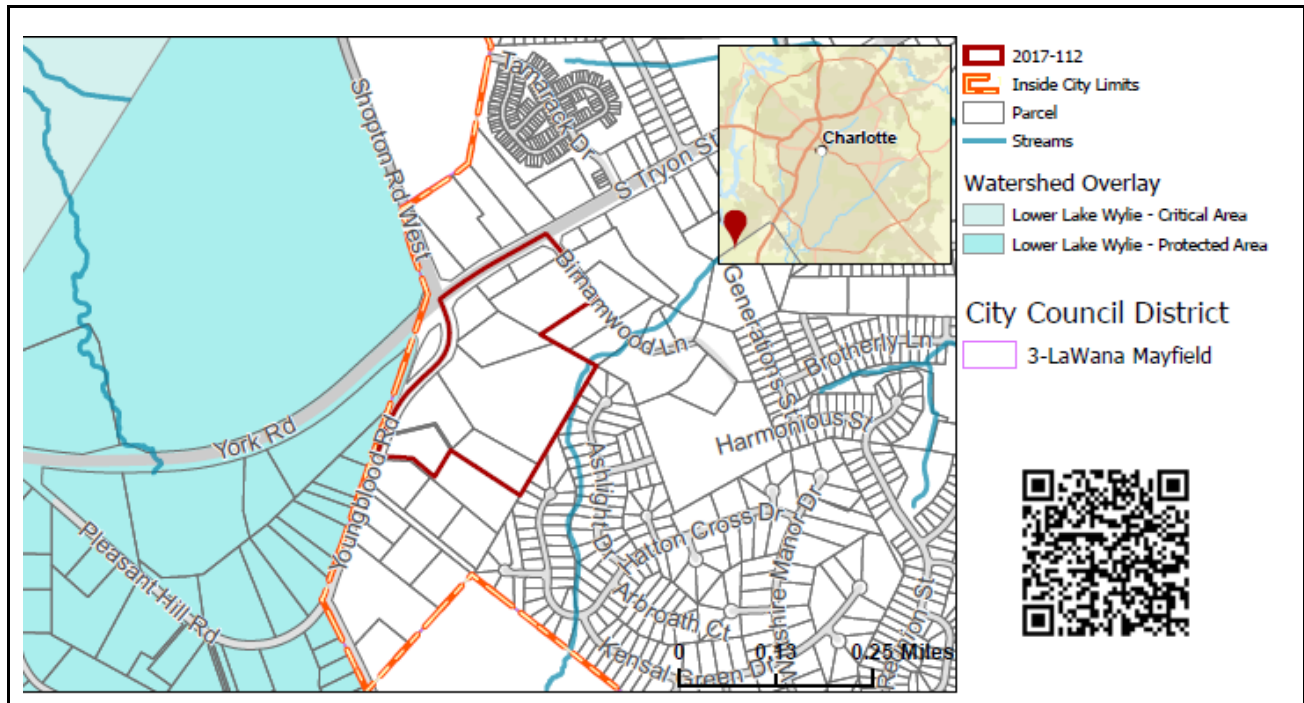


**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: R-12MF(CD) (multi-family residential) and BD(CD) (distributive business, conditional) with five-year vested rights

**LOCATION**

Approximately 30 acres located off South Tryon Street, east of Youngblood Road and west of Birnamwood Lane (Council District 3 - Mayfield)



**SUMMARY OF PETITION**

The petition proposes to allow development of multi-family apartments and climate controlled storage on acreage currently developed with single family homes on large lots, and vacant land in the Steele Creek area, south of Rivergate.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE**

Various  
Sweetgrass Residential Partners, LLC  
Collin Brown and Bailey Patrick, Jr.

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 43

**STAFF  
RECOMMENDATION**

Staff does not recommend approval of this petition.

Plan Consistency

The portion of the site proposed for multi-family is consistent with the *Steele Creek Area Plan* recommendation for residential land use or a mix of uses, but is inconsistent with the recommended density of four units per acre and eight units per acre. The portion of the site proposed for climate controlled storage is inconsistent with the plan recommendation for residential at four units per acre.

