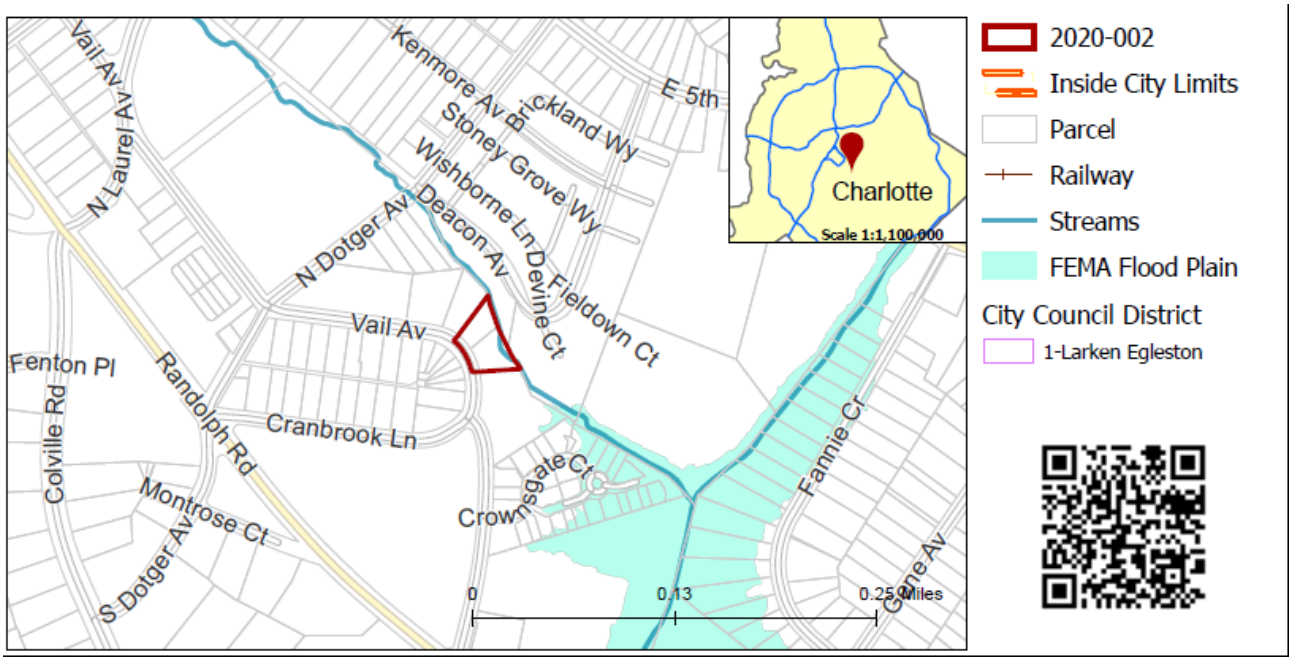
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2020-002
Final Hearing Staff Analysis
July 20, 2020

REQUEST	Current Zoning: R-22MF (multifamily residential) Proposed Zoning: UR-2(CD) (urban residential, conditional) ~~with 3-year vested rights~~
LOCATION	Approximately 0.55 acres located on the northeastern side of Vail Avenue, south of Deacon Avenue, and southeast of Dotger Avenue.



SUMMARY OF PETITION	The petition proposes to redevelop the site by replacing 2 existing duplexes built in 1950 and 1954 with 4 single family attached units (duplexes).
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Curry Vail LLC Saussy Burbank/The Drakeford Company Robert T. Drakeford
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Elizabeth Area Plan (2011)* recommendation for residential up to 22 dwelling units per acre.

