



REQUEST	Current Zoning: R-5, single family residential Proposed Zoning: UR-2(CD), urban residential, conditional
LOCATION	Approximately 0.50 acres located on the east corner of East 36 th Street and North McDowell Street.
CENTER, CORRIDOR OR WEDGE	Wedge
SUMMARY OF PETITION	This petition proposes to allow 16 multi-family units and one single family dwelling on a separate lot, at a density of 34 dwelling units per acre.
Property Owner Petitioner Agent/Representative	Timothy R. Stewart Lat Purser & Associates, Inc. Jack Levinson
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Proposed zoning has been amended to UR-2(CD). 2. Rear yard measured from the centerline of the abutting alley. 3. Building footprints clearly delineated. 4. Note 7 amended to state multi-family residential units. 5. Note 8 amended to state that either one parking space will be provided at a minimum of 22 feet in length or two parking spaces at a minimum of 40 feet in length. 6. Note 13 amended to state that a tree preservation plan by a certified arborist will be submitted prior to a building permit for the single family dwelling. 7. Transferred building height information from Note 19 to Note 3. 8. Removed references to on-street parking. 9. Provided CATS waiting pad. Awaiting feedback from CATS on location for a potential pad. 10. Provided definitive proposed building setbacks in Notes 15 and 16 and where referenced on the site plan. 11. Deleted Note 19 12. Deleted Notes 5, 12, 18, 29 and 21 13. Deleted portion of Note 13 which states that if it is determined that the tree preservation would not be possible, petitioner reserves the right to work with the City Arborist and find a resolution. 14. Provided pedestrian access from the front of Building Two that connects to the public sidewalk along North McDowell Street by relocating handicap parking spaces and providing a crosswalk through the drive aisle.
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VOTE	Motion/Second:	Walker/Allen
	Yeas:	Allen, Dodson, Griffith, Randolph, and Walker
	Nays:	None
	Absent:	Rosenburgh and Simmons
	Recused:	None

ZONING COMMITTEE DISCUSSION	Staff reviewed the petition and noted that all outstanding issues have been addressed. One Commissioner for confirmation on the street class of East 36 th Street. CDOT staff responded that East 36 th Street is a minor thoroughfare.
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>North Charlotte Plan</i> but to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Dodson).
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 16 multi-family units in two buildings, one a maximum of three stories and the other a maximum of two stories.
- One single family dwelling of up to two stories, and accompanying lot.
- Parking provided on the site and along public street frontages.
- Commitment to work with the City Arborist to preserve an existing 64-inch oak tree and submit a tree preservation plan by a certified arborist prior to issuance of a building permit for the single family dwelling.
- Entrance to multi-family uses provided off North McDowell Street.
- Single family dwelling with separate entrance off East 36th Street.
- Building elevations that reflect proposed architectural character.
- Gravel/stone parking spaces.
- Pedestrian access from the front of Building Two that connects to the public sidewalk on the opposite side of the drive aisle.

- **Public Plans and Policies**

- The *North Charlotte Plan* (1995) recommends residential land use at this location.
- The *Transit Station Area Principles* (2001) recommend a minimum residential density of 15 dwelling units per acre between ¼ and ½ mile walking distance of a transit station. The parcel is within the ½ mile walk distance of the proposed 36th Street station on the Lynx Blue Line extension.
- This petition is inconsistent with the *North Charlotte Plan*. However, the site is located within ½ mile walk of a future rapid transit station. In addition, East 36th Street is a thoroughfare that serves as a feeder to the transit station. The proposed single family home abuts an existing single family dwelling, which helps with the transition to a lower density.

- **STAFF RECOMMENDATION (Updated)**

- Staff agrees with the recommendation of the Zoning Committee.

PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
- **Charlotte Fire Department:** No issues.
- **CATS:** No issues.
- **Connectivity:** No issues.
- **Neighborhood and Business Services:** If assisted multi-family housing is provided a waiver from the Housing Locational Policies may be required.
- **Schools:** No issues.

- **Park and Recreation:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
 - **LUESA:** No issues.
 - **Site Design:** No issues.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Neighborhood and Business Services Review
- Pre-hearing Staff Analysis
- Site Plan
- Solid Waste Review
- Storm Water Review

Planner: Sonja Sanders (704) 336-8327