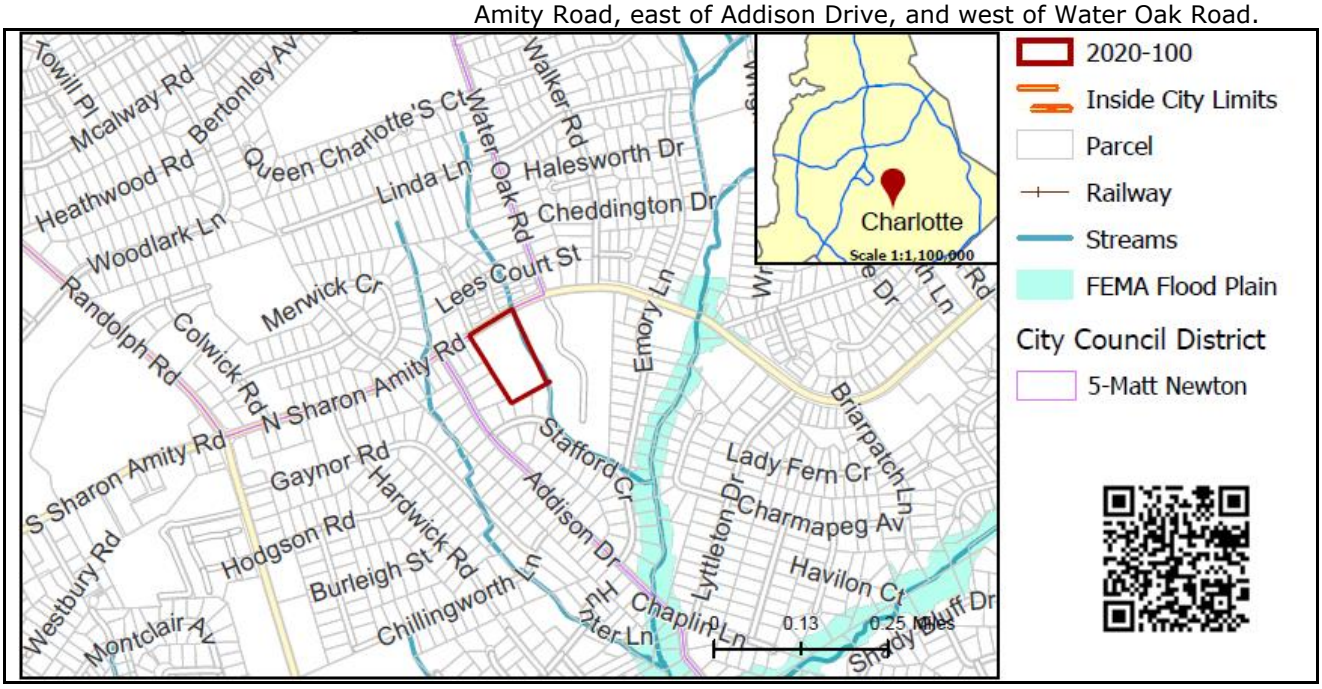
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-100
Post Hearing Staff Analysis
November 4, 2020

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 4.9 acres located along the south side of Sharon Amity Road, east of Addison Drive, and west of Water Oak Road.



SUMMARY OF PETITION	The petition proposes to redevelop the site with a townhome community with a density of 9.68 dwelling units per acre.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Charlotte Masonic Temple Association Delray Ventures, 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: Please delete if not needed.

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of the technical revisions related to transportation and stormwater.

Plan Consistency

The petition is **inconsistent** with the *South District Plan* land use policy recommendation for institutional development for this parcel. However, the *General Development Policies* support the requested density of less than or equal to 12 DUA.

Rationale for Recommendation

- The proposal redevelops a parcel with an institutional use (Masonic Lodge) and would not result in the removal of existing homes.
- The *General Development Policies* would support over 17 DUA for the site. However, the petition proposes single family residential attached use with a density limited to 9.68 units per acre.
- The site is located adjacent to existing multi-family residential to the east, developed at 11.74 dwelling units per acre.

