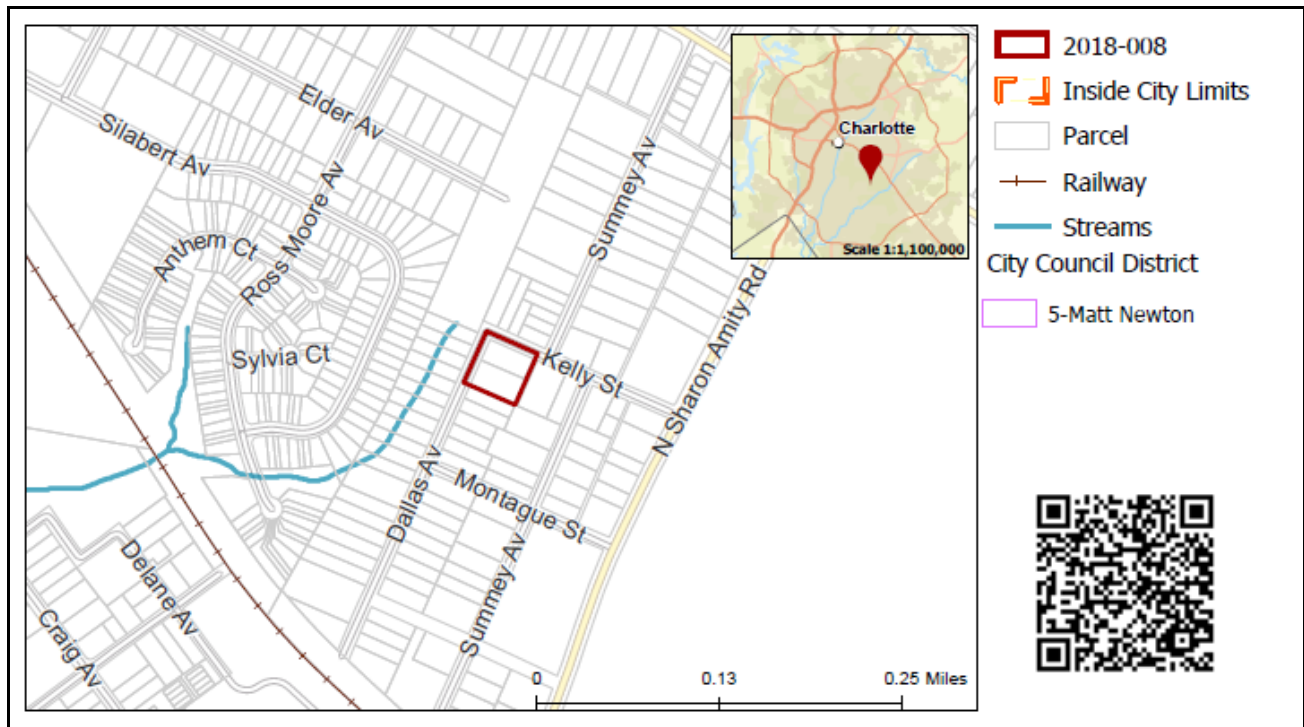


**REQUEST**

Current Zoning: R-5 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 0.72 acres located at the intersection of Kelly Street and Dallas Avenue, west of North Sharon Amity Road (Council District 5 - Newton)



**SUMMARY OF PETITION**

The petition proposes to redevelop lots developed with two single family detached dwellings to allow six single family detached dwellings, at a density of 8.3 units per acre.

**PROPERTY OWNER**

Kelly United Properties, LLC

**PETITIONER**

The Drakeford Company; Saussy Burbank, LLC

**AGENT/REPRESENTATIVE**

Collin W. Brown and Bailey Patrick, Jr.

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 1.

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The proposed single family land use is consistent with the *East District Plan*. The proposed density slightly exceeds the density of eight units per acre supported by the *General Development Policies*.

Rationale for Recommendation

- The proposed single family development is located within an established single family detached neighborhood.
- Buildings will provide setbacks that are compatible with those of existing abutting dwellings.
- The site is adjacent to multi-family uses across Kelly Street.
- The petition will provide single family detached dwellings that will only slightly exceed the recommended density of eight dwelling units per acre.

