

<b>REQUEST</b>	Current Zoning: MX-3 (LLWCA) (mixed use, Lower Lake Wylie Critical Area) Proposed Zoning: MX-3 SPA (LLWCA) (mixed use, site plan amendment, Lower Lake Wylie Critical Area)
<b>LOCATION</b>	Approximately 6.23 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive. (Outside City Limits)
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to increase the single family density for a portion of the original Palisades rezoning from 3.9 units per acre to 4.815 dwelling units per acre for a total of 30 attached dwelling units. The overall density of the original Palisades rezoning increases from 3.87 to 3.89 dwelling units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Wilkison Partners Palisades, LLC Wilkison Partners, LLC Michael L. Boston
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>Steele Creek Area Plan</i> , based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends residential land uses up to four dwelling units per acre for the site.</li> </ul> <p>However, this petition is found not to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The outstanding issues have not been addressed.</li> <li>• The increase in density is not consistent with the surrounding land use pattern.</li> </ul> <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Eschert).</p>

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 7-0 to recommend <b>DENIAL</b> of this petition.
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<b>VOTE</b>	Motion/Second: Walker/Eschert Yeas: Dodson, Eschert, Labovitz, Ryan, Nelson, Sullivan, and Walker Nays: None Absent: None Recused: None
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<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented this item and stated that there were still several outstanding issues with this petition. The petitioner is requesting a withdrawal of the petition but needed to talk with the adjacent property owners who signed a protest petition. After discussions with the adjacent property owners, the petitioner was unable to have the protest petition removed. The petitioner requested that the Zoning Committee make a recommendation of denial to the City Council. One Commissioner had a question about why the petition could not be withdrawn. Staff stated that since there is a valid protest petition filed, the petition would have to be removed first before a withdrawal. There
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was no further discussion of the petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW****• Background**

- The subject parcel was rezoned under petition 2001-016(C) for the Palisades Development.
- The approved site plan rezoned 1,068.9 acres to MX-3 (mixed use) to allow the development of 4,145 residential single family and multi-family units with an overall residential density of 3.9 dwelling units per acres.
- The approved site plan allowed for several “village residential” components, which allowed up to 5.1 dwelling units per acre.
- The site plan called for single family development up to 3.9 dwelling units per acre on the subject site.
- A public hearing was held for this petition on April 28, 2014.
- After the public hearing, the petitioner made major changes to the site plan related to street connectivity. These adjustments were required by the Subdivision Ordinance and significantly changed the layout of the proposed development.
- On July 7, 2014, the Zoning Committee voted 6-0 to recommend to City Council that the changes to this petition were significant and that a new public hearing should be held. The City Council agreed with the recommendation of the Zoning Committee and a new public hearing on this petition was held on September 15, 2014.

**• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum of 30 attached single family townhomes for a density of 4.81 units per acre.
- A 17-foot planting strip and six-foot sidewalk along Shelburne Farms Drive and Youngblood Road.
- Eight-foot planting strip and six-foot sidewalk along the internal public streets.
- A four-foot tall berm or wall/fence with tree and/or plantings along the project frontage on Shelburne Farms Drive and Youngblood Road West.
- Proposed public street stub to the adjacent property.
- Building elevations for the proposed structures.
- Building materials consisting of brick, architectural CMU, cultured stone, hardie shake, stucco or other similar durable material. Vinyl, EIFS and Masonite are prohibited as exterior building materials except vinyl may be used for soffit and trim including windows and doors.
- 400 square feet of private open space per unit.
- Proposed 15 spaces for guest parking screened by a buffer and five-foot tall screening shrubs.
- A total of 0.49 acres of proposed tree save areas.
- Pedestrian connection to the existing amenity area south of the subject site.
- A 25.5-foot “Class C” buffer with a fence along the east property edge abutting the existing single family homes in R-3 (single family residential) zoning. The proposed fence detail is provided.
- Freestanding lighting limited to 20 feet in height.
- Innovative provision requests (which are considered for approval by the Zoning Committee) include:
  - Allowing minimum lot area to be 4,000 square feet.
  - Minimum lot width of 40 feet.
  - Lot depth of 100 feet.

**• Public Plans and Policies**

- The *Steele Creek Area Plan* (2012) recommends residential at up to four units per acre for the subject site.
- The petition is consistent with the *Steele Creek Area Plan* recommendation of up to four dwelling units per acre. While the density of the property included in the site plan amendment is approximately 4.81 dwelling units per acre, the density of the original rezoning for the overall Palisades development, of which this petition was a part, will remain below four dwelling units per acre at approximately 3.89 dwelling units per acre.

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

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
    - This site meets minimum ordinance standards.
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**OUTSTANDING ISSUES**

- The petitioner should:
    1. Submit an administrative request for Petition 2001-016C and reduce the number of “village residential” units by 30 units prior to the City Council decision.
    2. Clearly show which areas along Shelburne Farms Drive will have a berm and which areas will have a buffer.
    3. Modify the proposed berm, as it appears to be in conflict with the proposed tree save area.
    4. Show which cross sections apply to each street and label accordingly.
    5. Clarify whether there is a proposed connection to the existing tennis club through the guest parking area. If there is a connection, identify and label on the site plan.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

**Planner:** Solomon Fortune (704) 336-8326