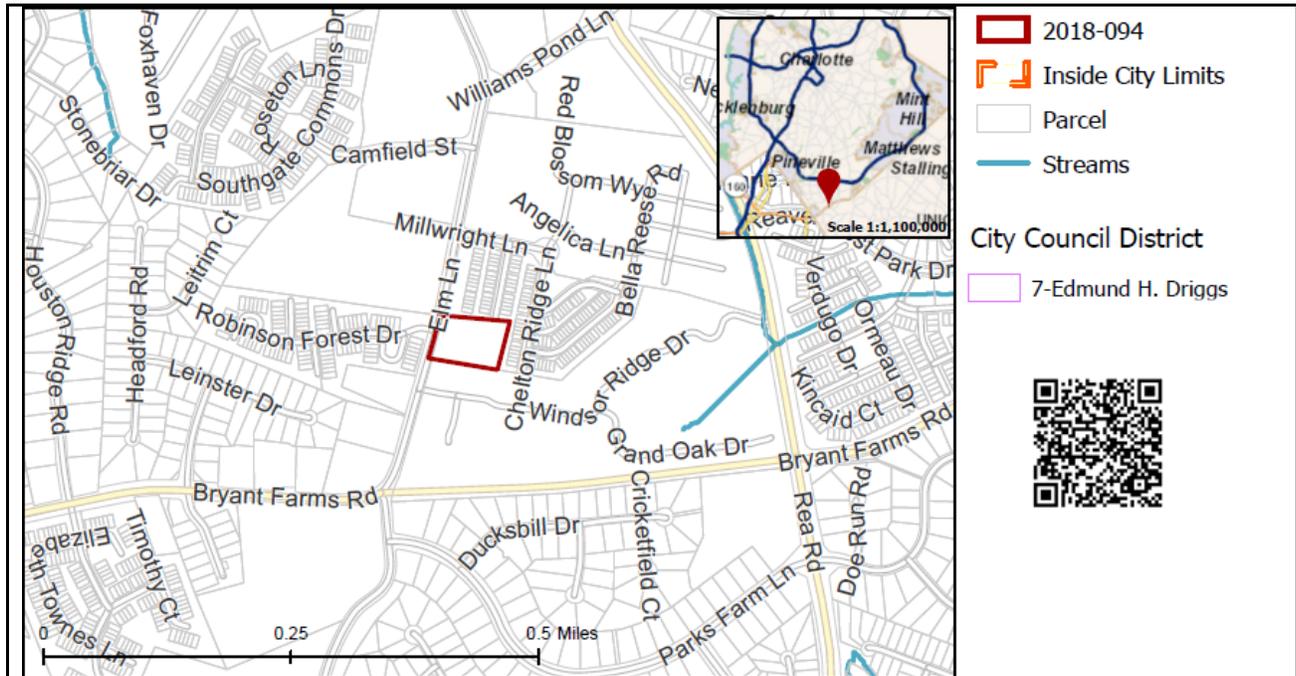


**REQUEST**

Current Zoning: R-12MF(CD) (multi-family residential, conditional)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 2.03 acres located on the east side of Elm Lane, south of Williams Pond Road  
(Council District 7 - Driggs)



**SUMMARY OF PETITION**

This petition proposes the demolition of a single family home and the construction of up to 20 single family attached dwelling units for a density of ten dwelling units per acre on an infill parcel in south Charlotte.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Walter Douglas Robinson  
Hopper Communities, Inc.  
John Carmichael, Robinson Bradshaw & Hinson, P.A.

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 38.

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *South District Plan* recommendation of residential uses at up to 12 dwelling units per acre.

Rationale for Recommendation

- The proposed residential use and density of 10 units per acre is consistent with the area plan recommendations and surrounding moderate density residential context.
- There are numerous single family attached residential developments in the area and surrounding the site.
- The current zoning would allow for 24 units and a building form that is not consistent with adjoining residential development.

- The proposed site plan provides a slight reduction of the number of units to 20 dwellings and the building form consists of single family attached dwellings with alley-loaded double car garages, consistent with the existing development adjoining to the north and east.
- The proposed street network connects to an existing stub of Fiddlers Roof Lane, completing the street connection anticipated in the adjoining development and supporting City Council's connectivity policies.