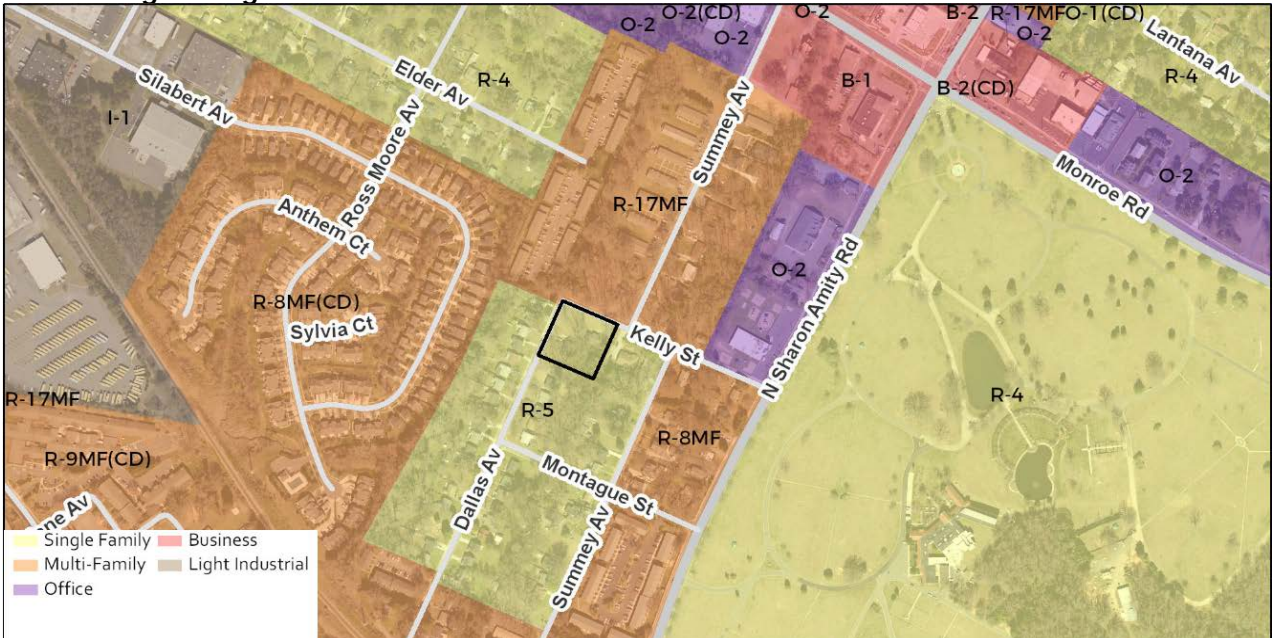
**PLANNING STAFF REVIEW**

**Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Total of six single family detached dwellings for sale.
- Maximum building height of 40 feet and two stories.
- Common open space and tree save areas provided behind Lots 1 and 2.
- All transportation improvements will be approved and constructed before the site’s first building certificate of occupancy is issued.
- Building materials shall comprise a combination of brick, natural or synthetic stone, stucco, cementitious siding, fiber cement/hardiplank or other approved materials. Concrete masonry units not architecturally finished, and vinyl siding are prohibited except vinyl siding is allowed on handrails, windows and door trim).
- A 12 to 24-inch setback from the front wall plane and architectural treatments such as translucent windows or projecting elements over the garage door opening will be used to minimize the visual impact of garage doors from the street.
- A minimum 21-foot setback will be provided from the back of curb along Kelly Street. Stoops and stairs may encroach four feet into the setback as a transition zone.

**Existing Zoning and Land Use**



- The subject property is developed with two single family detached dwellings, in R-5 (single family residential) zoning.
- Surrounding properties include Sharon Memorial Park, single family detached dwellings, multi-family dwellings, a government building, commercial uses, and warehouses.



The subject property is developed with two single family homes.





Properties to the south are developed with single family homes.