Rationale for Recommendation

- The proposed residential density is too high for the site and is of greatest concern in the area planned for four units per acre due to its encroachment into an area of lower density single family homes.
- The portion of the request proposing indoor climate control

storage is also inconsistent with the land use recommendation of residential up to four dwelling units per acre and introduces a commercial use into an established residential area.

- The proposed maximum building height of ~~66~~ 60 feet is inconsistent with the low scale character of the surrounding area.
- The *Steele Creek Area Plan* recommended a mixed use neighborhood center and complimentary single family residential development to create a cohesive development pattern. The current request proposes unrelated elements.

## PLANNING STAFF REVIEW

### • Background

The petitioner originally filed this request in June of 2017, proposing to rezone the site from R-3 (single family residential) to NS (neighborhood services) to accommodate up to 280 multi-family residential units and 30,000 square feet of non-residential uses. The request was in deferral status for a time due to a required traffic study, land use/design issues, and several concerns from residents in adjacent neighborhoods. The site plan has been modified on a few occasions to reduce the number of residential units and allow a mix of housing types (i.e. apartments, carriage units, townhomes) while retaining the commercial component. The project now proposes up to 240 multi-family residential units and 90,000 square feet of gross floor area of indoor climate control storage.

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Up to 240 multi-family residential units at approximately ~~9.5~~ 10.6 units per acre, with a club house and pool.
- Up to 90,000 square feet of indoor climate controlled storage.
- Limits building height to ~~66~~ 50 feet and three stories for seven residential buildings, and 60 feet with three- and four-story splits for three residential buildings.
- Prohibits outdoor storage or truck rental associated with the climate controlled storage facility.
- Notes that normal office hours of operation for the climate controlled storage facility will be between 8:00 a.m. and 7:00 p.m. Lighting after office hours will be downwardly directed only or motion-detected security lighting.

Proposes the following transportation improvements:

- Proposes ingress/egress via access onto South Tryon Street and Youngblood Road, ~~and Birnamwood Lane.~~
- Proposes that a street connection from the site's internal street network to Birnamwood Lane will not be made until such time as at least two (2) parcels adjacent to Birnamwood Lane are rezoned to a zoning district other than the current R-3 zoning district. Petitioner will extend the internal street to within fifty (50) feet of Birnamwood Lane and terminate as a stub with a barricade. In order to accommodate a future connection, the petitioner will design, plat and dedicate the right-of-way to provide for the future connection from the site to Birnamwood Lane. The right-of-way dedication for the connection to Birnamwood Lane will be dedicated at the time the street connection is constructed.
- Creates an internal network of private streets with on street parking, and drive aisles.
- Proposes a future right-of-way 75 feet from centerline of existing right-of-way on South Tryon Street.
- Contributes to the City's sidewalk project along South Tryon Street in lieu of petitioner constructing a six-foot sidewalk along South Tryon Street between Youngblood Road to Birnamwood Lane.
- Proposes a left over median break on South Tryon Street to allow access into the proposed development.
- Installs pedestrian signals and curb ramps at the signalized intersection at Shopton Road West and South Tryon Street.
- Dedicates and conveys to the City of Charlotte a 100-foot wide area extending south through the site from South Tryon Street to the southern boundary of the site in order to accommodate the future extension of Shopton Road West by the City of Charlotte. Petitioner agrees to maintain this area, at Petitioner's cost, to be dedicated once the City has funding required to construct the future roadway. This area will not be used in tree save or open space calculations in the interim.
- Identifies possible future alignment for Youngblood Road.

Proposes the following architectural standards:

- Provides elevation and rendering of the proposed multi-family component.
- Proposes exterior building materials will consist of primarily glass, brick, stucco, metal, stone, simulated stone, pre-cast stone, and composite panels, cementitious siding, architectural