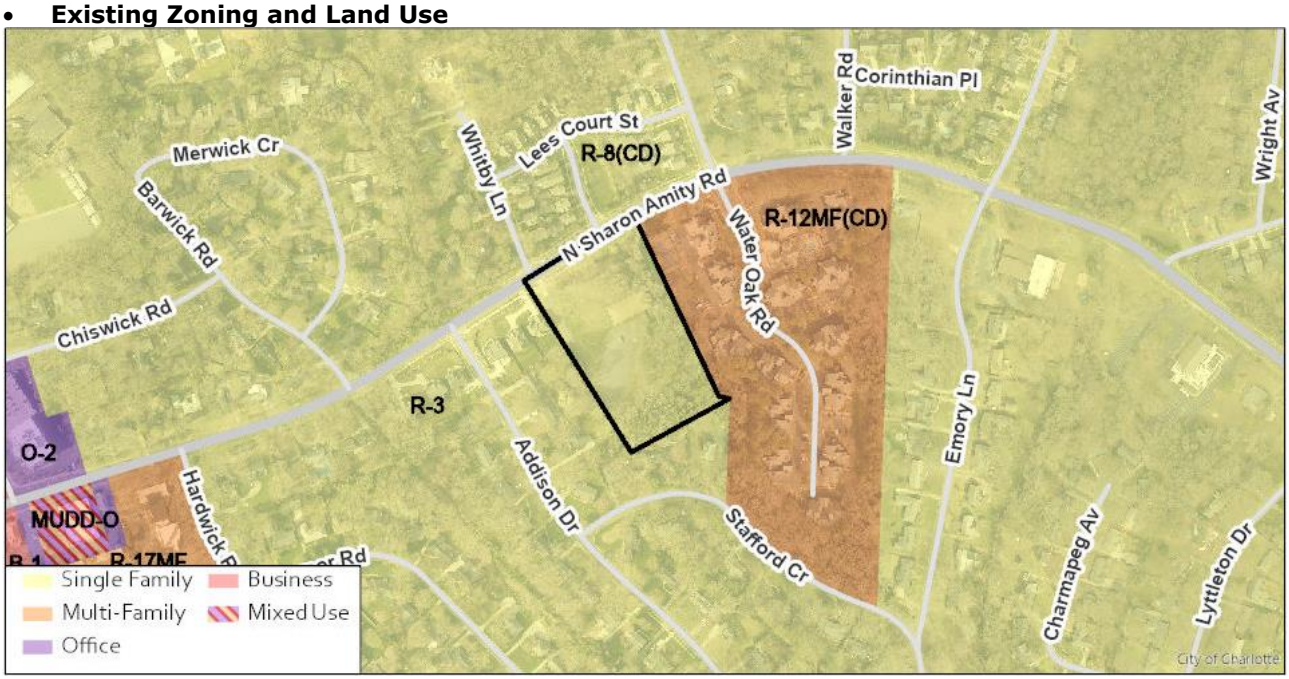
- The plan provides buffers adjacent to single family homes, larger than Ordinance minimum setback along the public street, and architectural design requirements that mitigate the projects impact on surrounding single family homes.
- Provides a transition of development intensity between the single family homes to the west and the adjacent multi-family development east of the site.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from single family use to Residential <= 12 DUA for the site.

