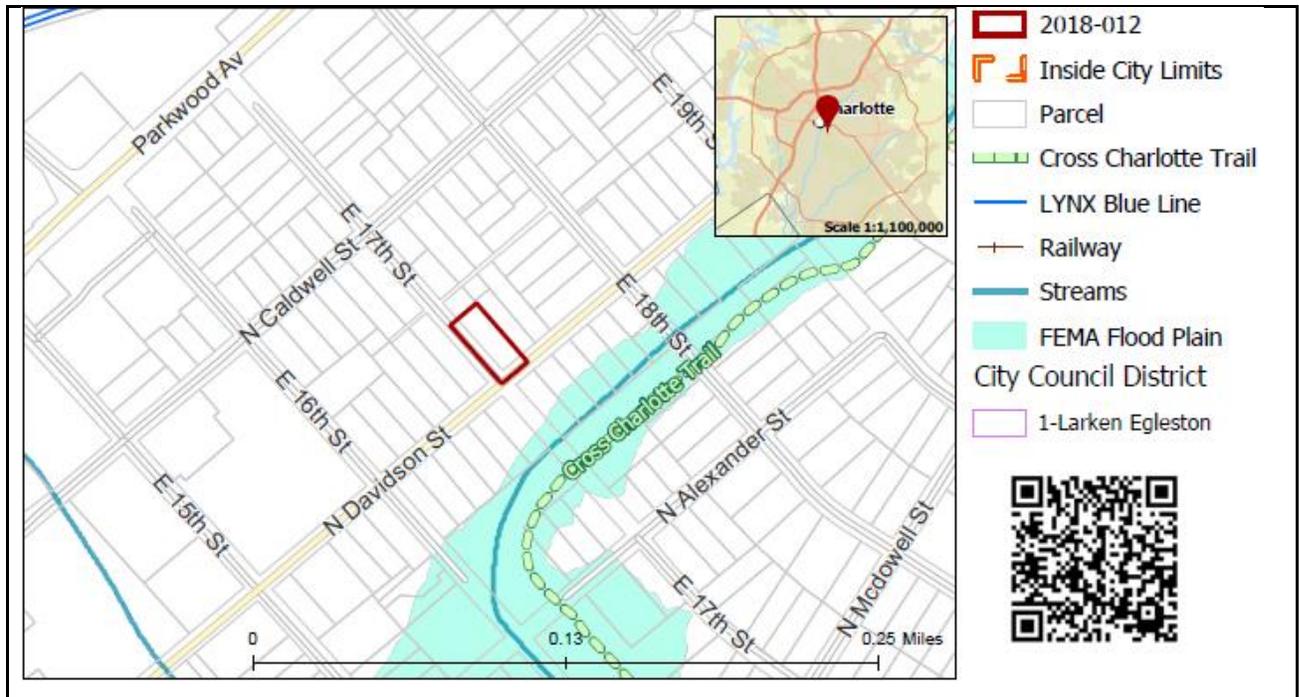


**REQUEST**

Current Zoning: R-8 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately ~~0.16~~ **0.173** acres located at the intersection of North Davidson Street and East 17th Street.  
(Council District 1 - Egleston)



**SUMMARY OF PETITION**

The petition proposes to redevelop the site with five single family attached dwelling units, at a density of ~~30.3~~ **28.9** units per acre.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Harrison Tucker and David Signorello  
Harrison Tucker and John Perovich  
Russell W. Fergusson

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 9.

**STAFF**  
**RECOMMENDATION**

Staff does not recommend approval of this petition in the current form.

Plan Consistency

The petition provides the residential land use recommended in the *BLE Transit Station Area Plan*, but the proposed density of the proposed density of ~~30.3~~ **28.9** units per acre exceeds the recommended density of 12 dwelling units per acre.

