
REQUEST	Current Zoning: O-1(CD), office, conditional, and B-D(CD), distributive business, conditional Proposed Zoning: R-17MF(CD), multi-family residential, conditional
LOCATION	Approximately 7.11 acres located on the north side of Ballantyne Commons Parkway between Rea Road and Brittany Oaks Drive. (Council District 7 - Cooksey)
SUMMARY OF PETITION	The petition proposes to allow 120 multi-family dwelling units, at a density of 16.87 dwelling units per acre.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The proposed land use of this petition is inconsistent with the <i>South District Plan</i> as amended by the previous rezoning. However, the site meets the criteria set forth in the <i>General Development Policies</i> for residential at a density up to 17 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Stonegate Ventures, LLC Piper Station Apartments, LLC Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**

The subject property was rezoned from R-3 to R-12MF(CD) via petition 1996-070 to allow 79 multi-family dwelling units. The land use recommendation at that time was for residential. Five townhome units were built and currently exist on the subject property.

The site was then rezoned from R-12MF(CD) to O-1(CD) and B-D(CD) in 2008 via petition 2008-139, which allowed a maximum 170,000 square feet for a self-storage facility, office uses, and an adult day care center, in a total of eight buildings. The self-storage facility use is limited to a maximum of 92,200 square feet in one building while the remaining seven buildings may be used for office uses and the adult day care center.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum of 120 multi-family dwelling units as an addition to an existing multi-family development on an abutting site.
- Proposed access connections to the abutting multi-family development to the northwest.
- Retaining the existing five-unit townhome building on the site.
- Reuse of majority of the existing infrastructure in place for the previous multi-family residential development.
- Building architecture will complement the character of the surrounding Ballantyne community and abutting multi-family development.
- Building features to include siding materials that consist of at least 30 percent masonry products, with the remaining materials composed of cementitious board or similar material. Vinyl as an exterior building material is prohibited except for soffit and trim.
- Balcony railings will be of durable prefinished material and will not be painted pressure treated lumber.
- Principal roof pitch will be no less than 5:12.
- Architectural fiberglass composite roofing shingles.

- Roof vents and features painted to match the roof color.
- Existing pump lift station and free-standing wall enclosure with gate to remain.
- A 40-foot wide Class C buffer and a fence will be provided abutting the existing single family dwellings in R-3 zoning.
- Flexibility in building placement provided through use of building and parking envelopes instead of actual building location.
- Detached lighting will utilize full cut-off luminaries and be limited to 25 feet in height.
- **Existing Zoning and Land Use**
The subject property is currently developed with five townhome units. Properties on the north side of Ballantyne Commons parkway are zoned R-3 and B-1SCD and developed with single family dwellings, office, commercial/warehouse, and hotel uses. South of Ballantyne Commons Parkway there are single family dwellings in R-3 zoning, and office uses and a child care center in O-1(CD) and O-2(CD) zoning.
- **Rezoning History in Area**
Petition 2012-087 rezoned 3.56 acres located on the south side of Ballantyne Commons Parkway between Rea Road and Williams Pond Lane from R-3 to O-1(CD) to allow reuse of an existing school building for a child care center for up to 220 children.

Pending petition 2013-014 located on an abutting parcel to the east proposes to rezone 1.26 acres from R-3 to O-1(CD) to allow reuse of the existing structure for general office uses.
- **Public Plans and Policies**
 - The *South District Plan* (1993) reflects office and office/warehouse uses as amended by the previous rezoning on the site.
 - The *General Development Policies (GDP)* (2003) support residential densities up to 17 units per acre.

Assessment Criteria	Density Category - >12 up to 17 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: 13	Total Points: 13

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** Provide an additional sidewalk connection to Ballantyne Commons Parkway, in addition to the sidewalk that runs parallel to Black Forest Lane.
 - **Vehicle Trip Generation:**
Current Zoning: 1,800 trips per day.
Proposed Zoning: 850 trips per day.
 - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The proposed development would generate 10 students, while development allowed under the existing zoning will produce two students. Therefore, the net change in the number of students generated from existing to proposed zoning is eight students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.

- **Engineering and Property Management:** Remove Notes "a" and "b" under the heading of Environmental Features and place under the heading of Streetscape and Landscaping. .
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Address Transportation comments.
 2. Address Engineering and Property Management comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review

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