

<b>REQUEST</b>	Current Zoning: R-3, single family residential Proposed Zoning: UR-3(CD), urban residential, conditional
<b>LOCATION</b>	Approximately 1.0 acre located on the east side of Park Road, north of Sharon Road.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This is a continuation of a public hearing that was opened on November 17, 2008. The petitioner is requesting an indefinite deferral of this petition to allow his agent to recover from surgery and make the presentation at the public hearing. This petition proposes a 12-unit multi-family building that is up to 60 feet (five stories) in height. The building is an environmentally innovative structure that maximizes solar energy principles.
<b>STAFF RECOMMENDATION</b>	Staff recognizes the innovative “green” nature of this development and that the proposal is consistent with adopted land use plans and policies. However, the 60-foot height and the architecture associated with the project are concerns that keep the staff from supporting the project as currently proposed. Hopefully, these issues and additional design details can be worked through, allowing staff to support the development.
<b>Property Owner</b>	David Thompson
<b>Petitioner</b>	David Thompson
<b>Agent/Representative</b>	Eddie Knox
<b>Community Meeting</b>	Meeting is required and has been held. Report will be available online when received.

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 6-1 to recommend <b>DENIAL</b> of this petition. The following modifications were made to the petition: <ol style="list-style-type: none"> <li>1. Non-residential uses have been deleted.</li> <li>2. Details of the retaining walls have been included.</li> <li>3. Calculations demonstrate no reflective glare will occur off the site.</li> <li>4. Agreed to submit a Solid Waste Management Plan.</li> </ol>
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<b>VOTE</b>	Motion/Second: Griffith/Allen
	Yeas: Allen, Griffith, Howard, Locher, Walker, and Simmons
	Nays: Rosenburgh
	Absent: None

<b>ZONING COMMITTEE DISCUSSION</b>	Staff reviewed the petition and pointed out the deficiencies that had been corrected. Remaining issues were the height and mass of the building and the failure to dedicate right-of-way. A Committee member asked the petitioner if he would consider dedicating the requested right-of-way. The petitioner responded that there was enough right-of-way already if CDOT would use it wisely. He would not dedicate additional right-of-way. A Committee member pointed out that the central issue was that this building did not work in the context of the existing
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	neighborhood and thought it might be very appropriate in another location.
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>South District Plan</i> and the <i>General Development Policies</i> but not to be reasonable and in the public interest, by a 7-0 vote of the Zoning Committee (motion by Commissioner Griffith seconded by Commissioner Allen)
<b>MINORITY OPINION</b>	A minority of the Committee thought this petition should be deferred to allow more time to work on the issues of the case.
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the majority of the Zoning Committee.

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### 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:
  - This 12-unit building is 60 feet high and provides for underground parking.
  - Large photovoltaic panels and glass areas are prominent architectural features of the building.
- **Public Plans and Policies**  
This petition is consistent with the recommendations of the South District Plan and the density generated by the General Development Policies.
- **STAFF RECOMMENDATION (Updated)**
  - Staff agrees with the recommendation of the Zoning Committee.

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

- **CDOT:** CDOT is seeking additional right-of-way for a future bike lane along Park Road.
- **Charlotte Fire Department:** No issues.
- **CATS:** No comments.
- **Schools:** Four additional students would result from this project.

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

- **Storm Water:** No issues.
- **LUESA:** A solid waste management plan will be provided.
- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the General Development Policies.
  - Significant tree save areas are provided. Several solar technologies are incorporated into this design, as are energy saving equipment and techniques.

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#### OUTSTANDING ISSUES

- The petitioner should:
    1. Dedicate the additional right-of-way requested by CDOT.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application Form
- CDOT Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review
- Zoning Committee Recommendation

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