

**REQUEST**

Current Zoning: R-3 (residential)  
Proposed Zoning: UR-2 (CD) (urban residential, conditional)

**LOCATION**

Approximately 2.96 acres located at the 2400 block of Mecklenburg Avenue, just east of its intersection with Matheson Avenue near the Charlotte Country Club.



**SUMMARY OF PETITION**

The petition proposes to rezone and redevelop a residential lot currently occupied by a historic home (Shaw House) to create a cottage community of 11 single family detached and duplex housing units while preserving the historic residential structure. The proposal represents an overall density of 3.71 dwelling units per acre (DUA).

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

Terranova Group, LLC  
Terranova Group, LLC  
Sean Paone, ColeJenest & Stone

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Virtual Community Meeting: 10

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Central District Plan's* (1993) recommendation for single family detached housing but **consistent** with recommended residential density of up to four dwelling units per acre.

Rationale for Recommendation

- Although the request for a mix of single family detached and duplex units is inconsistent with the plan recommendation for single family detached, the requested density is under the recommended density for the subject property.

- The proposal achieves the *Central District Plan's* policy of promoting opportunities for residential density infill in the interior of neighborhoods to preserve the existing neighborhood character. This petition accomplishes that preservation of character by rehabilitating the historic Shaw House and providing two other detached homes along the frontage of Mecklenburg Avenue while positioning the planned multi-family portion in the rear of the property.
- In order to preserve the character of neighborhoods in the area, the Plan recommends the preservation of "the unique historical and architectural quality of these neighborhoods." The preservation of a historic home is a key element of this rezoning proposal.
- The *Central District Plan* recommends consistency with existing land uses. While the immediate area surrounding this petition lacks residential infill activity seen in adjacent neighborhoods, there are several concentrations of single family housing, multi-family housing, and infill development in the general area. Consistency with the existing neighborhood and surrounding residential context is maintained by fronting Mecklenburg Avenue with two additional single family detached homes.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from single family detached uses up to four DUA to residential uses up to 4 DUA for the site.

#### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

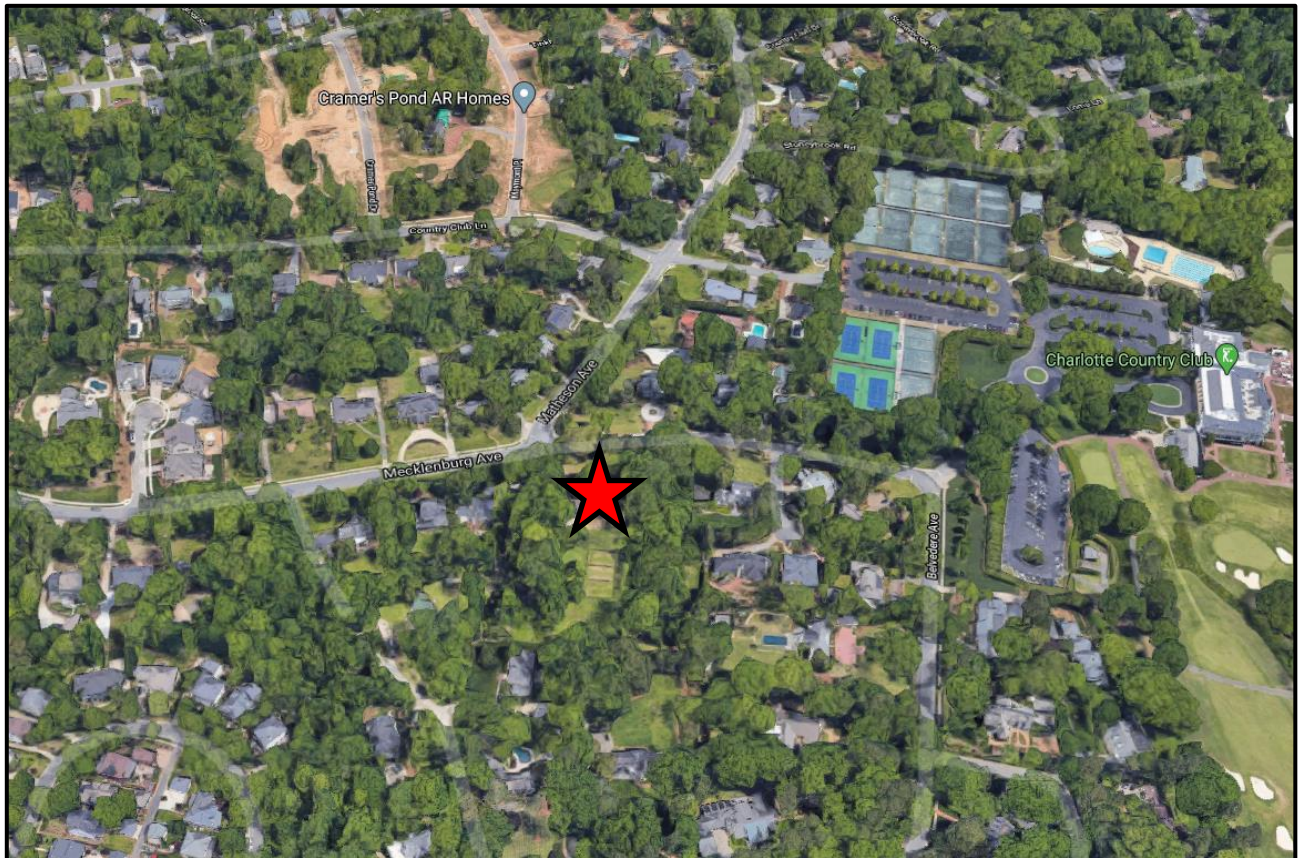
- Commits the site to a residential community containing a maximum of 11 residential units – the dwelling units shall contain a mixture of 3 single family detached units (including the existing structure) and 8 units housed within 4 duplex structures.
- Provides access around the edge of the site by way of a private alley/drive.
- Commits to an 8-foot planting strip and 6-foot sidewalk along the property's frontage with Mecklenburg Avenue.
- Reserves the right to make the private drive gated.
- Commits to architectural standards including:
  - Maximum height of 40'
  - Provisions for pitched roofs
  - Raised entrances for increased privacy
  - Providing usable front porches and stoops
  - Limitations on expanses of blank walls



- Existing Zoning and Land Use



There is no rezoning history for the site. The residence located on the subject property is the Victor Shaw house, constructed in 1928, and is located in a residential neighborhood surrounding the Charlotte Country Club.



General location of site denoted by red star.





