

<b>REQUEST</b>	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional) <del>with five year vested rights.</del>
<b>LOCATION</b>	Approximately 0.70 acres located on the west side of Sharon Road, north of Hazleton Drive. (Council District 6 – Bokhari)
<b>SUMMARY OF PETITION</b>	The petition includes two parcels, each currently occupied with a single family home, located at the entry of the Laurelwood neighborhood off Sharon Road in the SouthPark area. The petition proposes the construction a single family attached, townhome development with up to eight units in two buildings.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	SOP Holdings, LLC Saussy Burbank, LLC Collin Brown and Bailey Patrick Jr., K&L Gates LLP
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 16.

<b>STAFF RECOMMENDATION</b>	<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 proposed density of 11.11 units per acre meets the criteria in the <i>General Development Policies</i> for development at up to 12 dwellings per acre.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The site is located at the intersection of Sharon Road and Hazelton Drive. Sharon Road is a major route through the SouthPark area and Hazelton Drive connects the Laurelwood neighborhood to Sharon Road.</li> <li>• The site is in the Wedge area, as identified by the <i>Centers, Corridors, Wedges Growth Framework</i>. Wedges are typically considered for residential development and neighborhood preservation. However, the site abuts the SouthPark activity center, which is recommended for higher intensity uses, developed in an urban walkable form. Therefore, the site is positioned to serve as a transition from the activity center to the lower density single family residential.</li> <li>• The site location and the proposed townhome development serve as a transition from the single family neighborhood to the south and west to the more intense uses and development form to the north and east through the following:             <ul style="list-style-type: none"> <li>• Proposes a single family attached residential product at 11.11 units per acre between single family detached homes in the neighborhood at three units per acre and urban development including a hotel, commercial uses, and multi-family residential in the activity center.</li> <li>• Limits the maximum building height to <del>45</del> 47 feet. The abutting single family residential zoning limits maximum base height to 40 feet, although the existing homes in the neighborhood are one and two stories and the hotel to the north is 70 feet in height.</li> <li>• The proposed site design provides a transition in the setback along Hazelton Drive. Provides a 20-foot rear yard abutting the single family home west of the site. The site plan indicates the possible location of the tree save area along the western edge of the site.</li> <li>• The proposed site design promotes walkability by providing</li> </ul> </li> </ul>
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individual unit access to the pedestrian facilities along Sharon Road and functional doors for end units along Hazelton Drive. The plan commits to the construction of sidewalk along the site frontage of Hazelton Drive and construction of a ten-foot multiuse path along Sharon Road.

## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to eight single family attached townhome residential units in two buildings for a density of 11.11 units per acre.
- Limits the maximum building height to ~~45~~ 47 feet.
- Provides a 24-foot setback along Sharon Road and the 35-foot setback along Hazelton Drive.
- Increases the rear yard abutting single family to the west from 10 feet to 20 feet.
- Provides vehicular access off Hazelton Drive via a private alley in a woonerf design. A woonerf, is a facility that accommodates vehicles, bicycles and pedestrians and will be paved with varied decorative pavers to distinguish vehicle and pedestrian zones.
- Specifies that parking will not be permitted along Hazelton Drive between the woonerf entrance and Sharon Road.
- **Specifies that gates with restricted access into the development shall be prohibited.**
- Provides building elevations and specifies allowed building materials. Provides a number of architectural and building design standards related to raised entries, pitched roofs, doors facing public streets, porches and blank walls.
- Constructs an eight-foot planting strip and six-foot sidewalk along the site frontage of Hazelton Drive. Proposes a ~~ten~~ eight-foot planting strip and 10-foot multi-use path along Sharon Road.
- Commits to providing enhanced landscaping at the corner of Hazelton Drive and Sharon Road.
- Provides lighting standards related to shielding, illumination direction and freestanding lighting height. **Notes that identification lettering with an entrance sign, if provided, may be illuminated.**

### • **Existing Zoning and Land Use**

- The subject property is zoned R-3 (single family residential) and is developed with two single family homes.
- Abutting to the north is the recently constructed Hilton Garden Inn hotel in MUDD-O (mixed use development, optional) zoning. To the east across Sharon Road is commercial development in MUDD(CD) (mixed use development, conditional) and single family attached and multi-family residential development in UR-2(CD) (urban residential, conditional) zoning. South and west of the site is R-3 (single family) zoning with single family detached homes. Further south on Sharon Road is the Sharon Towers senior living community in INST(CD) (institutional, conditional) zoning.
- See "Rezoning Map" for existing zoning in the area.

