

REQUEST	Current Zoning: R-5 (single family residential) Proposed Zoning: MUDD(CD) (mixed use development, conditional) with five-year vested rights.
LOCATION	Approximately 0.683 acres located on the north side of McClintock Road between Nandina Street and St. Julien Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to redevelop three existing single family detached residential dwellings located in the Commonwealth neighborhood to allow 12 single family attached dwelling units, two of which will be live/work units, in three quadraplex buildings, at a density of 17.56 dwelling units per acre.
PROPERTY OWNER	Golden Triangle #7 Commonwealth LLC, and Curry Family Partnership, LLC
PETITIONER	The Drakeford Company
AGENT/REPRESENTATIVE	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: 9.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to land use, site and building design, and minor technical revisions.</p> <p><u>Plan Consistency</u> The proposed residential use is consistent with the <i>Central District Plan</i>, and the density of 17.56 units per acre is consistent with the <i>General Development Policies (GDPs)</i>. The office component of the live/work units is consistent with the office use recommended for the northernmost property but technically inconsistent with the residential use recommended for the other two lots.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject property is located at the edge of the Commonwealth neighborhood and abuts the Plaza Central business district. • The proposed development, which is primarily residential with a minor non-residential component, will provide a transition from the predominantly single family part of the Commonwealth neighborhood to the Plaza Central business district. • The inclusion of live/work units provides an opportunity for services within walking distance of other businesses and residences. • The proposal to develop three quadraplexes limited to two and one-half stories and set back from the sidewalk will result in new development that is compatible with the adjacent single family dwellings. • Further, the building renderings show an architectural style that is in keeping with the character of the Commonwealth neighborhood.
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PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The petition proposes 12 single family attached dwellings in three quadraplex buildings.
- Live/work units will be permitted in one ground floor unit of two buildings, with an office component encompassing up to 500 square feet.
- Dwellings will be accessed off St. Julien Street via a one-way driveway and residential alley. Egress from the site will be via the one-way driveway that exits onto McClintock Road.
- A 27.5-foot setback will be provided from the future back of curb along McClintock Road, and a

- 15.5-foot setback will be provided from the future back of curb along St. Julien Street.
- Maximum building height of 36 feet and up to two and one-half stories.
- Building elevations provided that reflect building facades with front porches.
- Building materials consist of Hardiplank siding, cementitious shake/panel siding and brick veneer. Vinyl is prohibited as a building material but may be used on windows, soffits, garage doors, fences and handrails/railings.
- The side of Building 3 facing St. Julien Street will have enhanced architectural features for street edge appeal, as reflected in the St. Julien Street elevation provided.
- An eight-foot planting strip and eight-foot sidewalk will be provided along the project's frontage on McClintock Road, and a six-foot sidewalk and eight-foot planting strip along the site's frontage on St. Julien Street.
- A minimum four-foot high masonry wall will be installed abutting the R-5 (single family residential) along the northern portion of the site.
- All transportation improvements will be approved and constructed prior to the issuance of the first certificate of occupancy for the first building to be constructed on the site.
- **Existing Zoning and Land Use**
 - The subject properties are zoned R-5 (single family residential) and developed with single family dwellings.
 - Surrounding properties are bound by Central Avenue to the north and East Independence Boulevard to the south. Parcels fronting Central Avenue are zoned B-1 (neighborhood business), B-2 (general business), NS (neighborhood services) and MUDD(CD) (mixed use development, conditional). Parcels fronting East Independence Boulevard are zoned B-1 (neighborhood business), O-2 (office) and R-5 (single family residential).
 - Properties located to the west of St. Julien Street contain single family detached dwellings, duplex dwelling units, office, retail and warehouse uses zoned R-5 (single family residential), O-2 (office), MUDD-O (mixed use development, optional), and B-2 (general business). Some properties lie within the Plaza Central Pedestrian Overlay (PED) zoning district.
 - Properties on the east side of St. Julien Street are zoned R-5 (single family residential) and are developed with single family detached units and duplex units.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2015-056 rezoned 1.92 acres located on the north side of Central Avenue between Nandina Street and Landis Avenue from B-1 (neighborhood business) and MUDD(CD) (mixed use development, conditional) to MUDD(CD) (mixed use development, conditional) and MUDD(CD) SPA (mixed use development, conditional, site plan amendment) to allow up to 97 multi-family dwelling units, with up to 7,800 square feet of non-residential uses including 3,000 square feet for leasing office and amenity space and 4,800 square feet of commercial uses along Central Avenue.
 - Petition 2015-026 sought to rezone 1.14 acres located on the north and south sides of McClintock Road, near the intersection of St. Julien Street and McClintock Road and including the subject property, from R-5 (single family residential) to UR-2(CD) (urban residential, conditional) to allow 12 single family detached, two to three-story dwellings. The petition was denied.
 - Petition 2014-005 rezoned 0.39 acres located on the north side of Central Avenue between St. Julien Street and Westover Street from B-1 (neighborhood business) to MUDD-O (mixed use development, optional) to allow the construction of a four-story building with 36 multi-family units with a gated structured parking area on the ground level.
- **Public Plans and Policies**
 - The *Central District Plan* recommends office uses for one lot, and single family residential uses up to four units per acre for the other property.
 - The *General Development Policies (GDPs)* provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of over 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – over 17 dua
Meeting with Staff	Yes (1)
Sewer and Water Availability	Yes (2)
Land Use Accessibility	High (3)
Connectivity Analysis	High (5)
Road Network Evaluation	N/A (0)
Design Guidelines	Yes (4)
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 15