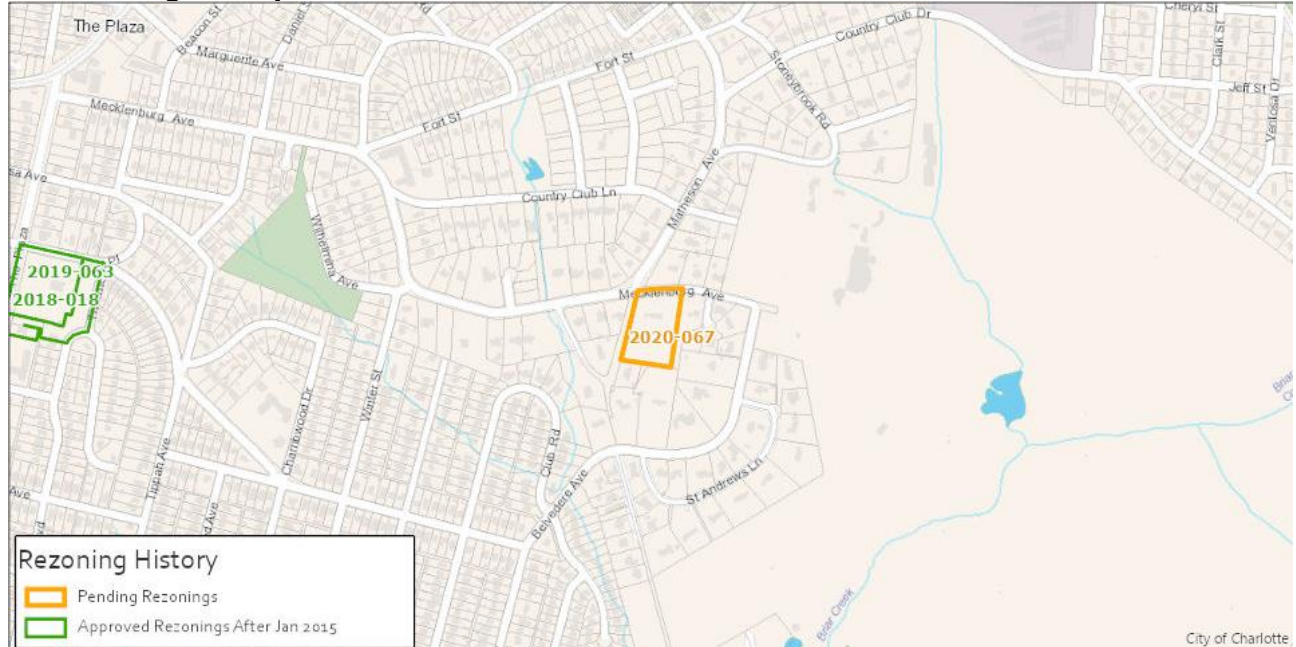
Streetview from Mecklenburg Avenue looking southeast toward the subject property. The Shaw House can be seen in the background and would be rehabbed with this petition.



Streetview along Rhododendron Court to illustrate neighborhood context.



- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-063	Site plan amendment to a previously approved petition (2018-018).	Approved
2018-018	Petition to adaptively reuse the Van Landingham Estate.	Approved

- Public Plans and Policies**



- The *Central District Plan* (1993) recommends single family detached residential uses up to 4 DUA.

- TRANSPORTATION SUMMARY**

- The site is located on a minor collector.

- **Active Projects:**

- No Active Transportation Projects

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family detached dwelling).

Entitlement: 80 trips per day (based on 8 single family detached dwellings).

Proposed Zoning: 110 trips per day (based on 3 single family detached dwellings and 8 dwellings housed within 4 duplex units).

**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](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Historic Landmarks:** The HLC has approved a development concept plan that is generally in accord with the Site Plan submitted for rezoning petition 2020-067. The HLC has also adopted a motion to de-designate the rear eight lots of the property once the lots are subdivided, keeping designated the historic house and the two planned adjacent lots and infill houses. With the result that the historic house and the two planned adjacent lots and infill houses would be subject to design review by the HLC. No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 4 students, while the development allowed under the proposed zoning may produce 2 students. Therefore, the net decrease in the number of students generated from existing zoning to proposed use is 2 students.
  - 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 107%
    - Eastway Middle remains at 118%
    - Garinger High remains at 122%.
  - **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Mecklenburg Avenue. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Mecklenburg Avenue. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **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**

Environment

- ~~1. Remove notes 4 and 5 under Environmental Features section and replace with the following: For adjoining parcels receiving storm water discharge the petitioner shall analyze the adequacy of the existing storm water conveyance on the adjoining parcels to the downstream channel (identified by the SWIM/PCSO buffer west of Peppercorn Ln). If the existing storm water conveyance on the adjoining parcels is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the storm water conveyance or mitigate the storm water discharge onto the adjoining parcels.~~ **ADDRESSED**

**REQUESTED TECHNICAL REVISIONS**

Site and Building Design

- ~~2. Revise numbering for Section E.~~ **ADDRESSED**
- ~~3. On Page 2, revise proposed zoning to UR-2 (CD).~~ **ADDRESSED**
- ~~4. Illustrate side and rear yards on site plan.~~ **ADDRESSED**

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

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