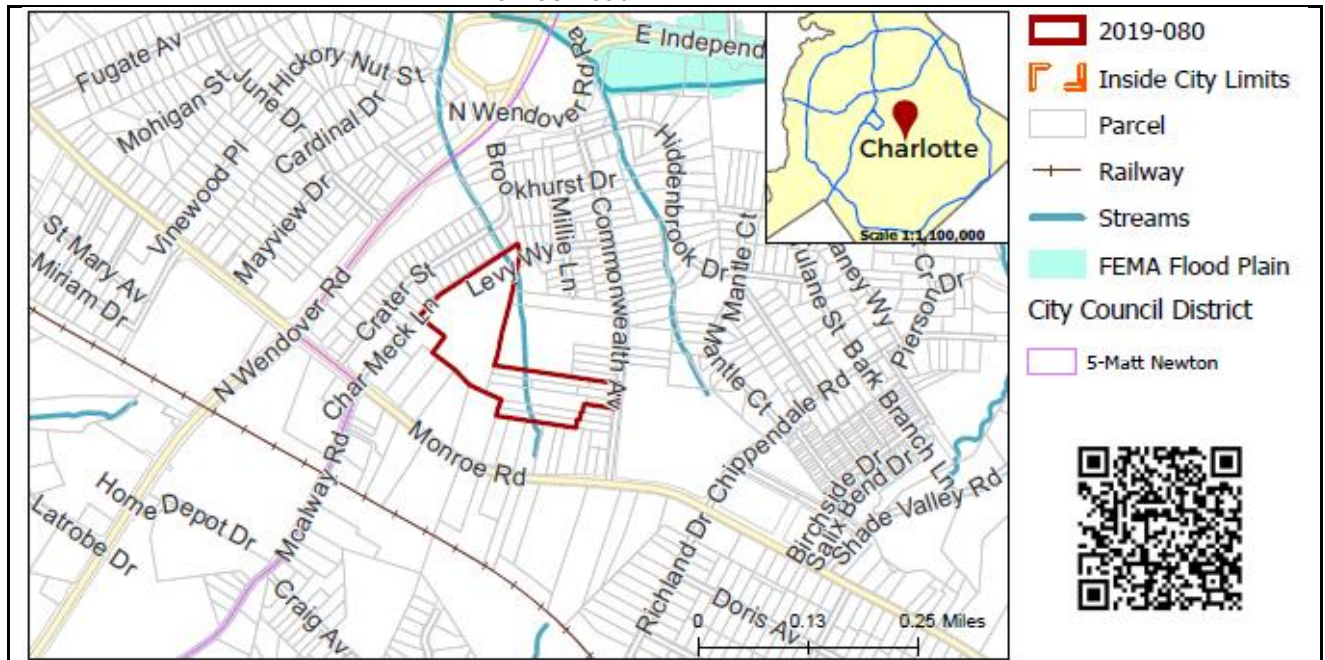


**REQUEST**

Current Zoning: R-8MF (multi-family residential) and R-5 (single family residential)  
 Proposed Zoning: UR-2(CD) (urban residential, conditional) with 5-years vested rights

**LOCATION**

Approximately 11.15 acres located on the west side of Commonwealth Avenue and east of Char Meck Lane, north of Monroe Road.



**SUMMARY OF PETITION**

The petition proposes development of vacant land and redevelopment of 4 single family homes to allow an infill residential townhome community with up to 134 units east of Wendover Road and north of Monroe Road.

**PROPERTY OWNER**

Buckhead Capital LLC; Seahawk Partner Holdings LLC; Black Owl LLC; CDP Selwyn Holdings LLC; Red Bear, LLC; and Samson Properties LLC

**PETITIONER**

**AGENT/REPRESENTATIVE**

Seahawk Partner Holdings LLC  
 Collin Brown & Brittany Lins (Alexander Ricks)

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 11.

**STAFF  
 RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Independence Boulevard Area Plan* recommendation for residential land uses up to 12 units per acre for the majority of the site, however, it is **inconsistent** with the recommendation for residential land uses up to 5 units per acre on the northern portion of the site.

Rationale for Recommendation

- The petition proposes townhomes at 12.0 DUA for the entire site.
- The proposal will add a mix of housing types to the area.

- The development will create new street connections and street stubs for future development and connections to Monroe Road.
- The plan commits to architectural standards, building heights limited to 45 feet, a buffer abutting single family homes, and buildings positioned to minimize visual impact from the adjacent single family neighborhood.

The approval of this petition will revise the adopted future land use as specified by the *Independence Boulevard Area Plan*, from residential up to 5 DUA to residential up to 12 DUA for a portion of the site.

