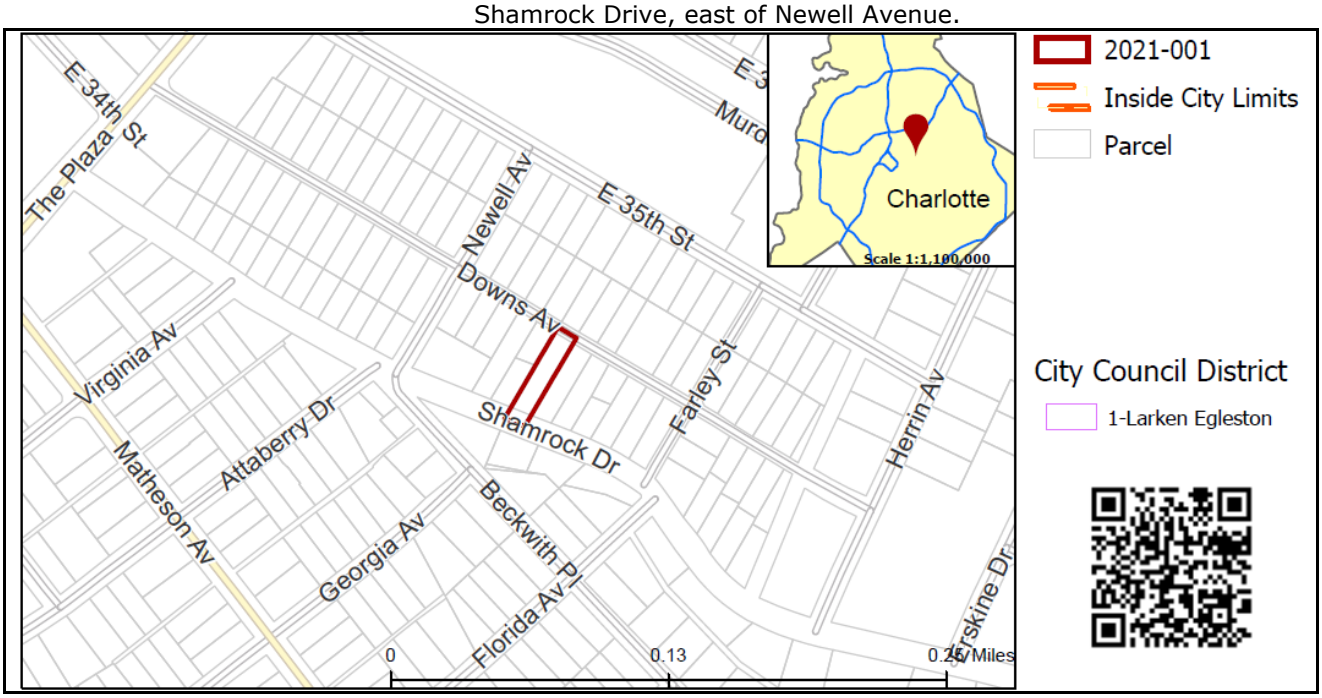
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-001
Final Staff Analysis
May 17, 2021

REQUEST	Current Zoning: R-5 (residential) Proposed Zoning: R-8 (residential)
LOCATION	Approximately .24 acres with frontages along Downs Avenue and Shamrock Drive, east of Newell Avenue.



SUMMARY OF PETITION	The petition proposes to rezone a single family residential parcel to a conventional residential district to allow all permitted uses, either by-right or under prescribed conditions, at the site.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Birdco, Inc. Coley Scagliarini, Birdco, Inc. Birdco, Inc.
COMMUNITY MEETING	Meeting is not required.

