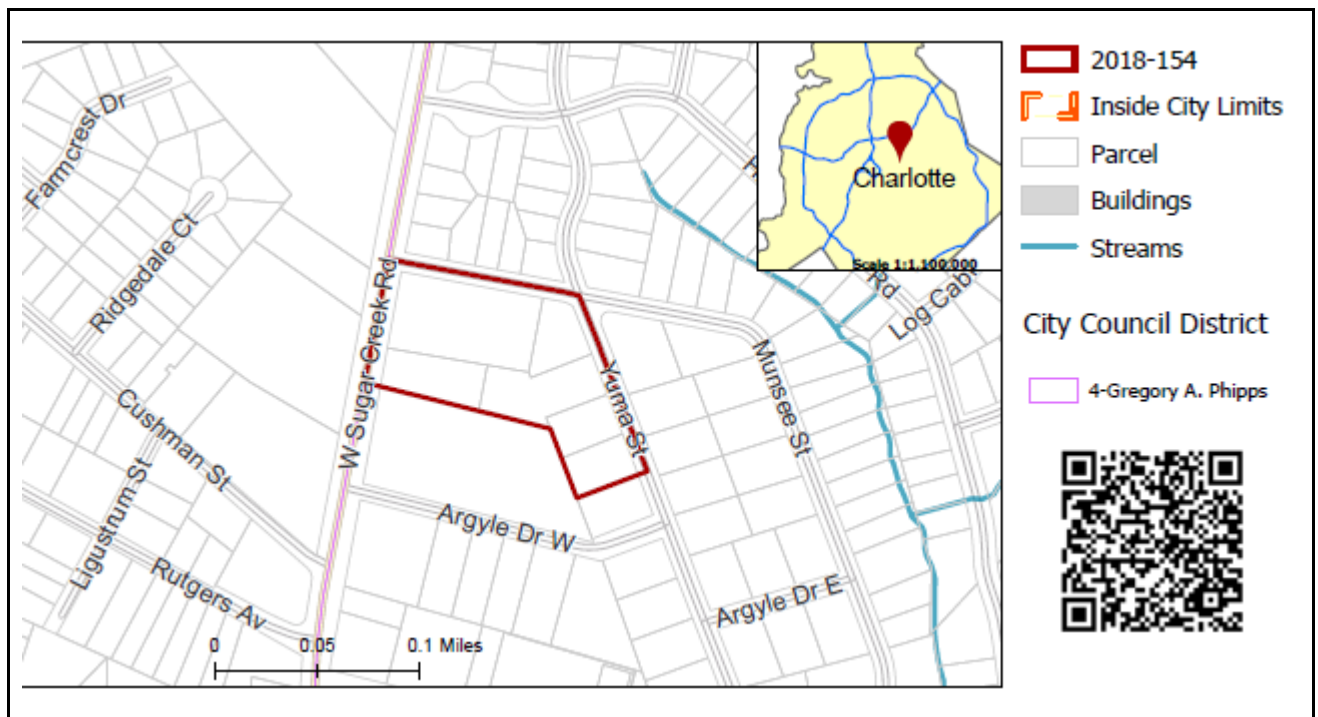


REQUEST

Current Zoning: R-4 (single family, residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional) and MUDD-O (mixed use development, optional)

LOCATION

Approximately 4.48 acres located on the on the east side of W. Sugar Creek Road, south of Munsee Street and west of Yuma Street.
(Council District 4 - Phipps)



SUMMARY OF PETITION

The petition proposes redevelopment of the site to allow up to 50 multi-family dwelling units, retention of an existing single-family dwelling for eventual reuse as a civic facility, a park, and additional parking for an abutting religious institution, at a density of 12.28 units per acre.

PROPERTY OWNER

Mayfield Memorial Baptist Church Trustees and Harry Thomas and Selma Sue Sherrill

PETITIONER

Charlotte-Mecklenburg Housing Partnership, Inc.