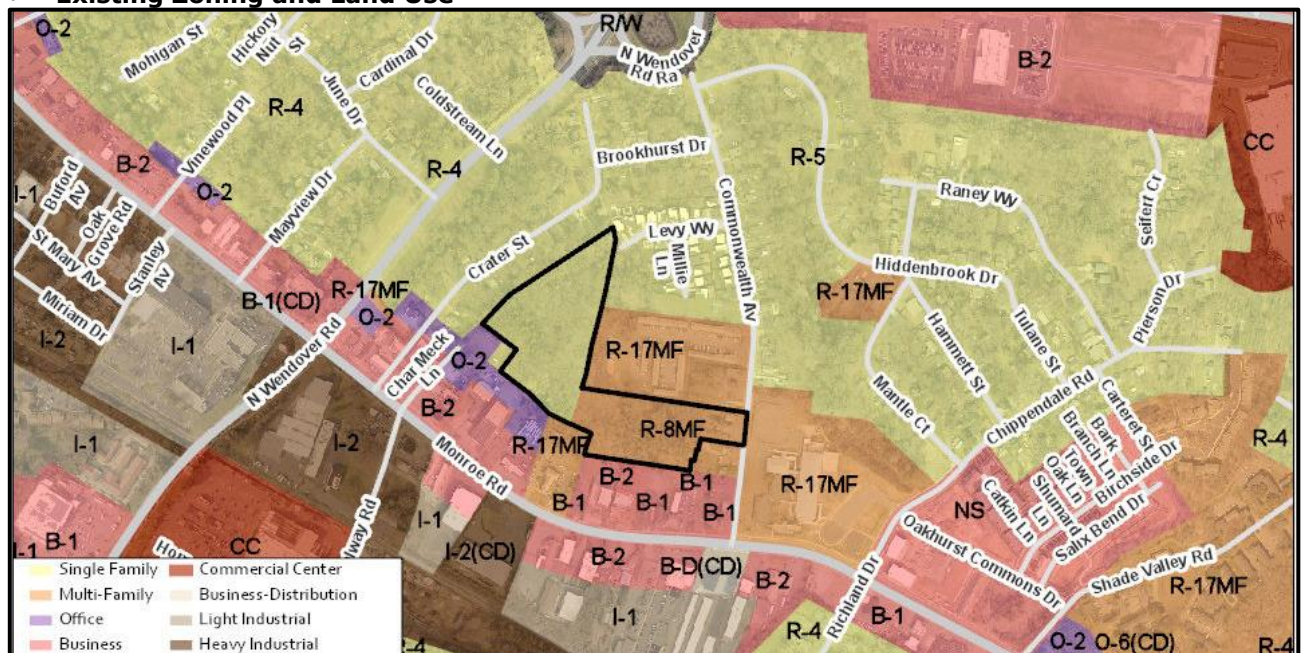
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 134 single family attached units on the site, for a maximum density of 12 units per acre. Attached units may be converted to single family detached units at a rate of 1.75 townhomes to 1 single family home, thereby allowing up to 76 single family detached homes. The site could be developed with a mixture of single family attached and detached units.
- Maximum building height of 45 feet.
- Maximum of 6 units and maximum length of 150 feet per building.
- Specifies architectural standards related to building materials, pitched roofs, garage doors, recessed entrances, porches and stoops, and blank walls.
- Commits to a minimum 15-foot wide buffer with a fence along the unimproved alley extending from Char Meck Lane abutting single family homes along Crater Street.
- Constructs an 8-foot planting strip and 6-foot sidewalk along Commonwealth Avenue frontage.
- Commits to a minimum 2,000 square foot area of usable common open space behind the Commonwealth sidewalk. The units along Commonwealth will be set back a minimum of 60 feet from the back of curb.
- Provides a minimum of 10 visitor parking spaces in addition to code required on-street parking along new public streets.
- Provides access via a network of required public streets connecting to Commonwealth Avenue and Levy Way (if required by the Subdivision Ordinance) with required stubs to abutting commercial and multi-family property.
- Splits the site into two development areas for the purpose of transportation improvement phasing. (A – western part of the site and B – eastern part of the site). Specifies the site will have a minimum of two access points prior to the issuance of the 100<sup>th</sup> certificate of occupancy.

