

REQUEST	Current Zoning: R-5 (single family residential) and B-2 (general business) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 2.68 acres located on the south side of Atherton Street between Euclid Avenue and Marshall Place. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow for the development of up to 37 single family attached units (for-sale) at density of 13.81 units per acre.
STAFF RECOMMENDATION	Staff does not support this petition in its current form. The parcels zoned R-5 (single family residential) are inconsistent with the <i>Dilworth Land Use and Streetscape Plan</i> , which calls for single family residential at a density of four units per acre. The lots zoned B-2 (general business) are consistent with the transit oriented development-mixed land use recommendation contained in the <i>New Bern Transit Station Area Plan</i> . However, this portion of the rezoning site is inconsistent with the Plan's support for a minimum density of 15 units per acre. In addition to the plan inconsistency, the petition has significant outstanding issues with respect to the overall site design. The proposed units are oriented inward, with the side and rear of units facing existing single family homes located across Marshall Place.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Charles Stack, et al (see website) Pulte Home Corporation Barry M. Fay, American Engineering
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 20

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Up to 37 single family (for-sale) attached homes with garages, at a density of 13.81 units per acre.
 - Maximum building height of 36 feet.
 - Internal residential alleyways providing three points of vehicular access onto Euclid Avenue. Access onto Marshall Place is not proposed with this design.
 - Six-foot sidewalks and eight-foot planting strips along Euclid Avenue, Marshall Place, and Atherton Street.
 - Proposed on-street parking along all abutting streets (four spaces on Euclid Avenue, nine spaces on Atherton Street, and 12 spaces on Marshall Place).
 - Note committing to manage construction parking so that no construction vehicles will be allowed to park on the east side of Marshall Place.
 - Minimum 15 percent tree save area provided onsite for the subject property located outside of the transit corridor.
- **Existing Zoning and Land Use**
 - The rezoning site is developed with a single family residential home and warehouse and is surrounded by a mix of single family and multi-family homes, retail, and office uses in various zoning districts.
- **Rezoning History in Area**
 - Approval of petition 2014-001 rezoned approximately 1.02 acres located on the northeast corner at the intersection of Ideal Way and Euclid Avenue from R-5 (single family residential) and MUDD (CD) (mixed use development, conditional) to UR-2(CD) (urban residential, conditional), in order to allow up to 21 single family attached units (for-sale), at a density of 20.4 dwelling units per acre.

- Approval of petition 2013-065 rezoned approximately 1.24 acres located on the south side of Iverson Way between South Boulevard and Lyndhurst Avenue from R-5 (single family residential), O-2 (office), and B-2 (general business) to UR-2(CD) (urban residential, conditional), in order to allow a for-sale multi-family development with up to 22 residential units.
- Approval of petition 2011-015 rezoned approximately 1.19 acres located on the east side of the intersection at South Boulevard, Ideal Way, and Remount Road from MUDD-O (mixed use development, optional) to MUDD-O (SPA) (mixed use development, optional, site plan amendment). The petition allows a 31,200-square foot veterinarian clinic/animal hospital and all other nonresidential uses permitted in MUDD (mixed use development).
- Several properties along South Boulevard have been rezoned to TOD (transit oriented development) to allow transit supportive development along the LYNX Blue Line.
- **Public Plans and Policies**
 - The *Dilworth Land Use and Streetscape Plan* (2006) recommends residential at up to four dwellings per acre for the parcels zoned R-5 (single family residential), with the intent of preserving the character of the existing single family neighborhood.
 - The *New Bern Transit Station Area Plan* (2008) recommends transit oriented development-mixed for the portion for the rezoning site that is zoned B-2 (general business) and supports a minimum density of 15 dwelling units per acre. The rezoning site is within ½ mile of the New Bern transit station.
 - The petition is inconsistent with the *Dilworth Land Use and Streetscape Plan*. The petition is consistent with the *New Bern Transit Station Area Plan* with respect to land use and inconsistent with respect to recommended density.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** CDOT has the following comments:
 - It appears that the minimum driveway dimensions proposed are 16 feet instead of the 20 feet minimum driveway width for one-way circulation as identified in the Charlotte Land Development Standards Manual.
 - It appears the petitioner is only creating the Local Residential Wide street cross section for a portion of the site's property frontage on Euclid Avenue and Marshall Place.
 - CDOT requests that the petitioner provide recessed on-street parking along the site's entire property frontage on Euclid Avenue and Marshall Place.
 - **Vehicle Trip Generation:**
Current Zoning: 650 trips per day.
Proposed Zoning: 220 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 17 students, while the development allowed under the proposed zoning will produce two students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No comments received.
 - **Engineering and Property Management:** Tree save, as well as internal and perimeter trees, are required for the proposed development of this site per the Tree Ordinance. A note should be added to the site plan that states the petitioner will comply with the City of Charlotte Tree Ordinance.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **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*.
 - Minimizes impacts to the natural environment by building on an infill lot.

OUTSTANDING ISSUES

- Land use:
 1. The proposed density for the parcels zoned R-5 (single family residential) is inconsistent with the *Dilworth and Land Use Streetscape Plan*, which recommends up to four dwelling units per acre.
- The petitioner should:
 1. Remove the language under Development Data with respect to Proposed Zoning that states "Parcel 12107605 will remain R-5 zoning" as the petitioner has stated the intent is to rezone entire property to UR-2(CD), and to be consistent with the application.
 2. Add notes under Streetscape and Landscaping, committing to installation of planting strips and sidewalks along Euclid Avenue, Atherton Street, and Marshall Place (including required minimum widths).
 3. Specify in the development notes under Streetscape and Landscaping any intent to allow sidewalks to meander in order to preserve existing trees.
 4. Provide information under Development Data that notes the proposed units will have garages. Confirm that the development is able to meet the minimum 400-square foot subplot requirement for single family attached for-sale units. The typical detail shown on the site plan is unclear if the driveway or second story balcony is being counted as private open space, of which neither meets the requirement. The private open space should be provided at grade level. Add a note stating that the development will meet this requirement per the Ordinance.
 5. Realign units 10-16 to parallel Marshall Place to create a strong street edge.
 6. Screen ends of alleys from Marshall Place with a combination of masonry walls and landscaping.
 7. Reverse building orientations so that front elevations face streets and common yard areas and rear elevations face alleys.
 8. Move garage doors from front to rear elevation.
 9. Install windows on front elevations in place of previous garage doors.
 10. Provide entrance doorways with porches or stoops on end elevations that front onto Euclid Avenue and Marshall Place.
 11. Provide a regular pattern of windows on end elevations, including the ground floor. Windows should be aligned to building levels and not set at varying heights. Windows on end elevations should maintain consistency in size and style.
 12. Add a note that small horizontally-aligned windows on all elevations will not be allowed.
 13. Integrate rear porches into the building design instead of attaching them to the face of the building on stilt-like supports.
 14. Better distinguish between patios, porches, and balconies.
 15. Provide a minimum of 70% masonry (brick or stone) on all building faces.
 16. Provide development notes committing to materials (including building material and minimum percentage masonry product, building articulation and orientation).
 17. Add a note under Lighting regarding pedestrian scale, freestanding lighting fixtures to be installed throughout the Site. Freestanding lighting fixtures must be fully capped and shielded and the illumination downwardly directed. Specify a maximum height (including base).
 18. Label "Possible" tree save areas.
 19. Address all CDOT and Engineering and Property Management comments.
 20. Show location of solid waste and recycling facilities as required per Section 12.403 of the Zoning Ordinance.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review

- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Claire Lyte-Graham (704) 336-3782