Rationale for Recommendation

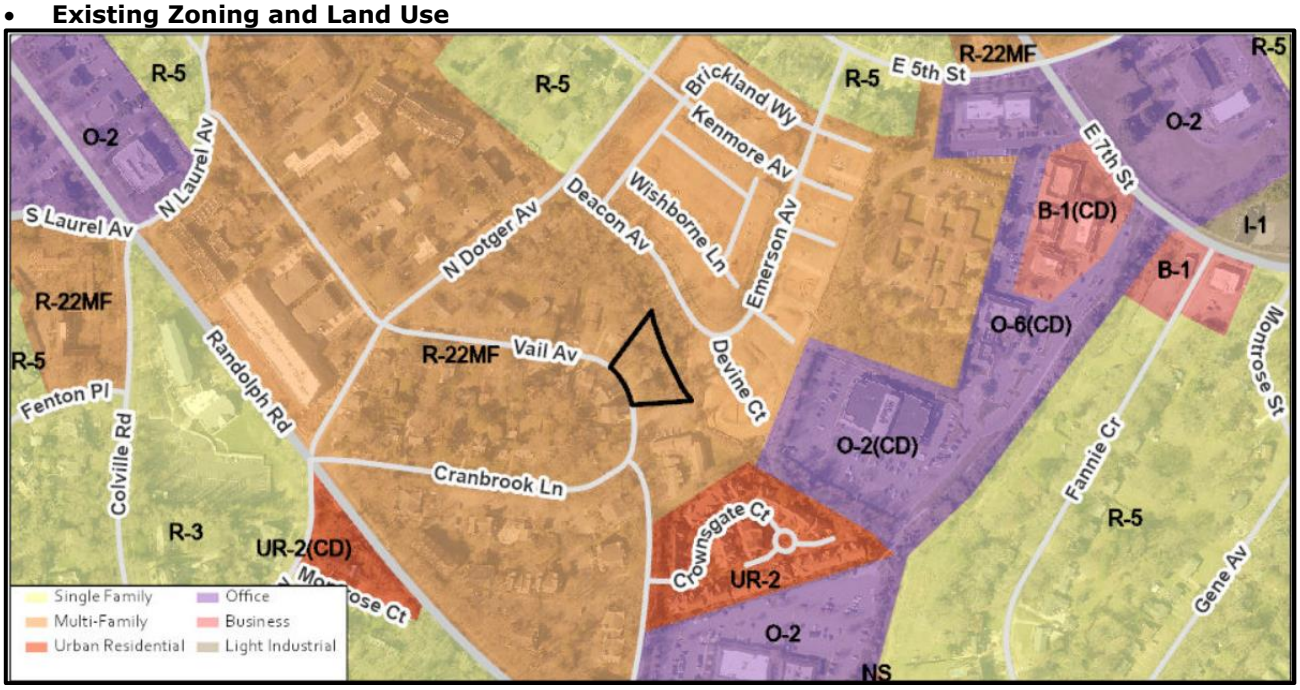
- The density of the proposed project is 7.41 units per acre, which is substantially less than the adopted plan recommendation for up to 22 units per acre.
- The proposal will not result in a decrease in the number of residential units.
- The building design requirements will help provide compatibility with the surrounding neighborhood.

- The request will not result in an increase in the number of vehicular trips.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows 2 buildings containing a maximum of 2 units in each at a density of 7.41 dwelling units per acre.
  - A 14-foot setback along Vail Avenue.
  - Driveway access points from Vail Avenue.
  - A 6-foot sidewalk and 8-foot planting strip along Vail Avenue.
  - Building materials to be used will be a combination of portions of the following: glass, brick, stone, simulated stone, precast stone, precast concrete, synthetic stone, cementitious siding, vinyl, EIFS, stucco, or wood. Vinyl material may only be used on trim or windows, but not on exterior siding.
  - Limits blank wall expanse to 15 feet.
  - Each residential unit will have a 2-car garage.
  - Garage doors visible from Vail Avenue will minimize visual impact by providing a setback of 8 inches to 12 inches from the front wall plane or provide additional architectural treatments such as translucent windows, enhanced door, or projecting elements over the garage door opening.
  - Identifies 35-foot SWIM and Post Construction Buffer in the rear yards.