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: 64.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the residential land use recommendation in the *Northeast District Plan*. However, the proposed density of 12.28 units per acre slightly exceeds the density of 12 units per acre supported by the *General Development Policies*.

Rationale for Recommendation

- The site is located on a major thoroughfare, with properties zoned for office, institutional, business and multi-family residential to the south and west, across W. Sugar Creek Road.
- The proposed density of 12.28 units per acre slightly exceeds the density of 12 units per acre supported by the *General Development Policies*.
- Proposed development fronting Yuma Street provides a front or side façade to existing single family detached dwellings fronting Yuma Street.
- The requested zoning district, and proposed density and residential type, are generally consistent with the characteristics in the immediate area. Apartments to the north are zoned R-17MF (multi-family residential), and townhomes directly to the west are zoned R-8MF(CD) (multi-family residential, conditional).

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan*, from single family residential at 4 dwelling units per acre to multi-family residential at 14 dwelling units per acre for the site.

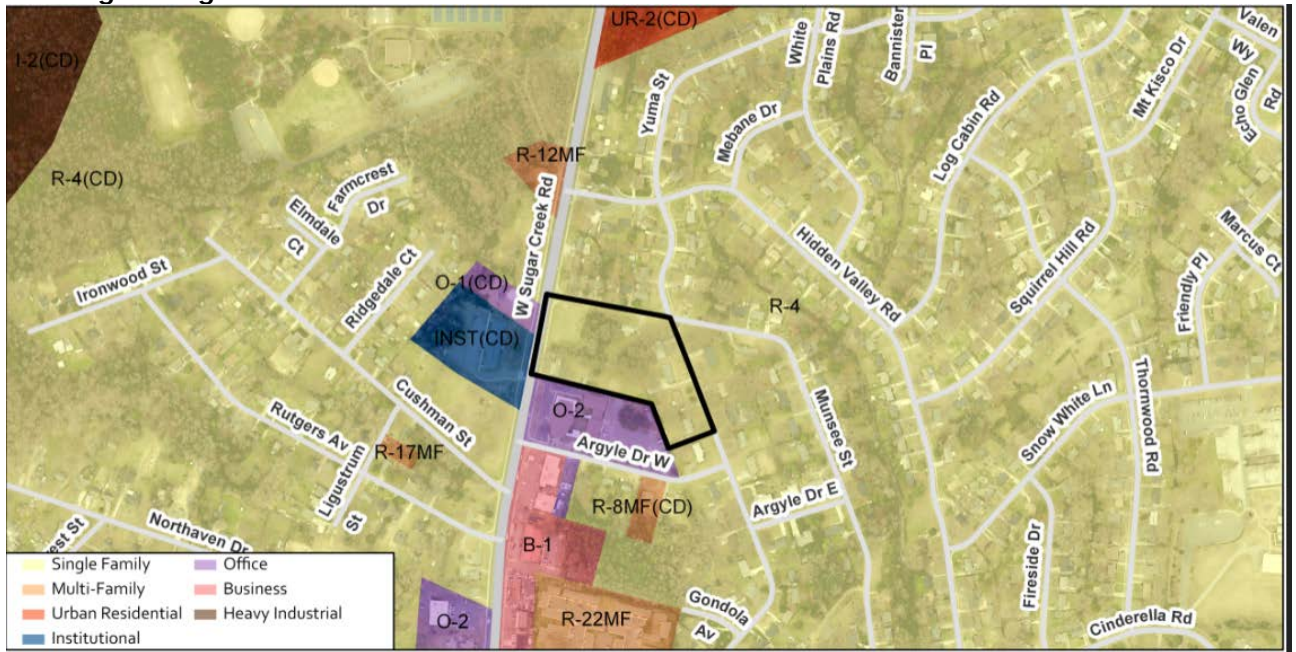
PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Petition proposes a multiple use development in two different zoning designations, provided in three development areas A, B and C.
- Maximum of 13 principal buildings on the site.
- Maximum building height of two stories and 40 feet.
- Site access via Yuma Street and Munsee Street, and interior cross-access from the abutting religious institution that fronts W. Sugar Creek Road.
- Tree save consisting of 4.48 acres.
- Tree save areas provided in Development Areas B and C along the frontage on Yuma Street.
- Provision of a 16-foot planting strip and eight-foot sidewalk along the site's frontage on W. Sugar Creek Road.
- Petitioner will provide a CATS waiting pad at the intersection of W. Sugar Creek Road and Munsee Street.
- Development Areas A and B
 - Area A proposes UR-2(CD) (urban residential, conditional).
 - Area B proposes MUDD-O (mixed use development, optional)
 - Areas will allow up to 50 multi-family residential dwelling units, a 3,500 square-foot club house, and associated parking.
 - Minimum 90% of residential units will be made available to persons earning less than 80% of the area median income in the area, for a period of 20 years.
 - Area B also will allow parking spaces for the abutting institutional religious institution use.
 - A double row of staggered evergreen shrubs will be used to screen parking spaces fronting Yuma Street in Development Area A.
- Development Area C
 - Existing single family detached dwelling may be reused as a residential use dwelling unit or a civic facility.
 - A proposed civic facility up to 2,500 square feet may be developed by reuse of the existing structure or via a new structure.
 - Set aside area for a neighborhood park and open space/green space may contain landscaping, seating areas, and/or hardscape elements, and may also contain a tot lot and a picnic area.
- Provision of a 16.5-foot wide Class B buffer with a six-foot fence abutting R-4 (single family residential) zoning to the south.
- Optional Provision
 - Allow parking between the building and the street along Yuma Street in Development Area B.
- Architectural Standards
 - Buildings will present a front or side to abutting public streets, and a minimum 60% building frontage along Yuma Street, Munsee Street, and W. Sugar Creek Road. Allowable building materials are specified. Vinyl may only be used as on windows, soffits and handrails.
 - Building elevations shall not have blank walls exceeding 20 feet in length along any public street.

