
REQUEST	Current Zoning: R-5 (single family residential) Proposed Zoning: MUDD (CD) (mixed use development, conditional) with five-year vested rights.
LOCATION	Approximately 0.683 acres located on the north side of McClintock Road between Nandina Street and St. Julien Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to redevelop three existing single family detached residential dwellings located in the Commonwealth neighborhood to allow 12 single family attached dwelling units, two of which will be live/work units, in three quadraplex buildings, at a density of 17.56 dwelling units per acre.
PROPERTY OWNER	Golden Triangle #7 Commonwealth LLC, and Curry Family Partnership, LLC
PETITIONER	The Drakeford Company
AGENT/REPRESENTATIVE	Anthony Fox and Mac McCarley, Parker, Poe, Adams and Bernstein
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9.
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none">• The Zoning Committee found this petition to be consistent with the <i>Central District Plan</i>, and the density of 17.56 units per acre is consistent with the <i>General Development Policies (GDPs)</i>. The office component of the live/work units is consistent with the office use recommended for the northernmost property and the residential units are consistent with the residential use recommended for the other two lots based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The plan recommends office uses for one lot, and single family residential uses up to four units per acre for the other property.• The <i>General Development Policies (GDPs)</i> provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the <i>General Development Policies</i> locational criteria for consideration of over 17 dwellings per acre.• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The subject property is located at the edge of the Commonwealth neighborhood and abuts the Plaza Central business district; and• The proposed development, which is primarily residential with a minor non-residential component, will provide a transition from the predominantly single family part of the Commonwealth neighborhood to the Plaza Central business district; and• The inclusion of live/work units provides an opportunity for services within walking distance of other businesses and residences; and• The proposal to develop three quadraplexes limited to two and one-half stories and set back from the sidewalk will result in new development that is compatible with the adjacent single family dwellings; and• Further, the building renderings show an architectural style that is in keeping with the character of the Commonwealth neighborhood;

By a 6-0 vote of the Zoning Committee (motion by Lathrop seconded by Watkins).

**ZONING COMMITTEE
ACTION**

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Removed the parking space located between the building and the street.
2. Deleted the "Elevation Note" from Sheet A1.
3. Amended Note 3B to include only the enforceable items pertaining to designated units, square footage, and reference to inclusion of conditions in homeowner's association restrictive covenants and bylaws, as follows: "Proposed nonresidential use ground conditions shall include two ground floor units in Building 1, with office use limited to 500 square feet per unit. Detailed conditions of the rules and guidelines for the nonresidential uses will be included in homeowner's association restrictive covenants and bylaws."
4. Amended Note 5C under "Architectural Standards" to replace Chatham Avenue with St. Julien Street.
5. Amended Note 5B to align with the site plan by stating two units on the first floor of Building 1 shall be developed to each accommodate 500 square feet of nonresidential office uses.
6. Amended Sheet RZ1 to reflect width of proposed sidewalk along the site's frontage on St. Julien Street as six feet.
7. Amended building height from 2 and 2.5 stories, to 2.5 stories.
8. Added Note 5D under "Architectural Standards" as follows: "Attached to the rezoning plan are conceptual architectural renderings of the single family attached quadraplex homes that are intended to depict the general conceptual architectural style, design treatment and character to be constructed on site. Accordingly, each elevation shall be designed and constructed so they are substantially similar in appearance to the relevant conceptual architectural renderings of this submittal with respect to architectural style, design treatment and character. Notwithstanding the foregoing changes and alterations, which do not materially change the overall conceptual architectural style and character, shall be permitted.
9. Amended Note 6F to add the following: "A six-foot wood screen fence will be located in place of wall if construction easement/approval cannot be obtained from abutting property owners."
10. Amended Sheet RZ-1 of the site plan to label the following: "(a) a 12-foot heated living space setback from St. Julien existing right-of-way 19'6" from St. Julien future back of curb; (b) Future back of curb to taper from 12'6" to 17'6" from existing St. Julien centerline; (c) 30-foot front heating living space setback from McClintock Road existing right-of-way 37' 5" from McClintock future back of curb; (d) porch/deck to be located within the first three feet of twelve-foot side setback along St. Julien Street; (e) Porch/deck to be located within the first five feet of 30-foot front setback on McClintock Road."
11. Annotated the building elevations to indicate building materials, and design elements.
12. Amended Note 3B as follows: "Office square footage allowed as part of live/work units limited to a maximum of 500 square feet per unit." Also, eliminate language related to retail sales, as retail sales considered accessory to the office use would be allowed.
13. Amended Note 5B as follows: "The first floor of Building 1 shall be developed to accommodate 1,000 square feet of office uses permitted in the MUDD district."
14. Amended Note 3B to delete all reference to commercial uses prior to development, associated hours and signage.

