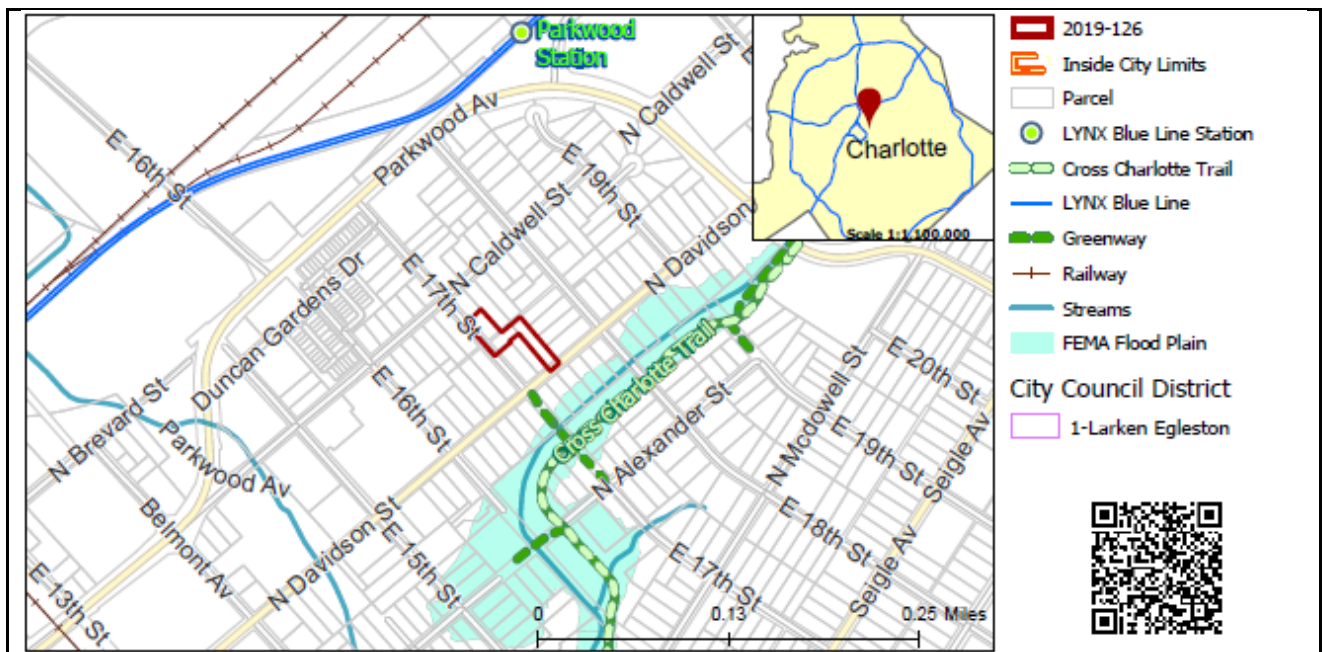


**REQUEST**

Current Zoning: R-8 (single family residential)  
Proposed Zoning: UR-2 (CD) (urban residential, conditional) with 5-year vested rights

**LOCATION**

Approximately 0.397 acres, having frontages along a portion of E. 17<sup>th</sup> Street and N. Davidson Street generally situated along the northern portion of N. Davidson Street between E. 17<sup>th</sup> Street and E. 18<sup>th</sup> Street in the Optimist Park Community.



**SUMMARY OF PETITION**

The petition proposes to rezone an assemblage of three contiguous parcels from a single family zoning district to an urban residential district to accommodate the development of up to 16 residential dwelling units at a density of 40.3 dwelling units per acre and any incidental and accessory uses allowed in the proposed district.

**PROPERTY OWNER**

517 East 17<sup>th</sup> LLC

**PETITIONER**

Harrison Tucker, CoHab LLC

**AGENT/REPRESENTATIVE**

Russell W. Ferguson

**COMMUNITY MEETING**

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

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

Plan Consistency

The petition is **inconsistent** with the *Parkwood Transit Station Area Plan's* (2013) recommendation for residential uses up to 12 dwelling units per acre for the site.

Rationale for Recommendation

- The petition will provide a dense housing project in a walkable location only 3/10 of a mile from the Parkwood Station.

