

REQUEST	Current Zoning: I-1, light industrial and I-1(CD), light industrial, conditional Proposed Zoning: UR-2(CD), urban residential, conditional, UR-C(CD), commercial urban residential, conditional and I-1(CD), light industrial, conditional
LOCATION	Approximately 24.1 acres on the west side of Monroe Road and north of Orchard Lake Drive.
CENTER, CORRIDOR OR WEDGE	Corridor
SUMMARY OF PETITION	This petition proposes three development areas, with up to 270 multi-family residential units (13.5 units per acre), up to 112,210 square feet of nonresidential (maximum retail of 70,000 square feet), and a mixed-use component of eight residential units and 6,000 square feet of nonresidential uses.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The nonresidential portion of this petition is inconsistent with the <i>South District Plan</i> but the existing zoning would allow the proposed uses. The residential component of this petition somewhat exceeds the density recommended by the <i>General Development Policies</i> (GDPs). The proposed development is consistent with the preliminary draft land use recommendations in the <i>Independence Boulevard Area Plan</i> .
Property Owner	Summerlake Associates LP
Petitioner	Cashel Rock Investors
Agent/Representative	King & Spalding (Jeff Brown, Keith MacVean, Bambi Lohr)
Community Meeting	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - The 270 multi-family units are an unspecified mix of apartments and townhomes.
 - The townhomes are a maximum of 40 feet in height and the apartments a maximum of 58 feet in height.
 - There is a minimum 100-foot undisturbed buffer along the western boundary of the site that overlaps with a 35-foot SWIM buffer.
 - Orchard Lake Drive is being extended in a loop through the site back to Monroe Road.
- **Existing Zoning and Land Use**
The petitioned site is undeveloped. Along Monroe Road are office and warehouse uses, a day care center, and a fast food restaurant, all in the I-1 district. To the east across Monroe Road are office and warehouse uses, also in the I-1 district. Uses to the south are also offices and warehouses in I-1 and I-1(CD) zoning districts. To the west and north across the creek are single family neighborhoods zoned R-3.
- **Rezoning History in Area**
A request to rezone this property to R-17MF(CD) was denied in 2002.

Public Plans and Policies

The *South District Plan* (1993) recommends multi-family residential for the subject property. The proposal does not meet the *General Development Policies (GDP)* for the density requested, as illustrated in the table below.

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	2 (Med-Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Total Points Needed: 13	Total Points: 12

The preliminary recommendations in the *Independence Boulevard Area Plan* (underway) call for a mixture of residential/office/retail for the subject property. Residential uses as part of a vertical or horizontally mixed-use development are recommended up to 22 dwelling units to the acre. Residential as a single use is recommended at a density of up to 17 dwelling units to the acre.

The nonresidential portion of this petition is inconsistent with the *South District Plan*, but the existing zoning would allow the proposed uses. The residential component of this petition slightly exceeds the density supported by the *General Development Policies*. However, both the nonresidential and residential components are consistent with the preliminary land use recommendations in the *Independence Area Plan* currently underway.

PUBLIC INFRASTRUCTURE (see full department reports online)**Vehicle Trip Generation:**

Current Zoning: 11,000 trips per day.

Proposed Zoning: 8,600 trips per day.

CDOT: The proposed number of trips (compared to the number of actual current trips) is likely to trigger a Traffic Impact Study requirement from NCDOT. CDOT is requesting that only one access be allowed from Monroe Road to the I-1(CD) area and that needed right-of-way for Monroe Road be dedicated rather than reserved.

Charlotte Fire Department: No issues.

CATS: CATS is requesting that a bus waiting pad be poured as part of the sidewalk to be installed in the I-1(CD) area.

Connectivity: Orchard Lake Drive is being completed as a loop road through this site.

Schools: The current zoning would not generate any students. The net change in number of students generated from existing zoning to the proposed zoning is 57 students.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water: No issues.

LUESA: The petitioner has agreed to submit a solid waste management plan.

Site Design: The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.

Facilitates the use of alternative modes of transportation by installing a bus waiting pad and providing a well-connected pedestrian circulation system, including a trail.

Reduces the amount and improves the quality of storm water run-off by maintaining almost 33 percent of the site in open space.

OUTSTANDING ISSUES

The petitioner should:

1. Remove Note R., which suggests that the buildings **may** be Energy Star compliant. This is not a regulatory standard.
 2. Clarify that the pedestrian connection between Areas 1B and 3 will extend through the buffer and connect to the pedestrian system in Area 3 (I-1(CD) area).
 3. Correct the note regarding the number of access points from Area 2 to Orchard Lake Drive to match the six access points shown on the site plan.
 4. Remove Note A.5. This note has the effect of eliminating staff discretion on massing, which is a concern since there is no prohibition on transferring units from Area 1A to Area 1B.
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Attachments Online at www.rezoning.org

Application
CATS Review
CDOT Review
Charlotte Fire Department Review
CMS Review
Community Meeting Report
LUESA Review
Site Plan
Storm Water Review

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