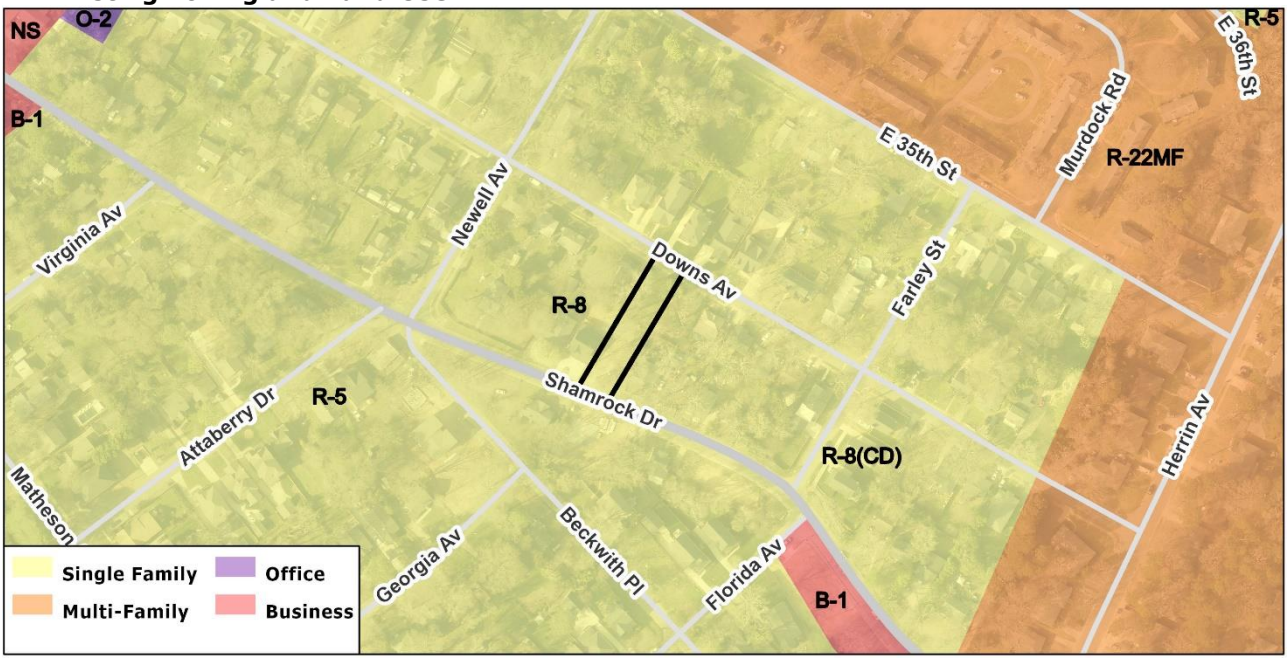
STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is **inconsistent** with the *Central District Plan's* (1993) recommendation for single family residential uses up to five dwelling units per acre (DUA). However, it is **consistent** with *General Development Policy's* (GDP) recommendation for eight to 12 DUA. <u>Rationale for Recommendation</u> • The request mirrors a recently approved rezoning petition two lots to the east (2020-170). • While over the *Central District Plan's* recommended density, the petition meets *GDP's* locational criteria for consideration of 8 to 12 dwellings per acre. • The request aligns with the *Central District Plan's* policy recommendation of promoting "more urban scale infill development…". The R-8 district's intent is address "urban single family living."

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from single family up to five dwelling units per acre to residential uses up to eight dwelling units per acre for the site.