• **TRANSPORTATION CONSIDERATIONS**

- This site is located at the unsignalized intersection of local streets and is one block south of Central Avenue, a major thoroughfare. The current site plan commits to new streetscape along the property frontage and generates a low amount of daily traffic.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 20 trips per day (based on two single family detached dwellings).
 - Entitlement: 20 trips per day (based on two single family detached dwellings).
 - Proposed Zoning: 200 trips per day (based on 12 single family attached dwellings).

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 issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate two students, while the development allowed under the proposed zoning will produce four students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is two students.
 - The proposed development is not projected to increase the school utilization (without mobile classroom units) over existing conditions:
 - Oakhurst Elementary remains at 96%;
 - Eastway Middle remains at 109%;
 - Myers Park High remains at 114%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing two-inch water distribution main and an existing six-inch water distribution main located along McClintock Road. Sewer system availability is provided via an existing eight-inch gravity sewer main located along McClintock Road.
- **Engineering and Property Management**
 - **Arborist:**
 - No trees can be removed from or planted in the right-of-way on McClintock without permission of the City Arborist's office.
 - The petitioner must submit a tree survey for all trees two inches or larger located in the rights-of-way. In addition, the survey must include all trees eight inches or larger in the setback.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** The site must comply with the tree ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

OUTSTANDING ISSUES

Site and Building Design

1. An optional request is required to allow the proposed parking space between the building and McClintock Road. Remove the parking space located between the building and the street.
2. Annotate building elevations to indicate building materials, and design elements.
3. Delete the "Elevation Note" from Sheets A1 and A2.

Land Use

4. Amend Note 3B to include only the enforceable items pertaining to designated units, square footage, and reference to inclusion of conditions in homeowner's association restrictive covenants and bylaws.
5. Amend Note 3B as follows: "Office Square Footage allowed as part of live/work units limited to a maximum of 500 square feet." Also, eliminate language related to retail sales, as retail sales considered accessory to the office use would be allowed.
6. Amend Note 5B as follows: "The first floor of buildings 1 and 2 shall be developed to accommodate 500 square feet of office uses permitted in the MUDD district."
7. Amend Note 3B to delete all reference to commercial uses prior to development, associated hours and signage.

REQUESTED TECHNICAL REVISIONSLand Use

8. In Note 3B, clarify that the live/work areas are included in the total number of units, and are not in addition to the 12 units being requested.

Site and Building Design

9. Amend Note 5C under "Architectural Standards" to replace Chatham Avenue with St. Julien Street.
10. Address discrepancy between Note 5B, which states the first floor of Building 1 and Building 2 shall be developed to accommodate 500 square feet of nonresidential office or retail uses, and the site plan, which reflects the live/work units in Building 1 and Building 3.

Infrastructure

11. Amend Sheet RZ1 to reflect width of proposed sidewalk along the site's frontage on St. Julien Street as six feet.
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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 Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - City Arborist Review
 - Engineering and Property Management Review
 - Erosion Control
 - Land Development
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Transportation Review

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