

<b>REQUEST</b>	Current Zoning: R-5 (single family residential) and B-2 (general business) Proposed Zoning: UR-3(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 2.71 acres located on the southeast corner at the intersection of Euclid Avenue and Atherton Street, also abutting Marshall Place. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the redevelopment of nine existing single family homes and two commercial sites in the Dilworth neighborhood with up to 62 dwelling units (10 single family homes and 52 multi-family units) for a density of 22.5 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Various Rockwell Capital, LLC John Carmichael, Robinson Bradshaw & Hinson, P.A.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.
<b>STATEMENT OF CONSISTENCY</b>	<p>The Zoning Committee found the parcels zoned R-5 (single family residential) to be inconsistent with the <i>Dilworth Land Use &amp; Streetscape Plan</i> recommendation for single family residential at a density of four units per acre.</p> <p>The Zoning Committee found the parcels zoned B-2 (general business) to be consistent with the <i>New Bern Transit Station Area Plan</i> recommendation for transit oriented development-mixed land use, 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 and transit supportive uses for the subject property.</li> </ul> <p>However, this petition was 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 single family homes maintain the single family character along Marshall Place; and</li> <li>• The proposed residential multi-family building is consistent with a transit supportive use;</li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Dodson seconded by Wiggins).</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 and resolution of the outstanding issues:</p> <ol style="list-style-type: none"> <li>1. 10 single family homes are proposed along Marshall Place.</li> <li>2. The proposed setbacks along Marshall Place have been shown as 20 and 25 feet from the back of curb for the proposed single family units.</li> <li>3. Landscaped terraces have been proposed to provide visual interest and break up long expanses of blank wall for the proposed parking structure.</li> <li>4. Landscaping (predominately evergreens trees and shrubs) and notes committing to screen the parking structure openings and expanses of blank walls have been provided on the site plan.</li> <li>5. The shape and location of openings for the proposed parking structure have been modified and screened to provide a more cohesive façade.</li> <li>6. The proposed cheek walls along the Euclid Avenue elevation for the</li> </ol>
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	<p>multi-family component have been modified with screen openings and decorative features.</p> <p>7. Notes detailing the architectural features and style of the proposed single family and additional multi-family building have been provided.</p> <p>8. Notes detailing the design of the proposed plaza area have been provided.</p>
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**VOTE**

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

**ZONING COMMITTEE DISCUSSION**

Staff presented this item and noted that only two outstanding issues remain in regards to a twenty-foot building separation from the proposed rear yard of the single-family lots and updated elevations. One Commissioner recommended approval of the petition as long as the two outstanding issues can be addressed. There was no further discussion of the petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee upon resolution of the outstanding issues.

**FINAL STAFF ANALYSIS**  
 (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Background**
  - In 2014, rezoning petition 2014-063 was submitted for a portion of the subject site. The request was to change the zoning from R-5 to UR-2(CD) (urban residential, commercial) to allow the development of 37 attached single family (for sale) units, at a density of 13.81 units per acre.
  - On September 14, 2014, City Council denied the petition.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

  - Allows up to 10 single-family lots for a total of 10 units (for sale) and 52 multi-family (for sale) units in a single building for a maximum overall density of 22.5 dwelling units per acre.
  - Maximum height of 40 feet for the proposed single family structures and maximum height of 50 feet for the multi-family structures.
  - Residential structures along Marshall Place will have a minimum setback of 20 to 25 feet from the proposed back of curb.
  - Building elevations with proposed materials to be stucco, hardi-plank, brick veneer, and metal accents. Vinyl as a building material is prohibited.
  - Structured parking, for the multi-family building, to include 57 spaces. An additional 51 surface parking spaces and on-street parking and 20 garages spaces for the single family lots will result in a total of 128 spaces for the overall site.
  - Eight foot-planting strip and eight-foot sidewalk will be installed along all public street frontages.
  - Eight-foot wide pedestrian connection between Euclid Avenue and Marshall Place along the southern edge of the property.
  - Internal pedestrian plaza area to be constructed.
- **Public Plans and Policies**
  - The *Dilworth Land Use & Streetscape Plan* (2006) recommends residential land uses up to four dwelling units per acre for the parcels currently zoned R-5 (single family residential), with the intent of preserving the character of the existing single family neighborhood. The plan requires new development to be compatible in scale and massing with the existing neighborhood.
  - The *New Bern Transit Station Area Plan* (2008) recommends transit oriented development-mixed land use for the portion of the rezoning site zoned B-2 (general business) and supports a minimum density of 15 dwelling units per acre. The rezoning site is within ½ mile of the New Bern Light Rail Station.
  - The petition supports the *General Development Policies-Environment* by redeveloping an infill

site, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**

- There are no major traffic impacts associated with this petition. In addition, the proposed development advances the goal to make this area more walkable by implementing streetscape improvements along the fronting streets.
- **Vehicle Trip Generation:**  
Current Zoning: 200 trips per day (based on 10 single family units and 28,260 square feet of warehouse uses).  
Proposed Zoning: 580 trips per day (based on 10 single-family lots and 52 multi-family units).

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

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 13 students, while the development allowed under the proposed zoning will produce one student. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students. The proposed development is projected not to increase the school utilization (without mobile classroom units) for Dilworth Elementary (129%), Alexander Graham Middle (112%), and Myers Park High (115%).
  - **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 comments received.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**OUTSTANDING ISSUES**

Site and Building Design

1. Show required 20-foot rear yard separation between the proposed single family property line and the proposed multi-family buildings.
2. Update elevations to show the proposed single family homes.

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Solomon Fortune (704) 336-8326