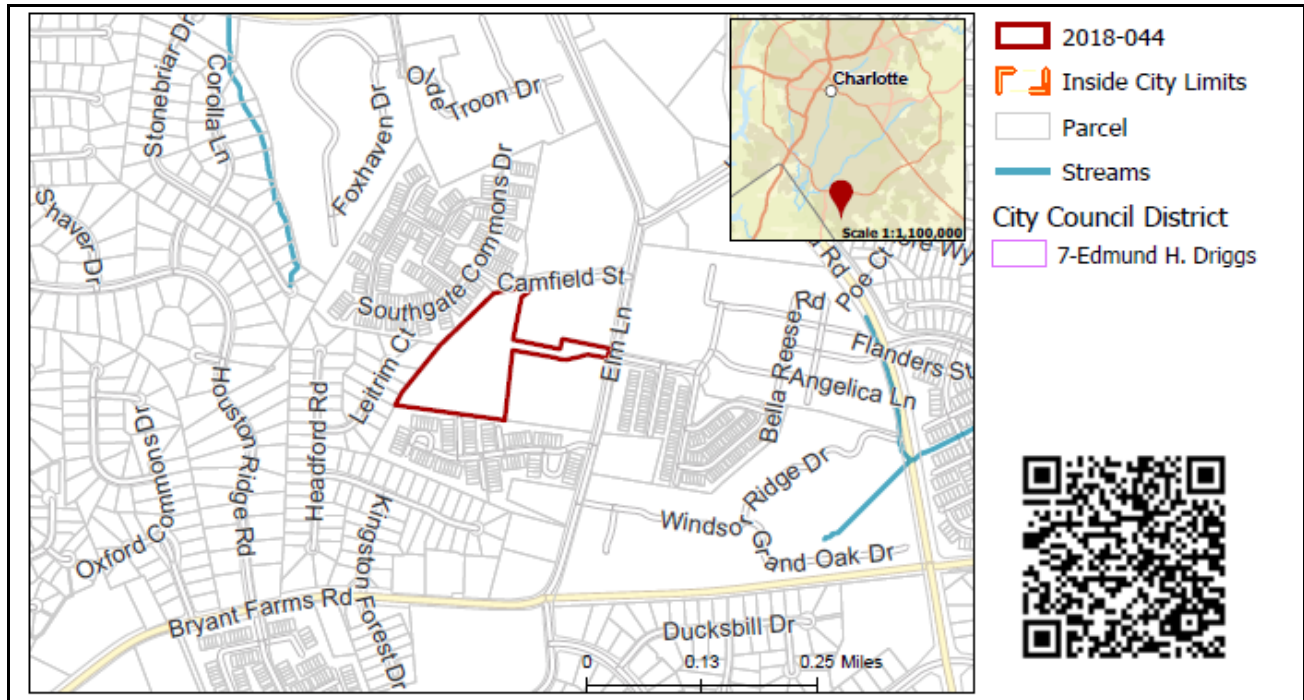


REQUEST Current Zoning: R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION Approximately 7.5 acres located on the west side of Elm Lane, south of Camfield Street.
(Council District 7 - Driggs)



SUMMARY OF PETITION The petition proposes a residential infill development, off of Elm Lane south of I-485 and behind two existing religious institutions, containing up to 61 single family attached townhomes.

PROPERTY OWNER Covenant Baptist Church of Charlotte, Inc.
PETITIONER Land Investment Resources, LLC
AGENT/REPRESENTATIVE John Carmichael, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETING Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 76.

STAFF RECOMMENDATION Staff recommends approval of this petition.

Plan Consistency
The petition is consistent with the *South District Plan* recommendation for residential use, and the proposed density of 8.13 units per acre meets the criteria in the *General Development Policies* for development at up to 12 dwellings per acre.

Rationale for Recommendation

- The subject rezoning is a rear portion of a large parcel with an institutional use situated on a major collector street.
- The site is located in an area with a number of single family attached developments to the northwest, south, and across Elm Lane in a mixture of zoning districts. The petition limits the maximum building height to 40 feet and three stories consistent with other single family attached and detached residential development in the area.

- The site plan commits to a 38-foot landscaped area, planted to meet the Class C buffer requirements abutting the four single family detached homes that are adjacent to a portion of the rear of the site.
- The property is near the Stonecrest Mixed Use Activity Center, and is within a short walking distance of supporting uses such as religious institutions, schools, and shopping centers including Camfield Corners and The Village at Robinson Farm. The petition proposes pedestrian connectivity to Camfield Street and Elm Lane for access to these uses.

