

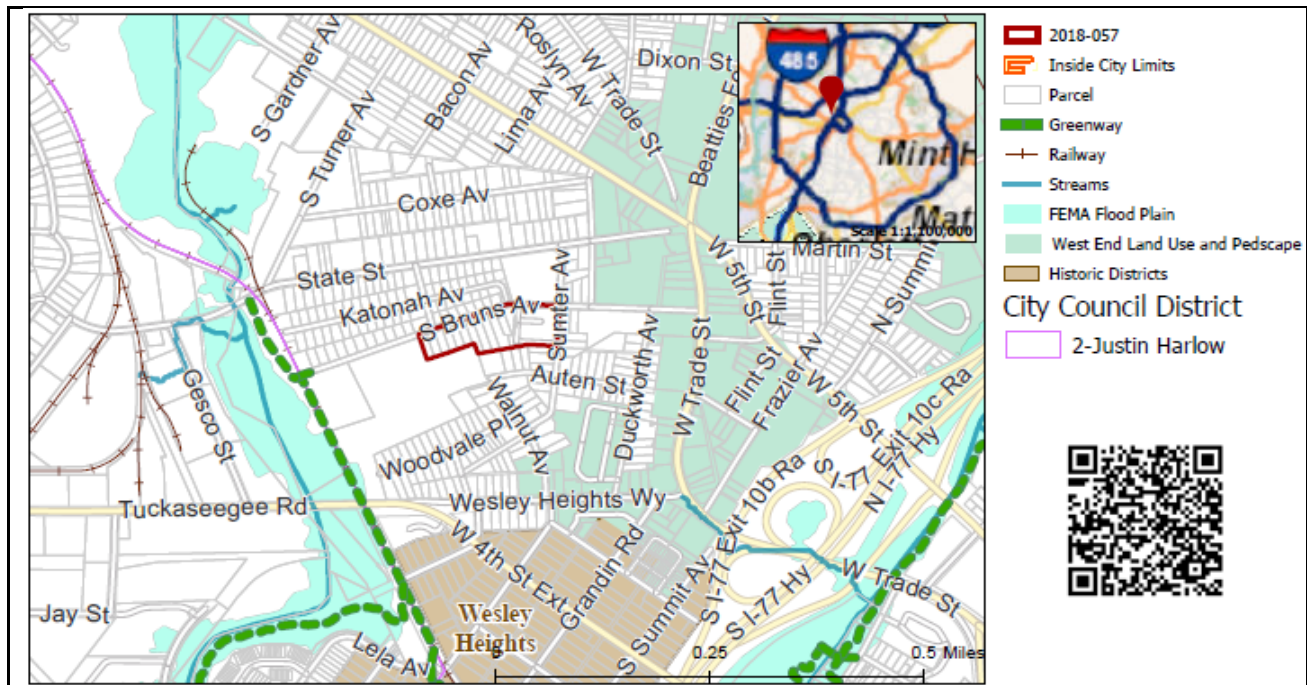
**REQUEST**

Current Zoning: UR-2(CD) (urban residential, conditional) and R-8 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional) and UR-2(CD) SPA (urban residential, conditional, site plan amendment)

**LOCATION**

Approximately 3.87 acres located on the south side of S. Bruns Avenue, west of West Trade Street.  
(Council District 2 - Harlow)



**SUMMARY OF PETITION**

The petition proposes to allow a townhome community on acreage next to S. Bruns Avenue Elementary, north of Wesley Heights Way and west of West Trade Street.

**PROPERTY OWNER**

Various

**PETITIONER**

Shea Homes

**AGENT/REPRESENTATIVE**

Collin Brown and Brittany Lins, K&L Gates LLP

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 6

**STAFF RECOMMENDATION**

Staff recommends approval of this petition upon resolution of the outstanding issue pertaining to site and building design.

Plan Consistency

The proposed residential use is consistent with the *Central District Plan* recommendation for residential uses as amended by previous rezoning petitions. The proposed density is consistent for the bulk of the site. However, it is inconsistent with the density recommendation for two parcels fronting on S. Bruns Avenue in the center of the site.

