
REQUEST	Current Zoning: UR-1(CD) (urban residential, conditional) Proposed Zoning: R-5(CD) (single family residential, conditional)
LOCATION	Approximately 14.30 acres located on the east side of Reames Road between Bella Vista Court and Lawnmeadow Drive. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to rezone the subject site in order to subdivide the property into 71 single family detached lots at a density of five dwelling units per acre. The petitioner has converted the request from a conventional zoning district to a conditional zoning district, requiring a new public hearing.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Northwest District Plan</i> , as amended by a previous rezoning.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Liberty Oak, Inc. Charles M. Shelton, Jr. Charles M. Shelton, Jr.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8

PLANNING STAFF REVIEW

• Background

- Rezoning petition 2007-140 rezoned the site from R-3 (single family residential) to UR-1(CD) (urban residential, conditional) to allow up to 95 for-sale dwelling units (duplexes and single family detached homes), at a density of 6.64 units per acre.
- At its meeting on November 17, 2014, the City Council heard a conventional request to rezone the subject site from UR-1(CD) (urban residential, conditional) to R-5 (single family residential) to allow all uses permitted in the R-5 (single family residential) district.
- The petitioner requested an additional deferral at the Zoning Committee meeting on December 1, 2014. The petitioner amended the application in January 2015, converting the request from a conventional zoning district to a conditional zoning district.
- At its January 5, 2015 meeting, the Zoning Committee unanimously voted 7-0 to send the petition to City Council with a recommendation for a new public hearing. At its January 20, 2015 meeting, the City Council voted to set the new public hearing date for February 16, 2015. The petition was deferred to March because the community meeting report was not submitted on time. The petitioner subsequently requested deferrals to April 20, 2015, May 18, 2015 and June 20, 2015.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows 71 for-sale single family detached residential dwellings, at a density of five dwelling units per acre.
- Allows cluster development as defined in Section 2.201. Cluster development allows for reductions in minimum lot area and minimum lot width, subject to meeting certain requirements pertaining to common open space. Cluster development standards, as applied to this request, provide for the following:
 - Reduction in required lot size for detached dwellings from 6,000 square feet to 4,500 square feet.
 - Reduction in minimum lot width from 50 feet to 40 feet.
 - Increase in common open space to 24.69% (minimum 10% required).
- New internal street system (42-foot public rights-of-way) with proposed five-foot sidewalk within seven-foot pedestrian easement and eight-foot planting strip.
- Proposed future street stub to the north.
- Site access via two public street connections to Reames Road.

- Provides a 50-foot "Class A" buffer along all property lines abutting I-1(CD) (light industrial, conditional) to the south and southeast.
- Buffer and tree save areas along the perimeter of the property that include a 20-foot undisturbed tree save area along the northern property line and a 50-foot buffer along the southern property line.
- Natural areas within the 30-foot setback along Reames Road will remain or be replaced with a landscaped berm.
- Provision of a cross section with proposed landscaping along Reames Road consisting of a three to five-foot berm with Evergreen screen plantings.
- Identification of area for water quality and detention.
- Development note stating that petitioner agrees to install screening of the storm water facility on the house side of Lots 44 and 71 prior to certificate of occupancy.
- Installation of a six-foot sidewalk and eight-foot planting strip along Reames Road. Petitioner reserves right to seek a variance from the planting strip width requirement in order to preserve existing trees. Sidewalk and planting strip (or portions thereof) may be placed in an easement outside of the right-of-way if necessary.
- Provides a five-foot sidewalk within a seven-foot pedestrian easement and an eight-foot planting strip along both sides of the site's internal public streets.
- Typical front and right side elevations.
- No vinyl siding is permitted on the front of homes.
- No expanse of solid wall will exceed 20 feet in length.
- Lots 1, 43, 44 and 71 must have at least one functional window on the west elevation of the home.
- Provides a six-foot high wooden privacy fence along the rear of Lots 27-43 and along the south undisturbed buffer for parcel 037-176-02 and along Lot 26.
- Construction of a permanent entrance monument sign at each of the proposed entrances. At least one permanent sign is to be completed prior to the issuance of the first certificate of occupancy.
- **Existing Zoning and Land Use**
 - A portion of the rezoning site is developed with a single family home and the remaining acreage is vacant. Surrounding uses include single family neighborhoods and undeveloped land zoned R-3 (single family residential) and office/warehouse uses to the south zoned I-1(CD) (general industrial, conditional). The rezoning site's east property line abuts Interstate 77.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **Public Plans and Policies**
 - The *Northwest District Plan* (1990) recommends residential uses, and was updated as a result of rezoning petition 2007-140, to allow single family residential up to eight dwelling units per acre.
 - The petition is consistent with the *Northwest District Plan*, as amended by rezoning petition 2007-140.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 670 trips per day.
Proposed Zoning: 770 trips per day.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 28 students, while the development allowed under the proposed zoning will produce 40 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 12 students.
- **Charlotte-Mecklenburg Storm Water Services:** Remove Notes 1 and 4 under Environmental Features in their entirety.
- **Charlotte Water:** 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.
 - **Urban Forestry:** 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. Under heading General Provisions, add language that references Section 6.207 of the Zoning Ordinance. Site plan currently references Section 6.206(2).
 2. Under heading General Provisions, remove portion of Note 4 that states each dwelling unit shall be required to be a member of a HOA as this cannot be enforced.
 3. Label proposed common open space area(s) on the site plan.
 4. Add a note that the frontage along Reames Road will comply with Section 12.308 of the Zoning Ordinance regardless of the orientation of the homes.
 5. Remove Streetscape and Landscaping Note 1 that proposes to establish the right-of-way to the property of Parcel 037-176-02 without disturbing the vegetation within 20 feet of the property line. As an option and at the consent of the property owner the petitioner should consider installing plant materials at the rear of Parcel 037-176-02 in order to screen the property from the proposed street stub.
 6. Petitioner should ensure that Streetscape and Landscaping Note 4 is in accordance with Section 12.308 of the ordinance.
 7. Petitioner should provide noise mitigation for I-77.
 8. Remove Site Utilities and Solid Waste headings and notes as these items are minimum ordinance requirements.
 9. Clarify Streetscape and Landscaping Note 8 with respect to where this buffer is proposed as there is a typo in reference to parcel "037-176-02 26".
 10. Remove references to signage and note that signs will be in accordance with the ordinance.
 11. Address Storm Water comment.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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