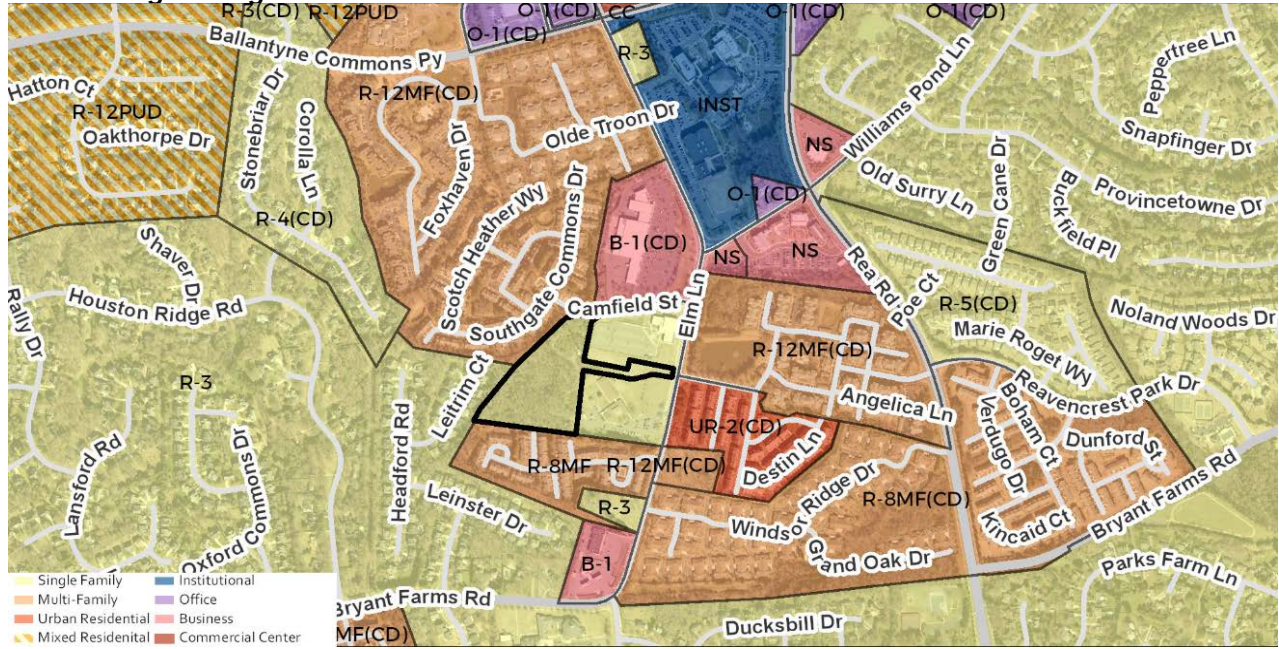
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 61 single family attached townhome dwelling units for a density of 8.13 dwelling units per acre.
- Limits the maximum building height to 40 feet and three stories.
- Existing cell tower to remain.
- Provides proposed building elevations.
- Vehicular and pedestrian access via a private street connecting to Elm Lane, and pedestrian access to Camfield Street.
- Provides a north bound left hand turn lane into the site and commits to providing a pedestrian refuge on Elm Lane with permission by NCDOT.
- Specifies that dumpsters and recycling containers will be located a minimum of 100 feet from the western boundary.
- Provides a 38-foot wide landscape area, planted to a Class C buffer standard, abutting single family detached homes along a portion of the western boundary. Provides a 20-foot wide landscape and tree preservation area for the remaining portion of the western boundary abutting townhome dwellings. Specifies that evergreen trees will be provided to screen the driveway/ parking spaces that serve the units on the northernmost part of the site from the western boundary of the site.
- Commits to a 30-foot wide landscape and tree save area along the southern boundary of the site.
- Specifies that \$4017.00 will be paid to owners of parcel 22328247 for the installation of a fence by the property owners along the common boundary of the site.
- Commits to a central green/ amenity space of at least 5,000 square feet containing pedestrian walkways and seating.
- Limits the height and directionality of freestanding lighting.
- Commits to analyzing stormwater conveyance across parcels 22328247 and 22328248 including a capacity study of existing storm drainage infrastructure located on Leitrim Court and commits to improving conveyance or mitigating the stormwater discharge onto/ across the properties if the study finds existing conditions inadequate.
- Indicates the possible location of a stormwater BMP along the private street into the site.

• Existing Zoning and Land Use



- The subject site is a portion of a larger parcel zoned entirely R-3 (single family residential). The subject rezoning area is vacant and wooded while the front of the parcel is developed with a religious institution (Living Hope Church).



- Northwest and west of the site are townhomes in R-12MF(CD) (multi-family residential, conditional) zoning.



- North of the site across Camfield Street is the Camfield Corners shopping center in B-1(CD) (neighborhood business, conditional) zoning.



- East of the site are two religious institutions in R-3 (single family residential) zoning.