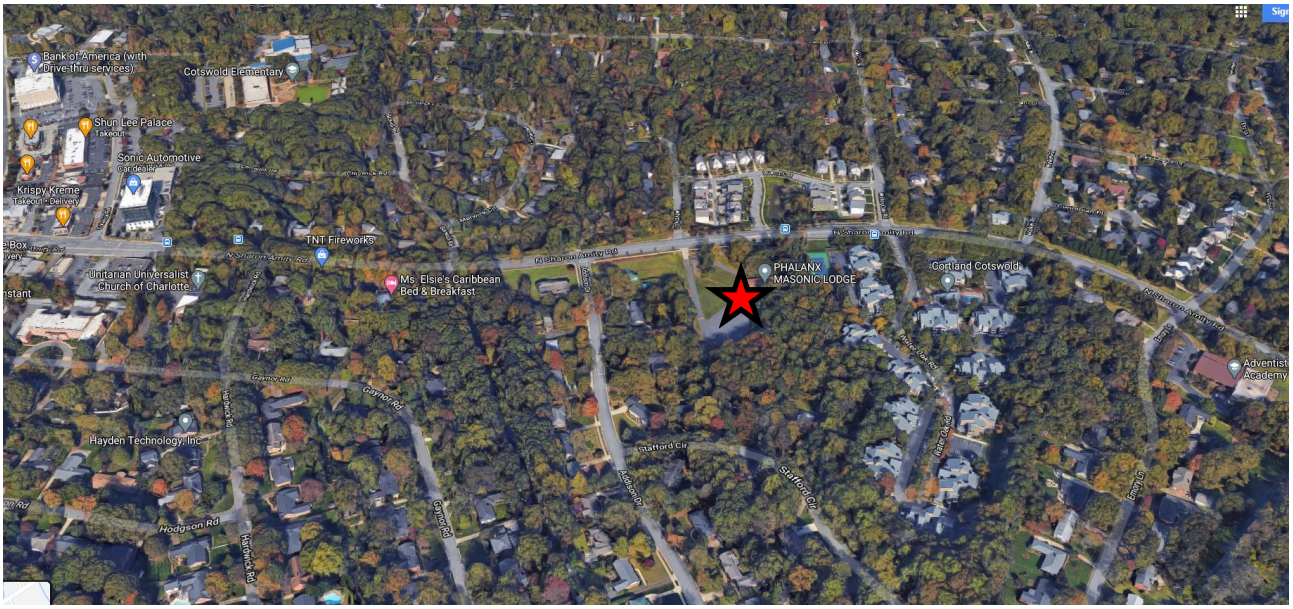
PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Up to 48 single family attached dwelling units.
  - Limits the maximum building height to 45 feet.
  - Vehicular access from a private street connecting to North Sharon Amity Road at Whitby Lane.
  - Units serviced by internal private streets.
  - Provides a CATs bus waiting pad, a 12 foot wide multi-use path and 6-foot wide planting strip along the North Sharon Amity Road frontage of the site.
  - Provides a number of architectural building design commitments including but not limited to allowed building materials, raised entrances, pitched roofs, blank walls, and maximum number of units per building.
  - Provides a 30 ft class C buffer adjacent to single family properties on the west side of the site.
  - Proposes undisturbed tree save area on the south side of the site and commits to the provision of a 30 ft class C buffer if tree save is not provided in that location.
  - Commits to a minimum of 5000 square feet in a central common open space are improved with such as but not limited to benches, gardens, pet areas, tables, and other similar amenities.
  - Limits pedestrian scale lighting to a height of less than 15 feet.

- **Existing Zoning and Land Use**

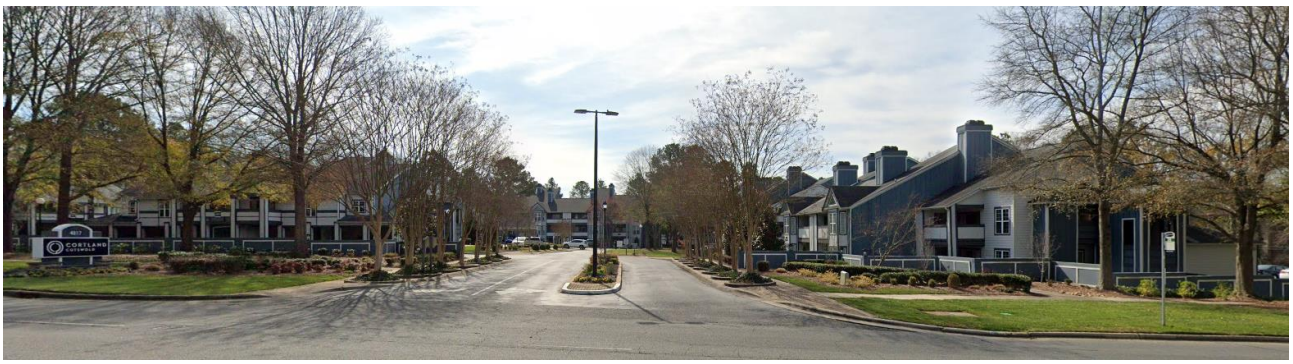


The area is primarily developed with single family detached homes. There is a multi-family development to the east. West of the site at Randolph Road is the Cotswold shopping center.