Rationale for Recommendation

- The proposed residential development incorporates two single family parcels with adjacent and entitled townhome projects to create one integrated residential development.
- The proposed overall residential density of 44.9 14.6 units per

acre is consistent with the density currently allowed for the site which is 14.47 units per acre, and is consistent with the *General Development Policies* which support up to 17 units per acre.

- The development supports the goal of providing housing choice in the neighborhood and is compatible and adjacent to both existing single family and multi-family housing.
- The site design orients residential units to front the street and the building massing is broken up to be compatible with adjacent single family development along S. Bruns Avenue.
- Parking and vehicle access is located behind the units on a rear alley and driveways are aligned with existing neighborhood streets in order to support and strengthen the existing pedestrian-oriented street and block pattern.

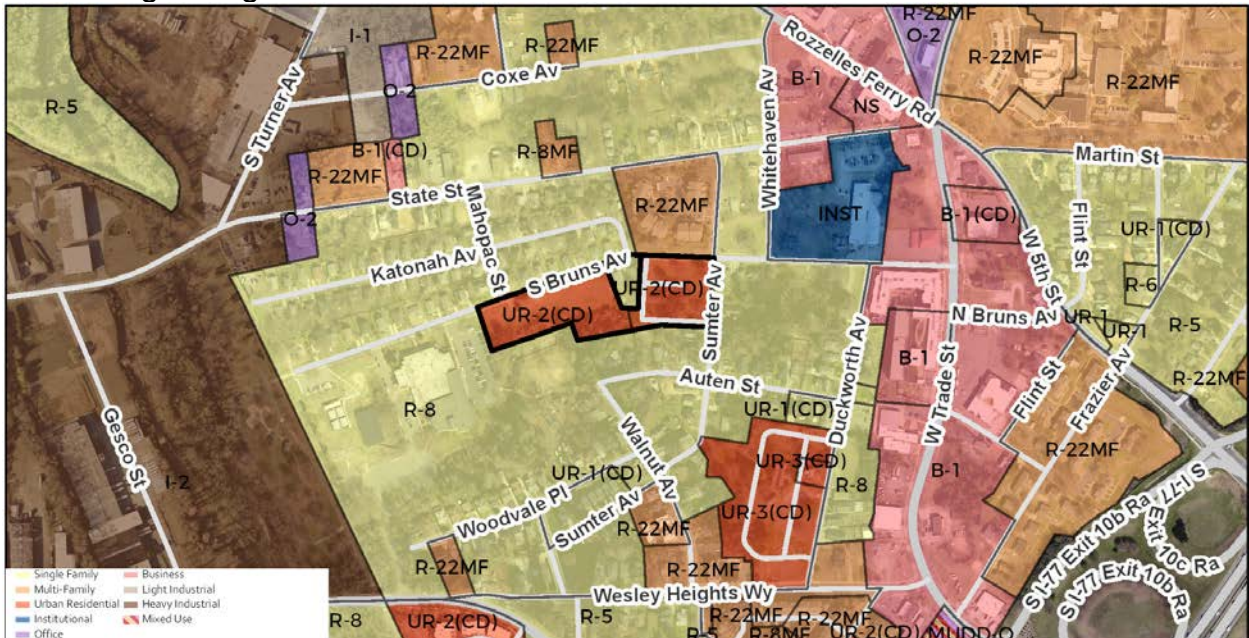
**PLANNING STAFF REVIEW**

**Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to ~~58~~ 57 for sale townhouse units at a density of ~~14.9~~ 14.6 units per acre.
- Limits building height to 60 feet.
- Proposes access via S. Bruns Avenue and Sumter Avenue.
- Commits to an eight- foot sidewalk and eight- foot planting strip along S. Bruns and Sumter Avenues.
- Provides a 14-foot Class C buffer along a portion of the south property line.
- Proposes to utilize a combination of the following building materials: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), vinyl, EIFS or wood.
- Commits to architectural standards regarding pitched roofs, blank walls, walkways, usable porches and stoops, corner/end units, and garage doors.
- Identifies community open space and tree save areas.

