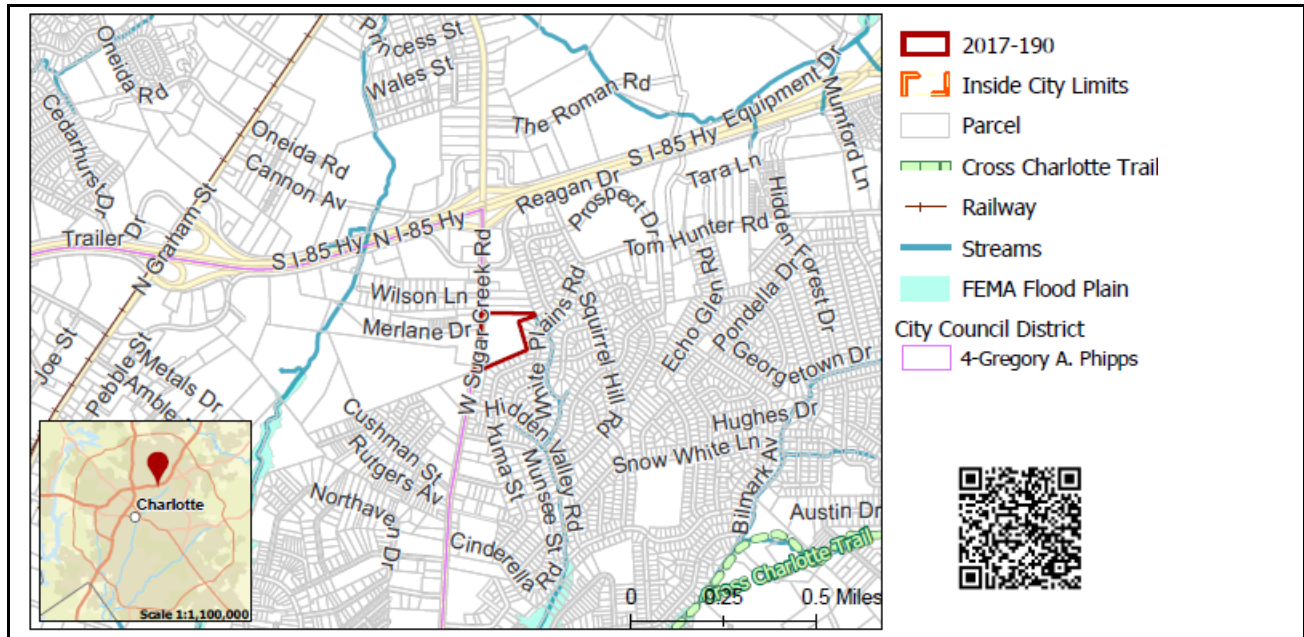


REQUEST

Current Zoning: R-4 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 9.82 acres located on the east side of W. Sugar Creek Road, east of Merlane Drive.
(Council District 4 - Phipps)



SUMMARY OF PETITION

The petition proposes to allow a vacant site to be developed with up to 180 multi-family residential dwelling units, at a density of 18.3 units per acre.

PROPERTY OWNER

Royal Properties, LLC

PETITIONER

C4 Investments, LLC

AGENT/REPRESENTATIVE

Keith MacVean and Jeff Brown, Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 17

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to density, transportation and tree save.

Plan Consistency

The proposed multi-family residential use is consistent with the *East District Plan*, which recommends multi-family residential uses, however, it does not meet the *General Development Policies* criteria for more than 17 units per acre.

Rationale for Recommendation

- The site is located on W. Sugar Creek Road between Interstate 85 and single family residential uses.
- The area plan recommends multi-family residential uses for the site although, the proposed density of 18.3 units is slightly higher than the *General Development Policies recommendation* for 17 units per acre.
- However, the proposed multi-family development will provide a transition between the existing nonresidential uses to the north and existing single family neighborhood to the south.
- The site plan commits to a private street, future access to abutting

