

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 1.95 acres located on the south side of Fairview Road between Park Road and Closeburn Road. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes to allow the development of up to 18 attached residential dwelling units for a density of 9.2 dwelling units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Charlotte Parker and Marion McGaha Charlotte Parker and Marion McGaha DPR Assc., Inc.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 17
STATEMENT OF CONSISTENCY	<p>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:</p> <ul style="list-style-type: none"> • The plan recommends residential uses; and • The requested density is supported by the <i>General Development Policies</i>. <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:</p> <ul style="list-style-type: none"> • The site is appropriate for multi-family housing because it is adjacent to a large multi-family building and abuts a site recently rezoned for multi-family; and • Is located with ¼ mile of the SouthPark Major Activity Center; and • Provides site design consistent with the guidelines for attached residential development described in the <i>General Development Policies</i>; <p>By a 7-0 vote of the Zoning Committee (motion by Wiggins seconded by Commissioner Eschert).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications and the petitioner's commitment to address one outstanding issue:</p> <ol style="list-style-type: none"> 1. Addressed Charlotte-Mecklenburg Stormwater Services and Engineering and Property Management issues by adding "The petitioner shall provide peak flow control, for the 100-year, six-hour runoff from the developed site to the predevelopment peak flow rate." under note Environmental Features note A. 2. Eliminated the alternate building layout plan shown on sheet RZ-2. 3. Changed the proposed number of units under General Provisions Note A from "17" to "18" rather than amending the site data section. 4. Delineated the sub-lot areas which include the area for private open space for each unit on sheet RZ-1. 5. Specified that driveways will be less than seven feet or greater than 20 feet in length. 6. Amended the maximum building height under Site Data by removing the exact height and specifying height per the Ordinance, not to exceed three stories. 7. Provided a 13-foot planting strip and six-foot sidewalk along the site's frontage on Fairview Road from the western property line,
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	<p>east to the proposed sidewalk located along Closeburn Road.</p> <ol style="list-style-type: none"> 8. Amended the proposed uses to read: "Attached and detached residential." 9. Added a sentence under General Provisions Note A to read that houses existing on the site may continue to be used as residences until such time as they are removed to accommodate new construction rather than added a note under Permitted Uses. 10. Staff rescinded the request to provide notes describing how each property could be developed independently because the site layout and notes allow for the properties to develop independently. 11. Provided a minimum 15-foot buffer along the southern edge of the site containing at least four trees per 100 linear feet and a variety of evergreen and deciduous shrubs at a rate of 10 shrubs per 100 linear feet. Shrubs will not be required where there is a solid wall. 12. Committed to improvements within the specified "common open space" shown on the site plan. Improvements to include pedestrian amenities such as seating, flower beds, etc. 13. Added an "Alternate Plan" and corresponding note related to the area at the dead end portion of Closeburn Road. The plan and note depicts the possible abandonment of the right-of-way, removal of pavement, landscape and barrier improvements. 14. Committed to working with CDOT to determine the appropriate wording of the note and the process for pursuing the proposed changes to the end of Closeburn Road.
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VOTE

Motion/Second:	Wiggins/Dodson
Yeas:	Dodson, Eschert, Labovitz, Lathrop, Nelson, Sullivan, Wiggins
Nays:	None
Absent:	None
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the rezoning request and the changes since the public hearing. Staff stated the petitioner has worked with CDOT to address the final outstanding issue. There was no additional discussion.

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

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the construction of up to 18 attached residential units within two principal buildings. Allows existing detached dwellings to remain.
- Commits to seeking abandonment of the dead-end portion of Closeburn Road, provides a plan showing possible improvements to the dead end portion and commits to working with CDOT to determine the appropriate changes of the area if the abandonment is approved.
- Provides vehicular access via private alleys connected at two access points to both frontages of Closeburn Road.
- Allows for a pedestrian connection to the abutting site to the east.
- Commits to improvements within the specified "common open space" shown on the site plan. Improvements to include pedestrian amenities such as seating, flower beds, etc.
- Provides two parking spaces per unit located in garages.
- Specified that driveways will be less than seven feet or greater than 20 feet in length.
- Provides recessed on-street parking along both frontages of Closeburn Road.

- Provides proposed building elevations indicating intended building materials.
- Maximum building not to exceed three stories.
- Commits to a solid wall between five and six feet tall along the southern edge of the site adjacent to the existing single family homes.
- Provides a minimum 15-foot wide buffer along the southern edge of the site containing at least four trees per 100 linear feet and a variety of evergreen and deciduous shrubs at a rate of 10 shrubs per 100 linear feet. Shrubs will not be required where there is a solid wall.
- Provides a decorative wrought iron or aluminum picket fence four to five feet high with brick or similar columns along the public street frontage.
- Provides a 13-foot planting strip and six-foot sidewalk along the site's frontage on Fairview Road.
- Limits free-standing lighting to a maximum of 15 feet in height.
- **Public Plans and Policies**
 - The *South District Plan* (1993) recommends single family residential at three dwelling units per acre and references the residential location criteria of the *General Development Policies (GDP)* for areas of higher density development.
 - The petition meets the *General Development Policies* for the density requested, as illustrated in the table below.

Assessment Criteria	Density Category - up to 12 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	1 (Yes)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 13

- The petition is consistent with the *South District Plan* and the density is supported by the *General Development Policies*.

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 comments received.
- **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.

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 redeveloping an infill site.

OUTSTANDING ISSUES

- No issues.

Attachments Online at 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
- 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