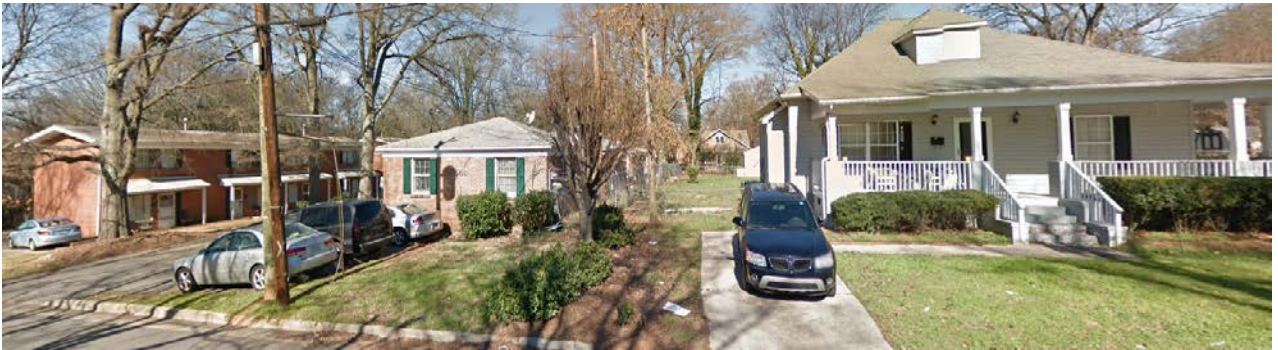
**Existing Zoning and Land Use**



- The site is adjacent to S. Bruns Avenue Elementary, S. Bruns Academy, and Seversville Neighborhood Park. The site is in close proximity to Five Points and Johnson C. Smith University.
- The site is primarily vacant with the exception of two single family homes. A 1.43-acre portion of the site was rezoned via petition 2006-107 to accommodate 25 townhouse units. Petition 2008-026 rezoned another 2.11 acres to allow 28 townhouse units. Neither of these projects were ever developed.
- The site is immediately surrounded by a mix of single family homes, multi-family homes, institutional, office, recreation, religious, retail, and warehouse uses.



The subject property is vacant.



Properties to the north are developed with a mix of single family homes and multi-family apartments.



Bruns Academy is located to the west of subject property.

