Charlotte-Mecklenburg Planning Commission

ZC

Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2018-078

October 2, 2018

REQUEST	Current Zoning: R-6 (single family residential) Proposed Zoning: UR-2(CD) (urban residential, conditional)
LOCATION	Approximately 0.74 acres located at the end of Waco Street and Ellison Street, near South Kings Drive. (Council District 1 - Egleston)
PETITIONER	Conformity Corp.

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Midtown Morehead Cherry Area,* based on the information from the staff analysis and the public hearing and because:

- The plan recommends residential land uses at six dwelling units per acre.

Therefore, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The proposed development on an infill lot located within the established Cherry neighborhood; and
- The property has limited street frontage and is constrained by a SWIM buffer and sanitary sewer easement; and
- The use of the UR-2(CD) (urban residential, conditional) allows the property to be developed in a pattern and at a density similar to the existing neighborhood, despite the property's unique circumstances.

Motion/Second:	McClung / Ham
Yeas:	Fryday, Ham, McClung, McMillan, Samuel, and Watkins
Nays:	None
Absent:	Gussman
Recused:	None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan. Staff noted that all outstanding issues had been addressed. Changes made include the addition of a note that all units will have a side by side garage and two parking spaces in the driveway. The proposed

trees save areas have been shown on the plan. Eight-foot planting strip and six-foot sidewalk have been provided along the public streets and the private driveway.

One Commissioner had a question about the private drive and who would handle it if any issues arose. Staff noted that the petitioner added a note that on-street parking would not be allowed on the private driveway. If any issues arose, a zoning violation could be issued since a note has been placed on the plan.

One Commissioner had a question about the required lot frontage. Staff responded that the lots are flag lots at the public right-of-way but they are meeting the requirements of the proposed zoning district. The lot pattern is consistent with the adjacent properties fronting on a private drive that looks and feels like a public street.

One Commissioner asked about the right-of-way and why the street was not extended. Staff responded that the right-of-way for Waco Street was abandoned in 1987 due to topography and development along Kings Drive.

One Commissioner questioned if the petition would leave any parcels landlocked. Staff responded that the parcels behind the ones along Welker Street are already land locked. If those lots are to be developed, a public street would have to be extended. The conditional site plan did not provide access to Welker Street.

Several Commissioners had questions about the proposed parking on the plan. Staff noted that a note had been added that the units would provide two car garages and two spaces in the driveway.

One Commissioner had a question about the mailbox location. Staff responded that a potential location is shown on the plan but the mailbox location would have to meet the U.S. Postal Service guidelines.

There was no further discussion of this petition.

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