- nonresidential property, pedestrian network, open space.
- In addition, the request includes building elevations and commits to architectural details such as building orientation, façade standards, and roof types along with other design standards that are compatible with the surrounding single family development.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum of 180 multi-family dwelling units, at a density of 18.3 units per acre. Total number of principal buildings will not exceed 11 with a maximum of three stories.
- Site access via one driveway on W. Sugar Creek Road aligned with Merland Drivel future access will be provided to the abutting parcel to the north.
- A pedestrian refuge island that includes an active warning beacon will be installed on W. Sugar Creek Road subject to approval by NCDOT and CDOT.
- Petitioner will construct a new bench pad for a new bus stop along the site's frontage on Sugar Creek Road.
- Building materials will be a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl and aluminum may only be used on windows, soffits, canopies and handrails/railings. Concrete masonry units not architecturally finished are prohibited as a building material.
- A minimum 20% of the entire façade of buildings abutting W. Sugar Creek Road and the internal private street shall comprised of brick, natural or synthetic stone, or stucco.
- Buildings to a minimum building frontage along W. Sugar Creek Road and the internal private street frontages and modulations of the building massing/façade.
- Roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure, and a minimum roof pitch of 4:12 will be provided.
- Parking and maneuvering will not be permitted between the buildings and W. Sugar Creek Road.
- A 20-foot setback measured from the future back-of-curb will be provided along W. Sugar Creek Road. The last four feet of the setback located between the back of the sidewalk and the face of the building may be used as a transition zone.
- An eight-foot planting strip and eight-foot planting strip will be provided along the site's frontage along W. Sugar Creek Road.
- A minimum five-foot wide sidewalk and cross-walk network will be provided that links the internal parking area to the sidewalk along W. Sugar Creek Road.
- A 30-foot wide Class C buffer will be provided abutting single family zoning and uses.
- The petitioner shall analyze the adequacy of the existing storm water conveyance for abutting parcels receiving storm water discharge from the proposed BMP/water quality feature. Petitioner shall make a good faith effort with the property owners to improve the storm water conveyance or mitigate the storm water discharge onto the abutting parcels if the existing storm water conveyance on the abutting parcels is found to be inadequate.

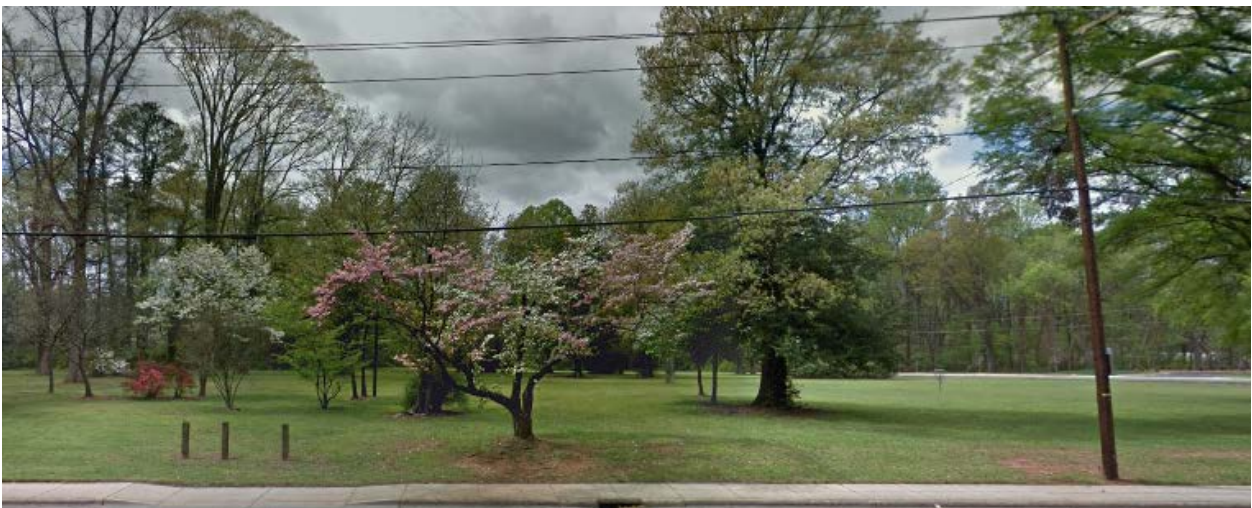
• Existing Zoning and Land Use



The subject property is vacant and zoned R-4 (single family residential). The surrounding properties are zoned single family residential with the exception of the property across W. Sugar Creek Road which is zoned NS (neighborhood services).



The subject property is vacant.



Sugaw Creek Community Park is located across the street from the property.