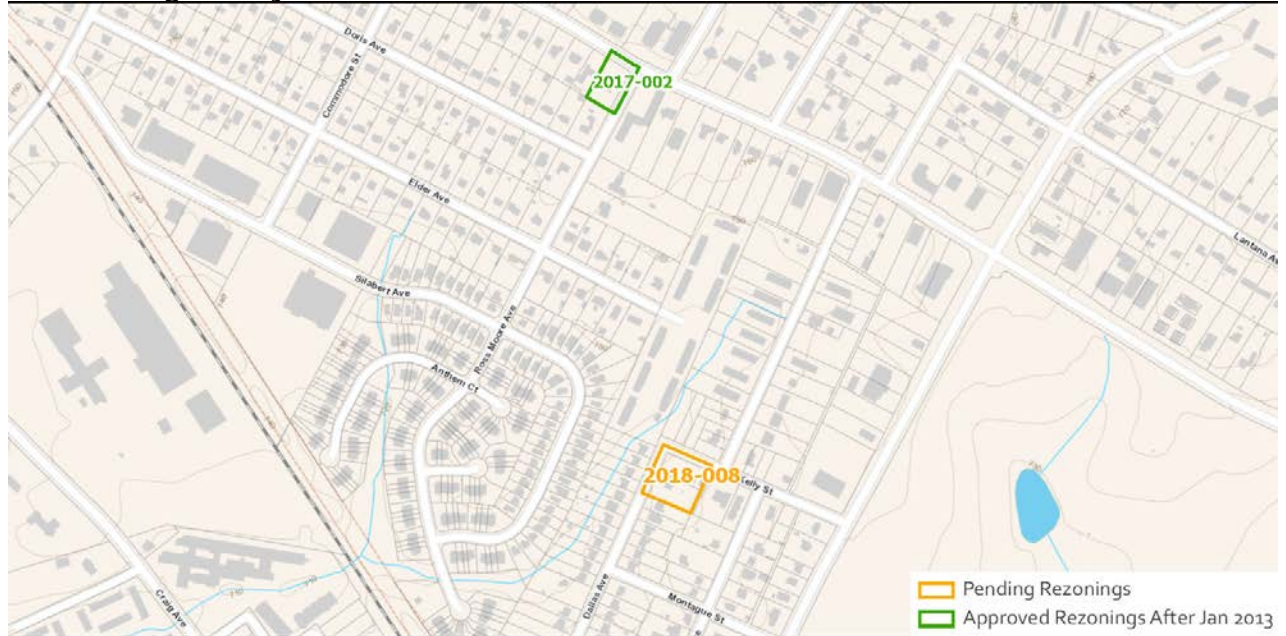
Sharon Memorial Park borders the neighborhood.



Properties to the north include multi-family and single family uses.