Rationale for Recommendation

- The proposed attached single family development is located within an established single family detached neighborhood.
- The proposed density of ~~30.3~~ **28.9** units per acre is in excess of the adopted plan recommendation for up to 12 units per acre, and is not consistent with the plan's policy to maintain, protect and enhance low density residential uses with a transition from more intense development that may adversely impact the character of the neighborhood.

- The relationship of the buildings to the street does not align with surrounding homes, and thereby does not protect and enhance the surrounding neighborhood character.

## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Maximum of five single family attached dwelling units limited to ~~40~~ 44 feet in height.
- Building elevations along N. Davidson Street and East 17<sup>th</sup> Street.
- Minimum lot width of 50.05 feet.
- One unit will be for-sale affordable at 80% AMI, with a 10-year restriction, or in accordance with the City's affordable housing guidelines.
- Vehicular site access via East 17<sup>th</sup> Street.
- Building materials consisting of brick, cedar shake, wood siding, fiber cement siding, stucco, masonry and/or other material approved by the Planning Director. Permitted roof materials include asphalt shingles, composition shingles, wood shingles, tin, standing seam metal, and wood shakes.
- Each single family attached dwelling unit will have steps with a minimum combined height of 18 inches from the immediately adjacent sidewalk to the front stoop or porch located at the front entry door.
- Unit at corner of E. 17<sup>th</sup> Street and N. Davidson Street will have an entrance off N. Davidson Street.
- ~~Sublots shall include a minimum of 400 square feet of private open space. Site to comply with the private open space required per the UR-2 zoning district at the time of permitting.~~
- Minimum eight-foot sidewalk and eight-foot planting strip, in that order, proposed along E. 17<sup>th</sup> Street.
- Minimum eight-foot planting strip between the existing and future curb line, an eight-foot sidewalk and an eight-foot planting strip, in that order, proposed along N. Davidson Street. ~~six-foot sidewalk at back of curb and a varying four-foot and eight-foot planting strip behind the sidewalk will be provided along both street frontages.~~
- ~~Planting strip has been widened to maintain a width of eight feet for the full frontages along both East 17<sup>th</sup> Street and North Davidson Street.~~
- Parking provided via shared garages underneath units ~~stalls are reoriented to face the eastern property line~~, and the new drive layout meets the requirements for a two-way aisle.
- Driveway on East 17<sup>th</sup> Street has been widened to 26 feet.
- Stair case leading up to the units facing North Davidson Street has been centered on those units, in line with the existing stair on site.
- A retaining wall may be installed between the sidewalk and planting strip, in order to accommodate the existing grade, provided the petitioner obtains a CDOT encroachment agreement if the wall is within the public right-of-way.
- A sidewalk easement shall be provided for any sidewalk located outside of the public right-of-way, set at two feet behind back of sidewalk where feasible, prior to the issuance of the first certificate of occupancy.
- ~~The middle unit of the three units (triplex) on the north side has been widened.~~
- Dumpster has been removed and roll-outs will be used instead.

• **Existing Zoning and Land Use**



- The subject property is zoned R-8 (single family residential) and developed with one single family detached dwelling.
- Surrounding land uses include single family and multi-family dwellings.
- Surrounding zoning districts are R-5, R-8, TOD-RO, UR-2(CD), MUDD, MUDD(CD) and R-22MF.



The subject property is zoned R-8 (single family residential) and developed with a single family house.



Surrounding properties are developed with single family homes.



Multi-family dwellings are located nearby.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-101	Rezoned 2.17 acres to TOD-R(O) (transit oriented development, residential, optional) to allow up to 60 single family attached dwelling units, at a density of 29.5 units per acre.	Approved
2016-29	Rezoned 11.85 acres to TOD-MO (transit oriented development – mixed-use, optional) to allow reuse of an existing mill for all uses permitted in the district.	Approved
2015-91	Rezoned 0.99 acres to TOD-RO (transit oriented development, residential, optional) to allow up to 50 multi-family dwelling units at a density of 50.5 dwelling units per acre.	Approved
2014-23	Approved a MUDD(CD) SPA (mixed use development, conditional, site plan amendment) for 2.14 to reduce the total number of multi-family dwelling units from 150 to 120 and to allow units to be for rent.	Approved