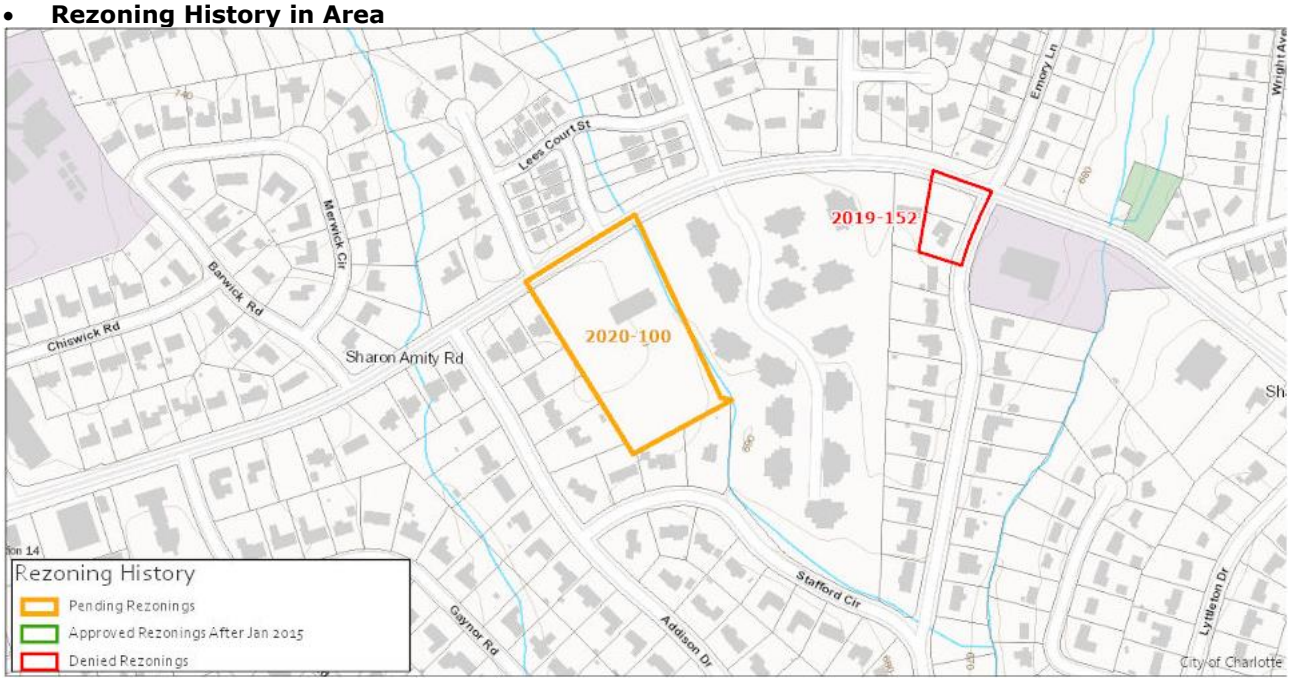
The site, indicated by the red star above and shown in the street view (below), is developed with a Masonic Lodge.

There are single family homes to the north across North Sharon Amity Road, to the south along Stafford Circle and to the west on Addison Drive.



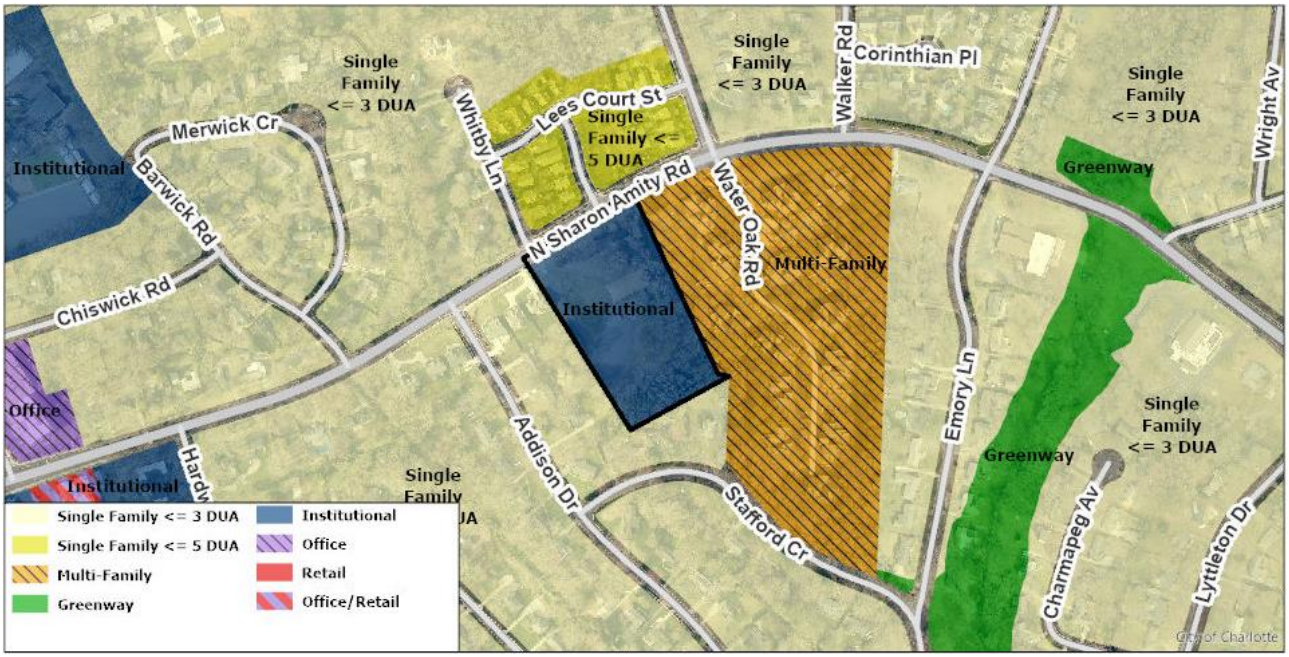
There is a multi-family development to the east along Water Oak Drive. Provide caption for street view/birds eye (surrounding land use).