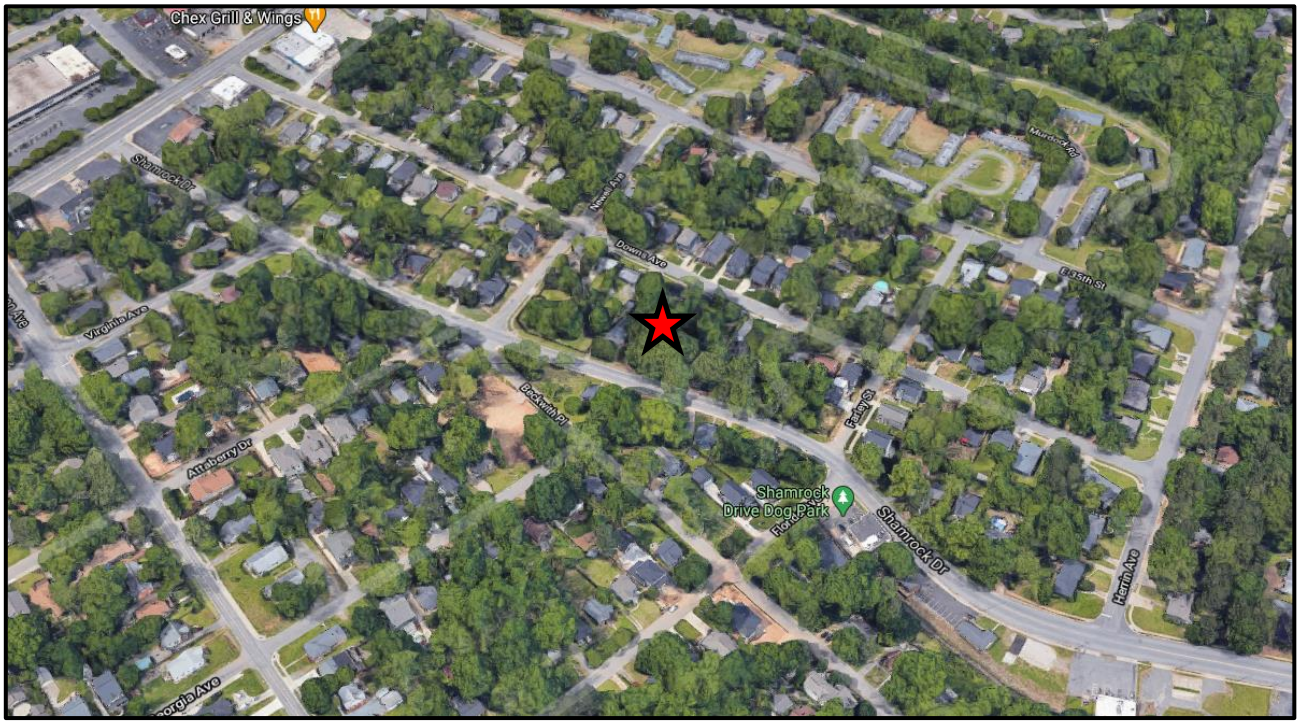
PLANNING STAFF REVIEW

- **Proposed Request Details**
  This is a conventional rezoning petition with no associated site plan.

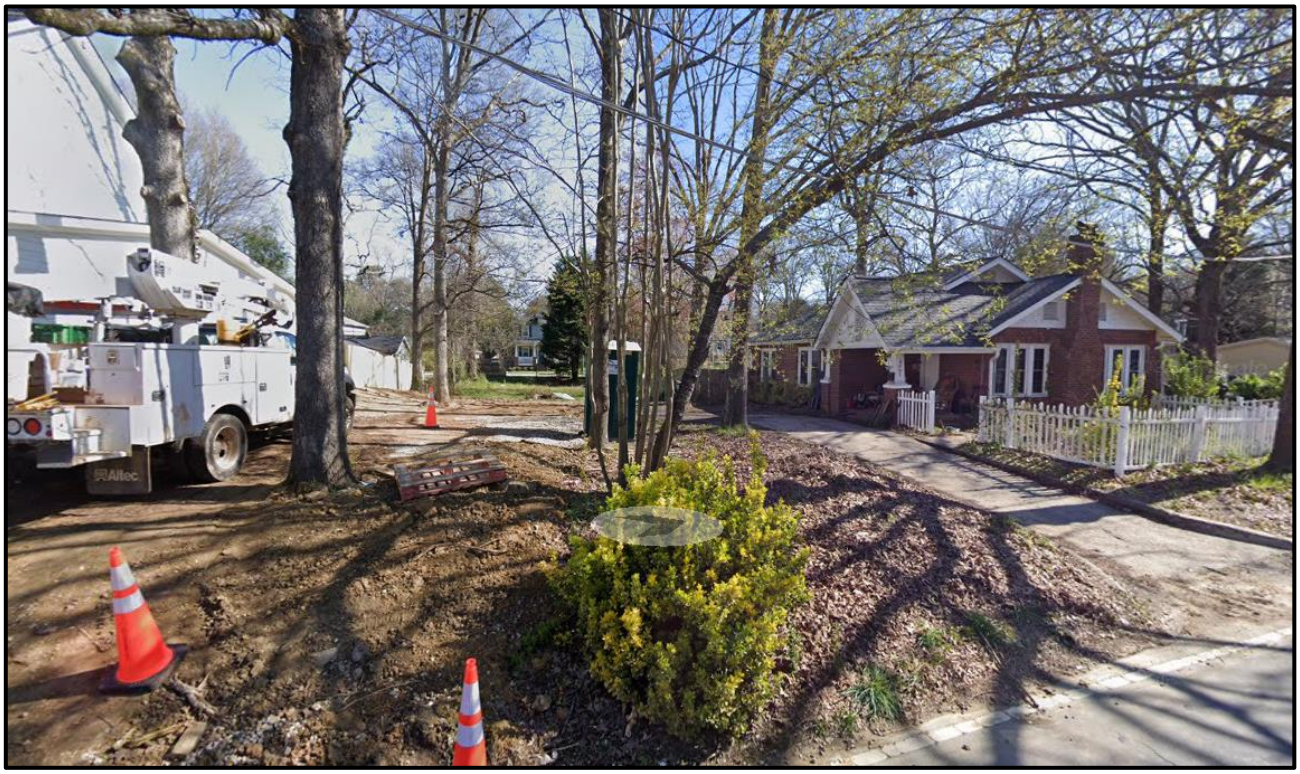
- **Existing Zoning and Land Use**



There have been no recent rezonings of this parcel. The subject property is located in a detached single family residential neighborhood. Multi-family uses are located north and east along Herrin Avenue and E. 35th Street, respectively. Commercial uses are found to the west along The Plaza.