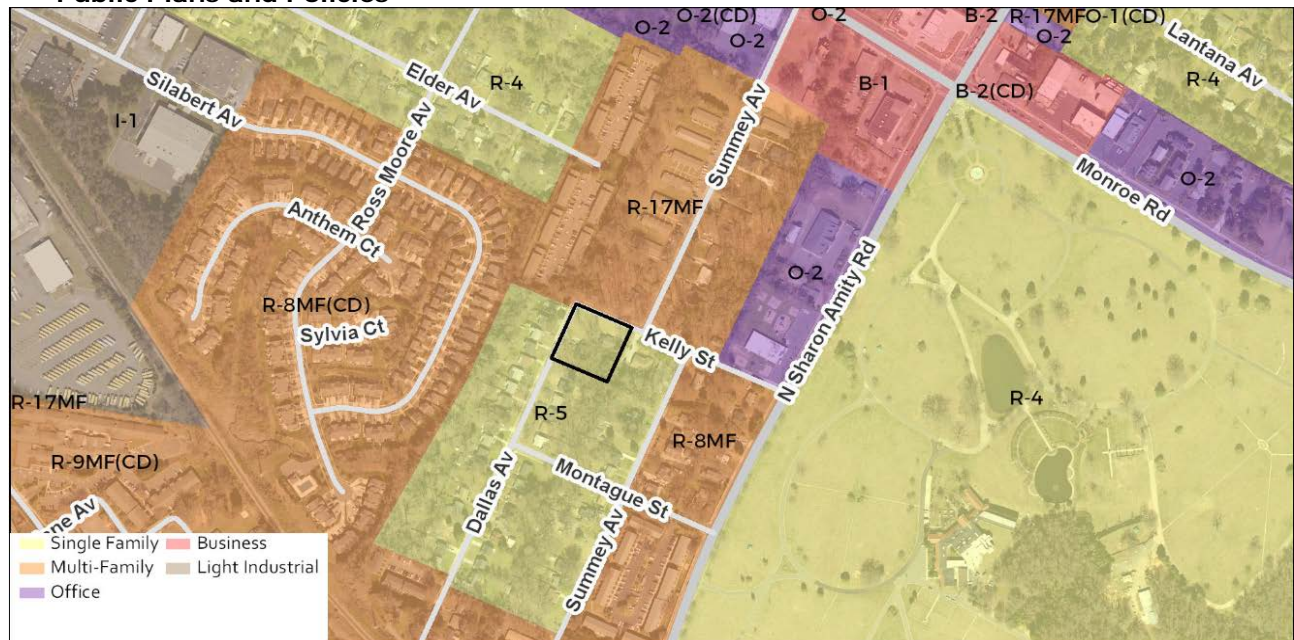


• **Rezoning History in Area**



| Petition Number | Summary of Petition  | Status   |
|-----------------|--|----------|
| 2017-002        | Rezoned approximately 0.39 acres B-1(CD) (neighborhood business, conditional), five year vested rights to allow a tattoo parlor. | Approved |

• **Public Plans and Policies**



- *East District Plan* (1990) recommends single family residential up to four units per acre.
- The *General Development Policies* (GDP) 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 up to eight dwellings per acre as illustrated in the table below.

| Assessment Criteria                | Density Category – up to 8 dua |
|------------------------------------|--------------------------------|
| Meeting with Staff                 | 1                              |
| Sewer and Water Availability       | 2                              |
| Land Use Accessibility             | 2                              |
| Connectivity Analysis              | 2                              |
| Road Network Evaluation            | 0                              |
| Design Guidelines                  | 4                              |
| Other Opportunities or Constraints | NA                             |
| <b>Minimum Points Needed: 11</b>   | <b>Total Points: 11</b>        |

• **TRANSPORTATION CONSIDERATIONS**

- This site is bounded by two local roads. The petitioner is committing to installing pedestrian ramps across Kelly Street and Dallas Avenue and dedication of right-of-way behind proposed sidewalk.
- **Vehicle Trip Generation:**  
 Current Zoning:  
     Existing Use: 30 trips per day (based on two single family dwellings).  
     Entitlement: 40 trips per day (based on three single family dwellings).  
 Proposed Zoning: 80 (based on six single family dwellings).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** 20 feet unobstructed clearance on street required at all times for Charlotte Fire Department.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce three 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 over existing conditions (without mobile classroom units) as follows:
    - Oakhurst Academy Elementary remains at 104%
    - Eastway Middle from remains at 102%
    - East Mecklenburg High remains at 126%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing six-inch water distribution mains located along Kelly Street and Dallas Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Kelly Street and Dallas Avenue.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from the public right-of-way of any existing (Kelly Street and Dallas Avenue) or newly created city maintained street without explicit authorization from the City Arborist or his designee. The location of structures, driveways, and other items illustrated on the site plan are conceptual in nature; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right-of-way. Trees cannot be planted in the right-of-way of all City of Charlotte maintained streets (Kelly Street and Dallas Avenue) without explicit authorization from the City Arborist or his designee. Contact the City Arborist’s office to discuss trees species to be planted in the right-of-way of all City of Charlotte maintained street; species must be approved before planting. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** Show tree save calculations on plan. Site is required to provide 10% tree save area. 10% of 0.72 acres = 0.072 acres tree save. Show tree save area on site map in common open space. Tree save must contain existing healthy tree canopy. Tree save must be minimum width of 30-feet.

- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

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

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

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