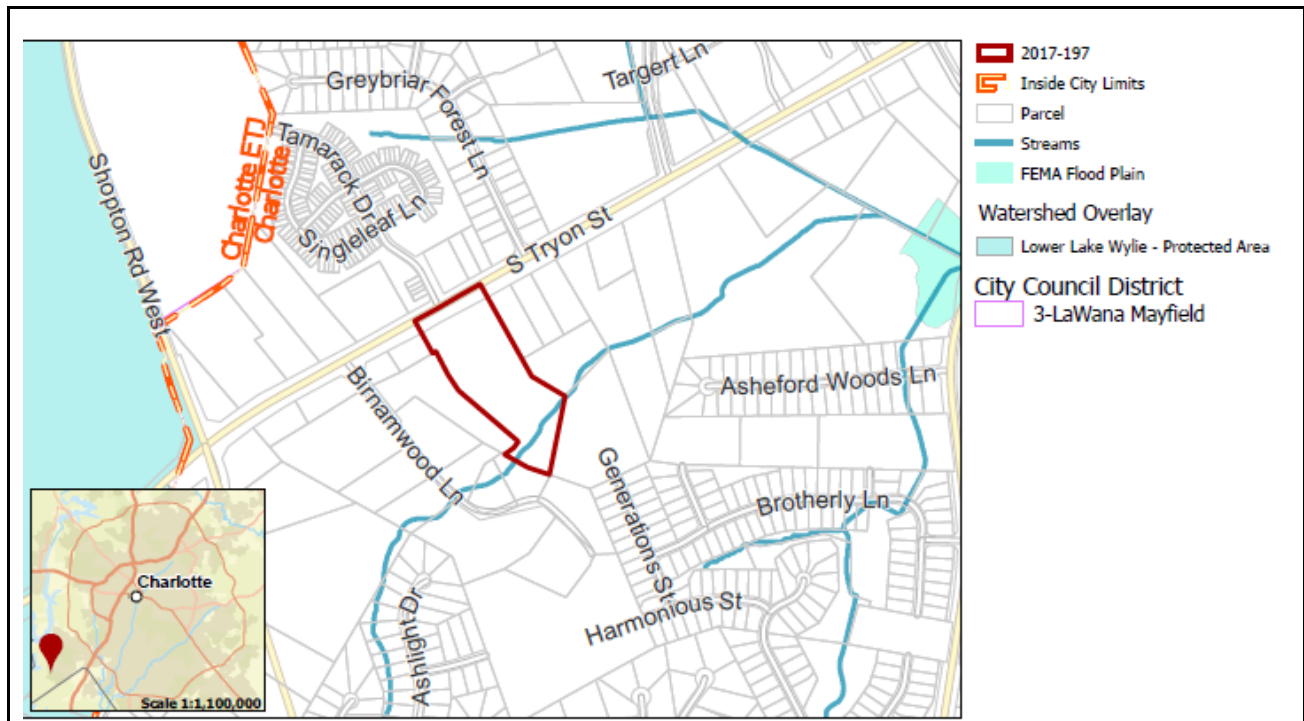


REQUEST Current Zoning: R-3 (single family residential)
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

LOCATION Approximately 7.05 acres located on the east side of South Tryon Street, north of Shopton Road West.
(Council District 3 - Mayfield)



SUMMARY OF PETITION The petition proposes to allow up to 72 multi-family residential units on vacant land located to the south of the Rivergate Mixed Use Activity Center.

PROPERTY OWNER Champion Christian Center, Inc.
PETITIONER The Woda Group, Inc.
AGENT/REPRESENTATIVE Keith MacVean & 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: 4

STAFF RECOMMENDATION Staff does not recommend approval of this petition due the lack of a buffer for the adjacent property to the southwest and the increased density.

Plan Consistency
The petition is inconsistent with the *Steele Creek Area Plan* recommendation for residential land use up to eight dwelling units per acre.

Rationale for Recommendation

- The proposed development is inconsistent with the density recommendation from the *Steele Creek Area Plan* for up to eight dwelling units per acre (DUA), although it is consistent with the residential land use recommendation for the site.
- As a public street is located along the south side of the property, a buffer is not required; therefore, no visual barrier will be in place for the adjacent existing single family residential properties

- to the south.
- In addition, an increase in the density above what is recommended by the plan could have negative impacts (additional building height, transportation congestion, etc.) on the single family residential properties that have not redeveloped.

