



**Rezoning Petition – 2008- 75**  
**ZONING COMMITTEE RECOMMENDATION**  
 October 29, 2008

<b>REQUEST</b>	Current Zoning: R-4, R-43MF, and R-6MFH Proposed Zoning: UR-3(CD) and R-4
<b>LOCATION</b>	Approximately 6.4 acres on the north side of Woodlawn Road, west of Park Road
<b>CENTER, CORRIDOR OR WEDGE</b>	Center
<b>SUMMARY OF PETITION</b>	This petition seeks approval to redevelop two existing multi-family projects for 302 apartment units on 6.4 acres, with a resulting density of 47.2 units per acre.
<b>Property Owner</b>	Fairfield Woodlawn Ltd/Properties of the Carolinas, LLC./George & Barbara Kaye
<b>Petitioner</b>	Fairfield Development, LP
<b>Agent/Representative</b>	John Carmichael/Laura Simmons for K.L. Gates
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 5-1 to recommended <b>DENIAL</b> of this petition. The following modifications have been made to the petition: The buffer to the west has been increased to 31 feet in width. A note has been added that provides flexibility in the location of a property line abutting an existing single family home. The flexibility is to allow for a garage addition to the home while meeting side yard requirements.
--------------------------------	--

<b>VOTE</b>	Motion/Second: Johnson/Lipton Yeas(to DENY): Allen, Griffith, Johnson, Lipton, and Rosenburgh Nays: Carter Absent: Howard and Randolph
-------------	---

**ZONING COMMITTEE DISCUSSION**

Staff reviewed the petition, reminding the Committee that staff was not supporting the petition due to the massiveness of the building and poor access. CDOT staff stated that while they still thought a public street connection through the site was desirable, in this instance they would only push for a second access to the apartments rather than a public street. CDOT also reported that it appeared that NCDOT would require either left turn lanes into the site or a median along Woodlawn Road.

One Committee member stated that they were supporting the staff in that the proposed building was huge and out of scale to anything in the neighborhood. Other members agreed. Another Committee member thought that the access to the two existing complexes had been the same since they were built and seemed to function fine. There was no need for additional access. A Committee member responded that there were only 156 units currently on the site and the number was being almost doubled. A Committee member asked the petitioner why curb and gutter were not being shown on Drexel Place. Petitioner responded that they did not want the curb and gutter for drainage reasons but that their notes provide for it, although they will be requesting a waiver during the review process. Another Committee member stated that they needed to address the access and the density of the project.

<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>Central District Plan</i> and to be reasonable and in the public interest, by a 5-0 vote of the Zoning Committee (motion by Commissioner Johnson second by Commissioner Lipton) (Commissioner Rosenburgh arrived after the consistency vote.)
<b>MINORITY OPINION</b>	A minority of the Zoning Committee felt that due to the property being located near such a major intersection and the nature of the corridor, the massing is not problematic.
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the majority of the Zoning Committee.

---

### FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

#### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The proposed building is four stories high (five levels for the centralized parking deck) and about 685 feet long.
- There are 156 units (24.4 dua) existing on the site. The existing zoning would allow about 249 units (38.9 dua). A total of 302 units (47.2 dua) are being proposed.
- Vehicular access consists of a driveway through the building to the parking deck, a driveway to the leasing office area, and a trash and emergency access driveway from Drexel Place.
- Due to the length of the building, much of the rear of the building is devoted to a "grasspave" strip for emergency fire access, thereby eliminating the ability to provide on-site buffers. Off-site buffering is offered for abutting owners who desire it.
- Petitioners are seeking an exception from Engineering and Property Management to eliminate curb, gutter and sidewalk improvements along the Drexel Place frontage. That request will be reviewed during permitting.
- Dedication of twenty feet of right-of-way is offered along Woodlawn Road.

**STAFF RECOMMENDATION** Staff supports the recommendation of the majority of the Zoning Committee to deny this petition. The massing and lack of an alternate access to the site are staff's major concerns.

---

#### PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

**CDOT:** The request for a public street connection from Woodlawn Road to Drexel Place has been modified to a request for a second access point out of the site. This access is proposed to be the gated drive currently being proposed for trash collection and emergency fire access from Drexel Place. CDOT has noted that NCDOT has indicated it will likely require either left turn lanes into the site or a median on Woodlawn Road.

**Charlotte Fire Department:** No issues.

**CATS:** No issues.

**Connectivity:** The request for a public street connection from Woodlawn Road to Drexel Place has been modified to a request for a second access point out of the site.

**Schools:** No issues.

---

**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Storm Water:** No issues.
  - **LUESA:** Extensive demolition will be necessary on the site. LUESA is requesting a solid waste management plan but the petitioner has not accommodated this request.
  - **SITE DESIGN:** No issues.
- 

**OUTSTANDING ISSUES**

1. The massing of the proposed 685-foot building.
  2. A second vehicular access from the site to Drexel Place (gated).
  3. Submittal of a solid waste management plan.
- 

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

Application Form  
CDOT Review  
Community Meeting Report and Sign-In Sheet  
Pre-Hearing Staff Analysis  
Storm Water Review  
Site Plan

**Planner: Tom Drake (704) 336-8312**