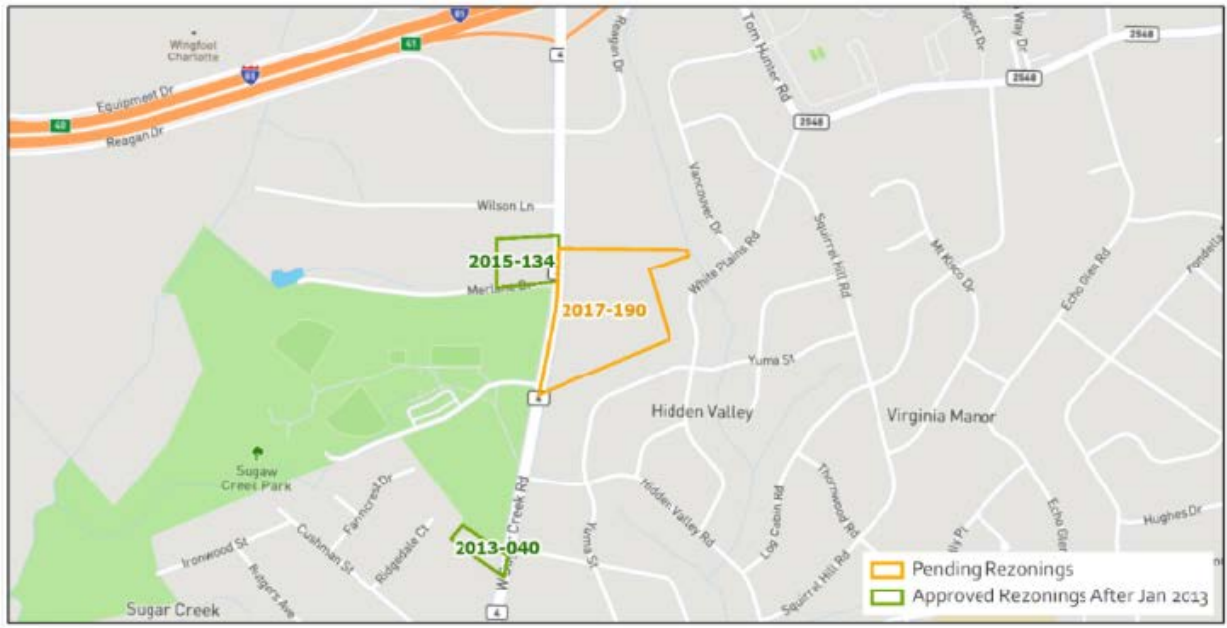


A single family subdivision abuts the property to the east and south.



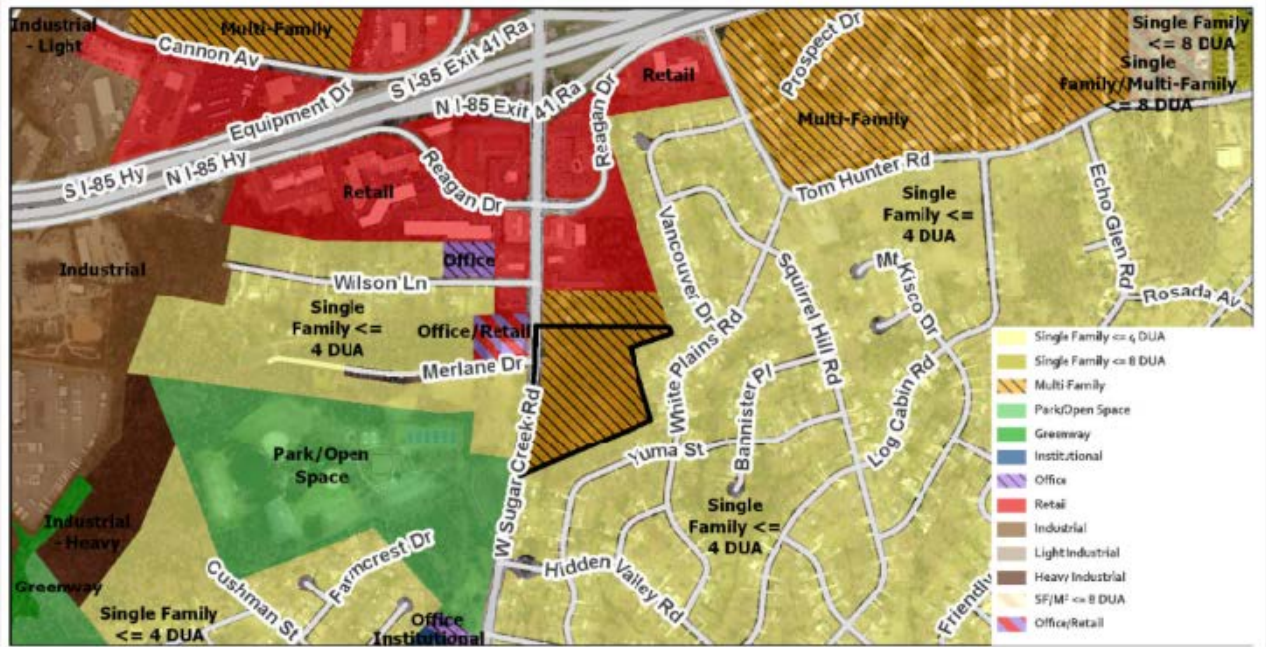
Highway commercial uses are located south of Interstate 85 and north of the property.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-134	Approximately 1.84 acres located on the northwest corner at the intersection of West Sugar Creek Road and Merlane Drive to NS (neighborhood services) to allow a vacant site to be developed for up to 13,000 square feet of office and retail uses.	Approved
2013-040	Approximately 0.71 acres located on the west side of West Sugar Creek Road across from Munsee Street to O-1(CD) (office, conditional) proposes to allow the conversion of an existing single family residential structure for general and/or medical office purposes.	Approved