- East of the site, across Elm Lane are townhome developments in R-12MF(CD) (multi-family residential, conditional) and UR-2(CD) (urban residential, conditional) zoning.

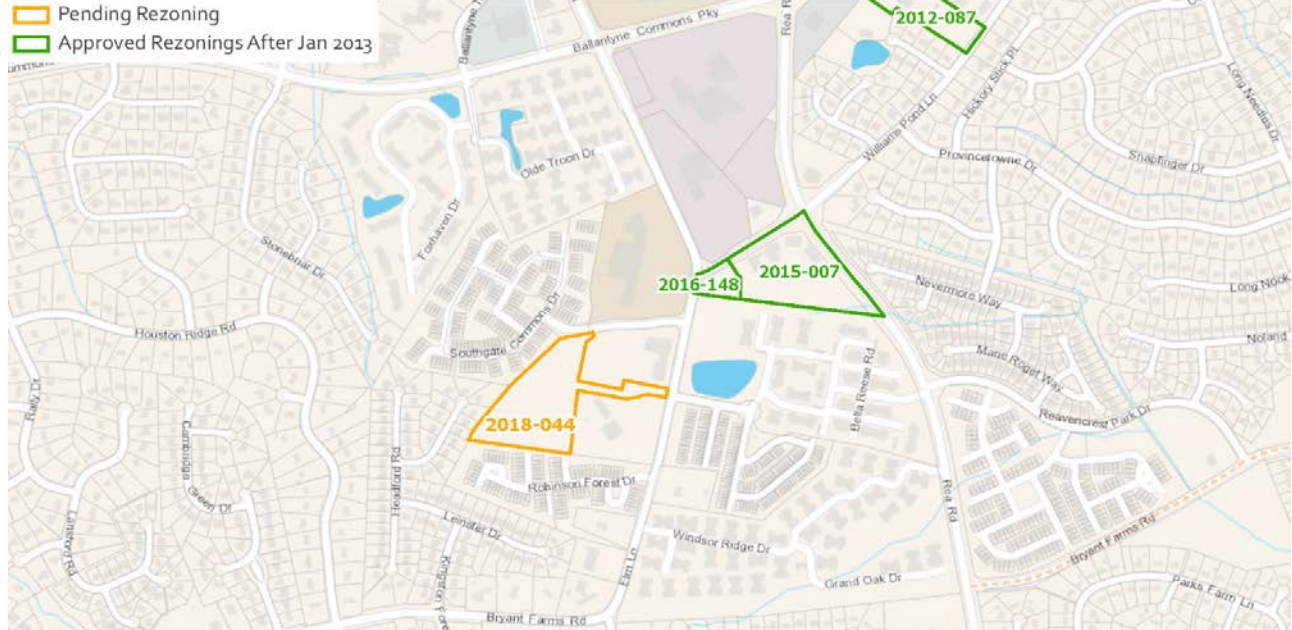


- South of the site is a townhome development in R-8MF (multi-family residential, conditional) zoning.