Approximate location of subject property denoted by red star.

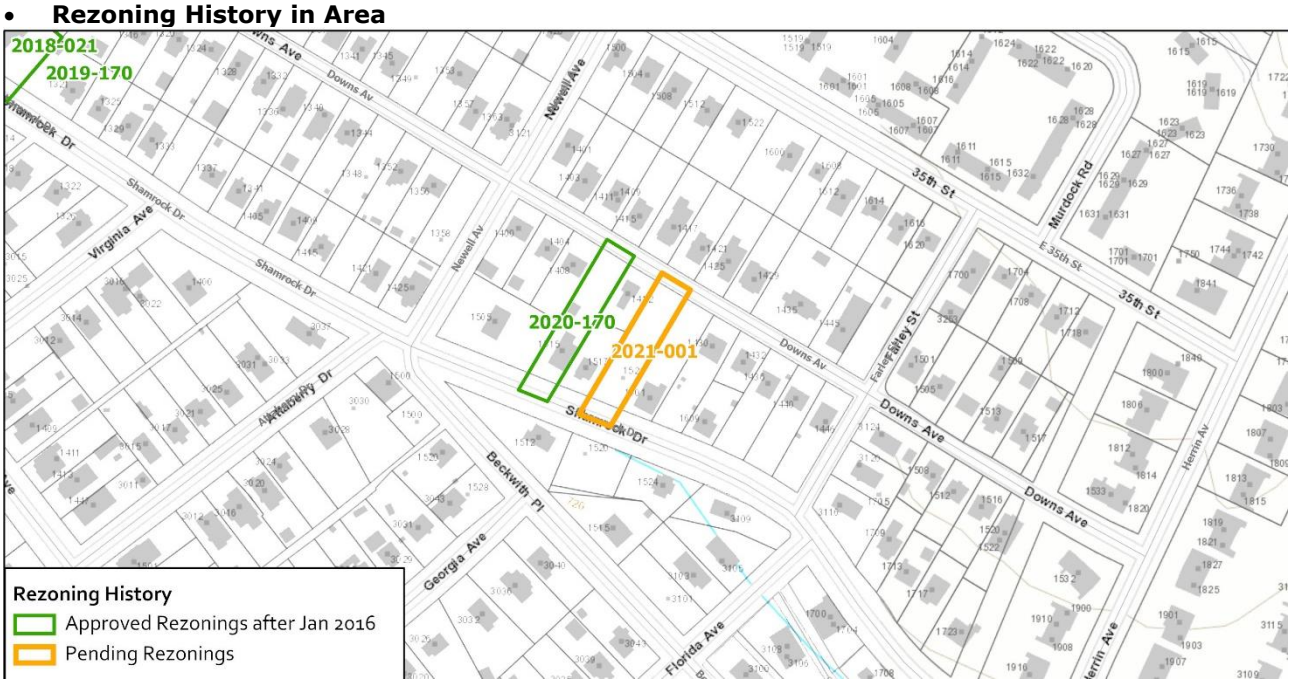


Streetview looking north toward subject property. Lot is currently vacant and located between new construction (image left) and an older home (image right).

Streetview along Downs Avenue looking south toward the subject property.