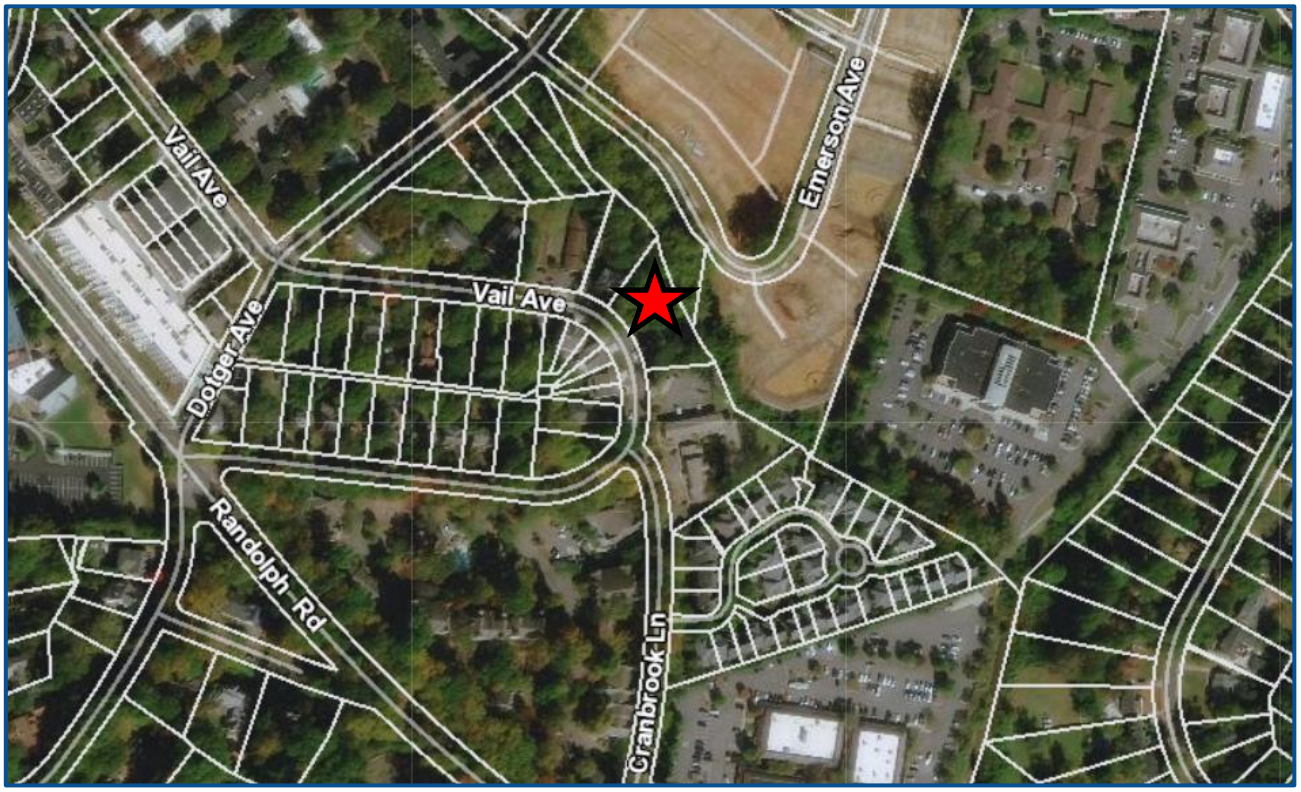
- **Existing Zoning and Land Use**



- The subject property is developed with 2 duplexes and is predominantly surrounded by single family residential homes and multifamily residential development on acreage in various zoning districts. Medical office and institutional uses are also located in the vicinity.