- This petition achieves the *BLE Transit Station Area Plan's* overall land use goal of "accommodating higher intensity uses that support various transportation systems throughout the corridor while protecting the residential fabric of residential neighborhoods and providing the opportunity for housing choices." The fabric of the residential neighborhood remains intact as this petition, if constructed, will be developed on vacant land and does not require the demolition of existing single family homes. Housing choice is further enhanced in Optimist Park through the creation of new multi-family units and the addition of one affordable unit.
- The petition's request of a maximum height of 40 feet matches the by-right height on surrounding R-8-zoned single family parcels and the desired height noted in the *Parkwood Transit Station Area Plan*.
- The request closely matches a previously approved petition (2018-012) both in density and housing type.
- The petition commits to providing at least one affordable housing unit through the Federal Housing Choice Voucher Program.

The approval of this petition will revise the adopted future land use as specified by the *Parkwood Transit Station Area Plan*, from residential uses up to 12 dwelling units per acre to residential uses greater than 22 dwelling units per acre for the site.

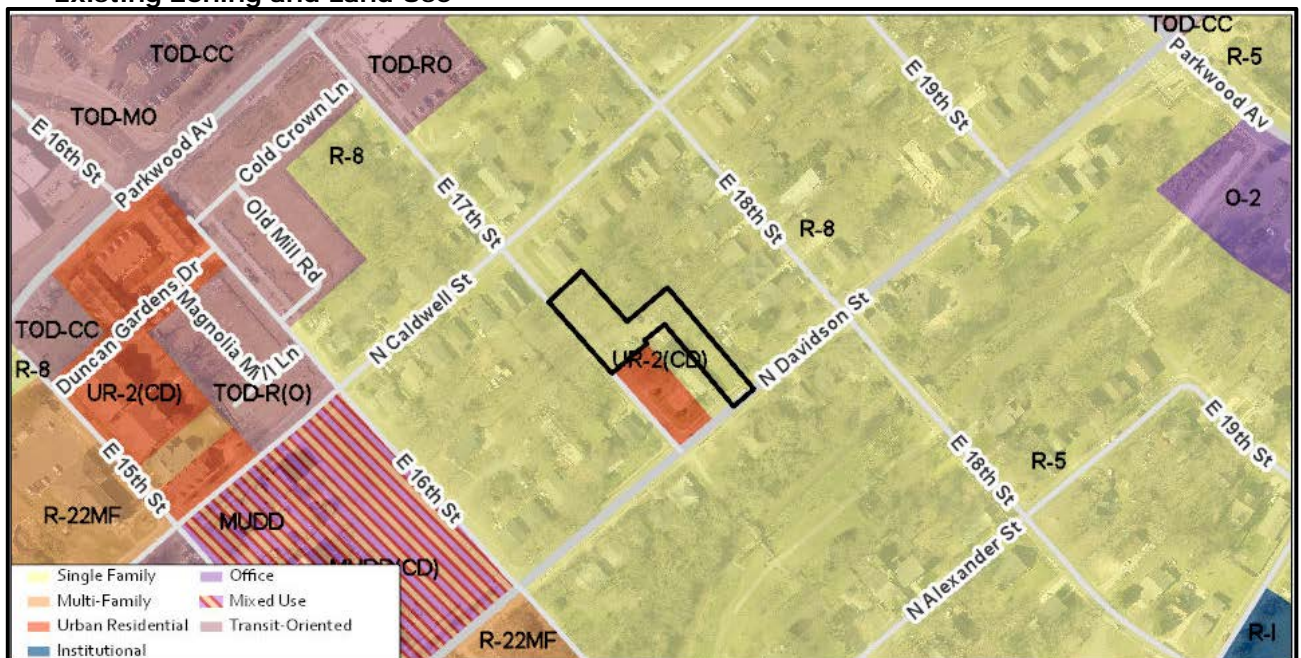
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Commits to and the construction of up to 16 dwelling units as well as any incidental and accessory uses at a height not exceeding 40 feet in height.
- Commits to architectural standards including identification of primary building materials (brick, cedar shake, wood siding, fiber cement, etc.) and permitted sloped roof (if provided) materials including asphalt shingles, wood shingles, wood shakes, and standing seam metal.
- Provides for fully capped and downward-facing lighting for freestanding or attached lighting elements.
- Commits to providing an 8-foot wide planting strip and sidewalk along the property's frontage with N. Davidson Street.
- Commits to the provision of at least one affordable housing unit at a rate eligible for the Federal Housing Choice Voucher Program.