### • **Rezoning History in Area**

- Petition 2013-066 rezoned 5.22 acres located on the north side of Sharon View Road east of the site, near the intersection of Sharon View Road and Mountainbrook Road to UR-2(CD) (urban residential, conditional) for 36 attached and detached single family homes.
- Petition 2013-071 rezoned 24.80 acres, south of the site from R-3 (single family residential) and INST(CD) (institutional, conditional) to INST(CD) (institutional, conditional) to allow expansions of Sharon Towers senior living community.
- There have been a number of rezonings to MUDD-O (mixed use development, optional) and MUDD(CD) (mixed use development, conditional) north and northeast of the site, within the SouthPark Mixed Use Activity Center, to allow residential, commercial and mixed use developments.

### • **Public Plans and Policies**

- The *South District Plan* (1993) recommends residential uses at a density of up to three dwellings per acre.
- 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 up to the 12 dwellings per acre requested as illustrated in the table below.

Assessment Criteria	Density Category – up to 12 dua
Meeting with Staff	1 – yes
Sewer and Water Availability	2 – yes
Land Use Accessibility	3 – High
Connectivity Analysis	2 – Medium low
Road Network Evaluation	0 – no
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 12</b>	<b>Total Points: 12</b>

- **TRANSPORTATION CONSIDERATIONS**

- This site is located at the unsignalized intersection of a commercial arterial and a local street. The site plan commits to adequate streetscape improvements on Hazelton and Sharon with access to and from the local street.
- See Outstanding Issues, Note 4-5.
- **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 30 trips per day (based on two dwellings).  
Entitlement: 30 trips per day (based on two dwellings).  
Proposed Zoning: 70 trips per day (based on eight dwellings).

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

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Department of Solid Waste Services:** Garbage and Recycling carts will need to be rolled curbside to Hazelton Drive or Sharon Road for collection.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce one student. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero students.
  - The proposed development is not projected to increase the school utilization (without mobile classroom units):
    - Sharon Elementary at 154%
    - Alexander Graham Middle at 112%
    - Myers Park High at 114%.
- **Charlotte Water:** Charlotte Water has water system infrastructure accessible for the rezoning boundary via existing eight-inch and six-inch water distribution mains located along Sharon Road and Hazelton Drive. Charlotte Water has determined to have limited sanitary sewer system capacity. Due to the limited project details that were provided, Charlotte Water cannot provide concurrence for this rezoning boundary at this time. The petitioner should contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be planted in the right-of-way of any City maintained street (Hazelton and Sharon) without permission of the City Arborist's office. Contact the City Arborist's office to discuss trees species to be planted in the right-of-way on a City of Charlotte maintained street; species must be approved before planting. A minimum eight-foot planting strip with trees is required on all public street frontages.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** Tree save must be at least 30 feet wide.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**OUTSTANDING ISSUES**Site and Building Design

1. Amend the development data table and note VI under open space to specify the tree save will not be in the private open space or provide assurance that the trees will be protected in the resident's back yards. **Addressed.**
2. Amend the site plan or notes to provide details for a curbless transition within the woonerf. **Addressed.**

Transportation

3. Modify the site plan to reflect the future back-of-curb along Sharon Road eight feet behind the existing back-of-curb to accommodate a buffered bike lane. **Addressed. The existing back-of-curb is in the same location as the future back-of-curb and the petitioner is providing a ten-foot planting strip and ten-foot multi-use path.**
4. Revise the site plan and notes to change the proposed eight-foot planting strip and ten-foot multi-use path to a 16-foot planting strip and eight-foot sidewalk. **Addressed. The petitioner is providing a ten-foot planting strip and ten-foot multi-use path.**

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

5. Delete the setback and yards listed in the development data table and note "Setbacks and yards as depicted on the site plan" or revise the development data table to reflect the setbacks and yards committed to on the plan. For example: the 35-foot setback on Hazelton and 20-foot rear yard along the western edge of the site. **Addressed.**
6. Amend the building height in the development data table to specify "Maximum 45 feet as measured by the Ordinance" and not "ridge height from finished floor elevation of first floor." **Addressed, the petitioner increased the maximum building height from 45 feet to 47 feet to accommodate site topography and how the ordinance measures height from average grade to the peak of the roof.**
7. Amend note V.4 under Streetscape and Landscaping to describe "enhanced" landscaping. As written the note is too subjective and vague. **Addressed.**
8. Clarify on the site plan and in the notes that the setbacks are measured from the future back-of-curb as required by the UR-2 (urban residential) district. If the curb line remains (and is therefore considered the future back-of-curb) then indicate the existing back-of-curb remains. **Addressed.**
9. 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.**

**Attachments Online at [www.rezoning.org](http://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 Department of Solid Waste 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 Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review