

## **MEMORANDUM**

## LAND USE ADMINISTRATION

то	File No. 5975www
FROM	Wood Partners Roth Doner Jackson Gibbons Condlin, PLC
DATE	August 27, 2015
SUBJECT	Community Unit Plan Final Plan, Stony Point – Northern Map Section L 9201 Stony Point Parkway, Parcel No. C0010757071 Loft Units and the 3-story Conceptual Plan Designation

The purpose of this memorandum is to provide additional information related to the Community Unit Plan (the "CUP") Final Plan, Stony Point – Northern Map Section L (the "Final Plan"), 9201 Stony Point Parkway ("the Property") – in order to address a technical issue related to the approved 2013 Development Plan (the "Development Plan").

The CUP permits an overall maximum height of four stories on the Property. The CUP requires certain setback requirements that regulate the height of buildings based on their setback from the outside northern and western boundaries of the Property, with four story buildings required to be set back 300 feet. The Development Plan attached to the CUP depicted buildings divided along retaining walls with three stories on one side and four stories on the other side of the building. These buildings were depicted within the area where 4-story buildings (or portions of buildings) are permitted based on setbacks.

The Final Plan submission meets the requirements of the CUP and is consistent with the Development Plan. The Final Plan does include loft units, which are small areas of habitable space, the approximately location of which are shown in green on the attached exhibit. City staff deem a loft to be an additional story based on the definition within the Zoning Ordinance. If the building provide a clerestory instead of a loft, the additional story is not triggered because the space is not habitable, even though the massing and height remain the same. The lofts all are located on portions of the buildings located behind the 300' setback line, where a 4 story building or portion of a building would be permitted to be located, and have no practical impact on the Development Plan intent or building massing. The Final Plan complies with the CUP.

With regard to the impact of the lofts, please consider the following:

- There are only 16 loft units in question, which are distributed across five building elevations. Individually, the lofts are very small ranging from 127 to 184 square feet of floor area.
- As a building "story" these lofts represent a fraction of the floor area of each of the three stories located below the lofts. As an example, the two loft units located on the east elevation of building 4 occupy 350 square feet of floor area. The third floor below the lofts contains approximately 7,895 square feet of floor area. As a result, the forth floor area constituted by the lofts represents less than 5% of the area of the third floor below them. This is negligible and only constitutes a small fraction of a story.
- The Final Plan utilizes clerestory units elsewhere in the development. These clerestory units are permitted by the CUP and are the same overall height as the loft units at 18'-8". However, because they do not include lofts they are only interpreted as a single-story. If the 16 lofts were to be removed, the units in question would become clerestory units at the exact same overall height. This scenario would comply with the Development Plan. However, the building height and massing would not change from what is currently proposed.
- The proposed Final Plan and Development Plan utilize buildings with the same number of stories that are split along retaining walls in order to work within the existing topography.

The CUP permits 4 story buildings where located outside of the 300' setback. The Final Plan is consistent with the maximum height and applicable setback requirements of the CUP. Use of the lofts add value by providing additional living space and a unique product in the market and is consistent with the permitted building heights dictated by the CUP.





- **design** resource group
  - landscape architeeture
  - civil engineeringurban design
  - land planning traffic engineering transportation planning

2459 wllldnson boulcv.ard, uJte 200 ch&rlotte. nc 28208 p 7°' ) 4J 0608 t 704 JS8.J09J www.drQfp,com





TIMMONS GROUP

<u>s</u>0

**V'**)

**SO** 100-

PROJECT. 041·14
OAAWN IY: CC
CHECKCOri JG

## SITE PLAN RENDERING

MARCH 26, 2013

REVISIONS:

I . SEPTEMBER 25, 2013