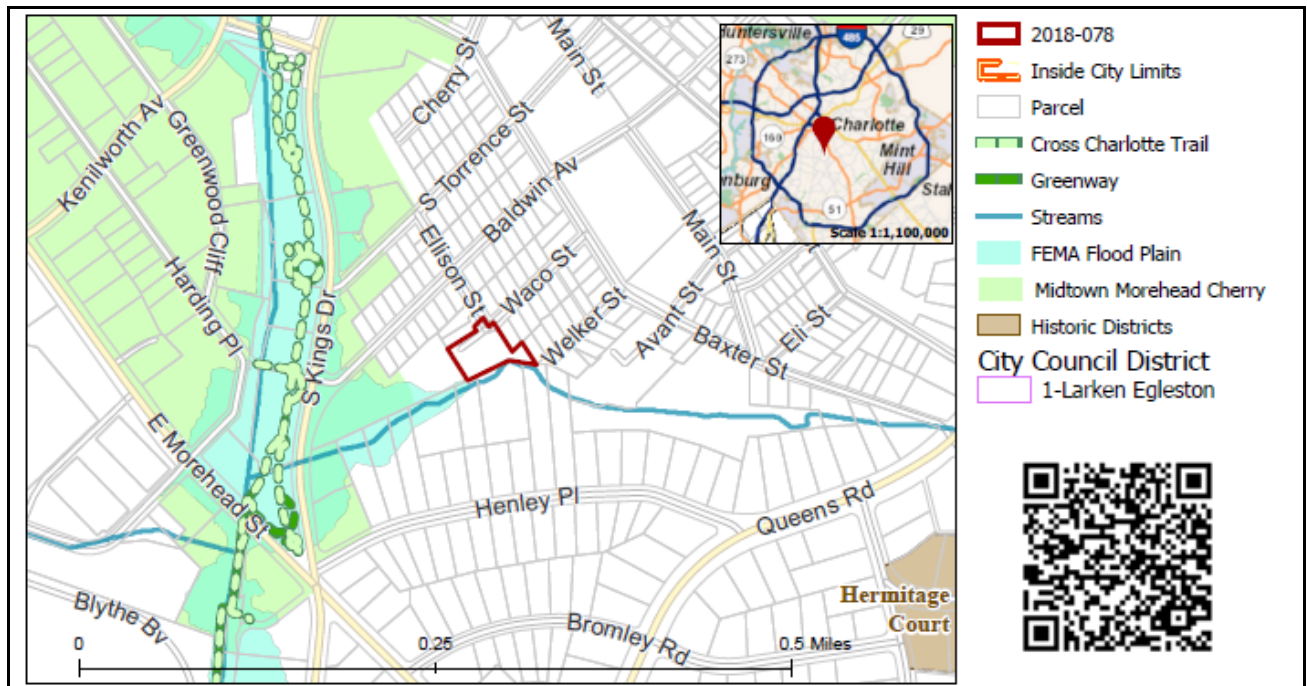


REQUEST

Current Zoning: R-6 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 0.74 acres located at the end of Waco Street and Ellison Street, near South Kings Drive.
(Council District 1 - Egleston)



SUMMARY OF PETITION

The petition proposes to allow the development of four single family lots at a density of 5.5 units per acre in the Cherry Neighborhood.

PROPERTY OWNER

CLHC, LLC

PETITIONER

Conformity Corp.

AGENT/REPRESENTATIVE

Monte Richey

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 18

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the residential land use of the *Midtown Morehead Cherry Area Plan* which recommends six dwelling units per acre.

Rationale for Recommendation

- The proposed development on an infill lot located within the established Cherry neighborhood.
- The property has limited street frontage and is constrained by a SWIM buffer and sanitary sewer easement.
- The use of the UR-2(CD) (urban residential, conditional) allows the property to be developed in a pattern and at a density similar to the existing neighborhood, despite the property's unique circumstances.