- Each unit will provide a front porch, a minimum of six feet in depth.
 - Corner units will provide a corner porch that will extend at least six feet from the front elevation.
 - Multiple windows will be provided on the end facades that front public streets.
- **Existing Zoning and Land Use**



- The subject property is developed with seven single family detached dwellings. Surrounding land uses on either side of W. Sugar Creek Road include single family detached dwellings. In addition, a religious institution, retail uses, and a multi-family apartment development are located on the east side of W. Sugar Creek Road, and medical and general office uses are located on the west side of W. Sugar Creek Road.



The subject property is developed with single family homes.



The properties to the north along Munsee Street are developed with single family homes.



The property to the south along West Sugar Creek Road is developed with a religious institution.



The properties to the east along Yuma Street are developed with single family homes.



The property to the west along West Sugar Creek Road is a medical office.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-190	Rezoned 9.82 acres located on the east side of Sugar Creek Rd, east of Merlane Drive to UR-2(CD) to allow h up to 180 multi-family residential dwelling units, at a density of 18.3 units per acre.	Approved
2015-134	Rezoned 1.84 located on the west side of W. Sugar Creek Rd, north of Merlane Drive and south of Wilson Lane to allow 13,000 square feet of office and retail uses.	Approved

• **Public Plans and Policies**



- *Northeast District Plan (1996)* recommends residential land use up to four dwelling units per acre.

- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meet the General Development Policies locational criteria for consideration of up to 12 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – 8 up to 12 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	2
Connectivity Analysis	3
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 12

- **TRANSPORTATION CONSIDERATIONS**

- The site is located on a major thoroughfare road. The site is committing to providing the required streetscape along development frontage. CDOT continues to request the site plan to commit to provide sidewalk connection to an existing bus stop for the additional pedestrian traffic to have access to transit.
- See Outstanding Issues, Notes 10.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 70 trips per day (based on seven single family dwellings).
 Entitlement: 170 trips per day (based on based on 17 single family dwelling).
 Proposed Zoning: 350 trips per day (based on 50 apartment dwellings, and one single family dwelling).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** The proposed development will help achieve City Council’s goal to increase the supply of affordable and workforce housing.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 11 students, while the development allowed under the proposed zoning will produce 13 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is two students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Hidden Valley Elementary remains at 132%
 - Martin Luther King, Jr. remains at 96%
 - Zebulon Vance High remains at 119%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing six-inch water distribution mains located along Yuma Street, Munsee Street and via an existing eight-inch water distribution main located along West Sugar Creek Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Yuma Street, Munsee Street and West Sugar Creek Road.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** See Outstanding Issues, Note 8.
 - **Storm Water Services:** See Outstanding Issue, Note 9.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. Amend Notes 5a, 5b and 5c under Setbacks and Streetscape to replace "setback" with "build to line." Porches and stoops are not allowed to encroach into setbacks. **Addressed**
2. Amend Note 9d under Architectural Standards to replace 135 feet with 120 feet in length. **Addressed**
3. Add architectural commitment for the existing single family residential building/future civic facility in Development Area C indicating that, with future additions, the building will not exceed 2,500 square feet, and additions to the existing structure must be to rear of the building. **Addressed**
4. Provide architectural commitments that apply to additions to the existing single family residential building/future civic facility in Development Area C that is to remain, and for the building that may replace that structure. Commit to maximum building height not to exceed two stories, and to be similar in character and building materials to the proposed residential units. **Addressed**
5. Delete labeled location of tot lot and picnic area. Indicate in the development notes that such amenities will be provided. Retain proposed location of required solid waste facilities. **Addressed**
6. Label "proposed storm water detention" area, and remove from rear of existing single family detached dwelling. **Addressed**
7. Provide additional landscaping and remove parking spaces fronting Yuma Street in the parking lot in Development Area B or provide a minimum three-foot tall masonry screen wall along the Yuma Street frontage of the proposed parking lot in Development Area B. **Addressed**

Environment

8. Amend Note 10a under Environmental Features as follows: The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary, in order to accommodate actual storm water treatment requirements and natural site discharge points. **Addressed**
9. Petitioner is advised to consider roof slopes, roof drains, and other drainage facilities needed to capture and convey storm water runoff from proposed development nearest Yuma Street and Munsee Street to the "storm detention area" location shown on the rezoning plan. **Addressed**

Transportation

10. Add a note committing to provide a six-foot sidewalk along Argyle Drive West to the bus stop at the intersection of Yuma Street and Argyle Drive West (corner tax parcel 08904203). **Rescinded by staff**
11. Add commitment to provide five accessible ramps where needed at public street intersections to be determined during the permitting process. **Addressed**
12. Sidewalk terminating at tax parcel 08904204 requires a temporary ADA ramp and petitioner should commit to constructing. **Addressed**
13. The corner of Munsee Street and Yuma Street requires two directional ADA ramps and petitioner should commit to constructing. **Addressed**
14. Revise the site plan and conditional notes to depict and provide conditional notes to address the requested CATS concrete waiting pad at the current bus stop located at the corner of W. Sugar Creek Road and Munsee Street. **Addressed**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

15. Amend Note 1c under General Provisions to delete the last paragraph about plan modifications. **Rescinded by staff**
16. Delete Note 1f under General Provisions. Uses excluded from floor area calculation are defined in the zoning ordinance definition of "floor area," and may not be amended via a rezoning. **Rescinded by staff**
17. Delete Notes 11b and 11c under heading of Signage. **Addressed**
18. Specify density as 12-28 based on 4.07 acres, which excludes the proposed parking lot area for the religious institution. **Rescinded by staff**

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 Department of Solid Waste 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
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327