

<b>REQUEST</b>	Current Zoning: UR-2(CD) (urban residential, conditional) Proposed Zoning: UR-2(CD) SPA (urban residential, conditional, site plan amendment)										
<b>LOCATION</b>	Approximately 18.8 acres located on the southeast corner at the intersection of Johnston Road and Marvin Road. (Council District 7 - Driggs)										
<b>SUMMARY OF PETITION</b>	The petition proposes a modification in height to allow a second story for carriage units above the proposed garage structures.										
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Johnston Road Apartments, LLC Childress Klein Properties Bailey Patrick, Jr. and Collin W. Brown										
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4.										
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>South District Plan</i> , based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The proposed changes in the site plan are minor in nature.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing , and because:</p> <ul style="list-style-type: none"> <li>• The changes allow previously approved garages to be transformed into garages with carriage houses; and,</li> <li>• The number of residential units is not increased;</li> </ul> <p>By a 5-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Nelson).</p>										
<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The height of the proposed carriage units has been placed on the site plan.</li> <li>2. A note and elevations have been placed on the site plan detailing the options for the garage and carriage units.</li> </ol>										
<b>VOTE</b>	<table border="0"> <tr> <td>Motion/Second:</td> <td>Ryan/Nelson</td> </tr> <tr> <td>Yeas:</td> <td>Dodson, Eschert, Nelson, Ryan, and Sullivan</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Labovitz and Walker</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Ryan/Nelson	Yeas:	Dodson, Eschert, Nelson, Ryan, and Sullivan	Nays:	None	Absent:	Labovitz and Walker	Recused:	None
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Yeas:	Dodson, Eschert, Nelson, Ryan, and Sullivan										
Nays:	None										
Absent:	Labovitz and Walker										
Recused:	None										
<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented the petition to the Zoning Committee and noted that all the outstanding issues had been addressed. There was no further discussion of this petition.										
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.										

**FINAL STAFF ANALYSIS**  
**(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))**

**PLANNING STAFF REVIEW****• Background**

- Petition 2012-085 approved up to 281 multi-family dwelling units with the following provisions:
  - Transportation improvements:
    - Access to the site from Johnston Road and Marvin Road.
    - Provision of a traffic signal at the intersection of Johnston Road and Marvin Road.
    - Extension of the southbound left-turn lane on Johnston Road.
    - Installation of a left-over and a northbound right-turn lane on Johnston Road.
    - Provision of a new public street from Johnston Road to the southern property boundary.
  - A 30-foot wide buffer and six-foot high wooden fence along the southern property boundary abutting R-3 (single family residential) zoning to the south.
  - Building and garage elevations.
  - Provision of 34 percent open space.
  - A pedestrian bridge connection across the creek.
  - Detached lighting limited to 20 feet in height.

**• Proposed Request Details**

The site plan amendment contains the following changes:

- A reallocation of the existing units to allow 12 two-story garage and carriage units along Johnston Road.
- Provides building elevations for the proposed garage and carriage units consisting of stone veneer, horizontal lap siding, and asphalt shingles.
- Allows two options in the style of garage and carriage units reflecting differences in the width of garage doors, rear entrances to some garages, and the addition of a porte cochere.
- Garage and carriage units limited to a maximum height of 26½ feet and two stories.
- All other previously approved conditional notes remain unchanged.

**• Public Plans and Policies**

- The *South District Plan* (1993), as amended by Petition 2012-085, recommends multi-family up to 15 units per acre for the subject site.
  - This petition is consistent with the *South District Plan*.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **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 issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** 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*.

- This site meets minimum ordinance standards.
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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
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services 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

**Planner:** Solomon Fortune (704) 336-8326