

<b>REQUEST</b>	Current Zoning: R-8 (single family residential) Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)
<b>LOCATION</b>	Approximately 0.43 acres located on the southeast corner at the intersection of Lillington Avenue and Amherst Place. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to construct up to eight multi-family units in two structures, at a density of 18.60 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	City of Charlotte Housing Authority Charlotte Housing Authority Neighboring Concepts, PLLC
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 35
<b>STATEMENT OF CONSISTENCY</b>	<p>This petition is found to be inconsistent with the density recommendation of the <i>Midtown Morehead Cherry Plan</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 at up to eight dwelling units per acre for the subject property.</li> </ul> <p>However, 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:</p> <ul style="list-style-type: none"> <li>• The proposed buildings along Amherst Place are consistent with the general heights, setbacks, and building orientation and single family residential form of the existing homes in the immediate area; and</li> <li>• Buffers and landscaping are provided against abutting properties; and</li> <li>• Parking is located to the rear and sides of the proposed residential structures with vehicular access limited to Lillington Avenue; and</li> <li>• The elevations are “terrific”;</li> </ul> <p>By a 5-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Eschert).</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. Showed a minimum 16-foot building separation between the proposed structures including the external stairs between the structures.</li> <li>2. Relocated proposed northeastern structure out of the required buffer.</li> <li>3. Revised elevations showing the proposed north and south buildings.</li> <li>4. Added a note that detached lighting will be limited to 15 feet in height.</li> <li>5. Added a note that attached and detached lighting will be fully shielded and full cut-off fixtures.</li> <li>6. Added a note that no expanse of blank wall will exceed 20 feet in length.</li> <li>7. Labeled the edge of rights-of-way for Lillington Avenue and Amherst Place.</li> <li>8. Added a note that the site will comply with the Post Construction Controls Ordinance.</li> </ol>
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<b>VOTE</b>	Motion/Second:	Ryan/Sullivan
	Yeas:	Dodson, Eschert, Lathrop, Ryan, and Sullivan
	Nays:	None
	Absent:	Labovitz
	Recused:	Nelson
<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented this item and stated that all outstanding issues had been addressed. Staff reviewed the modifications to the site plan since the public hearing and noted that the request is inconsistent with the <i>Midtown Morehead Cherry Plan</i> . 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**
  - The subject property was rezoned from R-22MF (multi-family residential) to R-8 (single family residential) via Petition 1993-80 as recommended per the *Central District Plan*.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

  - Allows the construction of two buildings containing up to a total of eight dwelling units.
  - Maximum building height of 40 feet.
  - Specifies building materials to include a combination of brick, stone, precast concrete, synthetic stone, cementitious board, stucco, EIFS, decorative block, and/or wood.
  - Prohibits vinyl and aluminum as a building material except on windows, soffits, handrails, and railings.
  - Provides building elevations that show structures fronting both public streets.
  - Specifies that no expanse of solid wall will exceed 20 feet in length.
  - Limits detached lighting to a height of 20 feet.
  - Installs a six-foot sidewalk and eight-foot planting strip along Lillington Avenue and Amherst Place that can meander to save the existing trees.
  - A 10-foot Class "C" buffer adjacent to residentially zoned property.
  - Proposes parking to the rear of the proposed structures.
  - Attached and detached lighting will be fully shielded and full cut-off fixtures.
  - Detached lighting will be limited to 15 feet in height.
- **Public Plans and Policies**
  - The *Midtown Morehead Cherry Area Plan* (2012) recommends residential uses up to eight dwelling units per acre.
  - The petition is inconsistent with the density recommendation of the *Midtown Morehead Cherry Area Plan*.
  - The petition is consistent with the goals of the plan.

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** The developer must comply with the City's Housing policies if seeking public funding.
- **Transportation:** No issues.
- **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*.
    - 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-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:** Solomon Fortune (704) 336-8326