

<b>REQUEST</b>	Current Zoning: R-4, single family Proposed Zoning: UR-2(CD), urban residential, conditional
<b>LOCATION</b>	Approximately 0.82 acres located on the north side of Marsh Road between South Boulevard and Melbourne Court.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This petition proposes the development of 18 multi-family units on 0.82 acres at an overall site density of 21.95 dwelling units per acre. The plan indicates the maximum height will be 40 feet.
<b>Property Owner</b> <b>Petitioner</b> <b>Agent/Representative</b>	Charles Holliday and Kirk and Mellissa Wagenseller The Drakeford Company Bobby Drakeford
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted to recommend <b>DENIAL</b> of this petition. The following issues are outstanding:</p> <ol style="list-style-type: none"><li>1. Increase the setback to match setbacks on existing structures on adjoining lots.</li><li>2. Include the fence materials proposed to enclose the parking.</li><li>3. Provide sidewalks from the building to the sidewalk along Marsh Road that are a minimum of five feet wide.</li><li>4. Align the centerline of the proposed driveway with the centerline of Melbourne Court.</li><li>5. Address acreage discrepancy of 0.81 acres on application and 0.83 acres on site plan.</li></ol>
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<b>VOTE</b>	Motion/Second:	Simmons/Walker
	Yeas:	Allen, Griffith, Locher, Simmons, and Walker
	Nays:	Howard
	Absent:	Rosenburgh
	Recused:	None

<b>ZONING COMMITTEE DISCUSSION</b>	Staff reviewed the petition and noted that it is inconsistent with the <i>New Bern Transit Station Area Plan</i> and that outstanding issues had not been addressed. Staff is not recommending approval of this petition. One Committee member asked if any rezonings that were not recommended by this station area plan, have occurred. Staff replied that none have. The committee discussed if multi-family would be a good transitional use from the existing office to lower density residential. Staff noted that office uses are an appropriate transition to lower density residential.
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<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be inconsistent with the <i>New Bern Transit Station Area Plan</i> and not reasonable and in the public interest, by a 5-1 vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Allen)
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<b>MINORITY OPINION</b>	A minority of the Zoning Committee felt that area plans should allow for creativity for proposed higher densities when lower density single family is recommended along transition edges.
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**STAFF OPINION**

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

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**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:

- 18 multi-family for-sale units proposed at a density of 21.95 dwelling units to the acre.
- Maximum building height of 40 feet.
- A six-foot wide sidewalk with an eight-foot wide planting strip along Marsh Road.

- **Public Plans and Policies**

- The *New Bern Transit Station Area Plan* (2008) recommends this site as residential at up to four dwellings per acre to preserve the existing neighborhood character. These properties are located at the northwest edge of the Sedgefield neighborhood. The plan recommends preservation of the existing single family housing and those developments adjacent to the neighborhood provide a transition between the lower density neighborhood and higher density development in the core of the station area.
- This petition is inconsistent with the *New Bern Transit Station Area Plan*.

- **STAFF RECOMMENDATION (Updated)**

- Staff agrees with the recommendation of the Zoning Committee.
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**PUBLIC INFRASTRUCTURE UPDATES** (see full department reports online)

- **CDOT:** The centerline of the proposed driveway should align with the centerline of Melbourne Court.
  - **Charlotte Fire Department:** No comments received.
  - **CATS:** No comments received.
  - **Connectivity:** No issues.
  - **Schools:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Storm Water:** No issues.
  - **LUESA:** Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating land clearing, demolition and/or construction activities.
  - **Site Design:** No issues.
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**OUTSTANDING ISSUES**

- The petitioner should:
  1. Increase the setback to match setbacks on existing structures on adjoining lots.
  2. Include the fence materials proposed to enclose the parking.
  3. Provide sidewalks from the building to the sidewalk along Marsh Road that are a minimum of five feet wide.
  4. Align the centerline of the proposed driveway with the centerline of Melbourne Court.
  5. Address acreage discrepancy of 0.81 acres on application and 0.83 acres on site plan

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

- Application Form
- CDOT Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Site Plan
- Storm Water Review

**Planner:** Tim Manes (704) 336-8320