

REQUEST	Current Zoning: UR-2(CD) (urban residential, conditional) Proposed Zoning: UR-2(CD) TS (urban residential, conditional, transit supportive overlay)
LOCATION	Approximately 1.35 acres located on the southwest corner of the intersection of Holt Street and East 36 th Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to redevelop an existing 27-unit multi-family apartment site located in the North Charlotte neighborhood with 32 single family attached dwelling units, at a density of 23.7 units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Beatty Investments, LLC c/o Deborah Beatty The Drakeford Company Anthony Fox and Mac McCarley, Parker, Poe, Adams and Bernstein
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 7
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition to be consistent with the <i>Central District Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The plan recommends multi-family dwellings for that site. • Therefore, 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: <ul style="list-style-type: none"> • The adopted area plan recommends multi-family residential uses as amended by Petition 2015-89 that allowed 51 multi-family dwelling units in one structure, at a density of 37.7 units per acre; and • The proposed development replaces current entitlements by decreasing the number of units allowed to 32 units and the overall density to 23.7 units per acre; and • Building height and form are consistent with recent developments along East 36th Street and are designed to be compatible with the abutting residential with a height limit of 45 feet and four stories. All parking is internal to the site; and • Site layout will retain an existing heritage tree located along East 36th Street; <p>By a 6-0 vote of the Zoning Committee (motion by Fryday seconded by Wiggins).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Added note as follows: "The 38 feet of future right-of-way as shown on the site plan will be dedicated to the City of Charlotte prior to the issuance of the first certificate of occupancy." 2. Amended elevations to remove the four story elevation option. 3. Limited building height to three stories and 45 feet. 4. Added a note that the ground floor shall be taller and include more transparency than upper floors. 5. Amended elevations to include more transparency and reflect a taller ground floor. 6. Showed location of dumpster and recycling area required for a complex containing 30 or more residential units. 7. Ensured that the internal alleyways are properly dimensioned to accommodate a private hauler and the associated spacing
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	<p>requirements.</p> <p>8. Added note that the petitioner will attempt to preserve the existing heritage tree located on the site if possible during site permitting.</p> <p>9. Provided a 16-foot setback along East 36th Street and Holt Street, consistent with previous petition 2015-89, and a four-foot transition zone behind the sidewalk, and commit to providing landscaping in the transition zone. Added a note stating that the principal building will not be allowed in the transition zone; however, stoops, porches, steps, rails and similar items may be located therein.</p> <p>10. Amended Note 9A under heading of Public Art to specify that \$7,500 will be donated to an Arts and Science Council for the neighborhood.</p> <p>11. Amended proposed zoning to reflect UR-2(CD) TS.</p>
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VOTE

Motion/Second: Majeed / Wiggins
 Yeas: Fryday, Majeed, McClung, Spencer, Watkins and Wiggins
 Nays: None
 Absent: Lathrop
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided an update on the petition pointing out that there are no outstanding site plan issues. Staff noted that the petition is consistent with the *Central District Plan*, which recommends multi-family dwellings for the site. 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)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum of 32 single family attached dwelling units.
- Units will be accessed via an internal driveway off East 36th Street.
- Units with primary frontage along a public street shall have no garages oriented towards the public street.
- All buildings will be limited to three stories and 45 feet in height.
- Exterior building materials consist of fiber cement panel/siding and brick veneer. Vinyl is prohibited as an exterior building material except for windows, soffits, garage doors, fences and handrails.
- Building elevations provided.
- An eight-foot wide planting strip and eight-foot wide sidewalk will be provided along the site's frontage on East 36th Street and Holt Street. Sidewalks and planting strips may meander to save existing trees.
- A 10-foot landscape buffer that may be reduced to eight feet in width with a wall will be established along the rear and west property lines.
- Providing a concrete waiting pad for the existing CATS bus stop located at the corner of East 36th Street and Holt Street.
- Petitioner will donate a minimum allowance of \$7,500 to the Art and Science council for the neighborhood for the purposes of installation and purchase of public art. This art may be free standing or integrated within the East 36th Street frontage of the site but will not be used for advertisement purposes.

• **Public Plans and Policies**

- The *Central District Plan* (1993) recommends multi-family uses for this site, as amended by Petition 2015-89, which allowed 51 multi-family dwelling units, at a density of 37.7 units per acre.

• **TRANSPORTATION CONSIDERATIONS**

- This site is located at the unsignalized intersection of a minor thoroughfare and a local street. The site plan adds an eight-foot sidewalk and eight-foot planting strip to the existing two

travel lanes, bike lanes, and on-street parking on 36th Street. CDOT has not identified any negative impacts to the transportation facilities in the area.

- **Vehicle Trip Generation:**

- Current Zoning:
 - Existing Use: 290 trips per day (based on 27 existing multi-family dwelling units).
 - Entitlement: 430 trips per day (based on 51 multi-family dwelling units).
- Proposed Zoning: 240 trips per day (based on 32 single family attached dwelling units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.
- **Charlotte Department of Solid Waste Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 23 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 not projected to increase the school utilization (without mobile classroom units) over existing conditions:
 - Highland Renaissance Elementary remains at 97%;
 - Martin Luther King, Jr. Middle remains at 101%; and
 - South Mecklenburg High remains at 129%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water distribution main located along East 36th Street and an existing six-inch water distribution main located along Holt Street. Sewer availability is provided via an existing eight-inch gravity sewer main located along East 36th Street.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at 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 Solid Waste Services Review
 - Charlotte Fire Department 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
 - Transportation Review

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