

REQUEST	Current Zoning: UR-1 (urban residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 0.27 acres located on the northeast corner of South Sycamore Street and Margaret Brown Street. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes the development of seven attached dwelling units at a density of 25.9 units per acre on a vacant lot in the Third Ward neighborhood.
PROPERTY OWNER	Luxity LLC and Sinkoe Brothers
PETITIONER	Luxity LLC
AGENT/REPRESENTATIVE	Daniel Merlin\Alexander Ricks, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10
STATEMENT OF CONSISTENCY	- The Zoning Committee found this petition to be consistent with the <i>Charlotte Center City 2020 Vision Plan</i>, based on information from the staff analysis and the public hearing, and because: - While the plan does not make a specific land use recommendation for the site, it encourages the preservation and enhancement of Center City neighborhoods. - 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: - The subject site is located on a short street in Third Ward that is primarily developed with single family homes. However, there are multi-family buildings at the intersection of Irwin Avenue and Margaret Brown Street, and on other nearby streets in this part of Third Ward; and - The subject site is appropriate for higher density residential as it is located on a corner lot across from Frazier Neighborhood Park and is located in an urban neighborhood with a range of housing types; and - The development has been designed to complement the single family homes along Margaret Brown Street: - The proposed 14-foot setback along Margaret Brown Street is consistent with the setback for the existing single family homes along the street. - The proposed development incorporates architectural details such as porches and fenestration that are compatible with the established single family neighborhood. - The proposed 40-foot height is the base height allowed for single family development. - In addition, the proposed development will improve the pedestrian experience by providing an eight-foot planting strip and six-foot sidewalk; By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Spencer).

ZONING COMMITTEE ACTION

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

Site and Building Design

1. Provided elevations showing the proposed four units and entrances along South Sycamore Street.
2. Provided site plan clearly showed the proposed structure and

	entrances for each unit.
	3. Labeled and showed eight-foot planting strip and six-foot sidewalk.
	4. Provided a 14-foot separation between the building and the property line adjacent to the existing single family structure which will include a five-foot sidewalk, seven-foot planting strip and two feet of transition/natural area.
	5. Provided a note, detail of the porches, and a minimum depth and width of the porches along the public streets.
	6. Labeled the front doors for all units on the site plan and building elevations.
	7. Provided notes and detail of the roof treatment, slope, and details, such as louvres, windows, and porches along the public street frontages.
	8. Added a note that detached lighting will be directed downward.
	<u>Transportation</u>
	9. Noted that the existing curb and gutter will be replaced with new two-foot, six-inch curb and gutter.
	10. Added a note that right-of-way will be dedicated two feet from the back of sidewalk or at the back of sidewalk where the building abuts the sidewalk.
	11. The petitioner revised the site plan to add a note specifying all transportation improvements will be constructed and approved before the site's first building certificate of occupancy is issued or phased per the site's development plan.

VOTE

Motion/Second: Watkins / Wiggins
 Yeas: Fryday, Lathrop, McClung, Spencer, Watkins, and Wiggins
 Nays: None
 Absent: Majeed
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff presented this item noting that all outstanding issues had been addressed and that this petition is consistent with the *Charlotte Center City 2020 Vision Plan*.

A Committee member spoke about their concern of on-street parking in the area. Staff stated that on-street parking is evaluated for each petition. This site is located in the Center City, which has transit, sidewalks, and great street connections that provide for various methods of mobility. If on-street parking became a problem in the future for first responders or based on neighborhood complaints, Charlotte Department of Transportation has the authority to restrict parking on the public right-of-way.

There was no further discussion of this request.

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:

- Allows up to seven single family detached dwelling units at a maximum density of 25.9 dwelling units per acre.
- Eight-foot planting strip and six-foot sidewalk will be installed along all public street frontages.
- Garage access for the attached units will be from an internal private drive off of Margaret Brown Street.
- Building elevations of the proposed structures have been provided along South Sycamore Street, Margaret Brown Street, and the eastern edge.
- Provides a 14-foot separation between the building and the property line adjacent to the existing single family structure which will include a five-foot sidewalk, seven-foot planting strip

and two feet of transition/natural area.

- Trash and recycling will be handled by rollout containers.
- Includes the following architectural treatments:
- Building materials will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, and stucco. Vinyl, EIFS, or aluminum may only be used on windows, garage doors, soffits, trim, and handrails/railings.
- Single family detached structure will face Margaret Brown Street and South Sycamore Street.
- Four units will have entrances that face along South Sycamore Street.
- Two units will have entrances that face towards Margaret Brown Street.
- Commits to a combination of louvres, doors, and porches along the street frontage.
- A note that the Planning Department will review building elevations prior to submitting for land development review.
- **Public Plans and Policies**
 - The *Charlotte Center City 2020 Vision Plan* encourages the preservation and enhancement of Center City neighborhoods.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at an unsignalized intersection of local streets, adjacent to the Irwin Creek Greenway, and approximately 500 feet south of the streetcar corridor on West Trade Street. The proposed site is generating low amounts of daily trips and is in an area where walking or other alternative modes of transportation will be very accommodating. CDOT is requesting that the petitioner complete the streetscape improvements by reconstructing the existing curb and gutter and dedicate right of way to the back of sidewalk.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 30 trips per day (based on three dwelling units).
 - Proposed Zoning: 65 trips per day (based on seven dwelling units).

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 zero students, while the development allowed under the proposed zoning will produce zero students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero students.
 - The proposed development is not projected to increase the school utilization (without mobile classroom units), and utilization will remain as follows:
 - Ashley Park Pre K-8 at 129%; and
 - West Charlotte High at 94%.
 - **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water main located along Margaret Brown Street and South Sycamore Street and sewer system availability via an existing eight-inch gravity sewer main located along Margaret Brown Street and 36-inch gravity sewer main along South Sycamore Street.
 - **Engineering and Property Management:**
 - **Arborist:** No trees can be removed from or planted in the right-of-way of Margaret Brown Street or South Sycamore Street without permission of the City Arborist's office. The petitioner also must submit a tree survey for all trees two inches or larger located in the rights-of-way and. In addition, the survey shall 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:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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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 Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Solomon Fortune (704) 336-8326