• **Public Plans and Policies**



- *Blue Line Extension Transit Station Area Plan's (2013)* recommends residential land use at up to 12 units per acre.
- Plan recommends single family, duplex, triplex, and quadraplex units up to 40 feet in height.
- Plan recommends that the low density residential should be maintained, enhanced and protected with a transition from more intense development that may adversely impact the character of the neighborhood.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a major thoroughfare and the intersection of a local road. CDOT is requesting the petitioner provide streetscape as envisioned in the *Blue Line Transit Station Area Plan*.
  - ~~See Outstanding Issues, Notes 4-7.~~ Addressed or rescinded
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 10 trips per day (based on one single family dwelling).
      - Entitlement: 10 trips per day (based on one single family dwelling).
    - Proposed Zoning: 50 trips per day (based on five single family attached dwellings).

#### DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** 20 feet unobstructed clearance on street required at all times for Charlotte Fire Department.
- **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 over existing conditions (without mobile classroom units) as follows:
    - Walter G. Byers PK-8 remains at 105%
    - West Charlotte High remains at 96%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing eight-inch water distribution main located along Davidson Street and an existing six-inch water distribution main located along 17<sup>TH</sup> Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Davidson Street and 17<sup>ST</sup> Street.
- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be planted in the right-of-way of all existing (E. 17th. Street or N. Davidson Street) City of Charlotte maintained streets without authorization from the City Arborist or his designee. Contact the City Arborist's office to discuss trees species to be planted in the right-of-way of all City of Charlotte maintained street; species must be approved before planting. The proposed four-foot wide planting strip along E. 17<sup>th</sup> and N. Davidson Streets is not sufficient nor does it meet the minimum requirements of the tree ordinance. Petitioner will provide a minimum eight-foot wide planting strip the length of E. 17<sup>th</sup> and N. Davidson Streets as required by the tree ordinance.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

#### OUTSTANDING ISSUES

##### Site and Building Design

1. Reduce the density to not exceed 12 dwelling units per acre. Outstanding
2. ~~Provide streetscape recommend per adopted area plan.~~ Addressed
3. ~~Provide elevations to reflect the relationship of the buildings to the street and abutting properties.~~ Addressed

4. Clarify or remove "or in accordance with the Charlotte Housing Authority's affordable housing guidelines" as specified in Note 9. **Staff rescinds this item**

#### Transportation

5. ~~The proposed zoning district has a setback measured from back of the existing or proposed future curbline. Reflect the future back of curb for:~~
  - a. ~~North Davidson St: 21.5 feet from centerline. Site reflects setbacks measured from future back of curb as outlined in the BLE Transit Station Area Plan~~
  - b. ~~E. 17<sup>th</sup> St: Existing curb is in the correct future location. Addressed~~
6. The site is located within a ¼ mile of the Parkwood Transit Station. The petitioner should revise the site plan to show:
  - a. ~~Eight foot planting strip behind the existing curb and eight foot sidewalk on E. 17<sup>th</sup> Street and N. Davidson Street. Staff rescinds and accepts the sidewalk > planting strip as outlined on 17<sup>th</sup> St. on the plan to preserve existing trees and streetscape~~
  - b. ~~16.5 foot planting strip behind the existing curb and eight foot sidewalk on N. Davidson. Rescinded. Plan shows streetscape along N. Davidson consistent with the BLE Station Area Plan~~
7. ~~The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at two feet behind back of sidewalk where feasible. CDOT has rescinded this comment.~~
8. ~~The petitioner should revise the site plan and show the correct existing right of way on North Davidson of 40 feet and a proposed right of way of 75 feet. ROW shown is consistent with the BLE Station Area Plan~~

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

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Sonja Strayhorn Sanders (704) 336-8327