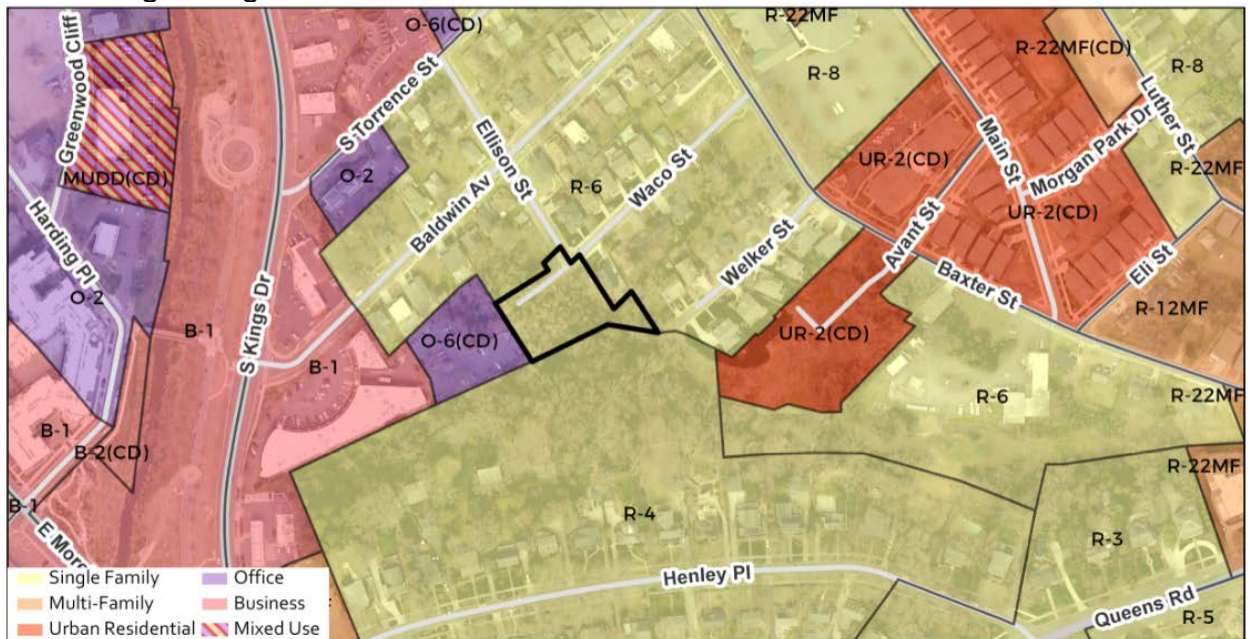
PLANNING STAFF REVIEW

• **Proposed Request Details**

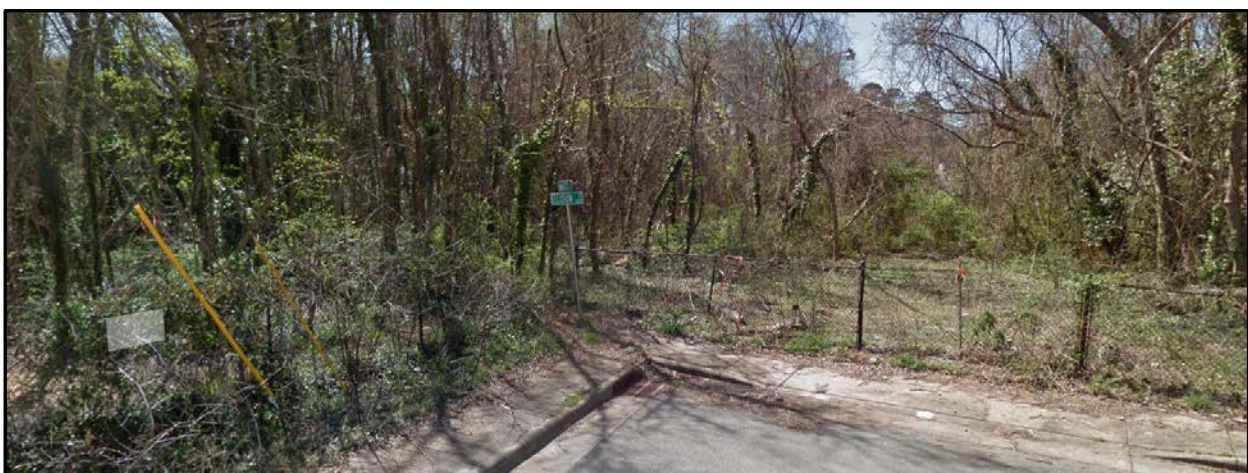
The site plan accompanying this petition contains the following provisions:

- Total of four single family detached dwellings at 5.4 units per acre.
- 14-foot building setback for the proposed structures off of the new private drive and a minimum 20-foot garage setback.
- Proposed 20-foot driveway to access new homes.
- Maximum building height of 40 feet and two stories.
- Five-foot sidewalk along one side of the new private drive.
- Building materials shall comprise a combination of brick, natural or synthetic stone, stucco, cementitious siding, fiber cement/hardiplank or other approved materials. Vinyl siding is prohibited, except vinyl is allowed on handrails, windows and door trim.
- Houses will have a front porch or stoop with a minimum depth of six feet.
- Each unit will have a two-car garage and two car parking pad.
- Each structure will have a stone or masonry foundation.
- Commits to a 2,517-square foot area for tree save.
- Identified solid waste pick-up area on private drive.
- All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.

• **Existing Zoning and Land Use**



- The subject property is zoned R-6 (single family residential) and is vacant.
- Surrounding properties are single family residential to the north, east and south, and parking serving retail/commercial uses to the west.



