

REQUEST	Current Zoning: UR-2(CD), urban residential, conditional Proposed Zoning: UR-2(CD) SPA, urban residential, conditional, site plan amendment
LOCATION	Approximately 2.58 acres located on the northwest corner of Churchill Road and Wendwood Lane.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes a site plan amendment to allow the construction of 36 multi-family units in seven buildings at a density of 13.97 dwelling units per acre. The site plan amendment modifies the number of buildings, building layout, building materials.
Property Owner Petitioner Agent/Representative	The Boulevard at Wendwood View, LLC Kenneth J. Abner, The Boulevard Company Walter Fields/Susan Cannon
Community Meeting	Meeting is required and has been held. Report available online

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition, with the following modifications:</p> <ol style="list-style-type: none"> 1. A note will be added to indicate that 400 square feet of open space will be provided for each unit, if land is sold with the unit. 2. A note will be added to the site plan that a five-foot sidewalk connection to Randolph Road will be made from the internal sidewalk system, or a variance sought due to topographical challenges. 3. Painted or stamped cross-walks will be provided to connect the internal sidewalk segments. 4. A note will be added that "no parking" signs will be installed on the private alleys. 5. A cross-section has been provided to illustrate the relationship between buildings on the site and the adjacent single family home. 6. The location of the proposed solid waste and recycling facilities and required screening has been indicated on the site plan. 7. Note #7 has been modified so that any grading will now occur in the first five feet of the buffer, and will not impact the existing walls. 8. A Solid Waste Management Plan will be submitted.
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VOTE	<p>Motion/Second: Griffith/Walker</p> <p>Yeas: Allen, Griffith, Howard, Locher, Simmons, and Walker</p> <p>Nays: None</p> <p>Absent: Rosenburgh</p> <p>Recused: None</p>
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ZONING COMMITTEE DISCUSSION	Staff reviewed the rezoning petition, noting the outstanding issues that have been resolved since the public hearing. There are two remaining unresolved issues. Staff requested the petitioner add a note that 400 square feet of private open space can be provided on the site plan, if land is sold with the unit. The staff also requested the connection of the internal sidewalk system to Randolph Road, although topography of the site is a challenge to providing this connection.
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Staff stated that these remaining issues could be resolved with the following notes added to the site plan:

- 1) The petitioner will provide 400 square feet of open space for each unit, if land is sold with the unit, and
- 2) A five-foot sidewalk connection to Randolph Road will be made, or a variance sought due to topographical challenges.

Staff noted that the protest petition submitted for this petition may not be valid. The Zoning Ordinance states that a protest petition shall not be valid for any amendment to a conditional district if the amendment does not change the type of uses that are permitted, increase the density for residential development, or reduce the size of the buffers or screening approved.

Staff concluded by noting the rezoning petition is consistent with the *South District Plan*, and staff is recommending approval, with modifications.

A committee member asked the rules to be suspended to ask the petitioner to respond to how the 400 square feet per unit can be provided, particularly for the lots fronting Wendwood Lane. The agent for the petitioner, Walter Fields, noted that time constraints prevented an update of the site plan. He stated that if the 400 square foot requirement per unit cannot be met, the petitioner will not build all 36 units. Mr. Fields indicated that he is fully aware of this requirement.

Another committee member asked Mr. Fields about the average width of a townhouse, and if the petitioner had any ideas on how to connect the sidewalk system to Randolph Road. Mr. Fields said he did not know the width of the townhomes, and does not know how the connection will be made. The options are to:

- 1) Construct a connecting sidewalk and modify the buffer note to indicate that the undisturbed buffer will be disturbed to permit the connection, or
- 2) Apply for a variance due to a topographical hardship.

The Zoning Committee went back into session, with one committee member noting support for this site plan amendment for a number of reasons. There is no change in density, and there is no change in the number of dwelling units. The amendment meets the requirements of the Zoning Ordinance, and is not much different from the other development around it.

**STATEMENT OF
CONSISTENCY**

This petition is found to be consistent with the *South District Plan* and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Locher).

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- 36 "for-sale" dwelling units will be limited to condominiums and/or townhomes "for-sale".
- Residential buildings number modified from two to seven.

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- 37.5-foot Class C buffer abutting residential with inclusion of an existing wall (average of six feet in height).
 - Masonry building materials previously limited to brick, stucco, or similar product, expanded to include hardi-plank, decorative block and stone.
 - 40 feet of right-of-way on Randolph Road dedicated and conveyed if the existing right-of-way is determined inadequate.
 - Five-foot internal sidewalk added to connect the units, parking areas, and public sidewalk along Wendwood Lane.
 - Outdoor lighting fixtures modified to provide full cut-off fixtures, limited to 30 feet in height, with the exception of lower, decorative lighting along driveways, sidewalks, and parking areas.
 - **Public Plans and Policies**
 - The *South District Plan* (1993) recommends high density residential uses. This petition is consistent with the *South District Plan*.
 - **STAFF RECOMMENDATION (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Schools:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
 - **LUESA:** No issues.
 - **Site Design:** No issues.
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OUTSTANDING ISSUES

No issues.

Attachments Online at www.rezoning.org

- Application Form
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

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