

<b>REQUEST</b>	Current Zoning: R-5 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 1.14 acres located on the north and south sides of McClintock Road near the intersection of St. Julien Street and McClintock Road. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes two developments on the north and south sides of McClintock Road totaling 12 single family detached, two to three-story dwellings.
<b>PROPERTY OWNER</b>	Curry Family Partnership LLC, Ruth and Henry Purser, Patrick Rothe, Derick Ritter and Angela Wright
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Robert Drakeford Robert Drakeford
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12
<b>STATEMENT OF CONSISTENCY</b>	<p>This petition is found to be consistent with the <i>Central District Plan</i> and the <i>General Development Policies</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends residential land uses at this location and the site meets the <i>General Development Policies (GDP)</i> criteria for over 17 dwelling units per acre.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the:</p> <ul style="list-style-type: none"> <li>• Request is consistent and compatible with the character and pattern of the surrounding land uses; and</li> <li>• Units are accessed via residential alleys; and</li> <li>• Development contributes to the health, safety and welfare of the neighborhood due to access via rear alleys;</li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Labovitz).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Labeled the area on the north side of McClintock Road as Area A and the area on the south side of McClintock Road as Area B.</li> <li>2. Amended Note 4E to reflect a six-foot sidewalk and eight-foot planting strip along St. Julien Street.</li> <li>3. Added a note that no garage shall be oriented toward a public street.</li> <li>4. Homes constructed on the site will have raised brick foundations with brick porch steps/stoops and brick porch columns standing five feet above finished grade minimum. Building materials will consist of two variations of hardi panel siding per home with windows.</li> <li>5. Corner Lot #6 in Area A will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.</li> <li>6. Corner Lot #4 in Area B will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.</li> <li>7. The side of garage #6 in Area A and garage #4 in Area B will have a window on the side facing St. Julien Street.</li> <li>8. Homes on Lots 5, 6, and 7 in Area A will be two stories maximum</li> </ol>
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	<p>and homes on Lots 1, 2, 3 and 4 will be three stories maximum.</p> <ol style="list-style-type: none"> <li>9. Homes on Lots 3 and 4 in Area B will be two stories maximum and Lots 1, 2, and 5 will be three stories maximum.</li> <li>10. Homes in Area A will have a 25-foot minimum setback measured from the property line.</li> <li>11. The home on Lot #7 in Area A will have a 50-foot minimum front setback as measured from the back of curb on St. Julien Street.</li> <li>12. Homes in Area B facing McClintock Road will have a 20-foot minimum front setback measured from the back of curb of McClintock Road.</li> <li>13. The home on Lot 5 in Area B will have a 30-foot minimum front setback as measured from the back of curb on St. Julien Street.</li> <li>14. A 20-foot minimum setback for heated living space as measured from back of curb for side of homes facing St. Julien Street will be provided. A 16-foot minimum overall setback measured from back of curb for side of homes facing St. Julien Street will be provided.</li> <li>15. Evergreen foundation shrubs will be planted where applicable along the side of homes facing St. Julien Street; the shrubs will be 30 inches tall and spaced five feet on center at installation.</li> <li>16. Evergreen shrubs will be planted along the northwest corner of the alley facing St. Julien Street for screening in Area A. Shrubs will be 30 inches tall and spaced five feet on center at installation.</li> <li>17. A five-foot tall privacy fence will be installed at the northern corner of Area A behind homes on Lots 1 and 7.</li> <li>18. Amended Note H under heading of Architectural Standards as follows: Garages at home numbers 1 and 7 north of McClintock Road, Area A, will be one story maximum. Home numbers 2, 3, 4, 5, and 6 garages will have optional heated living space above. This space will be additional living space for the primary homes.</li> <li>19. Amended Note I under heading of Architectural Standards as follows: Garages for homes numbers 1, 2, 3, 4, and 5 located south of McClintock Road in Area B will have optional heated living space above. This space will be additional living space for the primary home.</li> </ol>
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**VOTE**

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

**ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that all outstanding issues have been addressed. The petition is consistent with the *Central District Plan*. There was no further discussion.

