
REQUEST	Current Zoning: UR-2(CD), urban residential, conditional Proposed Zoning: UR-2(CD) SPA, urban residential, conditional, site plan amendment
LOCATION	Approximately 5.71 acres located on the west side of Luther Street generally surrounded by Cherry Street, Main Street, Baxter Street and Eli Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes a site plan amendment to amend the notes related to garage and parking area requirements.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the <i>Midtown Morehead Cherry Area Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Virgate 1, LLC & Carolina Cottage Homes, LLC Virgate 1, LLC & Carolina Cottage Homes, LLC Monte Ritchey
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10

PLANNING STAFF REVIEW

- **Background**
 - The subject property was rezoned via petition 2014-024 from UR-2(CD) (urban residential, conditional) to UR-2(CD) SPA (urban residential, conditional, site plan amendment) to allow the development of 39 single family homes and two duplexes on the corner lots of South Torrence Street and Luther Street.
 - The approved site plan includes:
 - A new public street between Main Street and Luther Street.
 - Elevations for proposed house designs, which limit units with front entry garages to a single car garage.
 - Prohibition of vinyl siding as a building material except on windows and door trim.
 - All houses will have a porch that is a minimum of eight feet in depth.
 - Prohibition of identical house designs on abutting lots.
 - A provision that a side or rear entry garage will be provided for 35 percent of the units while 45 percent of units will have a front entry and a one car garage. The remaining 20 percent of units will have a parking area provided in the front or side of the units
- **Proposed Request Details**

The site plan amendment contains the following changes:

 - The removal of the conditional note that requires "A side or rear entry garage will be provided for 35 percent of the units."
 - Provides that no more than 19 of the allowed 39 homes will have a front entry, one-car garage that meets the following requirements:
 - the front entry one-car garage will be recessed from the face of the primary structure by a minimum of 2 feet.
 - the front entry one-car garage will have a minimum of 20 feet of driveway between the face of the garage and the back of the sidewalk.
 - Provides that the remaining homes may have an attached or detached 1 or 2 car garage provided the garage is:
 - accessed from the rear of the lot; or
 - accessed from the side of the lot; or
 - is located behind the house.
 - All other conditions previously approved under petition 2014-024 will remain.
- **Existing Zoning and Land Use**
 - The subject properties are vacant or under development for single family structures. The property is surrounded by single family, duplex/triplex, and multi-family units in R-6 (single

family residential), R-8 (single family residential), R-12MF (multi-family residential), R-22MF(CD) (multi-family residential, conditional), and UR-2(CD) (urban residential, conditional) zoning districts. Various other properties are zoned O-2 (office) and are developed with office uses.

- **Rezoning History in Area**
 - A number of rezonings have taken place to accommodate residential uses in the area.
 - **Public Plans and Policies**
 - The *Midtown Morehead Cherry Area Plan* (2012), as amended by petition 2014-024, recommends single-family residential for the subject property.
 - The petition is consistent with the *Midtown Morehead Cherry Area Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** The petition will not affect the number of vehicle trips.
 - **Vehicle Trip Generation:**
 - Current Zoning: 490 trips per day.
 - Proposed Zoning: 490 trips per day.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
 - **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 comments received.
-

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.

OUTSTANDING ISSUES

- No issues.
-

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 Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Solomon Fortune (704) 336-8326