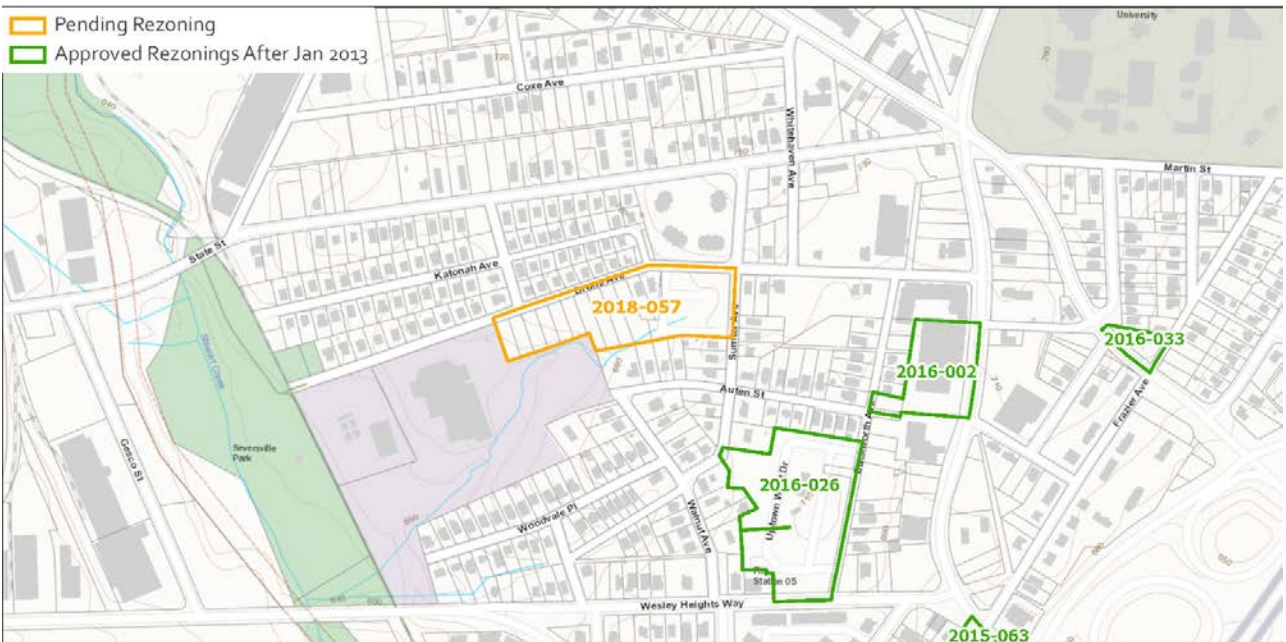


Properties to the south are single family homes.



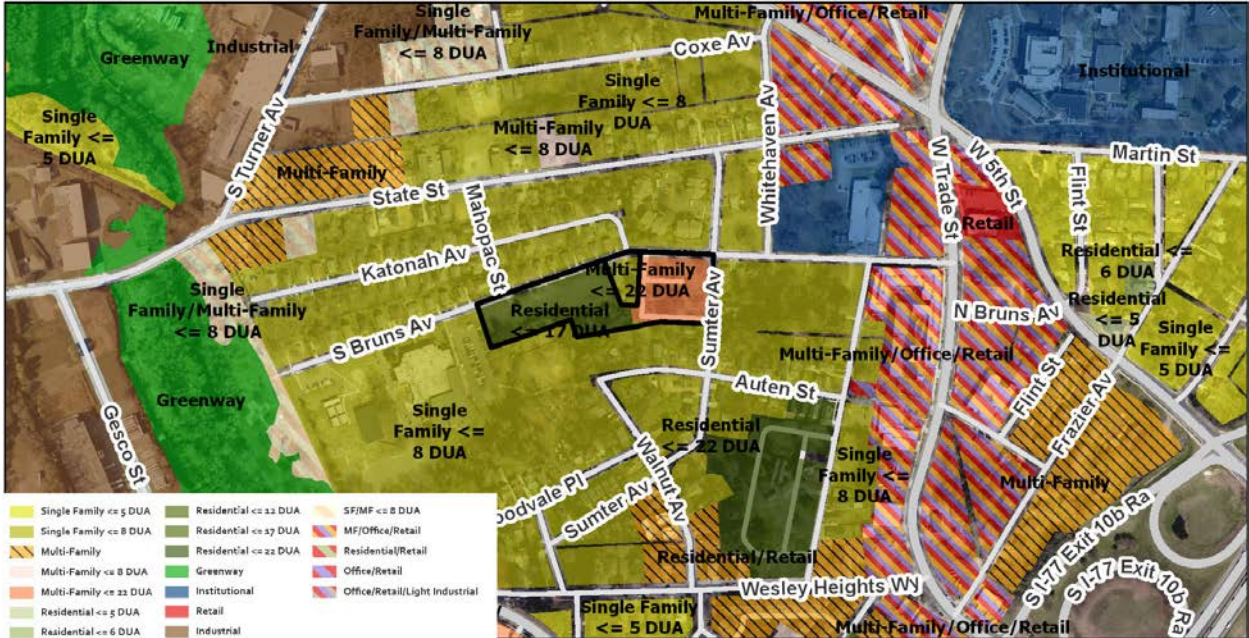
Five Points and JC Smith University are located to the northeast.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-033	Rezone approximately 0.30 acres to allow all uses permitted in the UR-1 (urban residential) district.	Approved
2016-026	Rezone approximately 4.55 acres to allow 85 single family attached units at a density of 18.66 units per acre.	Approved
2016-002	Rezone approximately 2.75 acres to allow an additional 13 feet of height to enclose a portion of the existing roof terrace on top of the parking deck for Mosaic Village, and a parcel on Duckworth Avenue for tree save.	Approved