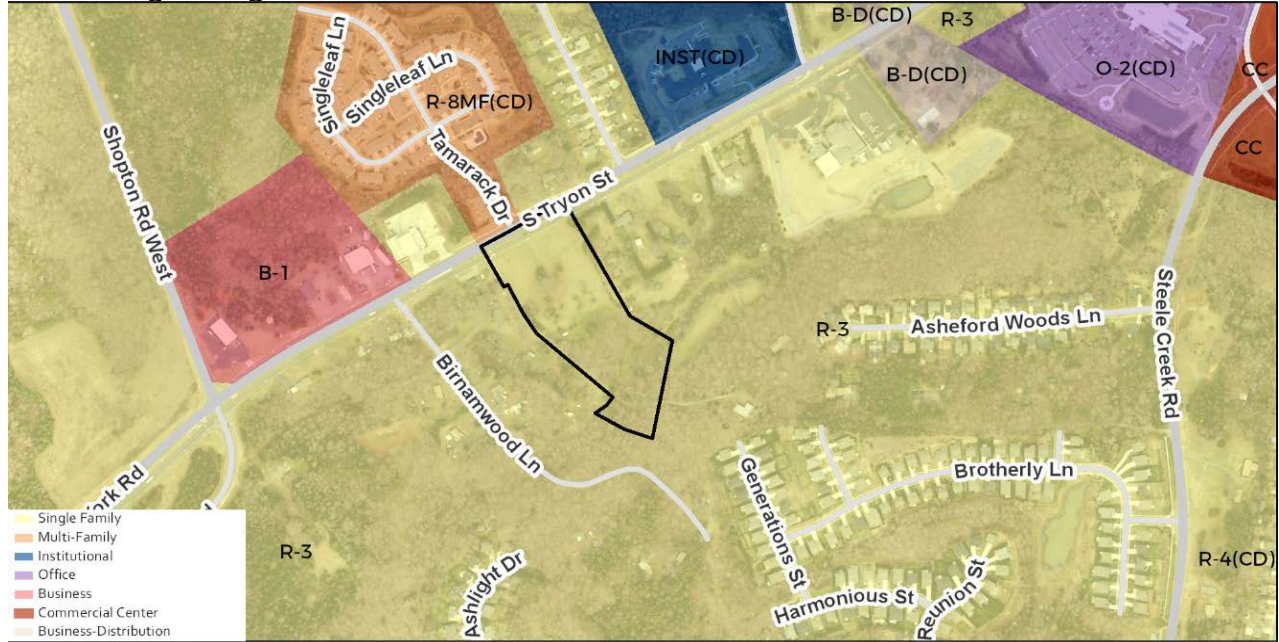
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 72 multi-family residential units at a density of 10.21 dwelling units per acre.
- Community building, playground, tot lot, and covered picnic area.
- Limits building height to three stories or 48 feet.
- Notes number of principal residential buildings will not exceed six (6).
- Notes commitment to providing a workforce program to ensure that the residential units are reasonably priced for persons earning less than the median income for the area. Petitioner ensures that all the proposed residential units constructed on the site, for a period of not less than 30 years, maintain monthly rents that are income restricted for households earning 60% or less of the area median income.
- Proposes access to site from South Tryon Street, with the creation of an internal public street (Public Streets A and B) network with six (6) foot sidewalks, eight (8) foot planting strips, and on-street parking.
- Identifies an existing 15 foot driveway and access easement to residential property to the south (to be relocated and provided with connection to proposed public street).
- Notes that surface parking areas (except parallel or angled on-street parking) will not be allowed between South Tryon Street, the new internal public streets, and the proposed buildings.
- Acknowledges City's intent to improve the site's frontage along South Tryon Street with a sidewalk. In the event the City has not completed the sidewalk at the time petitioner submits preliminary plans for the site for subdivision approval, petitioner commits to contributing to the City the cost of installation of ~~the sidewalk~~ a six (6) foot sidewalk along the site's frontage. The money contributed by the petitioner is to be used by the City to complete the sidewalk along South Tryon Street.
- Proposes utilization of a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood.
- Vinyl or aluminum as a building material may only be used on windows, soffits, and on handrails/railings.
- Provides design commitments on building frontage, building massing, and architectural features.
- Provides Class C buffers along all property lines abutting acreage zoned R-3 (single family residential) and/or in residential use.
- Identifies possible stormwater management facility.
- Identifies common open space and tree save area.

• Existing Zoning and Land Use



- The site is vacant and surrounded by undeveloped/vacant acreage, single and multi-family residential, , as well as commercial, office, and institutional uses. The site lies outside of the Rivergate Mixed Use Activity Center.



Site is vacant. A gravel drive on the western edge of the site provides access to a landlocked parcel located to the rear of the site, developed with a single family home.

