

REQUEST	Current Zoning: R-17MF, multi-family residential Proposed Zoning: R-8MF, multi-family residential
LOCATION	Approximately 1.35 acres located on the south side of Springview Road between Mellow Drive and Kentbrook Drive. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to rezone a 1.35 acre parcel, which is currently developed with multi-family residential at 14.07 units per acre, to allow all uses permitted in the R-8MF (multi-family residential) district. This request is a staff initiated rezoning to implement recommendations within the Council District 4 Multi-family Assessment Report.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Jacqueline A. Williams & Donald Powers Charlotte-Mecklenburg Planning Department None
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>Northeast District Plan</i> but to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 4-2 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Allen).

ZONING COMMITTEE ACTION	The Zoning Committee voted 4-2 to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Allen/Ryan Yeas: Allen, Dodson, Ryan, and Eschert Nays: Labovitz and Zoutewelle Absent: Low and Walker Recused: None
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ZONING COMMITTEE DISCUSSION

Staff presented the petition to the Zoning Committee and noted that this is one of the properties identified for rezoning in the District 4 Multi-Family study. Staff indicated that they believe that the R-8MF (multi-family residential) zoning district will allow redevelopment that will complement the surrounding existing development. One Commissioner questioned if the property owners supported the staff initiated rezoning and how this rezoning would affect future development on the site. Staff responded that they have been in contact with the property owners who indicated they are opposed to the rezoning. Staff also stated that the site could not be developed with 19 units under the current ordinance requirements for R-17MF (multi-family residential) but the site could be developed under the R-8MF (multi-family residential) district.

One Commissioner questioned why staff was moving forward with the rezoning if the site could not be developed under the R-17MF (multi-family residential) standards today. Staff responded that the petition was filed at Council's direction. There was no further discussion of this petition.

MINORITY OPINION

The Commissioners were concerned that the rezoning would harm the property owners' development rights.

STAFF OPINION

Staff agrees with the recommendation of the majority of the Zoning Committee.

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

PLANNING STAFF REVIEW

- **Background**
 - In June 2011, Council requested an assessment of multi-family development within Council District 4 in response to a recent increase in multi-family development activity within the district. Staff completed a report in April 2013 that summarized the amount of existing multi-family units, future projections and market demand for multi-family residential development in District 4.
 - At their May 2013 dinner briefing, Council directed staff to move forward with the recommendations within the report to:
 - Align existing and undeveloped multi-family developments with current zoning, recommended land use and community design policy for the six properties listed in the report;
 - Develop Community Design Guidelines for future multi-family housing developments that are consistent with recent City policy guidance; and
 - Assess appropriate locations and density of existing and proposed multi-family in future area planning initiative(s).
 - This property was identified as a parcel with zoning that is inconsistent with the surrounding neighborhood and the applicable plan. Therefore, the property is being recommended for a corrective rezoning. The desired outcome of the rezoning of the subject parcel is to make the zoning more consistent with the density of the existing surrounding residential development while accommodating redevelopment in the future.
 - Prior to submitting an application for this rezoning, staff sent a letter to the property owners to explain the District 4 Multi-family Assessment Report and to request a meeting to share the rezoning process and how this proposed rezoning would impacts their current development rights.
 - Staff met with the property owners via web conference call on Monday, December 9, 2013.
 - **Proposed Request Details**
 - This is a conventional rezoning petition with no associated site plan.
 - **Public Plans and Policies**
 - The *Northeast District Plan* (1996) recommends single family at four dwelling units per acre for the subject property and surrounding parcels.
 - The petition is inconsistent with the *Northeast District Plan*. The proposed rezoning to R-8MF (multi-family residential) will allow higher density development than the plan recommendation for residential development at four units per acre. However, staff believes that R-8MF (multi-family residential) zoning will allow redevelopment that is more compatible with the surrounding neighborhood than what could be developed under the current R-17MF (multi-family residential) zoning district.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** 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 comments received.
- **Urban Forestry:** No issues.

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*.
 - There is no site plan associated with this conventional rezoning request.
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OUTSTANDING ISSUES

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

- Application
- Pre-Hearing Staff Analysis
- Charlotte Area Transit System Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Urban Forestry Review

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