

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 Berstein
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 7

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, and site and building design.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Central District Plan</i> recommendation for multi-family development on the subject site.</p> <p><u>Rationale for Recommendation</u></p> <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. • 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. • 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. • Site layout will retain an existing heritage tree located along East 36th Street.
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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.
 - Buildings A and B, which front East 36th Street, are limited to a maximum height of four stories and 48 feet. Buildings C and D will be limited to a maximum height of three stories and 41 feet.
 - 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 reflect a three-story option along both streets and a four-story option along both streets.
 - 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 establish a minimum allowance fund to be determined with the local neighborhood association 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.
- **Existing Zoning and Land Use**
 - Petition 2015-089 rezoned the subject property from R-22MF (multi-family residential) to UR-2(CD) (urban residential, conditional) to allow a total of 51 multi-family dwelling units in one principal structure, at a density of 37.7 units per acre.
 - The subject property is currently developed with 27 garden style multi-family dwelling units and the 2015-089 rezoning to allow 51 units was not implemented.
 - The site is surrounded primarily by a mix of single family and multi-family residential uses in R-5 (single family residential), R-22MF (multi-family residential) and UR-2(CD) (urban residential, conditional) zoning, and a few commercial uses on properties zoned B-1 (neighborhood business) fronting on or located closer to The Plaza.
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **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.
 - See Outstanding Issues, Note 1.
 - **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:** See Outstanding Issues, Note 7.
- **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.

OUTSTANDING ISSUES

Transportation

1. Add 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."

Site and Building Design

2. Clarify the intent of the three and four story elevation options to specify which elevation may be used under what conditions.
3. Limit building height to three stories and 40 feet to be consistent with the residential properties located at the rear of the site.
4. Add a note that the ground floor shall be taller and include more transparency than upper floors, and amend elevations to include more transparency and reflect a taller ground floor. This should be detailed as a second front.
5. Amend site plan to remove arrow associated with note about three or four story max townhomes typical that is pointed at Building C.
6. Show location of dumpster and recycling area required for a complex containing 30 or more units.
7. Ensure that the internal alleyways are properly dimensioned to accommodate a private hauler and the associated spacing requirements.
8. Add note that the petitioner intends to retain the existing heritage tree located on the site.
9. Provide 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. Add 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.
10. Amend Note 9A under heading of Public Art to specify the exact amount that will be donated to an Arts and Science Council for the neighborhood or delete the note. Note is unenforceable as written.

Land Use

11. Amend proposed zoning to reflect UR-2(CD) TS.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- 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

Planner: Sonja Strayhorn Sanders (704) 336-8327