

<b>REQUEST</b>	Existing Zoning: UR-2(CD) HD-O, urban residential, conditional, historic district overlay (Dilworth) Proposed Zoning: UR-2(CD) SPA HD-O, urban residential, conditional, site plan amendment, historic district overlay (Dilworth)
<b>LOCATION</b>	Approximately 1.1 acres located at the north corner of the intersection of East Tremont Avenue and Euclid Avenue. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to convert the dwelling units from "for sale" condominium units to apartment units.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Trehouse, LLC and Betsy Bullard Gateway Communities Matt Majors, Axiom Architecture
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>South End Transit Station Area Plan</i> and the <i>Dilworth Land Use and Streetscape Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Nealon seconded by Commissioner Lathrop).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Indicated "Rezoning Petition Number 2013-027" within the title block.</li> <li>2. Modified the "Existing Zoning" as "UR-2(CD) HD-O (Dilworth)".</li> <li>3. Modified the "Proposed Zoning" as "UR-2(CD) SPA HD-O (Dilworth)".</li> <li>4. Modified the proposed on-street parking along Euclid Avenue so that it starts a minimum of 20 feet from the radius of the proposed Type II modified driveway.</li> <li>5. Reduced the height of the side of the building along Euclid Avenue from three to two floors.</li> <li>6. Expanded the rear corner of the building on the northeastern side of the site by relocating the three units that were previously on the third floor along Euclid Avenue.</li> <li>7. Reduced the number of surface parking spaces from 57 to 55 to accommodate the building expansion.</li> <li>8. Indicated additional evergreen planting/screening along a portion of the northeastern property line abutting single family.</li> <li>9. Reduced the number of units from 54 to 52.</li> </ol>
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<b>VOTE</b>	Motion/Second:	Nealon/Walker
	Yeas:	Eschert, Johnson, Labovitz, Lathrop, Nealon, and Walker
	Nays:	None
	Absent:	Allen
	Recused:	None

**ZONING COMMITTEE DISCUSSION**

Planning staff presented the petition to the Zoning Committee and noted that they had voted to recommend approval of the petition at their March Zoning Committee meeting. The petition was referred back to the Committee by City Council to evaluate changes made to the petition following the March Zoning Committee recommendation. Staff noted that the majority of the modifications were in an attempt to address issues that the petitioner heard at the March Historic Districts Commission meeting. A committee member indicated that the design/layout of the proposed development has progressed in a manner that is sensitive to the neighborhood.

One Zoning Committee member questioned the status of the protest petition. Staff stated that due to the nature of the proposed site plan amendment, the protest petition is not applicable as per State Statute.

**STAFF OPINION**

Staff agrees with the recommendation 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****• Background**

- The subject site was rezoned in 2007 (Petition 2007-099) to allow for a three-story, 52-unit condominium development very similar in form to what is being proposed by the current rezoning.
- Changing owner occupied units to rental units is not permitted administratively; therefore, this is the purpose of the rezoning.
- The entire property is within the Dilworth Historic District. Three of the four structures on the property are recognized as contributing structures.

**• Proposed Request Details**

The site plan amendment contains the following changes:

- Convert the residential units from "for sale" condominium units to apartment units.
- Slight modifications to the building placement and building elevations from the original rezoning.

**• Public Plans and Policies**

- The subject rezoning incorporates parcels within both the *South End Transit Station Area Plan* (2005) and the *Dilworth Land Use and Streetscape Plan* (2006). These plans were amended by Petition 2007-099 and recommend a residential land use with up to 47.3 dwelling units per acre.
  - This petition is consistent with the *South End Transit Station Area Plan* and the *Dilworth Land Use and Streetscape Plan*.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.

- **Charlotte-Mecklenburg Schools:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte-Mecklenburg Utilities:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
    - Minimizes impacts to the natural environment by building on an infill lot.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review

**Planner:** Shad Spencer (704) 353-1132