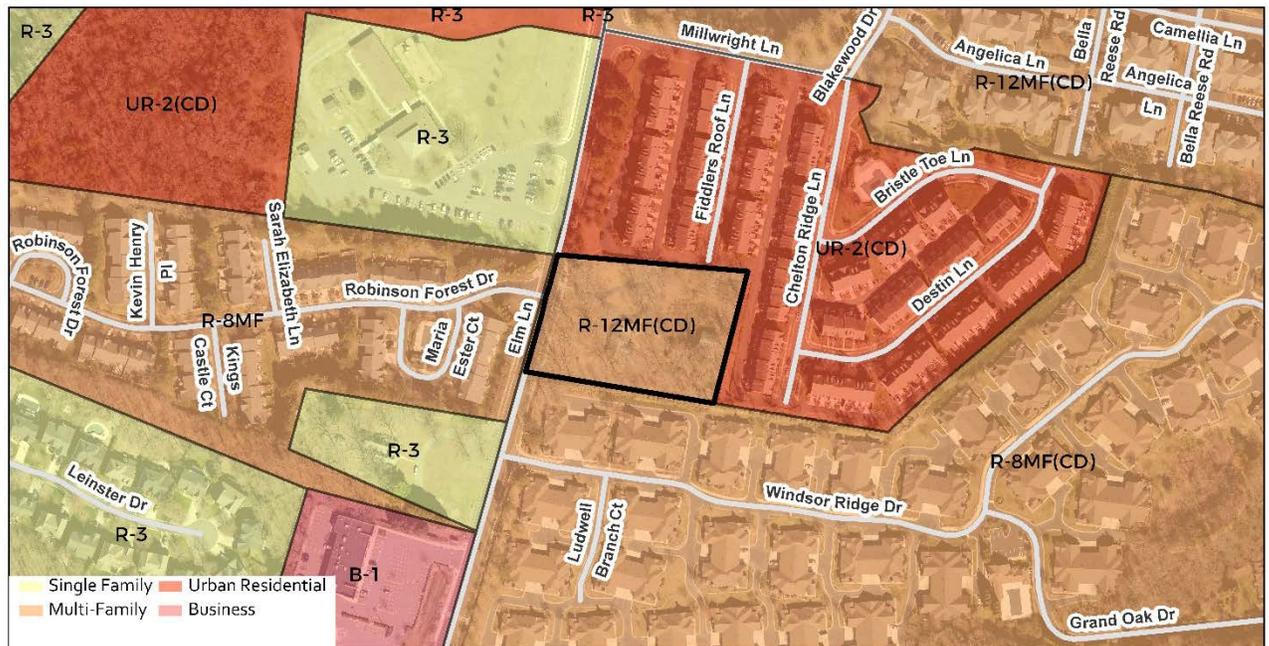
**PLANNING STAFF REVIEW**

**Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 20 single family attached dwelling units for a density of ten units per acre.
- Commits to a maximum building height of 45 feet and three stories with optional rooftop terraces. Specifies that units 1 through 4 on the eastern side of the site will not have rooftop terraces.
- Provides a minimum two car garage per dwelling unit plus on-street parking along a portion of one of the new public streets.
- Commits to architectural standards related to exterior building materials and limiting expanses of blank walls on building facades that face public streets.
- Shows all alley loaded units.
- Constructs two new public streets through the site connecting Fiddlers Roof Lane to Elm Lane.
- Provides eight-foot planting strip and six-foot sidewalk along both sides of the new public streets and along Elm Lane.
- Specifies that a minimum six-foot tall screen fence or wall will be provided along the northern and southern property lines. Provides small maturing, evergreen trees that will be 15-feet on center along the eastern property line.

**Existing Zoning and Land Use**



- The subject property is developed with one single family detached home.
- The site was rezoned from R-3 (single family residential) to R-12MF(CD) (multi-family residential, conditional) as part of petition 1998-008 which rezoned 38.58 acres to allow a multi-family development with up to 462 dwelling units. A subsequent administrative amendment clarified that the number of dwelling units allowed on the subject property is 24 attached dwelling units.



The subject property along Elm Lane is developed with a single family house.



The property to the north and east along Elm Lane is developed with three-story single family attached dwellings.

