

REQUEST	Current Zoning: R-5, single family residential, O-2, office, and B-2, general business Proposed Zoning: UR-2(CD), urban residential, conditional
LOCATION	Approximately 1.24 acres located on the south side of Iverson Way between South Boulevard and Lyndhurst Avenue. (Council District 1 – Maddalon)
SUMMARY OF PETITION	The petition proposes a “for sale” multi-family development with up to 22 residential units.
PROPERTY OWNER	Richard and Rose Thompson
PETITIONER	Weekley Homes, L.P.
AGENT/REPRESENTATIVE	Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online.
STATEMENT OF CONSISTENCY	This majority of the petition is found to be consistent with the <i>New Bern Transit Station Area Plan</i> , with a small portion inconsistent with the <i>Dilworth Land Use Plan</i> , and to be reasonable and in the public interest based on information provided in the staff analysis and at the public hearing, by a 5-0 vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Labovitz).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Provided elevations for the buildings along Iverson Way and clarified that the front façade of those buildings face Iverson Way. 2. The issue regarding an additional “Architectural Standards” note has been eliminated due to building elevations being provided. 3. The issue regarding the list of building materials allowed has been removed due to the elimination of the note requiring a minimum 30 percent of masonry products on the building exteriors. 4. Modified the setback identified on Sheet RZ-1 as “20-foot setback from the back of existing or proposed curb”. 5. Modified the yard requirements illustrated on the Technical Data Sheet and the Conceptual Site Plan to indicate “5-foot side yard/10-foot rear yard”. 6. Deleted the following wording from the first sentence of note “b” under “General Provisions” on Sheet RZ-1: “..., such as those that regulate streets, sidewalks, trees, bicycle parking, and site development,...”. 7. Deleted the note on the upper right corner of Sheet RZ-2 which indicates the Conceptual Site Plan reflects a possible arrangement of uses and they may be modified so long as the maximum building envelope and intensity limitation are not violated. 8. The portions of the proposed public sidewalk along Iverson Way located outside the existing right-of-way will need to be located within a sidewalk utility easement measured a minimum of two feet from the back of sidewalk. <i>This issue will be addressed during permitting.</i> 9. Rewrote the note under “Streetscape and Landscaping” on Sheet RZ-1 to commit to certain buffer standards along the property line next to the existing single family home within the R-5 (single family residential) zoning district. These include a buffer planted to a class C buffer standard along the first 100 linear feet of the buffer and the remaining length of the buffer would include additional planting and a privacy fence.
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	10. Modified Sheet RZ-2 to illustrate the minimum six-foot public pedestrian access trail to be constructed by the petitioner to the property line with parcel 121-074-09. It is intended that the trail will be extended across the abutting property in the future to connect to Atherton Street.
	11. Deleted the second sentence of note "b" under "General Provisions" on Sheet RZ-1.
	12. Modified the "Lighting" note on Sheet RZ-1 to read: "All lighting on the site will utilize full cut-off luminaries and freestanding lighting will be limited to 20 feet in total height, but architectural lighting will be permitted."

VOTE

Motion/Second: Lathrop/Walker
 Yeas: Dodson, Labovitz, Lathrop, Ryan and Walker
 Nays: None
 Absent: Allen, Firestone and Low
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the changes to the site plan. All outstanding issues have been addressed. There was no other discussion.

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:

- Up to 22 "for sale" multi-family dwelling units with an overall density of 17.7 dwelling units per acre.
- Installation of recessed on-street parking along the site's Iverson Way frontage.
- Maximum 10-foot wide buffer abutting the R-5 (single family residential) zoned property to the east.
- Six-foot wide easement to allow possible future public pedestrian access across the site to connect to Atherton Street.
- Maximum building height not to exceed 40 feet.
- Fences or walls installed along Iverson Way will be limited to four feet in height and any portion above three feet will be no more than 25 percent opaque.
- Freestanding lighting will be limited to 20 feet in height and will utilize full cut-off luminaries.

- **Public Plans and Policies**

- The *New Bern Transit Station Area Plan* (2008) recommends mixed use transit supportive development for the majority of property. The site is located within a ¾ mile walk distance from the New Bern transit station.
- The *Dilworth Land Use and Streetscape Plan* (2006) recommends residential land uses at a maximum density of four dwelling units per acre for a small portion of the subject rezoning on the eastern most parcel along Iverson Way.
- The majority of the petition is consistent with the *New Bern Transit Station Area Plan* while a smaller portion, approximately 0.2 acres, of the site is inconsistent with the *Dilworth Land Use and Streetscape Plan*. The location of the subject rezoning is directly across Iverson Way from a large scale commercial and residential development called Southborough and abuts other nonresidential uses closer to South Boulevard. With this land use relationship, this petition is considered appropriate for approval.

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 issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** 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*.
 - Minimizes impacts to the natural environment by building on an infill lot.
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OUTSTANDING ISSUES

- No issues.
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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 Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

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