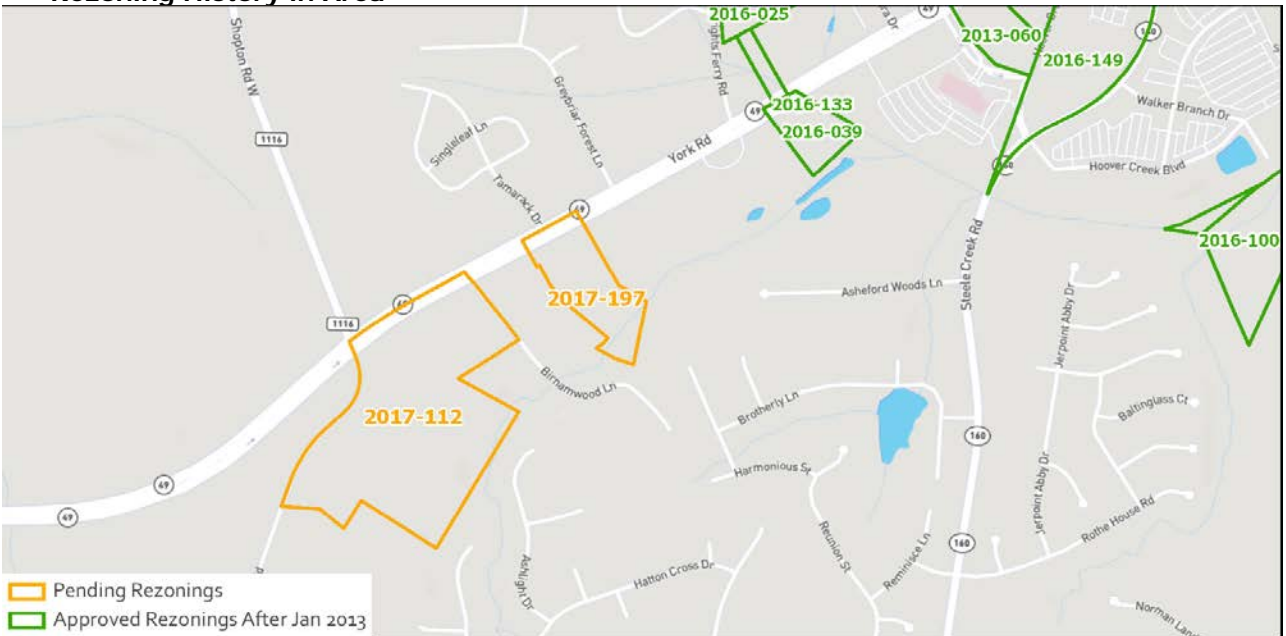


East and west of the site along South Tryon Street are parcels developed with single family homes.



North of the site, across South Tryon Street is a Fire station, several commercial uses, a townhome development and single family homes.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-112	Proposal to rezone 30 acres to allow up to 254 multi-family residential units and 30,000 square feet of commercial uses.	Pending
2016-133	Rezoned 3.58 acres to allow the construction up to 100,000 square feet of climate controlled storage space.	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

• **Public Plans and Policies**



- The *Steele Creek Area Plan* (2012) recommends residential land use up to 8 dwelling units per acre, for this site.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located on a major thoroughfare. The current site plan commits to construction of internal public streets and contribution to city streetscape project along the Tryon frontage. CDOT continues to request reservation for the extension of the Public Street A to the southern property line to set up for future connectivity to nearby street stubs. Additionally, CDOT does not support the angled parking along both sides of Public Street B. This parking form is not appropriate along both sides of a residential street and does not align with the local residential wide typical right-of-way width.

- See Outstanding Issues, Notes 3 and 4.

• **Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 250 trips per day (based on 21 single family dwellings).

Proposed Zoning: 560 trips per day (based on 72 multi-family dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** The City of Charlotte does not provide individual rollout carts for garbage and recycling to properties with over 29 units. The City does provide garbage and recycling service on the City's multifamily collection contract; however, the property must provide a dumpster(s)/compactor. The multifamily collection vendor provides the recycle carts, placed at the dumpster(s)/compactor area, for properties utilizing the contract for service. Space requirements for dumpster(s)/compactor and recycling is required to be set aside even if property owner and/or developer elects to use a private hauler for individual rollout cart service.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 12 students, while the development allowed under the proposed zoning will produce 52 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 40 students.
 - The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
 - River Gate Elementary from 100% to 104%

- Southwest Middle from 134% to 134%
- Olympic High from 138% to 138%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along Tryon Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer main located along Tryon Street or a 21-inch gravity sewer main on property paralleling the creek.
- **Engineering and Property Management:**
 - **Arborist:** Trees cannot be removed from nor planted in the right-of-way of any state maintained streets (South Tryon Street) without permission of NC Department of Transportation and the City Arborist's office. The petitioner shall submit a tree survey for all trees two (2) inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight-inches (diameter breast height) or larger in the setback.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** See Outstanding Issues, Note 5.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site Plan and Design

1. Reduce unit count to comply with Steele Creek Area Plan density recommendation of eight dwellings per acre. **Not addressed.**
2. Provide a buffer/fence for the single family residential property located to the southwest of the subject site. **Not addressed.**

Transportation

3. ~~The petitioner should revise the site plan to show Public Street A 71' right-of-way extending to the southern property line and construction a future connection to existing Generation Street.~~ **Addressed.**
4. ~~The petitioner should revise the site plan to show Public Street B with parallel parking. If angled parking is desired, must be reverse angle with 14' wide travel lane adjacent to the angle parking and 10' wide travel lane adjacent to the parallel parking (total 24' travel width). Reverse parking stall depth is 18' (measured perpendicular to the curb), stall width is 10.5' (measured parallel to travel lane).~~ **Addressed.**

Environment

5. ~~Site is in a wedge and will be required to provide 15% tree save area based on gross acreage. 15% of 7.05 acres = 1.05 acres tree save. Show tree save and calculations area on site plan. Tree save must contain existing healthy tree canopy. Tree save must be 30 feet width minimum.~~ **Addressed.**

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System 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

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