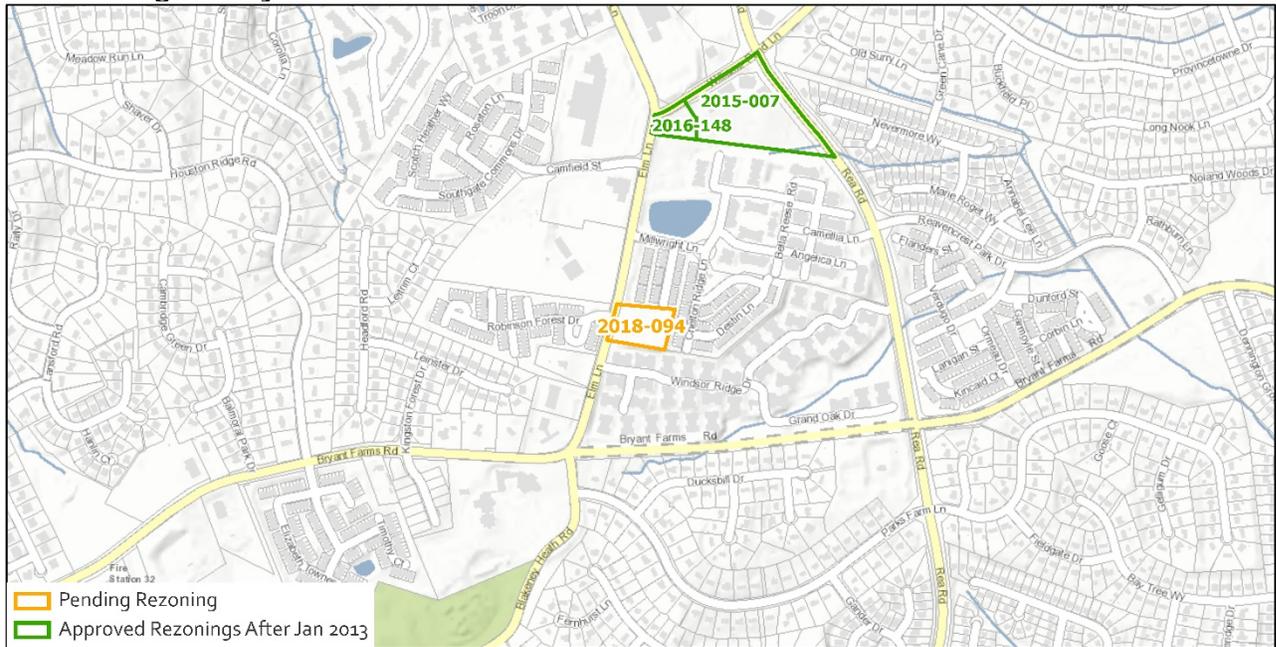


The property to the south along Elm Lane is developed with single story attached dwellings.



