

REQUEST	Current Zoning: UR-2(CD) HD-O (urban residential, conditional, historic district overlay) Proposed Zoning: TOD-RO HD-O (transit oriented development - residential, optional, historic district overlay)
LOCATION	Approximately 0.75 acres located on the northeast corner at the intersection of East Tremont Avenue and Euclid Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes townhomes at a density of 16 dwelling units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Betsy S. Bullard New Carolina Income Properties, LLC Matthew G. Majors, Axiom Architecture
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Dilworth Land Use and Streetscape Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed development provides a multi-family residential use at a density of 16 units per acre. <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"> • A portion of the site is located with ½ mile of the East/West Boulevard transit station; • The proposed density is less than what is called for by the updated plan, but meets the minimum density requirement for TOD (transit oriented development); and • The proposed use is consistent and compatible with the surrounding land use types; <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Labovitz seconded by Commissioner Ryan).</p>

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. The petitioner revised the plan to show the five-foot side yard adjacent to the TOD-RO (transit oriented development – residential, optional) zoned parcel to the northwest and the 20-foot rear yard adjacent to the R-22MF (multi-family residential) zoned parcel to the northeast. 2. Clarified under “Optional Provisions” Note a. as follows: “Buffer requirements of 6 trees and 20 shrubs per 100’ will be maintained with the addition of a 6’ high privacy fence rather than a masonry wall.” 3. Extended the five-foot wide buffer along the entire boundary with the adjacent R-22MF (multi-family residential) property. Included a note stating that: “The buffer area within the proposed tree save will be supplemented with additional plantings as necessary to meet the requirements of the Zoning Ordinance.” 4. Deleted “Fire Protection” sections on the site plan. 5. Labeled open space and provided a note specifying improvements/amenities. 6. Under “Parks Greenways and Open Space” deleted Notes a., b., and c.
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	<p>7. Under "Environmental Features" deleted Note c. 8. Under "Transportation" deleted Notes b., d., and e. 9. Under "Permitted Uses" deleted Note c. 10. Under "Development Data Table" deleted Note h.</p>
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VOTE	<p>Motion/Second: Labovitz/Ryan Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, and Sullivan Nays: None Absent: Walker Recused: None</p>
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ZONING COMMITTEE DISCUSSION A commissioner asked about the status of the protest petition and the neighboring property owner concerns. Staff explained that the protest petition had not been withdrawn. Staff stated that they had spoken with the property owner about the concerns and they seem to mostly deal with changes to the site plan in the future. One commissioner indicated they preferred this proposal over the previous plan.

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

- **Background**
 - The subject property was part of rezoning petition 2007-099, which was approved by City Council in December of 2007. This petition rezoned 1.1 acres located at the corner of Euclid Avenue and Tremont Avenue to UR-2(CD) HD-O (urban residential, conditional, historic district overlay) to allow for 52 condominiums at a density of 47.3 units per acre. As the properties are located in the Dilworth Historic District, the developer was required to get plan approval from the Historic District Commission. However, after two reviews, the development plans were never submitted to the Commission for final approval, and the properties were not redeveloped.
 - A site plan amendment, Petition 2013-027, was filed for the same property and was subsequently approved by City Council in May of 2013 to allow the residential units to change from ownership to rental and to modify the parking and building layout. The Historic District Commission denied the submitted development plans and the properties were not redeveloped.
 - Petition 2014-006 was approved in February 2014 and rezoned a 0.35 acre portion of the larger 1.1 acres included with Petitions 2007-099 and 2013-027 on East Tremont Avenue. This approved petition rezoned the 0.35 acre site to TOD-RO HD-O (transit oriented development - residential, optional, historic district overlay) to allow for 12 multi-family units at a density of 35.2 units per acre. This development plan was approved by the Historic District Commission.
 - The subject petition is for the remaining .75 acres of the original 1.1 acre site.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Development of 12 multi-family residential units in two buildings at a density of 16 units per acre.
 - Parking ratio of two spaces per unit plus two additional spaces for visitors for a total of 26 spaces.
 - Maximum height of 50 feet, not to exceed three stories along Tremont Avenue and 2.5 stories along Euclid Avenue.
 - Approximately 20% open space.
 - An eight-foot planting strip and six-foot sidewalk along Tremont Avenue and Euclid Avenue.
 - Building materials to include masonry; stone; and wood lapped shingles and board/batten siding.
 - Architectural elements consist of porch elements on most townhomes, exterior balconies on all units, enhanced trim and detailing at casings and cornerboards, large windows, individual garages for all units and parking from an internal drive.
 - Elevations for the frontage along Tremont Avenue and Euclid Avenue.
 - Detached lighting limited to 20 feet in height, with full cut-off type fixtures.

- A six-foot high privacy fence in the five-foot buffer area abutting R-22MF (multi-family residential) zoning.
 - Five-foot side yard adjacent to the TOD-RO (transit oriented development – residential, optional) zoned parcel to the northwest and the twenty-foot rear yard adjacent to the R-22MF (multi-family residential) zoned parcel to the northeast.
 - A five-foot wide buffer along the entire boundary with the adjacent R-22MF (multi-family residential) property with a note stating that: “The buffer area within the proposed tree save will be supplemented with additional plantings as necessary to meet the requirements of the Zoning Ordinance.”
 - Open space with specified improvements/amenities.
 - Optional requests include:
 - Reduction of the required buffer when abutting an existing residential structure or residential zoning from ten feet to five feet.
 - Increase in the allowed maximum of two parking spaces per unit by 10% to provide two parking spaces for community/visitor parking.
 - **Public Plans and Policies**
 - The *Dilworth Land Use and Streetscape Plan* (2006), as amended by the 2013-027 rezoning, recommends multi-family residential uses at a density of 47.3 units per acre. The property is located within ½ mile walk of the East/West Boulevard Transit Station.
 - The petition is consistent with the *Dilworth Land Use and Streetscape 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.
 - **Vehicle Trip Generation:**
Current Zoning: 360 trips per day.
Proposed Zoning: 200 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **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 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*.
 - 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

- Application

- Site Plan
- Locator Map
- 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: John Kinley (704) 336-8311