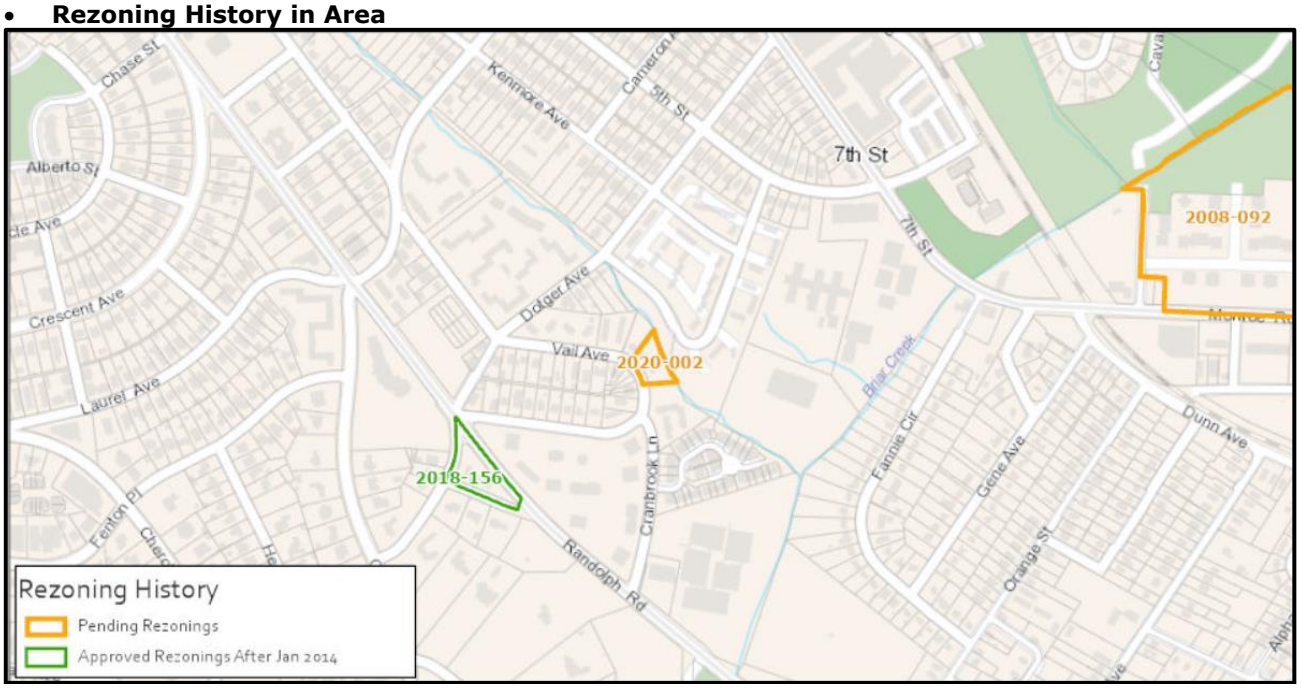
The subject property is developed with duplexes.

The property is predominantly surrounded by single family homes and multifamily residential communities.