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-152	.56 acres to UR-1(CD) to allow up to four single family detached dwelling units, at a density of 7.1 units per acre	Denied

- **Public Plans and Policies**



- The South District Plan recommends Institutional land uses on this site.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for the density requested as illustrated in the table below. The petitioner is requesting 9.68 units per acre.

Assessment Criteria	**Density Category – up to 12 dua**
Meeting with Staff	1
Sewer and Water Availability	3
Land Use Accessibility	4
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	0
Minimum Points Needed: 12	**Total Points: 14**

- **TRANSPORTATION SUMMARY**

The site is located on Sharon Amity Road, a major thoroughfare, City-maintained road. ~~The site plan needs a note clarifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is released.~~ The petitioner should revise the site plan to meet the ordinance requirements and the outstanding items listed below:

- **Active Projects:**
  - No active projects
- **Transportation Considerations**
  - See Requested Technical Revisions, Note 5 and 6.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: No data (based on 8,832 square foot Club).

  Entitlement: 170 trips per day (based on 14 single family dwelling units in R-3 zoning).

  Proposed Zoning: 325 trips per day (based on 48 townhomes).

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
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org

- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 8 students, while the development allowed under the proposed zoning may produce 10 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 2 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Billingsville Elementary at 87%
    - Cotswold Elementary at 81%
    - Alexander Graham Middle at 111%
    - Myers Park High* at 125%.
      * CMS 2017 approved Bond Projects list includes construction of a new high school; relieves crowding at South Mecklenburg, Ardrey Kell and Myers Park High schools
  - **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along N Sharon Amity Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along the center of the parcel. No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** See Requested Technical Revisions, Note 8 and 9
  - **Storm Water Services:** See Requested Technical Revision, Note 8
  - **Urban Forestry:** See Requested Technical Revisions, Note 7
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. ~~Confirm that each unit will have 400 square feet of private open space per sublot or that 10% of the site will be useable common open space. This may be done by either showing it on the plan or by providing a note acknowledging compliance with this requirement.~~ Addressed
2. ~~Amend the Development Data table to limit the maximum building height to 40 feet as measured by the Ordinance.~~ Addressed, staff agreed to a limit of 45 ft due to buffer widths provided.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

3. ~~Amend the setback listed in the development data table to match the proposed setback of 30 feet shown on the site plan.~~ Addressed.
4. ~~Amend site plan label for the rear buffer to reference note 5.d.~~ Addressed.

Transportation

5. Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes. Not addressed as requested, remove the words "Unless otherwise stated herein" from the beginning of the note.
6. ~~Remove the words "Where necessary" from Note 3.f.~~ Addressed
7. Correct the typo in note 3.c changing the planting strip width listed from 6 ft to 8 ft. New comment based on review of revised plan.

Environment

8. ~~Amend the label for "Possible Replanted Tree Save" because it must be preserved tree save area.~~ Addressed.
9. Add the following note under Environmental Features. *For adjoining parcels receiving storm water discharge the petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to Stafford Circle. If the existing storm water conveyance on the adjoining parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.* Not addressed. The petitioner has acknowledged compliance with the Post Construction Stormwater Ordinance.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: John Kinley (704) 336-8311