the shopping center owner's approval.
 - Indicates general areas for entrance monuments and landscaping along the Rea Road frontage with final location and design to be determined in permitting.
 - The petitioner has voluntarily offered architectural standards related to the following:

- Minimum roof pitches
- Building materials
- Lighting
- Orientation of garages
- Blank walls
- Limits the height of detached lighting to 21 feet.
- **Existing Zoning and Land Use**
 - The subject property is zoned R-3 (single family residential) and developed with one single family home.
 - Abutting to the northeast are the rear yards of single family homes zoned R-3 (single family residential). Abutting to the southwest is the rear of the Harris Teeter grocery store in the Colony Place shopping center, a neighborhood center zoned NS (neighborhood services). Abutting to the northwest is a small two-story office building fronting on Colony Road and zoned MUDD(CD) (mixed use development, conditional). Further west across Colony Road is the Burning Tree townhome development zoned R-8MF(CD) (multi-family residential, conditional). To the south, across Rea Road, is a small townhome development under construction, zoned R-8MF(CD) (multi-family residential, conditional) in 2007.
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2015-090, south of the subject petition, rezoned 4.53 acres on the north side of Pineville-Matthews Road east of the intersection with Rea Road from INST(CD) (institutional, conditional) to UR-2(CD) (urban residential, conditional) for up to 25 single family attached dwelling units.
- **Public Plans and Policies**
 - The *South District Plan* (1993) recommends residential use at three dwellings per acre for the subject property.
 - 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 the eight dwellings per acre requested as illustrated in the table below.

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1 – yes
Sewer and Water Availability	2 – CMUD
Land Use Accessibility	2 – Medium
Connectivity Analysis	3 – Medium
Road Network Evaluation	0 – No
Design Guidelines	4 – yes
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 12

- **TRANSPORTATION CONSIDERATIONS**
 - This site is along a minor thoroughfare. The current site plan commits to a pedestrian connection to an adjacent shopping center, in addition to setting the curbline in the correct location to accommodate a future bike lane and improving the sidewalk and planting strip along the site’s Rea Road frontage.
 - See Outstanding Issues, Notes 1 and 2.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 10 trips per day (based on one dwelling).
 - Entitlement: 140 trips per day (based on 11 dwellings).
 - Proposed Zoning: 190 trips per day (based on 24 dwelling).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate six students, while the development allowed under the proposed zoning will produce four students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.

- The proposed development is projected to increase the school utilization (without mobile classroom units) over existing conditions as follows:
 - Olde Providence Elementary from 113% to 114%;
 - Carmel Middle to remain at 108%; and
 - Myers Park High to remain at 114%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water distribution main located along Rea Road. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along Rea Road
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed or planted in the right-of-way of any state maintained street without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City.
 - **Erosion Control:** No issues.
 - **Land Development:** See Requested Technical Revisions, Note 15.
 - **Storm Water Services:** See Requested Technical Revisions, Notes 14 through 16.
 - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. ~~Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at two feet behind back of sidewalk where feasible. Addressed. The site plan contains a note specifying dedication of right-of-way if the current right-of-way does not meet the City's standards.~~
2. ~~Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan. Addressed~~

Site and Building Design

3. ~~Amend the setback to be measured from the future back of curb and commit to the setback illustrated by the sublots for the first units, approximately 36 feet from the back of the future curb. Addressed. The petitioner adjusted the subplot lines and is providing a setback 30 feet from the future back-of-curb along Rea Road.~~
4. ~~Increase the rear yard along the north eastern property line to commit what is illustrated on the site plan. The buildings shown are over 20 feet from the property line in common with the neighboring single family homes. Addressed. The petitioner has increased the rear yard along the northeast property line to 20 feet.~~

REQUESTED TECHNICAL REVISIONS

Land Use

5. ~~Amend the proposed use in site development data on sheets RZ1.0 and 2.0 to say "Single family dwellings attached, duplex (townhomes)" to match how the project will be defined from a Subdivision Ordinance perspective. Addressed~~
6. ~~Change all references to single family attached under "Purpose" and "Permitted uses" to duplex to match the site plan. Addressed~~
7. ~~Remove the request for five year vested rights from the application because the project does not include phasing and is a relatively small, infill development. Addressed. The petitioner has amended the site plan to match the rezoning application.~~

Site and Building Design

8. ~~Amend the site development data for building height to reflect a maximum of 40 feet as noted in "Architectural Standards", Note 4. Addressed.~~
9. ~~Add a note to the site plan to clarify that any required private open space will be located outside of the landscape areas depicted along the northeast edge of the site. Addressed.~~
10. ~~Clarify "Architectural Standards", Note 1 because as written the first part of the note with minimum roof pitches appears conflict with the last sentence. Addressed.~~
11. ~~Move Note 8 under "Architectural Standards" related to the landscaping to the "Streetscape and Landscaping" section because the note is not related to architectural standards. Addressed.~~

Transportation

12. ~~Amend "Transportation", Note b to clarify if each unit will have a two-car garage. Currently the~~

~~note refers to parking as depicted on the plan and the plan only shows driveway pads but elsewhere the development notes refer to garages. Provide a typical width dimension for the driveway pads. Addressed. The petitioner clarified that each unit will have a two car garage and labeled the driveways to specify tandem driveway pads.~~

13. ~~Amend "Transportation", Note d to clarify that the eight-foot planting strip will be located eight feet from the future back-of-curb as depicted on the site plan. Addressed. The petitioner clarified the location of the planting strip and sidewalk with a label on the site plan.~~

Environment

14. ~~Add the following note under "Environmental Features": "The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points." Addressed.~~
15. ~~Delete the following sentences under "Environmental Features": "Storm water and water quality facilities will be designed as part of the overall site landscaping plan." Addressed.~~
16. ~~Change the following note as indicated under "Environmental Features": "Water quality and detention BMPs will be designed to be aesthetically appealing enhanced through the uses of grass, landscaping, water features, rain gardens or other similar features." Addressed.~~

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-Hearing Staff Analysis
- Post-Hearing Staff Analysis
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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