

<b>REQUEST</b>	Current Zoning: R-5 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 0.41 acres located on the south side of Faison Avenue between North Davidson Street and North Brevard Street. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to redevelop three lots located in the North Davidson neighborhood, to allow up to six single family attached dwelling units, at a density of 14.6 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Hopedale Properties, LLC Hopedale Builders, Inc. Collin Brown and Bailey Patrick, Jr., K&L Gates LLP
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be consistent with the <i>Blue Line Extension Transit Station Area Plan</i>, but inconsistent with the specifically recommended low density (up to six units per acre) for the subject properties based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends residential uses up to six units per acre.</li> </ul> </li> <li>• 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"> <li>• The properties are located on the south side of Faison Avenue amidst single family detached homes, duplex units, and vacant lots; and</li> <li>• The proposed duplex units will provide new housing on vacant lots to complement the existing duplex and detached single family units on Faison Avenue; and</li> <li>• While the proposed density is greater than the specific density recommended by the adopted plan, the plan does state that moderate density residential development can be supported if designed to be consistent with the community design section of the plan; and</li> <li>• The proposed development adheres to community design policies of the adopted plan by orienting buildings to the street, locating parking to the rear of the buildings, and providing porches and stoops similar to surrounding single family dwellings;</li> </ul> </li> </ul> <p>By a 5-1 vote of the Zoning Committee (motion by McClung seconded by Spencer).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-1 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Clarified maximum of six residential dwelling units at a density of 14.6 units per acre.</li> <li>2. Maximum average building height limited to 40 feet or less.</li> <li>3. Amended Note IV(6) to state that usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building.</li> <li>4. Providing a 14-foot setback from the back of curb along Faison Avenue.</li> <li>5. Revised the site plan to provide 28 feet of public right-of-way as measured from the street's existing centerline, and clearly labeled</li> </ol>
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	<p>and dimensioned the dedicated public right-of-way.</p> <ol style="list-style-type: none"> <li>6. Agreed to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind back of sidewalk if feasible.</li> <li>7. Agreed to revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan.</li> <li>8. Added note per coordination with Jordan Miller at Storm Water Services as follows: Development and/or disturbance within the PCSO buffer shall be coordinated with the Charlotte-Mecklenburg Storm Water Services and mitigated by the city ordinance.</li> </ol>
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**VOTE**

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

**ZONING COMMITTEE DISCUSSION**

Staff reviewed the petition and noted that it is consistent with the *Blue Line Extension Transit Station Area Plan*, but inconsistent with the specifically recommended low density (up to six units per acre) for the subject properties based on information from the staff analysis and the public hearing. There was no further discussion of this petition.

**MINORITY OPINION**

A committee member agreed with Ms. Herring (who spoke at the public hearing) that the infill buildings will have deleterious effects on the existing one-story, single family detached dwellings that abut the sites.

**STAFF OPINION**

Staff agrees with the recommendation of the majority of the Zoning Committee.

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

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum of six residential single family attached dwelling units at a density of 14.6 units per acre.
- Maximum average building height limited to 40 feet or less.
- Units will face Faison Avenue, will provide a 14-foot setback from the future back-of-curb, and be served by internal private driveways.
- Exterior building materials include a combination of brick, natural or synthetic stone, stucco, cementitious siding, and fiber cement (hardiplank). Architecturally unfinished concrete masonry units and vinyl siding, with the exception of hand rails, windows and door trim, are prohibited.
- Residential units within 15 feet of the sidewalk must be raised a minimum of 24 inches from the average sidewalk grade.
- Usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building.
- Provides 28 feet of public right-of-way from the street's existing centerline.
- Dedication and fee simple conveyance of all rights-of-way will be made to the City before the site's first building certificate of occupancy is issued.
- All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan.
- Provides a note that Development and/or disturbance within the PCSO buffer shall be coordinated with the Charlotte-Mecklenburg Storm Water Services and mitigated by the city ordinance.

• **Public Plans and Policies**

- The *Blue Line Extension Transit Station Area Plans* (2013) recommend low density residential uses (up to six units per acre) for these properties. However, the plan states that moderate density residential can be supported, with appropriate design consistent with adopted policy.
- Community Design policies include recommendations for single family attached and multi-family development to:

- Orient buildings to the street
- Avoid blank walls along pedestrian circulation areas
- Design buildings with transparent openings, ornamentation, and architectural character
- Establish entrances with pedestrian interest
- Design buildings with human scale and visual interest in mind
- Locate parking to the rear of buildings whenever feasible, with alley access if available
- Place utilities underground wherever possible. Screen above ground utilities with landscaping or architectural features or walls
- Encourage architectural design that complements the style, character, and materials of surrounding structures that contribute to the neighborhood character.
- Ensure the scale and setback of buildings is compatible with adjacent structures
- Encourage shared residential driveways to reduce pavement area and curb cuts and maximize green space.
- The adopted plan includes single family houses, duplexes, triplexes, and quadraplexes as typical building types, and recommends a maximum height of 40 feet.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located along a local street and does not substantially increase the number of daily trips. The site plan commits to streetscape improvements along the site's disconnected frontage.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 50 trips per day (based on four single family dwellings).
      - Entitlement: 50 trips per day (based on four single family dwellings).
    - Proposed Zoning: 60 trips per day (based on six dwelling 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 on-street parking on roads less than 26 feet clear width.
  - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce zero students. Therefore, the net change 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).
      - Highland Renaissance Academy remains at 101%
      - Martin Luther King, Jr. Middle remains at 93%
      - Garinger High remains at 121%.
  - **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water main located along Faison Avenue. Sewer system availability is provided via an existing 10-inch gravity sewer main located along the southern portions of parcels 083-068-21 and 083-068-16.
  - **Engineering and Property Management:**
    - **Arborist:** No trees can be removed from or planted in the right-of-way of Faison Avenue without permission of the City Arborist's office. A survey must be submitted for all trees two inches or larger located in the right-of-way and for all trees eight inches or larger in the setback.
    - **Erosion Control:** No issues.
    - **Land Development:** No issues.
    - **Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**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 Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Sonja Strayhorn Sanders (704) 336-8327