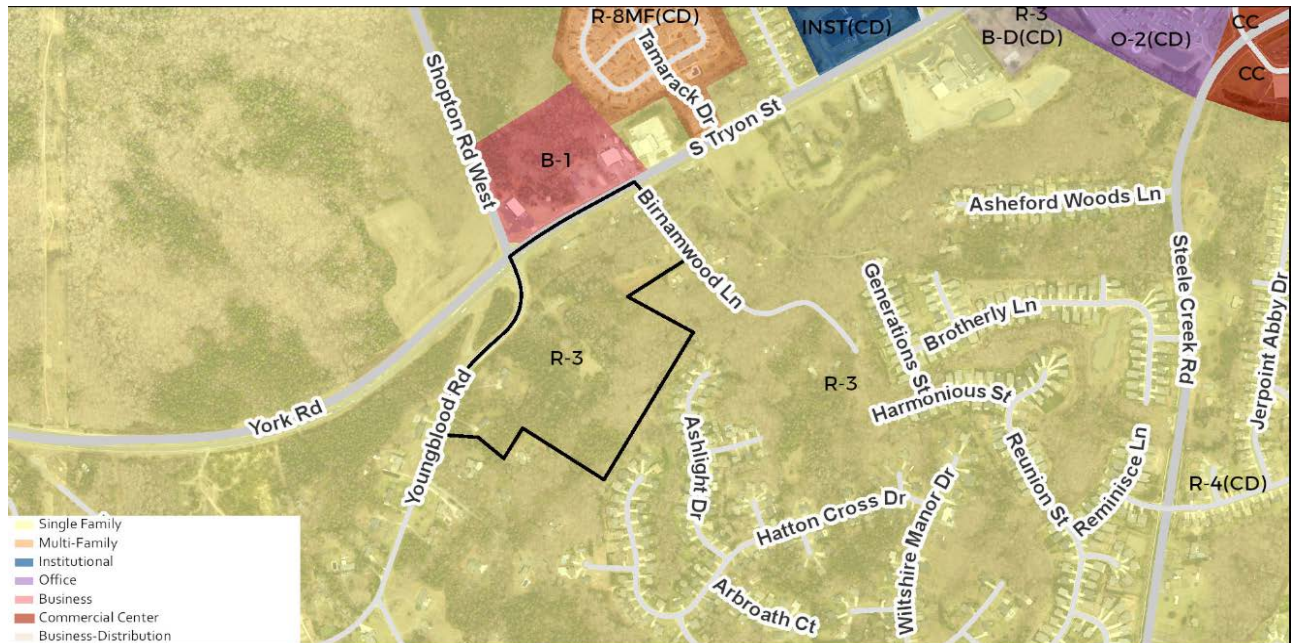
pre-cast concrete, and/or architectural face block construction materials. Vinyl, as a building material, will only be allowed on windows, soffits and trim features.

- Provides architectural commitments to residential component with respect to pitched roofs; building massing and height; articulation; façade features; limiting length of expanses of blank walls; and walkways.
- Provides architectural commitments on self-storage component with regard to treatment of facades fronting Youngblood Circle and use clear vision and/or spandrel glass; limiting length of expanses of blank walls; pedestrian entrance features.

Proposes the following landscape and environmental features:

- Prohibits use of metal panels on self-storage facility elevation fronting Youngblood Road.
- Provides a 50- foot ~~and 75-foot~~ Class C buffer along all property lines abutting residential properties (may be reduced with a wall or fence).
- Provides a 75- foot Class B buffer (with fence or wall) along all property lines where the proposed climate controlled storage use portion will abut residential properties.
- Identifies possible tree save areas, SWIM (Surface Water Improvement Management) buffers, and potential storm water facility location.

• Existing Zoning and Land Use



- A portion of the site is developed with residential homes on large lots and the remainder is vacant. The site is immediately surrounded by retail uses, single family homes, townhomes, and institutional uses.



The subject property is developed with single family homes and the remainder of the tract is vacant.





Single family neighborhoods are located to the south and east of the subject property.



Fire Station 37 is located to the north on South Tryon Street.



A mix of commercial and retail uses are located to the north of the subject property on South Tryon Street.



