

REQUEST	<p>Current Zoning: R-8MF(HD) (multi-family residential, historic district overlay) and R-22MF(HD)(PED) (multi-family residential, historic district overlay, pedestrian overlay)</p> <p>Proposed Zoning: UR-2(CD)(HD) (urban residential, historic district overlay) and UR-2(CD)(HD)(PED) (urban residential, historic district overlay, pedestrian overlay)</p>
LOCATION	<p>Approximately 2.69 acres located on the north side of West 4th Street between Grandin Road and South Summit Avenue. (Council District 2 - Austin)</p>
SUMMARY OF PETITION	<p>The petition proposes to rezone the property to allow a maximum of 48 for-sale residential units consisting of an existing quadraplex and 44 single family attached units for a density of 17.89 units per acre.</p>
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>South Central Oil Co., Inc. Hopper Communities c/o Bart Hopper John Carmichael, Robinson Bradshaw & Hinson, P.A.</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3</p>
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>West End Land Use and Pedscape Plan</i> and the <i>Central District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> The proposed development provides a multi-family residential use at a density of 17.89 units per acre. <p>Therefore, this petition is found to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> The site is located entirely within the Wesley Heights Historic District; and A portion of the site is located within the Pedestrian Overlay District; and The proposed use is consistent and compatible with the surrounding land use types; and The petition protects the character of the neighborhood by preserving existing large, mature street trees; <p>By a 5-1 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Ryan).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-1 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> Revised the existing zoning in the Rezoning Summary to include (HD) for the historic district overlay. Corrected the unit count in the Rezoning Summary and the Permitted Uses Notes 1. and 2. Amended the proposed density and floor area ratio in the Rezoning Summary to reflect the revised unit count. Amended the site plan to show dimensions for the width of the tree save/screening area. Provided a conditional note describing the tree save/screening area with a proposed percentage for the area. Clarified where changes to the sidewalks and planting strips are proposed on the site plan. Provided labels showing and a note describing the existing sidewalk and planting strip widths versus the proposed widths along each public street. Clearly identified on the site plan where the provisions in Note 4. under Streetscape
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	and Landscaping are permitted.
7.	Amended Note 1. under Architectural Standards to replace “and/or hardi-plank/fiber cement board” with “and wood or other material approved by the Historic District Commission.”
8.	Eliminated the following from Note 2. under Architectural Standards, “however, vinyl may be used on the soffits and trim, including window and door trim and vinyl windows may be installed.”
9.	Amended Note 8. under Architectural Standards to say “A minimum of two windows or other architectural details shall...”
10.	Staff rescinded the request to provide building elevations.
11.	Amended Note 4. under Streetscape and Landscaping to only apply to West 4 th Street and Summit Avenue.

VOTE

Motion/Second:

Nelson/Eschert

Yeas:

Dodson, Eschert, Labovitz, Nelson, and Ryan

Nays:

Sullivan

Absent:

Walker

Recused:

None

ZONING COMMITTEE DISCUSSION

A commissioner stated they felt the petitioner may be trying to fit too many units on the site and the interior units are not ideal. Another commissioner asked if the existing quadraplex was a historic structure. Staff clarified that the existing building is a historically contributing structure.

MINORITY OPINION

One commissioner felt that allowing the removal of a historic structure defeats the purpose of a historic district.

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)

PLANNING STAFF REVIEW

- Background**

- Petition 2006-035 was a corrective rezoning for the northwestern portion of the site to R-22MF (multi-family residential) in accordance with the recommendations of the *West End Land Use and Pedscape Plan*.
- Petition 2006-034 established the pedestrian overlay for the portions of the property zoned R-22MF (multi-family) in accordance with the recommendations of the *West End Land Use and Pedscape Plan*.
- The entire site is within the Wesley Heights Historic District.

- Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows 44 new single family attached dwelling units and a quadraplex dwelling for a total of 48 units, at a density of 17.89 units per acre.
- Allows the option to demolish the existing quadraplex unit and construct three single family attached units, for a total of 47 single family attached units at a density of 17.52 units per acre.
- Allows the existing quadraplex dwelling to be replaced with three new single family attached dwelling units at the end of the stay of demolition expiring in June 2015.
- Vehicular access to the site from West 4th Street with vehicular access to units via internal alley ways.
- Removes the driveway curb cut to the existing quadraplex along Grandin Road and replaces it with curb, gutter, planting strip, and sidewalk.
- Provides internal pedestrian sidewalks and common open space.
- Provides an area of tree save along the northern property line.
- Exterior building materials for single family attached dwelling units to be composed of a combination of brick, stone, or similar masonry products and wood or other materials approved

by the Historic District Commission.

- Prohibits vinyl, EIFS or masonite as building material.
- Commits to balcony railings, if installed, made of durable prefinished material and prohibits painted pressure treated lumber.
- Requires all single family attached dwelling units to front on public streets.
- The side elevation of end units adjacent to public streets will include a minimum of two windows or other architectural details on each floor.
- If the existing quadraplex is preserved, the existing brick cladding will remain and the existing railings will be replaced with new railings made of durable prefinished materials and will not be painted pressure treated lumber.
- Allows sidewalks to meander and portions of existing sidewalks and planting strips to remain in place to maintain the context of the neighborhood and preserve existing trees.
- Freestanding lighting will be downwardly directed, fully capped and shielded, with a maximum height of 20 feet. Requires all attached lighting to be downwardly directed with a full cut-off fixture.
- **Public Plans and Policies**
 - The *West End Land Use and Pedscape Plan* (2005) recommends multi-family uses for the site.
 - The *Central District Plan* (1993) recommends multi-family uses for the site.
 - The petition meets the *General Development Policies* (GDP) for the density requested, as illustrated in the table below.

Assessment Criteria	Density Category over 17 DUA
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	Medium (2)
Connectivity Analysis	Med-High (5)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Total Points Needed: 14	Total Points: 14

- The petition is consistent with the *Central District Plan*, *West End Land Use Pedscape Plan* and the density is supported by the *General Development Policies*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 320 trips per day.
Proposed Zoning: 290 trips per day.
 - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No comments received.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by keeping existing planting strips and sidewalk widths and locations to preserve existing trees.
 - Minimizes impacts to the natural environment by developing on infill lots.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-hearing Staff Analysis
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: John Kinley (704) 336-8311