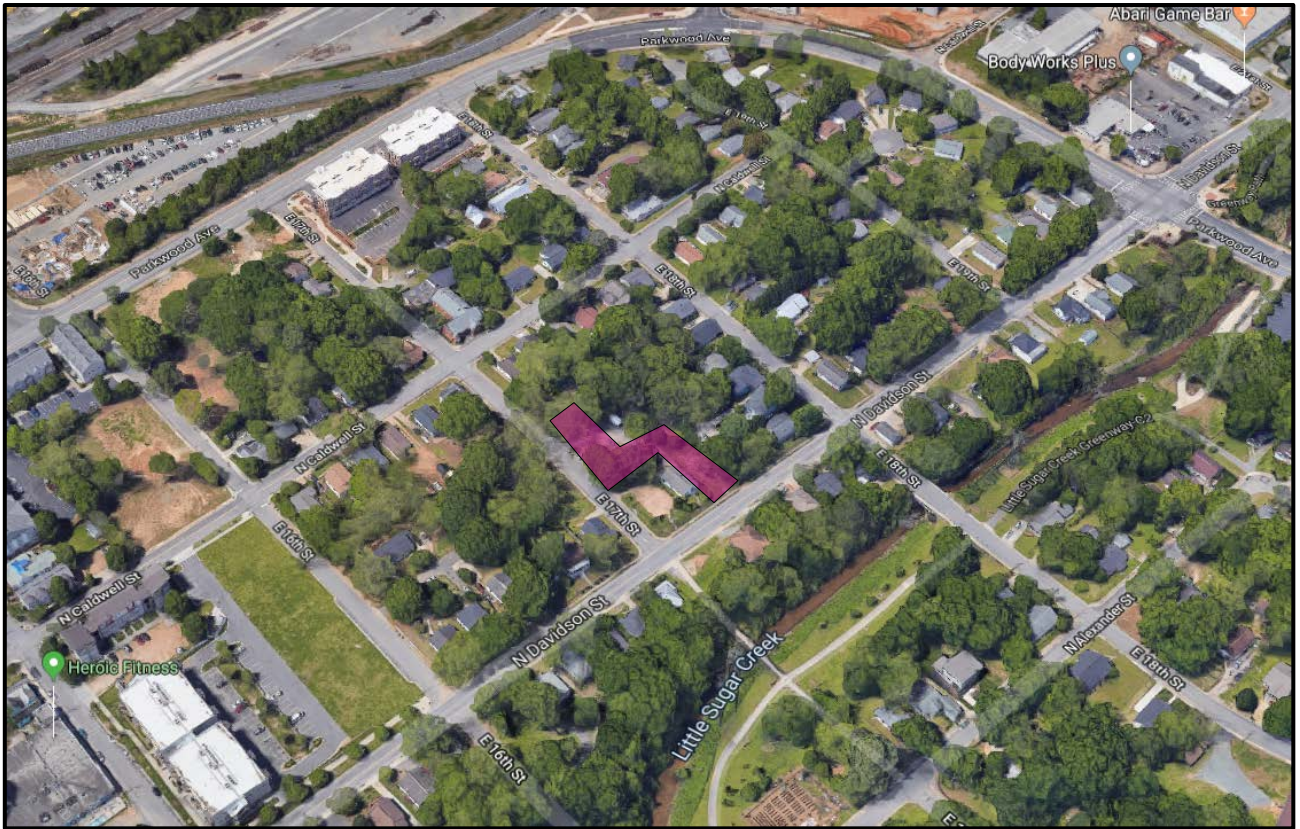
### • Existing Zoning and Land Use





The area largely surrounding the subject property, including the parcels within the petition's boundary, were rezoned in 2003 (2003-071) to align more closely with the area's existing land use and become more consistent with the adopted proposed land use at the time: *Optimist Park Neighborhood Plan* (2002).

The area surrounding the subject property is composed of single family residences, a greenway (Little Sugar Creek Greenway which connects to Cordelia Park), and a mixture of higher density, transit-oriented uses to the west. Teardowns have resulted in pockmarked new residential construction in this part of the neighborhood, with new residential units building to the maximum height allowed per R-8 development standards.



Approximate location of site boundaries illustrated above. Little Sugar Creek Greenway is located to the southeast of the project and Optimist Hall is just outside the map frame to the west of the subject property.