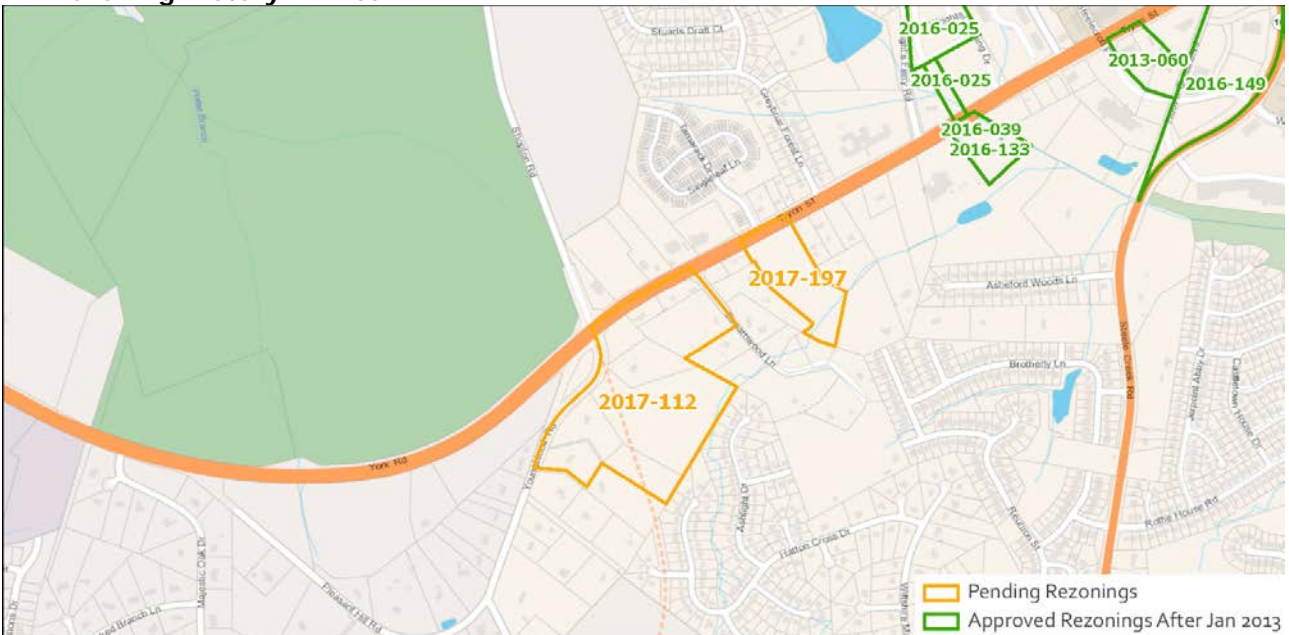


Properties to the northwest are part of the McDowell Nature Preserve.



Properties to the northeast across South Tryon Street are developed with multi-family and single family homes.