The subject property is zoned R-6 (single family residential) and is vacant.



Residential properties along Baldwin Avenue near the subject property.

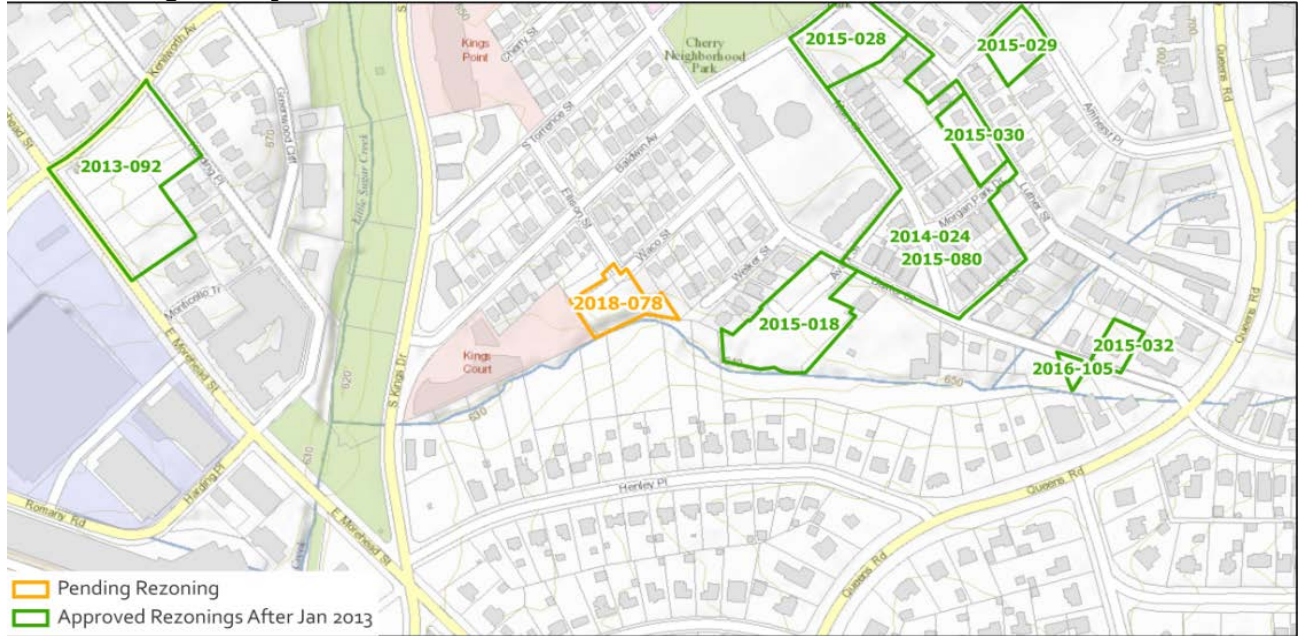


Properties to the north and east are developed with single family homes.