• **Public Plans and Policies**



- The *East District Plan* recommends multi-family residential dwellings.
- 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 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 17 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	3
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 13	Total Points: 13

• **TRANSPORTATION CONSIDERATIONS**

This site is located along a major thoroughfare. The site plan commits to streetscape improvements along their frontage, a pedestrian crossing facility to Sugaw Creek Park across Sugar Creek Road, and future cross connection to the adjacent parcel to the north.

- See Outstanding Issues, Note 1.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 440 trips per day (based on 39 single family detached dwellings).

Proposed Zoning: 1,210 trips per day (based on 180 multi-family apartment units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** Developer must comply with the City's Housing Policies if seeking public funding for multi-family housing developments.
- **Charlotte Fire Department:** No on-street parking.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 20 students, while the development allowed under the proposed zoning will produce 66 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 46 students.
 - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) over existing conditions as follows:
 - Hidden Valley Elementary from 162% to 167%
 - Martin Luther King, Jr. Middle from 93% to 95%
 - Vance High from 109% to 110%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing eight-inch water distribution main located along Sugar Creek Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Sugar Creek Road. The proposed development has submitted a Willingness to Serve application, and Charlotte Water is currently evaluating the sanitary sewer capacity along the pipeline serving this development. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Sugar Creek Road.

Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Sugar Creek Road. The proposed development has submitted a Willingness to Serve application, and Charlotte Water is currently evaluating the sanitary sewer capacity along the pipeline serving this development. Contact with the applicant is being maintained.

Development is encouraged to contact Installation Development Services at (704) 336-5499 to review service connection design requirements and City Ordinances (e.g., backflow, separate meter Ordinance, public/private pipeline extensions). Comments: Development will need to submit a CAP application, will need to contact Charlotte Water's New Services at (704) 432-5801 for water/sewer services and dismantlements, will need to send plans to Charlotte Water to permit private water, will need to send plans to NC-DEQ Mooresville Regional Office (704) 663-1699 for sewer permitting, and will need to verify at least 36" min cover over Charlotte Water's existing water main at the proposed connection point at West Sugar Creek Road.

Reservation of sanitary sewer system capacity through the Charlotte Water's Capacity Assurance Program is the responsibility of the customer/development. Contact the New Services Group at (704) 432-5801 for further information on reserving capacity up to 12 months.

- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** See Outstanding Issues, Note 2.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

OUTSTANDING ISSUESTransportation

1. Clarify the width of the sidewalk along W. Sugar Creek Road as RZ-2 shows it as six feet and Note 5(c) indicates that it is eight feet.

Environment

2. Show calculations for tree save areas on the site plan. Tree save must be a minimum 30 feet in width.

Land Use

3. Reduce the overall density to 17 dwelling units per acre or less.
-

Attachments Online at 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
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327