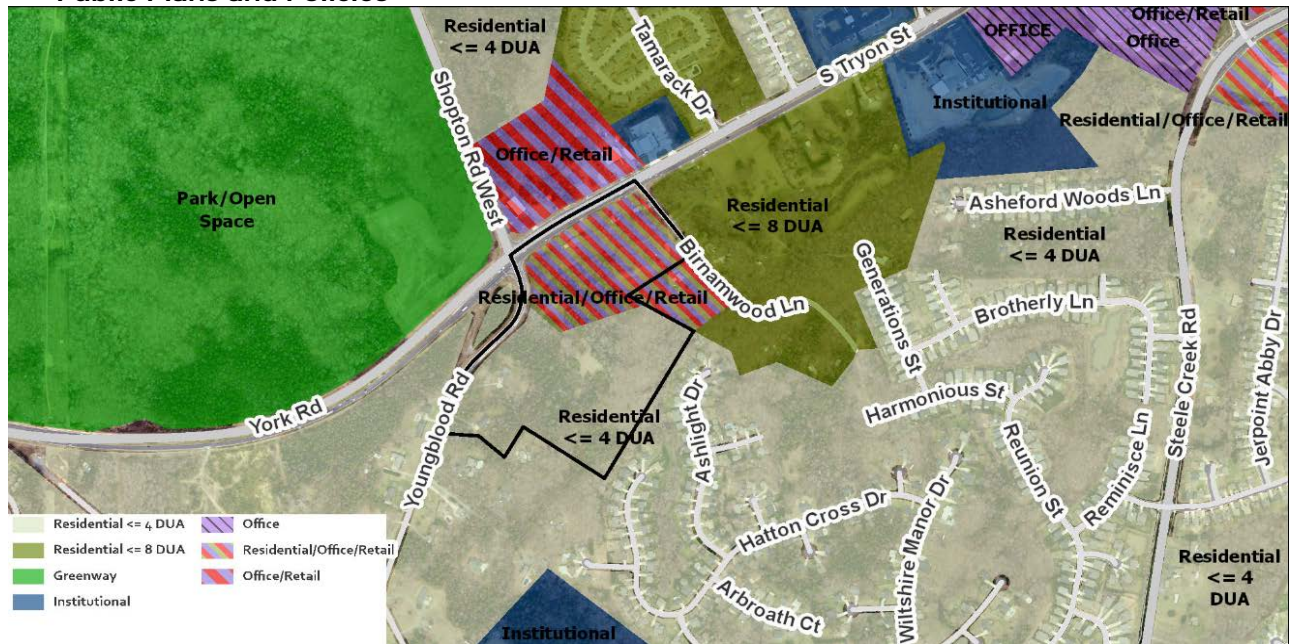
• **Rezoning History in Area**





Petition Number	Summary of Petition	Status
2017-197	Rezoned 7.05 acres to allow up to 72 multi-family residential units at a density of 10.21 units per acre.	Approved
2016-149	Site plan amendment for 11.73 acres to allow freestanding single buildings containing retail and office uses.	Approved
2016-133	Rezoned 3.58 acres to allow the construction up to 100,000 square feet of climate controlled storage space.	Approved
2016-100	Rezoned 41 acres to allow up to 410 multi-family residential units at a density of 10 units per acre.	Approved
2016-039	Rezoned 3.58 acres to allow up to 45,000 square feet of office and/or other uses in the O-1 (office) district, including a child care facility.	Approved
2016-025	Rezoned 9.52 acres to allow up to 74 townhomes.	Approved
2013-060	Rezoned 3.56 acres 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 requirement.	Approved

• **Public Plans and Policies**



- The *Steele Creek Area Plan* (2012) recommends residential/office/retail for a portion of the site (10.3 acres), and residential up to 4 DUA for the remainder of the site (19.4 acres).
- The plan stipulates that a convenience size center (up to 70,000 square feet), is appropriate for a portion of this site, in order to serve the immediate area. Residential development if included as part of the mixed-use development should have a density of no more than eight dwelling units per acre.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located at the signalized intersection of a major thoroughfare and a local street. The site plan commits to right-of-way dedication for the future realignment of Youngblood Road and contributing to the City sidewalk project on South Tryon Street.

*See Outstanding Issues, Note 1 (new issue based on review of revised site plan).*

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 80 trips per day (based on six single family dwellings).

Entitlement: 900 trips per day (based on 84 single family dwellings).

Proposed Zoning: 1,800 trips per day (based on 240 apartments and 90,000 square feet of mini-warehouse).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No on-street parking on roads with less than 26 feet clear width. See [Charlottefire.org](http://Charlottefire.org) for other requirements.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 48 students, while the development allowed under the proposed zoning will produce 85 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 37.
  - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) over existing conditions as follows:
    - Rivergate Elementary from 100% to 106%
    - Southwest Middle from 134% to 135%
    - Olympic High from 138% to 139%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing 16-inch water transition mains located along South Tryon Street and Youngblood Road. There is also water availability via an existing eight-inch water distribution main located along Birnamwood Lane.

Charlotte Water has sewer system availability for the rezoning boundary via an existing 8-inch gravity sewer main located Youngblood Road and through parcels 219-11-101 and 21911-130. There is also an existing gravity sewer main located through parcel 219-11-115.

- **Engineering and Property Management:**

- **Arborist:** No trees can be planted in the right-of-way of any State maintained street (S. Tryon and Youngblood) 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.

No trees can be removed from or planted in the right-of-way of any City maintained street. The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do not confirm or imply authorization by the City to remove any City trees located in street right-of-way. No trees can be removed from the right-of-way without explicit authorization from the City Arborist or his designee. Contact the City Arborist's office for a planting permit if trees will be planted in the right-of-way on a City of Charlotte maintained street. The street tree species must be approved before planting. **Petitioner will submit tree survey before the City Council decision in September.**

- **Erosion Control:** No comments submitted.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues. **Storm Water Services staff notes that the a portion of the tree save area adjacent to Birnamwood Lane and the potential street connection to serve as a buffer between the proposed development and residential homes on Birnamwood may be needed for storm water management. The site plan currently shows one BMP (best management practice), but topographically there are two distinct drainage patterns (discharge locations) on this development. One is where the proposed BMP is shown. The second location goes through the potential tree save area beside the 15-foot sanitary sewer easement and under Birnamwood. Generally, Land Development standards do not allow for the redirection of storm water runoff and existing drainage patterns must be adhered. By showing only the one storm water facility it may be assumed the developer plans to drain the entire site to this facility, which would constitute a change of flow pattern and not permitted. The Environmental Features note on the site plan does cover this type of scenario by stating that adjustments may be needed to accommodate natural site discharge points. In this case, the adjustment would be another BMP.**
- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Transportation

1. **New comment:** The site plan should commit to constructing the street connection to Birnamwood Lane. A barricade can be installed on the new street prior to Birnamwood, and can be removed in the future, once adjacent land redevelops.

