



**Rezoning Petition 2014-029
Zoning Committee Recommendation**

July 7, 2014

REQUEST	Current Zoning: R-4, single family residential Proposed Zoning: UR-2(CD), urban residential, conditional
LOCATION	Approximately 1.58 acres located on the south side of Woodlawn Road between Old Woods Road and Fairbluff Place. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes a residential development consisting of 14 units: 12 multi-family units and two single family detached units. The density is 8.89 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Kyle Short Kyle Short Stephen Overcash
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 26
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>Park Woodlawn Area Plan</i> and to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 6-0 vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Eschert).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Specified maximum building height as three stories. 2. Specified permitted uses as multi-family residential. 3. Showed and labeled Class "C" buffer. Specified that buffer will be developed per Class "C" buffer standards. 4. Amended Development Summary to reflect a 14-foot setback. 5. Amended the sidewalk along the internal street to six feet. 6. Labeled and indicated the dimensions of the area between the private internal street and the sidewalk as a two-foot planting strip. 7. Provided a note that the curb along the internal private street will be standard curb (not roll curb). 8. Provided a six-foot planting strip between the sidewalk and the private street the full length of the area beside unit 1. 9. Indicated the maximum height of the retaining wall will be eight feet. 10. Correctly measured and labeled the 14-foot setback along E. Woodlawn Road as being measured from the back of the future curb. 11. Revised General Provisions Note #1, last sentence, as follows: "Where specified conditions on this plan differ from ordinance, standards, in existence at the time of formal engineering plan review submission, the more restrictive shall apply." 12. Eliminated the following sentence in General Provisions Note #2: "The Site Plan is schematic in nature and represents a firm concept of development with regard to the arrangement of buildings, parking and circulation patterns." 13. Noted that the finished side of the proposed privacy fence will face the adjacent properties. 14. Noted that the stucco or masonry wall along the rear of the buildings backing up to Woodlawn Road will contain gated openings for private access from the street, will be 60 inches in height above grade, and will feature decorative pilasters every 20 feet maximum on center. 15. Provided the following renderings as viewed from E. Woodlawn Road: typical image of exterior, typical image of end unit, and
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	views from adjacent yards with and without tree plantings.
16.	Removed tree save area that was located in the right-of-way along E. Woodlawn Road.
17.	Submitted plan to Fire Marshall for review as the fire access as shown may be an issue that would dramatically alter the site plan. Fire Department commented that additional information will be needed and possible tweaking may be warranted.
18.	Specified two-car garages for the two single family detached dwellings, with a shared driveway.
19.	Labeled right-of-way along E. Woodlawn Road to be dedicated.
20.	Correctly labeled five-foot side yard at rear of property as a 10-foot rear yard.
21.	Addressed CDOT comment by adding by dedicating 50 feet of right-of-way measured from the existing centerline along the site's public frontage on Woodlawn Road. The additional 16-foot right-of-way on E. Woodlawn Road will be dedicated and conveyed to CDOT.
22.	Addressed Engineering and Property Management comments by providing a minimum 15-foot wide drainage easement clear of required buffers and structures.
23.	Labeled all tree save areas to ensure compliance with the minimum 15 percent tree save requirement.
24.	Removed guest parking from location on proposed private street as it violates Fire Code.

VOTE

Motion/Second:	Allen/Eschert
Yeas:	Allen, Dodson, Eschert, Nelson, Ryan, and Sullivan
Nays:	None
Absent:	Labovitz and Walker
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition, noting that the outstanding issues had been addressed and that the petition is consistent with the *Park Woodlawn Area Plan*. There was no further discussion of this petition.

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:
 - Maximum of 12 multi-family residential dwelling units and two single family detached units.
 - Individual and shared entrances that front public and private streets.
 - A 10-foot wide buffer around exterior property boundary abutting residential uses and zoning.
 - Building materials include wood or synthetic wood, brick or stone, stucco or synthetic stucco, and metal panels.
 - Providing 400 square feet of private open space per unit.
 - Detached lighting limited to 20 feet in height.
 - An eight-foot tall wooden privacy fence will be installed along the side and rear property lines.
 - A stucco or masonry wall will be provided along the front of the development.
- **Public Plans and Policies**
 - The *Park Woodlawn Area Plan* (2013) recommends residential uses at four units per acre but supports an increase in density up to 12 dwelling units per acre for large parcels subject to certain parameters and design guidelines. These include:
 - relation to the surrounding context along E. Woodlawn Road,
 - provision of a pedestrian scale street presence, and
 - building heights limited to 40 feet adjacent to single family properties.

- The proposed development is consistent with the *Park Woodlawn Area Plan*. The abutting properties generally have rear yards abutting the subject site, which is larger in acreage than surrounding parcels. The proposed single family attached style of development is oriented to E. Woodlawn Road, with front entrances onto the public street, rear loaded parking and the maximum 40-foot height limit which is compatible with the surrounding single family homes.

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 issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce two students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is one student
- **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 issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

Comment [HL1]: Noticing that sometimes we say would, sometimes could, sometimes will.

No need to change for this month but may want to figure out how we say it in the future.

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.

OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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