

REQUEST	Current Zoning: CC, commercial center Proposed Zoning: MUDD-O, mixed use development district, optional
LOCATION	Approximately 1.72 acres located on the northeast corner at the intersection of West W.T. Harris Boulevard and Forest Drive.
SUMMARY OF PETITION	The petition proposes the option to develop the site for a 60-unit elderly multi-family housing development or a 10,000 square foot commercial building.
PROPERTY OWNER	Pecan Ridge of Charlotte, LLC
PETITIONER	NRP Properties, Northlake Seniors
AGENT/REPRESENTATIVE	John Carmichael, Robinson, Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	The Zoning Committee voted 6-1 to DEFER this petition to the June 27, 2012 Zoning Committee meeting.
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VOTE	Motion/Second:	Zoutewelle/Griffith
	Yeas:	Dodson, Firestone, Griffith, Phipps, Rosenburgh, and Zoutewelle
	Nays:	Allen
	Absent:	None
	Recused:	None

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

PLANNING STAFF REVIEW

- **Background**
This subject property was part of a larger 12.7-acre rezoning approved in 1998 (rezoning petition 1998-014c). This previously approved rezoning allowed an 80,000 square foot shopping center with two outparcels. The shopping center and one outparcel have been developed. This subject site is the undeveloped outparcel associated with the 1998 rezoning.
- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
Elderly Multi-Family Alternative
 - 60 elderly multi-family housing units.
 - Maximum building height of three stories.
 - A 20-foot setback is provided along West W.T. Harris Boulevard and a 30-foot setback is provided along Forest Drive.
 - Eight-foot planting strips and six-foot sidewalks will be provided along West W.T. Harris Boulevard and Forest Drive.
 - A pedestrian connection will be provided along the northern driveway from West W.T. Harris Boulevard to the existing abutting shopping center.
 - Additional right-of-way along West W.T. Harris Boulevard measuring 60 feet from the existing centerline will be dedicated and conveyed.

- Urban open space is identified within the 20-foot setback along West W.T. Harris Boulevard.
- Building elevations provided indicate a combination of brick and cementitious siding building materials.
- Minimum 18-foot Class "C" buffer provided along the eastern property line.
- An eight-foot tall solid wooden fence with masonry columns will be provided along the eastern property line.
- All freestanding lighting will be limited to 20 feet in height and be fully capped and shielded.
- Optional provision to reduce the required parking from one space per dwelling unit to 0.5 spaces per dwelling unit.

Commercial Alternative

- Maximum 10,000 square foot commercial building with limited permitted uses.
- Maximum building height of 35 feet and one story.
- A 35-foot setback is provided along West W.T. Harris Boulevard and a 42-foot setback is provided along Forest Drive.
- The building shall be architecturally compatible with the abutting shopping center through the use of similar building materials, architectural features and colors.
- 80 percent of all exterior walls shall be brick.
- Minimum 57-foot Class "B" buffer provided along the eastern property line. The exterior 42 feet to remain undisturbed. An existing screen fence is in place.
- Minimum 42-foot buffer is identified along the Forest Drive frontage. The exterior 32 feet to remain undisturbed. An existing screen fence is in place.
- Parking will be provided at a minimum of one parking space per 300 square feet of building area.
- All freestanding lighting will be limited to 20 feet in height and be fully capped and shielded.
- Optional provisions include:
 - Drive through windows as an accessory use to a bank or financial institution.
 - Allow parking and maneuvering areas between the building and the two abutting streets.
 - Modify the streetscape along Forest Drive to allow a five-foot sidewalk and a planting strip of varying width to maintain existing trees.
- **Public Plans and Policies**
 - The *Northlake Area Plan* (2008) recommends retail land uses on the subject parcel. The majority of the western half of the Northlake study area, which includes this subject site, is within a "wedge" and is recommended to remain predominantly lower density residential.
 - The retail option of the rezoning request is consistent with the *Northlake Area Plan*.
 - The elderly multi-family housing option is inconsistent with the *Northlake Area Plan*; however, area plans frequently do not specify locations for institutional uses. The proposed institutional land use is compatible with the surrounding commercial and residential uses.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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:

Elderly Multi-Family Alternative

1. Modify the rezoning request from MUDD-O to UR-3(CD).

Commercial Alternative – Eliminate the commercial alternative. If not eliminated, the petitioner should:

1. Eliminate Note D under “Transportation” and modify Note C to require right-of-way dedication along West W.T. Harris Boulevard similar to what is provided for the Elderly Multi-Family Scenario.
 2. Indicate a minimum five-foot pedestrian connection from West W.T. Harris Boulevard along the northern driveway to the existing abutting shopping center on Sheet RZ-3.
 3. Indicate a minimum five-foot wide pedestrian connection from the building out to both abutting public streets on Sheet RZ-3.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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