**STAFF OPINION**

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**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The petition proposes 12 single family detached dwellings.
- Area A (located on the north side of McClintock Road)
  - Proposes seven single family detached dwelling units, at a density of 10.24 units per acre.
  - Dwellings will be accessed off McClintock Road via a 10-foot driveway and residential alley.
  - Homes in Area A will have a 25-foot minimum setback measured from the property line.
  - The home on Lot #7 in Area A will have a 50-foot minimum front setback as measured from the back of curb on St. Julien Street.
  - Corner Lot #6 in Area A will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.
  - The side of garage #6 in Area A will have a window on the side facing St. Julien Street.

- Homes on Lots 5, 6, and 7 in Area A will be two stories maximum and homes on Lots 1, 2, 3, and 4 will be three stories maximum.
- Garages on Lots 1 and 7 in Area A will be a maximum of one story. Garages on Lots 2, 3, 4, 5, and 6 will have optional heated living space above, which will be additional living.
- Area B (located on the south side of McClintock Road)
  - Proposes five single family detached dwelling units, at a density of 10.9 units per acre.
  - Dwellings will be accessed off St. Julien Street via an alley.
  - A 20-foot setback will be provided for Lots 1-6 along McClintock Road, and a 20-foot setback will be provided for Lot 5 along St. Julien Street.
  - The side of garage #4 in Area B will have a window on the side facing St. Julien Street.
  - Corner Lot #4 in Area B will have at least three windows on the ground floor and three on the second floor for the side of the house facing St. Julien Street to avoid blank walls.
  - Homes on Lots 3 and 4 in Area B will be two stories maximum and Lots 1, 2 and 5 will be three stories maximum.
  - All garages in Area B will have optional heated living space above, which will be additional living space for the primary home
  - Homes in Area B facing McClintock Road will have a 20-foot minimum front setback measured from the back of curb of McClintock Road.
  - The home on Lot 5 in Area B will have a 30-foot minimum front setback as measured from the back of curb on St. Julien Street.
- A 16-foot side yard will be provided for the side of dwellings facing St. Julien Street. The remaining lots will have a side yard of 3.75 feet, reduced from five feet as allowed per the zoning ordinance.
- Maximum building height of 40 feet and up to three stories.
- An eight-foot planting strip and eight-foot sidewalk will be provided along the project’s frontage on McClintock Road, and a six-foot sidewalk and eight-foot planting strip along the site’s frontage on St. Julien Street.
- Homes constructed on the site will have raised brick foundations with brick porch steps/stoops and brick porch columns standing five feet above finished grade minimum. Building materials will consist of two variations of hardi panel siding per home with windows. Roofing will be comprised of architectural asphalt shingles. Vinyl is prohibited as a building material but may be used on windows, soffits, garage doors, and handrails/railings.
- Building renderings reflect prominent front porches and architectural style that is compatible and consistent with the character of the neighborhood.
- Dwellings located on corner lots fronting public streets will have a minimum of two windows on the ground floor, three windows on the second floor, and one on the third floor on the side of the house facing the street, in order to avoid blank walls.
- No garage shall be oriented toward a public street.
- A 20-foot minimum setback for heated living space as measured from back of curb for the side of homes facing St. Julien Street will be provided.
- A 16-foot minimum overall setback measured from back of curb for the side of homes facing St. Julien Street will be provided.
- Evergreen foundation shrubs will be planted where applicable along the side of homes facing St. Julien Street and along the northwest corner of the alley facing St. Julien Street for screening; the shrubs will be 30 inches tall and spaced five feet on center at installation.
- Detached lighting will be limited to 15 feet in height. All new lighting will be full cut-off type lighting fixtures excluding decorative lighting.
- **Public Plans and Policies**
  - The *Central District Plan* (1993) recommends single family land uses up to four units per acre for most of the subject properties, and office for one of the properties.
  - The plan references the residential locational criteria of the *General Development Policies* (GDP) for areas of higher density. The site currently meets the *General Development Policies* (GDP) criteria for the density requested.

Assessment Criteria	Density Category - over 17 du/a
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	2
Connectivity Analysis	5
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 14</b>	<b>Total Points: 14</b>

- The residential use proposed by the petition is consistent with the *Central District Plan*, which recommends single family residential uses for all but one lot included in the rezoning petition. For that lot, the proposed residential use is inconsistent with plan's recommendation for office uses. The proposed densities of 10.24 and 10.9 units per acre are consistent with the density of over 17 dwelling units per acre supported by the *General Development Policies (GDPs)*.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** Developer must comply with the City's housing policies if seeking public funding.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** No issues.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** 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 infill lots.
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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-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water 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:** Sonja Sanders (704) 336-8327