VOTE	Motion/Second: Watkins / McClung Yeas: Fryday, Lathrop, Majeed, McClung, Spencer and Watkins Nays: None Absent: Wiggins Recused: None
ZONING COMMITTEE DISCUSSION	<p>Staff provided an overview of the petition, pointing out that all outstanding issues have been addressed. Staff noted that the petition is consistent with the <i>Central District Plan</i>, and the density of 17.56 units per acre is consistent with the <i>General Development Policies (GDPs)</i>.</p> <p>A committee member asked about the method of handling solid waste. Staff responded that the site is not required to provide an onsite location for solid waste and recycling because there are less than 30 units proposed. A committee member questioned pending development in the immediate area. Staff responded that they were not aware of any nearby pending rezonings or of any by-right development that may be taking place under existing zoning.</p> <p>Another member asked if the Pedestrian (PED) Overlay would or could be applied to this site or area. Staff responded that the subject property does not qualify for the PED Overlay because it was not specified in the approved streetscape plan for the area. Staff may propose a PED Overlay for a neighborhood but not for one or two lots.</p>
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The petition proposes 12 single family attached dwellings in three quadruplex buildings.
- Live/work units will be permitted in two ground floor units of Building 1, with an office component encompassing up to 500 square feet per unit.
- The first floor of Building 1 shall be developed to accommodate 1,000 square feet of office uses permitted in the MUDD district.
- Detailed conditions of the rules and guidelines for the nonresidential uses will be included in homeowner's association restrictive covenants and bylaws.
- Dwellings will be accessed off St. Julien Street via a one-way driveway and residential alley. Egress from the site will be via the one-way driveway that exits onto McClintock Road.
- A 30-foot front heated living space setback from McClintock Road existing right-of-way, 37.5 feet from McClintock Road future back of curb will be provided, and a 12-foot heated living space setback will be provided from St. Julien Street existing right-of-way, 19.6 feet from St. Julien Street future back of curb.
- Maximum building height of 36 feet and up to two and one-half stories.
- Building elevations provided that reflect building facades with front porches.
- Building materials consist of Hardiplank siding, cementitious shake/panel siding and brick veneer. Vinyl is prohibited as a building material but may be used on windows, soffits, garage doors, fences and handrails/railings.
- The side of Building 3 facing St. Julien Street will have enhanced architectural features for street edge appeal, as reflected in the St. Julien Street elevation provided.
- An eight-foot planting strip and eight-foot sidewalk will be provided along the project's frontage on McClintock Road, and a six-foot sidewalk and eight-foot planting strip along the site's frontage on St. Julien Street.
- A minimum four-foot high masonry wall will be installed abutting the R-5 (single family residential) along the northern portion of the site. A six-foot wood screen fence will be located in place of the wall if a construction easement approval cannot be obtained from abutting property owners.
- All transportation improvements will be approved and constructed prior to the issuance of the first certificate of occupancy for the first building to be constructed on the site.

• **Public Plans and Policies**

- The *Central District Plan* recommends office uses for one lot, and single family residential uses up to four units per acre for the other property.
- The *General Development Policies (GDPs)* 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 over 17 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – over 17 dua
Meeting with Staff	Yes (1)
Sewer and Water Availability	Yes (2)
Land Use Accessibility	High (3)
Connectivity Analysis	High (5)
Road Network Evaluation	N/A (0)
Design Guidelines	Yes (4)
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 15

• **TRANSPORTATION CONSIDERATIONS**

- This site is located at the unsignalized intersection of local streets and is one block south of Central Avenue, a major thoroughfare. The current site plan commits to new streetscape along the property frontage and generates a low amount of daily traffic.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 20 trips per day (based on two single family detached dwellings).
 - Entitlement: 20 trips per day (based on two single family detached dwellings).
 - Proposed Zoning: 200 trips per day (based on 12 single family attached dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate two students, while the development allowed under the proposed zoning will produce four 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 (without mobile classroom units) over existing conditions:
 - Oakhurst Elementary remains at 96%;
 - Eastway Middle remains at 109%;
 - Myers Park High remains at 114%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing two-inch water distribution main and an existing six-inch water distribution main located along McClintock Road. Sewer system availability is provided via an existing eight-inch gravity sewer main located along McClintock Road.
- **Engineering and Property Management**
 - **Arborist:**
 - No trees can be removed from or planted in the right-of-way on McClintock without permission of the City Arborist’s office.
 - The petitioner must submit a tree survey for all trees two inches or larger located in the rights-of-way. In addition, the survey must include all trees eight inches or larger in the setback.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** The site must comply with the tree ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No comments received.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Erosion Control
 - Land Development
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Transportation Review

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