

**Petitioner is requesting indefinite continuation of this petition since his agent is recovering from surgery.**

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<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.

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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - The south and west faces of the building are designed as a “stepped pyramid”. The solar design incorporates a large amount of glass and photovoltaic panels.
  - Parking for 40 is vehicles provided underground.
  - Business and office uses are allowed, per the urban residential district.
  - Vinyl siding, lap siding, stucco, and shake shingle siding are prohibited.
  - Open space and tree save are shown, but not detailed.
- **Existing Zoning and Land Use**  
The property is part of a single-family neighborhood, with R-3, single family residential zoning extending in all directions. Across Park Road and slightly to the south is the Gates at Quail Hollow townhouse style condominium development.
- **Rezoning History in Area**  
There have not been any recent rezonings in the immediate area.

- **Public Plans and Policies**

The *South District Plan* (1993) recommends single family residential for the subject property. The petition meets the *General Development Policies* (GDP) for the density requested.

The petition is consistent with the South District Plan and the density is supported by the GDPs.

Assessment Criteria	Density Category >8 up to 12 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	1 (Low; 2 uses in ½ mile)
Connectivity Analysis	4 (Medium High)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes assumed)
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 12</b>	<b>Total Points: 12</b>

**PUBLIC INFRASTRUCTURE** (see full department reports online)

- **Vehicle Trip Generation:**  
Current Zoning: 30 trips per day.  
Proposed Zoning: 120 trips per day.
- **CDOT:** CDOT has requested that right-of-way be dedicated to provide 50 feet from the centerline of Park Road. Also, the site plan needs to reflect that the future curb will be four feet outside of its current location.
- **Charlotte Fire Department:** No issues.
- **CATS:** No comments received.
- **Connectivity:** CDOT has requested a public street be stubbed into this site and to the eastern boundary for possible future extension.
- **Schools:** The proposed development would produce 5 students. The net change in the number of students generated from the existing zoning to the proposed zoning is 4 students.

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

- **Storm Water:** BMPs, as required by the Post Construction Controls Ordinance, are not currently shown on the site plan.
- **LUESA:** The petitioner has not agreed to LUESA's request for a solid waste management plan.
- **SITE DESIGN:**
  - Minimizes impacts to the natural environment by using:
    - 1) solar energy technology to recharge large batteries, supplying electricity at most times,
    - 2) LED lighting and Energy Star appliances, and
    - 3) other advanced technologies.
  - Tree save and open space areas are provided but more details are needed to assess their benefit.

**OUTSTANDING ISSUES**

1. The proposed number of parking spaces exceeds the number allowed in the UR-3 district. The petitioner should revise the site plan accordingly.
  2. The note allowing business and office uses on the site should be deleted. Staff does not support those uses in this location.
  3. The petitioner should provide more details (height, slope, materials, etc.) regarding the privacy/noise barrier along Park Road.
  4. The building is shown as 45,000 square feet of gross floor area. This means the average unit size is 3,750 square feet. These large units appear to contribute to the size of the building and should be re-examined.
  5. The petitioner should provide an explanation for "solar power roof/green roof" in the site plan notes
  6. The petitioner should remove the note allowing the height of the building to exceed 60 feet.
  7. The petitioner should add a note to the site plan providing a standard of reflectivity/glare that will not be exceeded. This should apply not only to neighboring properties but to motorists.
  8. The petitioner should add a note that additional right-of-way will be dedicated and conveyed to provide 50 feet from the centerline of Park Road. In addition, the site plan needs to show the proposed curb being four feet outside the existing curb.
  9. The petitioner should add a note to the site plan committing to the provision of a Solid Waste Management Plan prior to initiating demolition and/or construction activities.
  10. The petitioner should add a note explaining how trash collection will be accomplished.
  11. While tree save and open spaces are shown, the petitioner should provide more details on what they consist of and which trees will be saved. For trees likely to be impacted by the development, the petitioner should add a note that a tree preservation plan will be undertaken by a certified arborist.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

Application  
CDOT Review  
CMS Review  
Community Meeting Report  
LUESA Review  
Site Plan  
Storm Water Review

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