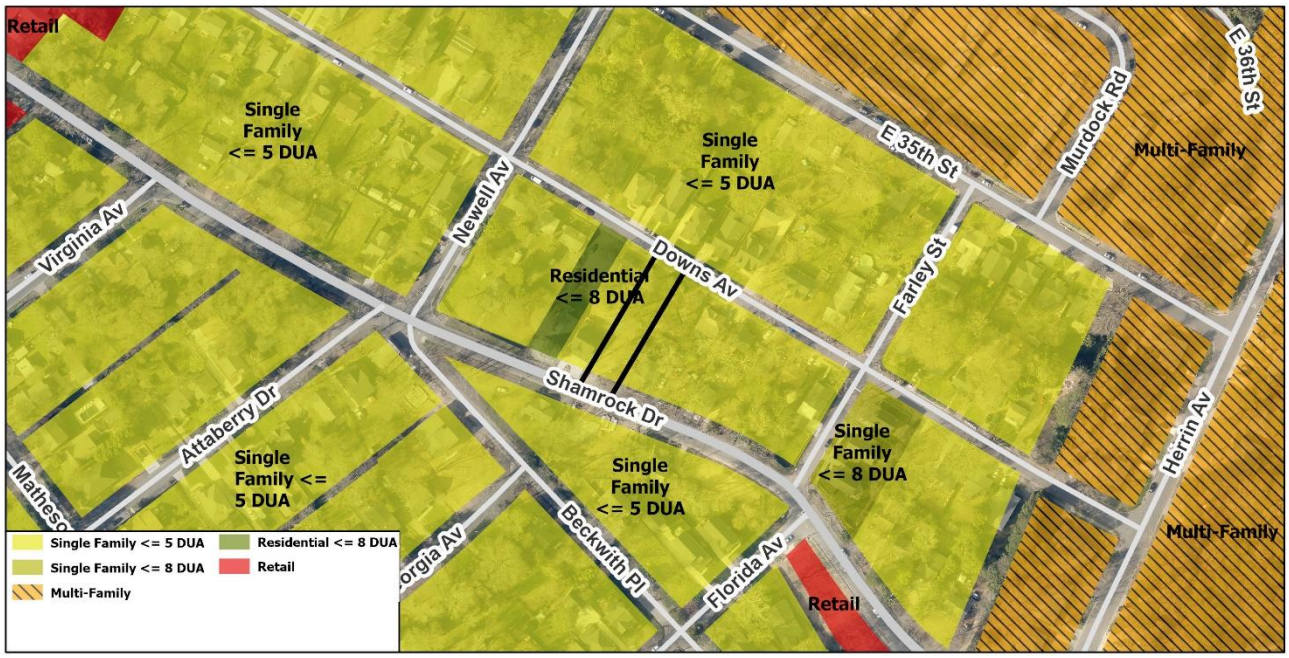
Example of new infill and existing homes along Downs Ave.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-170	Request to rezone to conventional residential district.	Approved
2019-170	Petition to rezone former auto service station to NS to accommodate EDEE/non-residential uses.	Approved
2018-021	Request to rezone from conditional business to conventional business district.	Approved

- **Public Plans and Policies**



- The *Central District Plan* (1993) recommends single family uses up to five DUA for the site.
- The *General Development Policies* (GDP) 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 eight to 12 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – 8 up to 12 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	5
Road Network Evaluation	1
Design Guidelines	0
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	**Total Points: 12**

- **TRANSPORTATION SUMMARY**
  - The site is located on a City-maintained minor thoroughfare (Shamrock Drive) and a City-maintained local road (Downs Avenue). As this is a conventional rezoning, a Traffic Impact Study (TIS) is not required as part of the rezoning process. The petitioner's site is within the limits of the City's Shamrock Drive Complete Street Project. The CIP will upgrade Shamrock Drive from Newell Avenue to Flamingo Avenue to better serve bicyclists, pedestrians, motorists and adjacent neighborhoods and businesses. CDOT will work with the petitioner during permitting to coordinate with this project, and any other projects in the area, and determine development requirements. There are no outstanding CDOT issues.
- **Active Projects:**
  - Shamrock Drive Complete Street Project
    - Constructing buffered bike lanes, pedestrian crossings, and streetscape improvements from Newell Ave to Flamingo Ave
    - 90% Design / Real Estate early 2021
    - General Services PM: Mark Grimshaw
    - https://charlottenc.gov/Projects/Pages/ShamrockDriveStreetUpgrade.aspx
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 0 trips per day (based on vacant land use).

  Entitlement: 10 trips per day (based on one dwelling).

  Proposed Zoning: 20 trips per day (based on two dwellings).

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 one student, while the development allowed under the proposed zoning may produce one student. Therefore, there is no net increase in the number of students generated from existing zoning to proposed zoning.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Shamrock Gardens Elementary remains at 83%
    - Eastway Middle remains at 117%
    - Garinger High remains at 117%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Shamrock Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Shamrock Drive. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at www.rezoning.org
  - **Urban Forestry:** No outstanding issues.

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

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

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