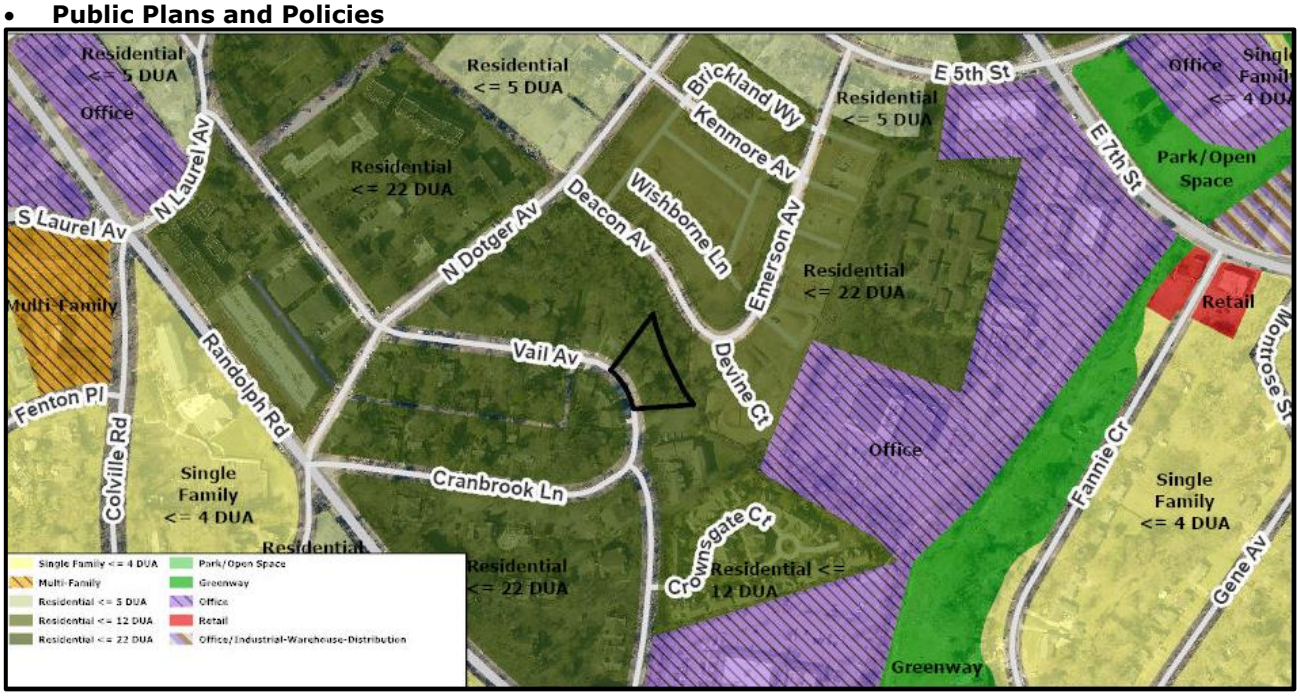
The rezoning site (denoted by red star) is immediately surrounded predominantly by single family homes and multifamily development. There are also office and institutional uses in the general area.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-156	Rezoned 17.52 acres from R-3 to UR-2(CD) to allow up to 300 multi-family units.	Approved
2008-092	Rezone 18.8 acres from B-2 and R-22MF to MUDD-O to allow a 141-room hotel and a 7,000- square foot EDEE (eating/drinking/entertainment establishment). mixed-use development of up to 26,682 square feet of commercial uses (of which 13,342 may be restaurants), 350 residential "flats," and 96 townhomes.	Indefinite Deferral

- **Public Plans and Policies**



  - The *Elizabeth Area Plan (2011)* recommends residential uses up to 22 dwelling units per acre.

- **TRANSPORTATION SUMMARY**
  - The site is located on a local road. The petitioner is providing the required streetscape along Vail Avenue.
  - **Active Projects:**
    - There are no active projects in the vicinity of this project.
  - **Transportation Considerations**
    - No outstanding issues.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 30 trips per day (2 duplexes; based on tax record).
    Entitlement: 90 trips per day (based on 12 apartments).
    Proposed Zoning: 30 trips per day (based on 2 duplexes; latest site plan).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 1 student, while the development allowed under the proposed zoning may produce 4 students. Therefore, the net increase in the number of students generated from existing zoning to proposed 3 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Eastover Elementary at 98%
    - Sedgefield Middle at 73%
    - Myers Park at 125%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Vail Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Vail Avenue.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** ~~See Outstanding Issues, Note 1.~~Addressed

- **Storm Water Services:** ~~See Outstanding Issues, Note 1.~~ Addressed
  - See advisory comments at www.rezoning.org regarding recommendations pertaining to Briar Creek, storm water quality treatment and volume peak control.
- **Urban Forestry:** No outstanding issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org regarding air quality and ground water services.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Environment

~~1. Please replace the second sentence in Note #1 under the "Environmental Features" heading with the following: "Development within the SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance."~~ Addressed

Site and Building Design

~~2. Under Architectural Standards Note E.4. in first sentence clarify if vinyl is being used as an exterior material.~~ Addressed

~~3. Indicate method of refuse collection.~~ Addressed

TECHNICAL REVISIONS

~~4. Remove 3-year vested rights from the site plan.~~ Addressed

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See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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