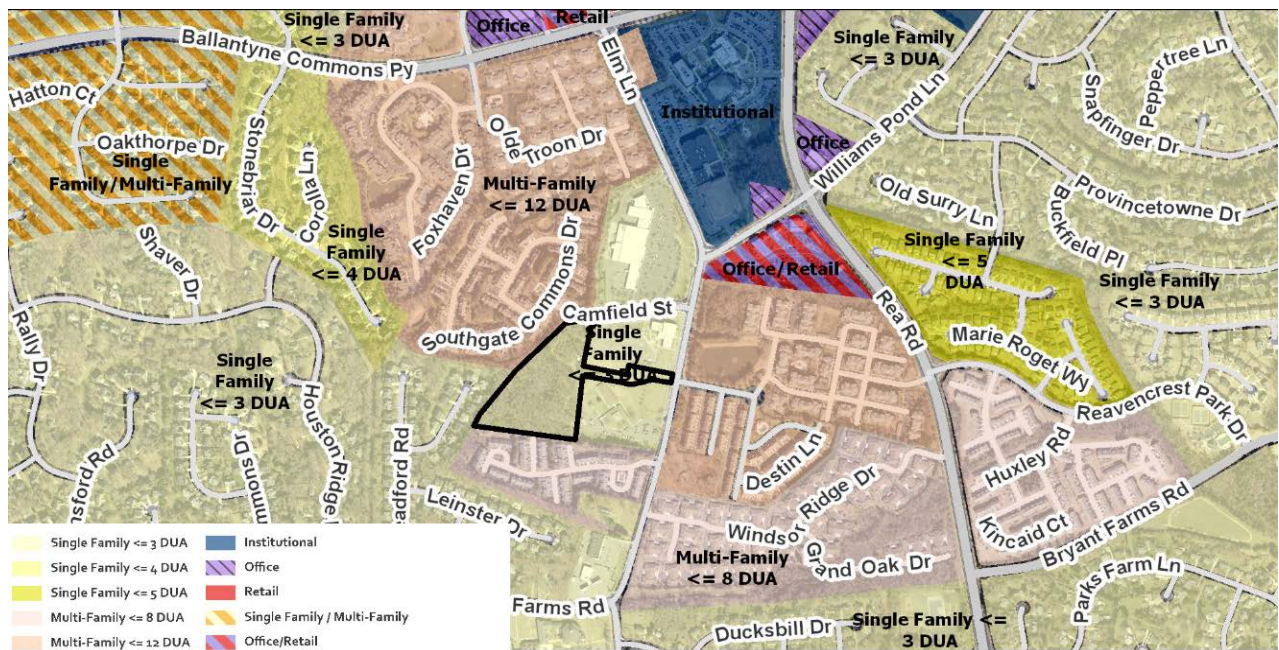
- Southwest of the site are single family homes in R-3 (single family residential) zoning.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2016-148	Rezoned 0.89 acres, northeast of the site at the intersection of Elm Lane and Williams Pond Road, to NS SPA (neighborhood services, site plan amendment) to allow a 4,500-square foot retail building.	Approved
2015-007	Rezoned 5.659 acres, northeast of the site at the intersection of Rea Road and Williams Pond Lane, to NS (neighborhood services) to allow up to 44,000 square feet of a mixture of EDEE, retail and office uses.	Approved
2012-087	Rezoned 3.56 acres, northeast of the site on the south side of Ballantyne Commons Parkway, to O-1(CD) (office, conditional) to allow a childcare center for up to 220 children.	Approved

Public Plans and Policies



- The *South District Plan* (1993) recommends residential uses.

- 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 (CMUD)
Land Use Accessibility	3 (High)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 13

• **TRANSPORTATION CONSIDERATIONS**

- The site is located on a major collector road. The site plan commits to improving pedestrian access by installing a pedestrian refuge island on Elm Lane and providing a sidewalk connection from the site to Camfield Street.
- ~~See Outstanding Issues, Note 1.~~
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 0 trips per day (based on vacant property).
 Entitlement: 260 trips per day (based on 22 single family dwellings).
 Proposed Zoning: 420 trips per day (based on 61 townhome dwellings).

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 less than 26-foot clear width. See charlottefire.org for other requirements.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 13 students, while the development allowed under the proposed zoning will produce 11 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
 - The proposed development is not project to increase the school utilization (without mobile classroom units) at the following schools:
 - Hawk Ridge Elementary at 128%
 - Community House Middle at 147%
 - Ardrey Kell High at 154%.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along Elm Lane and via an existing six-inch water distribution main located along Camfield Street.

Charlotte Water currently does not have sewer system accessibility for the rezoning boundary under review. The closest available sewer main is approximately 120 feet east of the rezoning boundary on Millwright Lane. The applicant should contact Charlotte Water's New Services at (704) 432-2854 for more information regarding accessibility to sewer system connections.

• **Engineering and Property Management:**

- **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets (Elm Lane) without permission of NC Department of Transportation and the City Arborist's office. Required Tree Ordinance perimeter trees are required to be planted to meet NCDOT planting guidelines; specifically, small maturing trees are required to be planted five feet from edge of travel lane on Elm Lane. 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 and before planting trees in the NCDOT right-of-way.

No trees can be planted in the public right-of-way of any existing (Camfield Street) or newly created city maintained street without explicit authorization from the City Arborist or his designee. Contact the City Arborist's office to discuss trees species to be planted in the right of way of all City of Charlotte maintained street; species must be approved before planting. ~~See Outstanding Issues, Note 2.~~

- **Erosion Control:** No outstanding issues.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** ~~See Requested Technical Revisions, Note 3.~~
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~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. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **Addressed. The petitioner specified that the construction of a model unit would not trigger the requirement.**

Environment

2. ~~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. Tree survey may be completed by landscape architect, surveyor, or other land development professional.~~ **Addressed. The petitioner provided aerial and street view images along with a statement that there are no trees in the right-of-way on Elm Lane.**

REQUESTED TECHNICAL REVISIONS

Environment

3. ~~Revise the site plan to show tree save calculations on the site map. Site is in a wedge and will be required to provide 15% tree save area based on gross acreage. 15% of 7.5 acres = 1.125 acres tree save. Tree save must contain existing healthy tree canopy. Tree save must be 30' width minimum.~~ **Addressed.**

Site and Building Design

4. ~~Show and label a proposed access drive for the cell tower.~~ **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
 - 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: John Kinley (704) 336-8311