

**ZONING COMMITTEE
RECOMMENDATION
June 28, 2006**

Rezoning Petition No. 2006-071

Property Owner: New Fellowship Worship Center

Petitioner: North Davidson Partners, LLC

Location: Approximately 1.3 acres located northwest of the intersection of N. McDowell and E. 35th Streets

Request: R-5, single family residential to UR-1 (CD), urban residential conditional district.

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

- The petitioner agreed to provide water quality measures through a series of swales and designed per the NCDENR's Storm Water BMP's.

Vote: Yeas: Carter, Cooksey, Farman, Howard, Ratcliffe and Sheild

Nays: None

Absent: Hughes

Summary of Petition

The site plan accompanying this petition shows ten single family lots with a maximum building height of 40-feet. The six lots facing E. 35th Street have optional detached garages that are to be accessed through a 10-foot unopened public alley. A 12-foot private alley is shown between the lots facing 35th Street and those facing McDowell Street. This alley will provide access to the parking area for the lots facing McDowell Street.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition and noted that the petitioner agreed to provide water quality measures through a series of swales and designed per the NCDENR's Storm Water BMP's. He noted that the site is within ½ mile of a future transit corridor and although the site plan shows lots that are somewhat smaller than the surrounding lots, staff feels it is consistent with the single family nature in the neighborhood. Mr. MacVean noted that CDOT is concerned about the design of the proposed alleys. As the city does not have specific standards for alleys CDOT will work with the petitioner through the building permitting process to resolve their

issues. With all outstanding site plan issues addressed, staff recommended approval of this petition.

Statement of Consistency

Commissioner Carter made a motion to find this petition consistent with the Northeast Transit Corridor, North Charlotte Plan and Central District Plan. Commissioner Farman seconded the motion, which was approved unanimously.

Vote

Upon a motion made by Sheild and seconded by Howard, the Zoning Committee unanimously recommended approval of this petition as modified.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.