- **Existing Zoning and Land Use**



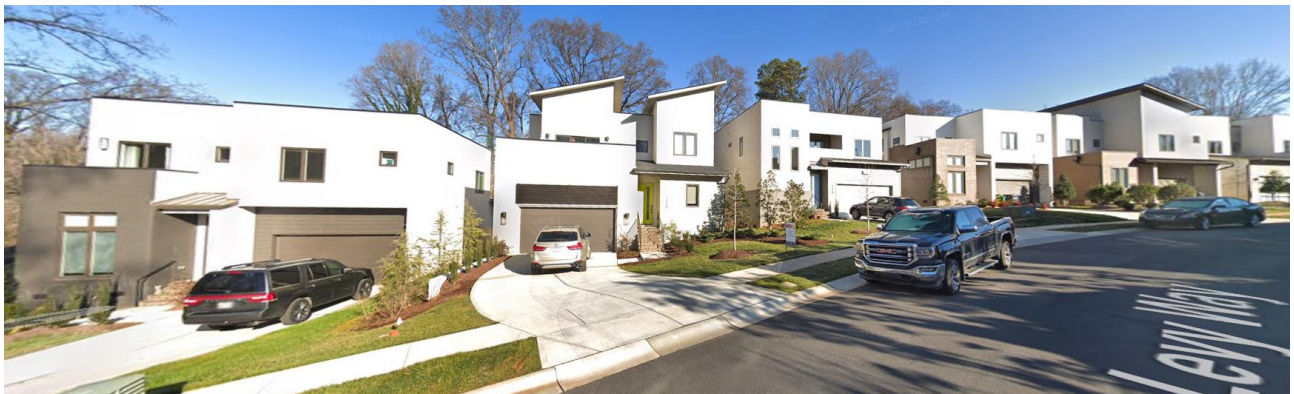




The area around the site (indicated by red star) is developed with a mixture of uses in a variety of zoning districts. There are single family homes east, west and north of the site, multi-family north of the site, a school east of the site and commercial uses along Monroe Road south of the site.



North of the site along Commonwealth Avenue are apartments and single family homes.



North of the site along Levy Way are single family homes.



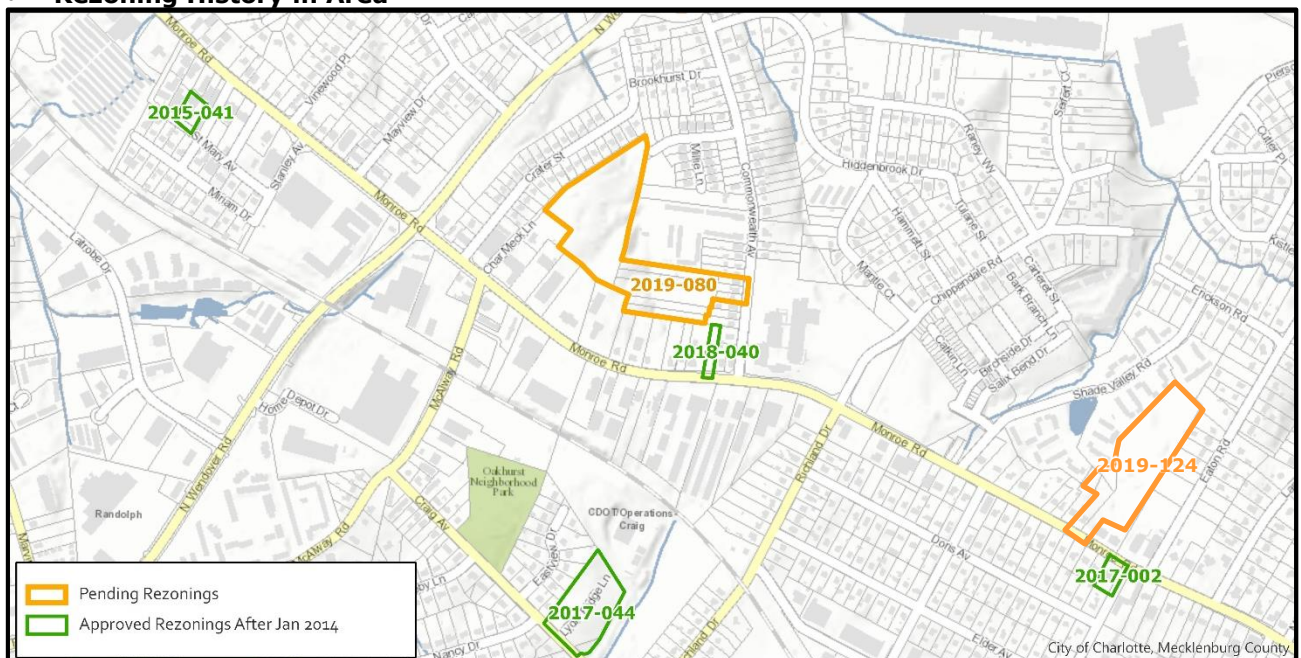


West of the site along Crater Street are single family homes.



South of the site along Monroe Road is a mixture of retail, EDEE, personal service and office uses.