• **Public Plans and Policies**



- The *Central District Plan* (1993) recommends residential uses for this site at various densities; a portion at 13.27 dwellings per acre as per rezoning petition 2008-026, another portion at 17.48 as per rezoning petition 2006-107, and a portion at eight dwellings per acre as per the *Central District Plan* and subsequent corrective rezoning petition 1993-100A.
- 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	5
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 13</b>	<b>Total Points: 15</b>

• **TRANSPORTATION CONSIDERATIONS**

- The site’s access is from South Burns Ave. The proposed townhome development is alley-loaded, which eliminates driveways along the public street frontage. Eight foot planning strips and six-foot sidewalks are planned along the site’s public street frontages.
- **Vehicle Trip Generation:**  
 Current Zoning:  
 Existing Use: 0 trips per day (based on vacant land).  
 Entitlement: 370 trips per day (based on 53 townhomes; petitions 2008-026 and 2006-107).  
 Proposed Zoning: 400 trips per day (based on 58 townhomes).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** There is an estimated need for approximately 24,000 affordable housing units in the City of Charlotte. In an effort to increase the supply; developers are encouraged to assist in providing homes at diverse price point to meet increased housing demand.
- **Charlotte Fire Department:** Maintain 20-foot unobstructed access road width at all times for Charlotte Fire Department. No on street parking on road less than 26 feet clear width.

- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 5 students, while the development allowed under the proposed zoning will produce 5 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 0 students.
  - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Bruns Avenue Pre K-8 from 140% to 140%
    - West Charlotte High from 97% to 97%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing six -inch water distribution mains located along S. Bruns Avenue and Sumter Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along S. Bruns Avenue and Sumter Avenue.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the right-of-way without explicit authorization from the City Arborist or his designee. 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; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right-of-way. No trees can be planted in the right-of-way of any City maintained street (S. Bruns Avenue) without explicit permission of the City Arborist's office. Tree species must be approved by the City Arborist's office prior to tree planting.  
See Outstanding Issues, Note 1. Addressed.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** See Outstanding Issues, Note 2. Addressed.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Environment

1. ~~Submit a tree survey for all trees two 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. Information must be submitted prior to Zoning Committee Work Session.~~ Addressed. The petitioner is submitting the ALTA survey, which includes site trees as part of the revised site plan submittal.
2. ~~Site is in a wedge and will be required to provide 15% tree save area based on gross acreage. 15% of 3.892 acres = 0.58 acres tree save. Show tree save area and calculations on site map. Tree save must contain existing healthy tree canopy. Tree save must be 30' width minimum.~~ Addressed. The Petitioner is required to reserve 25,430 square feet for tree save and has committed to provide a total area of 25,774, in excess of the requirement. These numbers are included in the Site Data table on RZ-1.

### Site and Building Design

3. ~~The length of the buildings fronting S. Bruns Avenue and across from the existing smaller single family homes remains too long and are out of context. Petitioner should reduce to a series of three-unit buildings with the possibility of one or two four-unit buildings interspersed. Amend Note 4.e to reflect the specific request above.~~ Addressed. The Petitioner has reduced the number of units in the buildings fronting S. Bruns Avenue to a series of alternating 3-unit and 4-unit buildings and has updated Note 4.e accordingly.
4. ~~Petitioner should commit to some improved urban open space on the site plan.~~ Addressed. The Petitioner has committed to the urban open space area as shown on the site plan adjacent to the southern property boundary. The Petitioner commits to provide a singular type or mix of urban open space use(s).
5. ~~Remove Architectural Standards Note 4.j from the site plan.~~ Not addressed. The Petitioner would like Note 4.j (or a similar alternative) to remain on the site plan at this time due to the pending Text Amendment that may change the private open space requirement in the requested zoning district. The Petitioner intends to comply with any and all open space requirements of the Ordinance that are in place at the time of permitting.

**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 Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

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