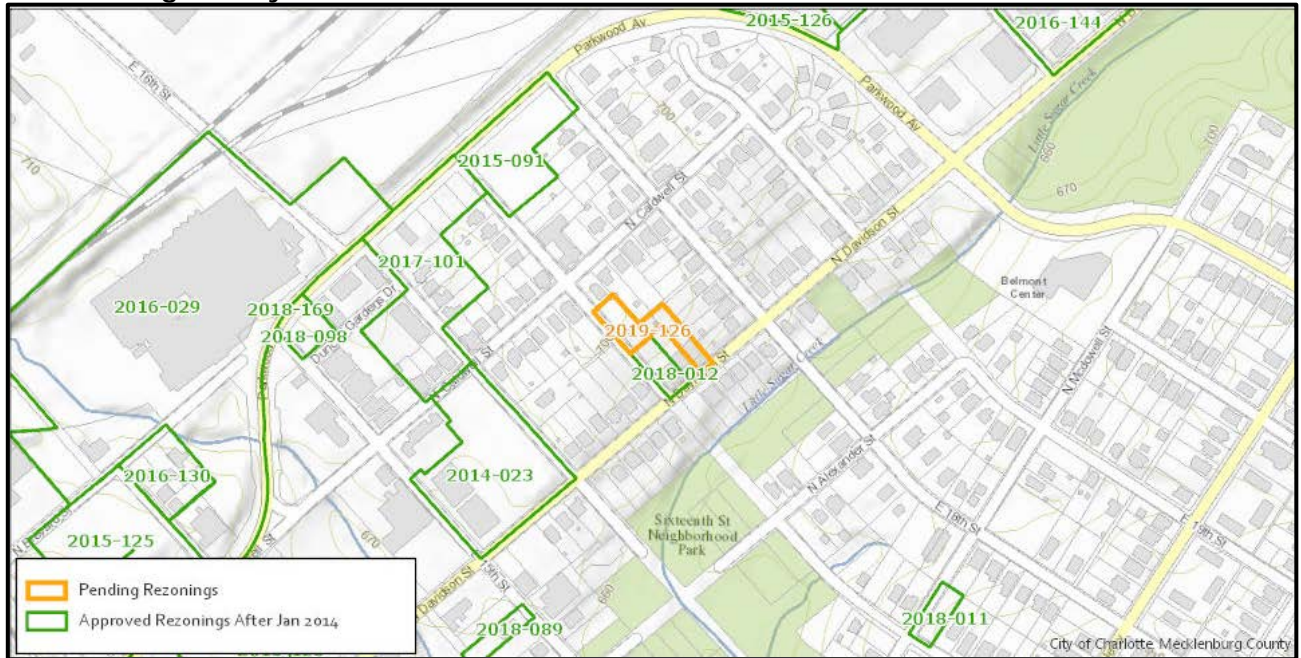
Subject property's approximate frontage along N. Davidson Street. Single family homes are located on both sides of the frontage.



Subject property's approximate frontage along E. 17<sup>th</sup> Street.