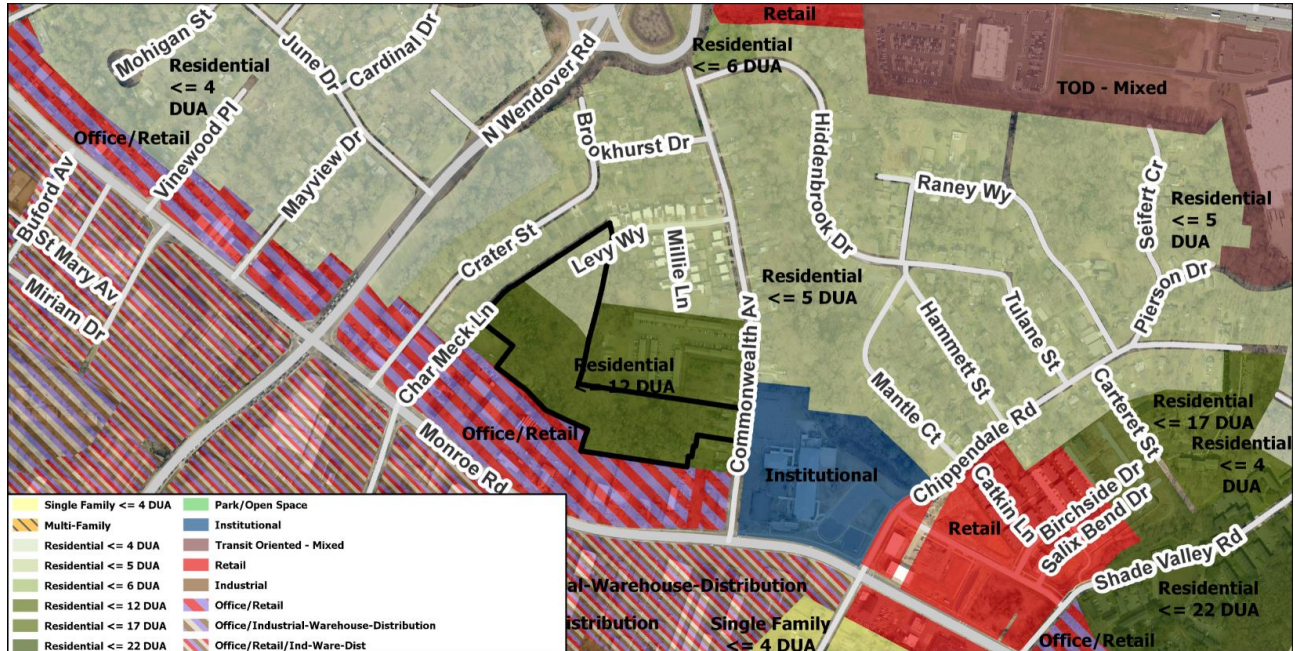
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-041	.52 acres west of the site from I-2 to I-1.	Approved
2017-002	.39 acres east of the site from O-2 to B-1(CD) to allow a tattoo parlor.	Approved
2017-044	3.31 acres south of the site from R-4 to UR-2(CD) to allow up to 15 detached single family lots.	Approved
2018-040	.38 acres south of the site from R-17MF to B-1.	Approved
2019-124	5.86 acres east of the site from O-6(CD) and R-17MF to UR-2(CD) to allow up to 75 townhomes.	Pending



- **Public Plans and Policies**



- The *Independence Boulevard Area Plan* (2011) recommends residential uses up to 12 DUA for a majority of the site, and residential uses up to 5 DUA for the northern portion of the site.
- **TRANSPORTATION CONSIDERATIONS**
  - The proposed townhome development on Commonwealth Avenue has committed to two access points. The petitioner has agreed to meet the transportation improvement requirements including a Subdivision required stub at Levy Way. Based on the proposed density, the petitioner will update the streetscape to an 8-foot planting strip and 8-foot sidewalk on all internal roads in accordance to the Chapter 20 Subdivision Ordinance.
  - No outstanding issues.
  - **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 40 trips per day (based on 4 single family homes).  
Entitlement: 600 trips per day (based on 30 dwellings in R-5 and 39 dwellings in R-8MF).  
Proposed Zoning: 970 trips per day (based on 134 dwellings).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 39 students, while the development allowed under the proposed zoning may produce 11 students. Therefore, the net increase in the number of students generated from existing zoning to proposed 0.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Oakhurst STEAM Academy at 103%
    - Eastway Middle at 108%
    - Garinger HIGH at 117%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 24-inch water transmission main located along Commonwealth Avenue and an existing 8-inch water distribution main located along Levy Way. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Commonwealth Avenue and an existing 8-inch gravity sewer main located along Levy Way. See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Engineering and Property Management:**
    - **Arborist:** No comments submitted.
    - **Erosion Control:** No outstanding issues.
    - **Land Development:** No outstanding issues.
    - **Storm Water Services:** No outstanding issues.
    - **Urban Forestry:** No outstanding issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

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