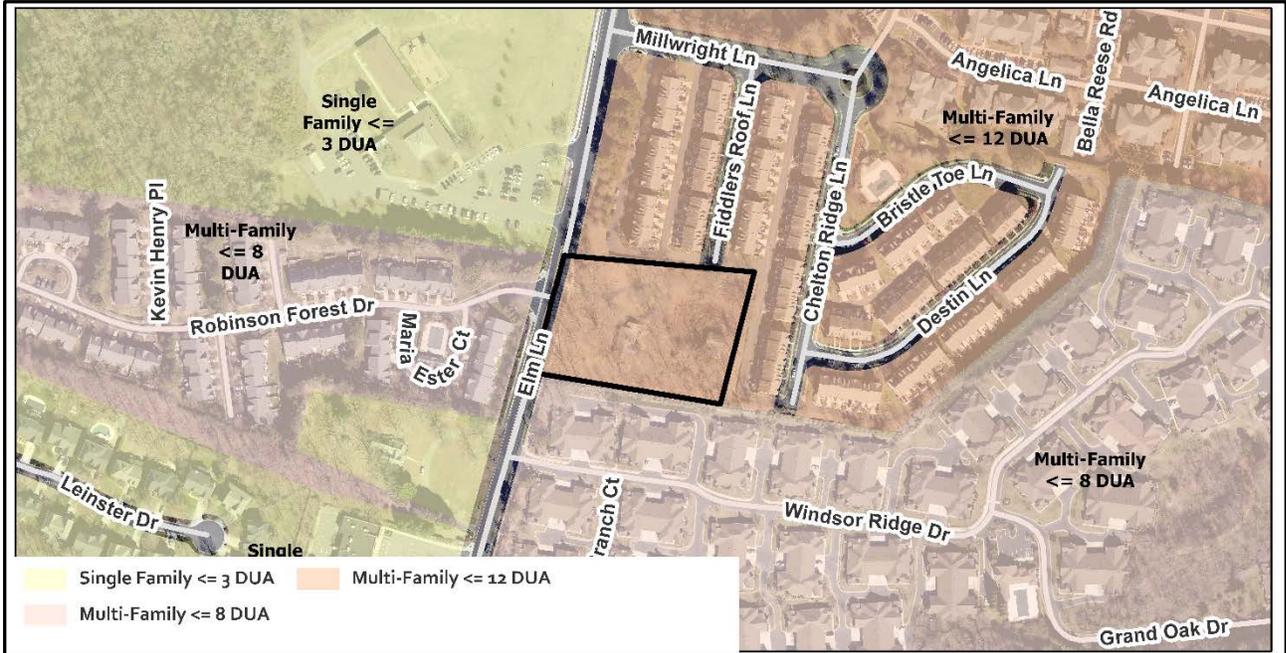
The property to the west along Elm Lane is developed with multi-family dwellings.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-044	Rezoned 7.5 acres west of the site, across Elm Lane, to UR-2(CD) (urban residential, conditional) to allow a residential development with up to 61 single family, attached dwellings.	Approved
2016-148	Rezoned 0.89 acres, northeast of the site at the intersection of Elm Lane and Williams Pond Road, to NS SPA (neighborhood services, site plan amendment) to allow a 4,500-square foot retail building.	Approved
2015-007	Rezoned 5.659 acres, northeast of the site at the intersection of Rea Road and Williams Pond Lane, to NS (neighborhood services) to allow up to 44,000 square feet of a mixture of EDEE, retail and office uses.	Approved

• **Public Plans and Policies**



- The *South District Plan* (1993) recommends residential land use at a density of up to 12 dwelling units per acre as amended by rezoning petition 1998-008.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located on a major collector. The site plan commits to improvements of streetscape, left turn lane, and street connectivity
- No outstanding issues.
- **Vehicle Trip Generation:**  
 Current Zoning:  
 Existing Use: 10 trips per day (based on one single family dwelling).  
 Entitlement: 190 trips per day (based on 24 townhome dwellings).  
 Proposed Zoning: 160 trips per day (based on 20 townhome dwellings).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along Elm Lane. Charlotte Water currently does not have sewer system accessibility for the rezoning boundary under review.
- **Engineering and Property Management:**
  - **Arborist:** See Outstanding Issues, Note 8. **Addressed.**
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** See Requested Technical Revisions, Note 9. **Addressed.**
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Site and Building Design

1. Add a note to the site plan specifying that all units will be alley loaded. **Addressed.**
2. Add a note to the site plan specifying that the area within the setback along Elm Lane will be either set aside as tree save or common open space. **Addressed.**
3. Amend the site plan to remove the details of the proposed new streets, only show the right-of-

~~way and future back-of-curb. Provide a note committing to a Local Residential Wide for the street connection to Elm Lane and a Local Residential Medium for the street connection to Fiddlers Roof Lane. Addressed.~~

#### **REQUESTED TECHNICAL REVISIONS**

##### Site and Building Design

4. ~~Amend the setback along Elm Lane to be at least 50 feet as measured from the proposed back-of-curb. Addressed.~~
5. ~~Show and label a minimum 16-foot setback measured from the back-of-curb along both sides of the new public streets on the site plan. Addressed.~~
6. ~~Delete the setback and yards from the development data table to avoid confusion with more specific requirements depicted on the site plan. Addressed.~~
7. ~~Delete general provision note four as it is covered by note five. Addressed.~~

##### Environment

8. ~~Submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right of way. Addressed.~~
9. ~~Show the tree save calculations in the site development standards on the site plan. Addressed.~~

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#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing staff analysis
- Post hearing staff analysis
- Zoning Committee Recommendation
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Department of Solid Waste Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** John Kinley (704) 336-8311