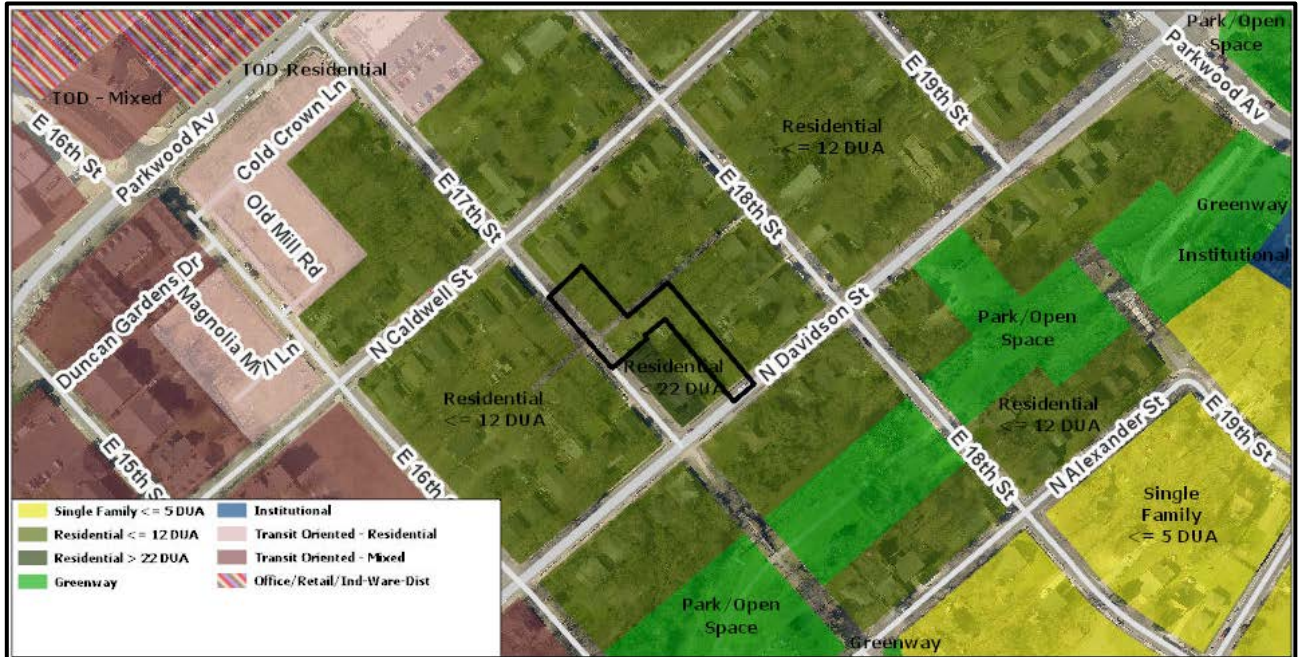


- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-169	Request by City of Charlotte to rezone to TOD-CC from TOD-M district.	Approved
2018-098	Proposal to rezone site from R-8 to TOD-M to allow all uses permitted within the district.	Approved
2018-089	Proposal to redevelop site with all uses permitted in UR-C district.	Approved
2018-012	Petition to rezone property to UR-2(CD) from R-5 in order to redevelop site with 5 single family attached dwelling units.	Approved
2018-011	Petition to rezone property to UR-2(CD) from R-5 in order to redevelop site with 5 single family attached dwelling units.	Approved
2017-101	Proposal to redevelop site to allow up to 59 for sale single family attached dwelling units as a density of 29.49 units per acre.	Approved
2016-029	Petition to reuse existing mill building (Optimist Park).	Approved
2016-130	Petition to rezone existing single family site to allow all uses in the TOD-M zoning district.	Approved
2015-125	Petition to allow all uses permitted in TOD-M district.	Approved

- **Public Plans and Policies**



- The *Parkwood Transit Plan* (2013) recommends residential uses at up to 12 dwelling units per acre.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located on a minor thoroughfare. The petitioner should revise the site plan to meet the ordinance requirements and the outstanding items listed below. The petitioner should revise the site plan to install the required 8-foot planting strip between the back of curb and required 8-foot sidewalk along both street frontages to improve to meet the City's ordinance and Charlotte WALKS policy adopted by Council. In addition, CDOT is requesting the petitioner add a conditional note stating the abandonment of the existing alley needs to follow CDOT's abandonment process.
  - See Outstanding Issues, Notes 1-3.
  - **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 0 trips per day (based on vacant land use).  
Entitlement: 3 trips per day (based on three single family dwellings).  
Proposed Zoning: 90 trips per day (based on 16 multi-family dwellings).

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

- **Charlotte Area Transit System:** See Requested Technical Revisions, Note 4.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 2 students, while the development allowed under the proposed zoning may produce 2 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is zero students.
  - Choose an item.
    - Villa Heights Elementary remains at 50%
    - Eastway Middle remains at 108%
    - Garinger High remains at 117%.

**Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along E 17<sup>th</sup> Street and via an existing 8-inch water distribution main located along N Davidson Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along E 17<sup>th</sup> Street and via an existing 8-inch gravity sewer main located along N Davidson Street. See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

#### **OUTSTANDING ISSUES**

##### Transportation

1. The proposed zoning district has a setback measured from back of the existing or proposed future curbline. The site plan should be revised to reflect a 21.5-foot setback from the centerline of N. Davidson street as well as the curb and gutter labeled and dimensioned from the centerline.
2. Revise the site plan and conditional note(s) to have alley abandoned prior to plan submittal. The submittal should be to CDOT Right-of-Way to first determine if the City wants to abandon the alley right-of-way.
3. 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 2-foot behind back of sidewalk where feasible.

##### Site and Building Design

4. Remove request for 5-year vesting.

#### **REQUESTED TECHNICAL REVISIONS**

##### Transportation

5. CATS staff proposes to consolidate stops along local bus route #23 and requests an ADA compliant bus waiting pad per Land Development Standard 60.01A along N. Davidson Street.

##### Site and Building Design

6. Remove open space provision within the conditional notes.
7. Note "A" under Architectural Standards, delete the word "Preferred".

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** William Linville (704) 336-4090