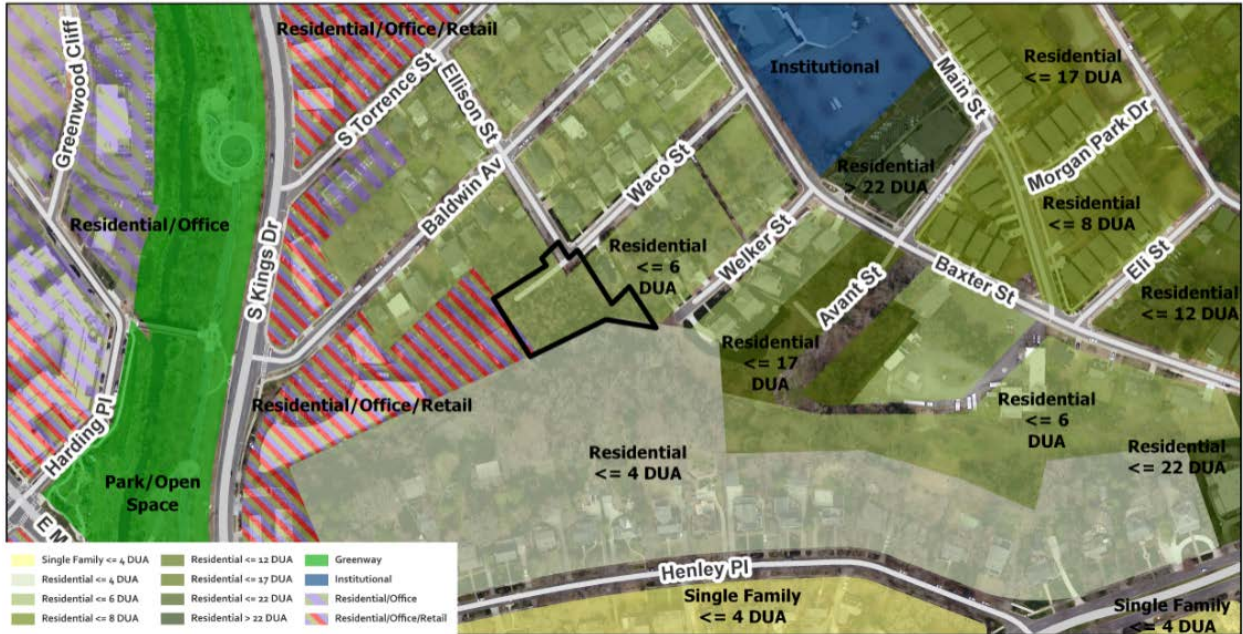
King's Court shopping center is to the west with a mix of retail and restaurants.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-105	Rezoned 0.08 acres to R-22MF (multi-family residential) to allow all uses in the R-22MF (multi-family residential) district.	Approved
2015-080	Rezoned 5.71 acres to UR-2(CD) (urban residential, conditional) to allow the development 39 single family homes.	Approved
2015-032	Rezoned 0.30 acres to R-8(CD) (single family residential, conditional) to allow the development of a quadraplex.	Approved
2015-030	Rezoned 0.56 acres to R-22MF(CD), (multi-family, conditional) to allow the development of eight dwelling units.	Approved
2015-029	Rezoned 0.43 acres to R-22MF(CD), (multi-family, conditional) to allow the development of eight dwelling units.	Approved
2015-028	Rezoned 1.03 acres to R-22MF(CD), (multi-family, conditional) to allow the development of 22 multi-family units.	Approved
2015-018	Rezoned 1.87 acres to UR-2(CD) (urban residential, conditional) to allow the development of 30 multi-family residential units.	Approved

• **Public Plans and Policies**



- The *Midtown Morehead Cherry Area Plan (2012)* recommends residential housing up to six dwelling units per acre.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located along local streets. The site commits to creating additional ADA (Americans with Disabilities) ramps. CDOT is requesting the petitioner install an eight-foot planting strip and six-foot sidewalk.
 - See Outstanding Issues, Notes 3 [Rescinded](#) and Note 4 [Addressed](#).
 - **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 0 trips per day (based on vacant land).
 Entitlement: 40 trips per day (based on four dwelling units).
 Proposed Zoning: 40 trips per day (based on four dwelling units).

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:** No parking on streets less than 26 clear width. [Acknowledged by the petitioner.](#)
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Ellison Street and via an existing 2-inch water distribution main located along Welker Street. The proposed rezoning is located in an area that Charlotte Water has determined to have limited sanitary sewer system capacity. It is recommended that the applicant contact the Charlotte Water New Services for further information and to discuss options regarding sanitary sewer system capacity. [Acknowledged by the petitioner.](#)
- **Engineering and Property Management:**
 - **Arborist:** No trees can be removed from the public right-of-way of any existing or newly created city maintained street without explicit authorization from the City Arborist or his designee. No trees can be planted in the right-of-way of any City maintained street (Waco Street) without explicit authorization from the City Arborist's office. Tree species must be approved before planting. [Acknowledged by the petitioner.](#)
 - **Erosion Control:** Stream/wetland survey required prior to submission of civil site plan during the permitting phase. [Acknowledged by the petitioner.](#)
 - **Land Development:** ~~See Outstanding Issues, Note 5 and 6.~~ [Addressed.](#)
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** ~~See Outstanding Issues, Note 7.~~ [Addressed.](#)

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

OUTSTANDING ISSUES

Site and Building Design

1. ~~Show and label eight foot planting strip and six foot sidewalk along Ellison and Waco Street.~~
Addressed

2. ~~Remove notes "C and D" under Transportation section on the site plan.~~ **Addressed**

Transportation

3. ~~Revise the site plan and conditional note(s) to show eight foot planting strip and six foot sidewalk around the proposed private street.~~ **Rescinded by CDOT**

4. ~~Remove the note about the accessible ramp matching street context; the ramp type will be established during permitting.~~ **Addressed**

Environment

5. ~~Adjust limits of the 20-foot Storm Drainage Easement (SDE) to extend to the rear property line (see Deed Book 7876, Page 0973).~~ **Addressed**

6. ~~Show and label 35-foot SWIM/PCSO Stream Buffer on rezoning plan and adjust development limits as necessary to comply with stream buffer requirements.~~ **Addressed**

7. ~~Show tree save areas and calculations on site plan.~~ **Addressed**

Attachments Online at 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 Water Review
 - Engineering and Property Management Review
 - City Arborist
 - 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: Solomon Fortune (704) 336-8326