#### Environment

2. ~~Petitioner must submit a tree survey for all trees two inches or larger located in the rights-of-way. In addition, the survey shall include all trees eight inches or larger in the setback. Petitioner will submit tree survey of trees in the ROW that are two inches or greater, before the City Council decision in September.~~
3. ~~Show potential tree save areas and calculations clearly on site map. Site is in a wedge and will be required to provide 15% tree save area based on gross acreage. 15% of 28 acres = 4.2 acres tree save. Tree save must contain existing healthy tree canopy. No future ROW allowed in tree save area. Tree save must be 30-foot width minimum. Addressed.~~

#### Land Use

4. Eliminate the storage component from the site plan. **Not Addressed.**
5. ~~The site plan proposes 90,000 square feet of indoor climate controlled storage in some places and references 90,000 square feet of commercial in others. The petitioner needs to clarify and be consistent on all site plan sheets that this request for indoor climate controlled storage. Addressed.~~

#### Site and Building Design

6. ~~Potential tree save areas need to be better delineated on the site plan sheets. Addressed.~~
7. ~~Per Section 12.102(1) structures in a non-residential district must meet the same setback as the abutting lot in a residential district. Petitioner needs to ensure that the proposed BD(CD) portion of the site meets this requirement. The Petitioner is proposing a 30-foot setback off of future Shopton Road for the B-D(CD) and R-12MF portions of the Site. Internal setbacks are proposed at 27 feet for the R-12MF portion of the site.~~
8. ~~Petitioner must provide a Class B buffer along all property lines that abut single family residential uses and/or zoning. Agreed for portions of the Site requesting the BD zoning district; Class B buffer shown and labeled on the Rezoning Plan. Class C buffer shown for portions of the Site requesting the R-12MF zoning district.~~
9. Provide the specific density requested and reduce to density as per the adopted plan recommendation (eight units per acre for a portion of the site, and four units per acre for the remainder). **Not addressed.**
10. Reduce the height of the multi-family component to 50 feet and no more than three stories. **Not addressed.**
11. ~~Show the locations and number of entrances to the storage buildings. Addressed. The Petitioner agrees that the entrances to the storage buildings will be limited to communal entrances with interior individual access. There will be several access doors but no access doors to individual units from the exterior of the building.~~
12. Petitioner should consider installing a 20-foot buffer to screen proposed non-residential uses from proposed apartments on the other side of the 100-foot future right-of-way. **Not addressed.**
13. ~~Petitioner should add language on the site plan about lighting and hours of operation and mitigating any negative impacts from the adjacent residential properties. The Petitioner has added a note restricting the office hours of the storage building and has committed to restricting the lighting outside of office hours (See Note V.4.a.viii.).~~
14. Eliminate metal panels on all sides and specify building materials. The Petitioner has added a commitment to a minimum of 50% brick or masonry materials on the façade fronting Youngblood Road. Additionally, metal panels are excluded from the Youngblood Road façade and all facades will have brick or masonry columns (or other architectural articulation) at least once every 50 feet to reduce the appearance of any metal materials used on the facades not fronting Youngblood (See Note V.4.a.i.).

### **REQUESTED TECHNICAL REVISIONS**

#### Site and Building Design

1. The Class B and C buffers should be undisturbed. The petitioner will commit to undisturbed buffers where feasible, such as in tree save areas.
2. Confirm if garages are proposed as they are not labeled on the site plan and specify how many. **Addressed.** The detached garages are labeled on Sheet RZ-2 of the Rezoning Plan. There are four total garages, labeled A, B, C, and D.
3. Remove five-year vested rights from petition. **Not addressed.**

### **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 Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

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