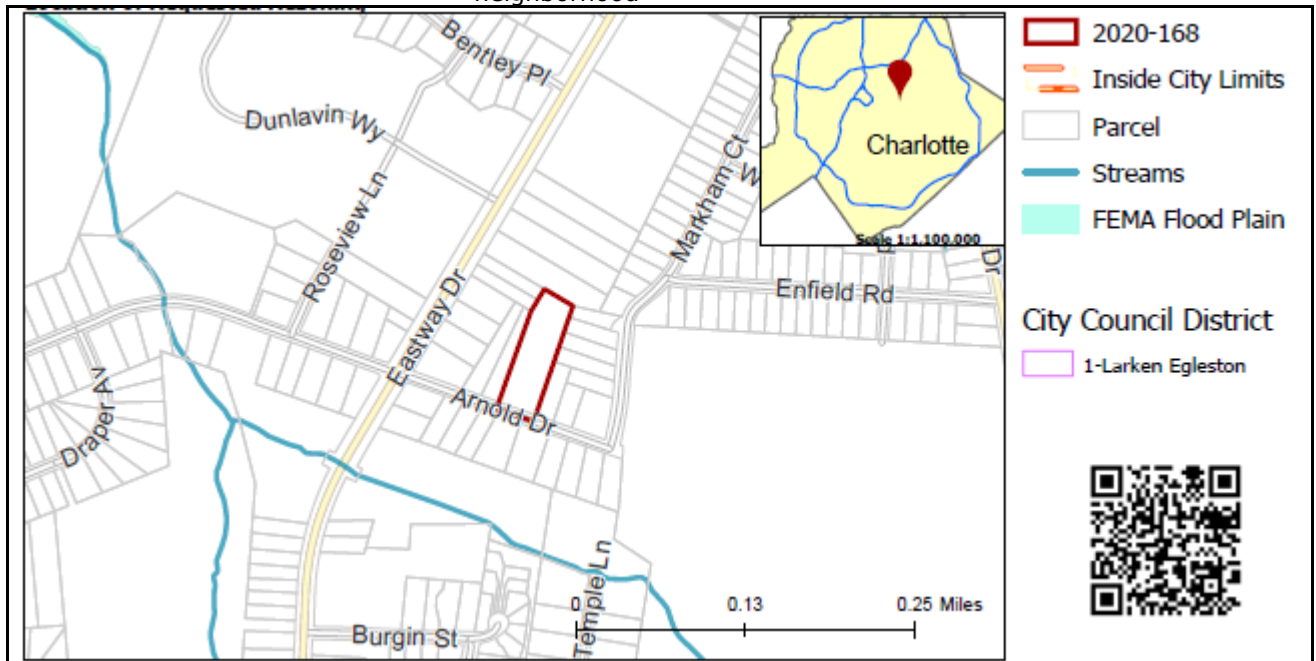


**REQUEST**

Current Zoning: R-4 (residential)  
Proposed Zoning: R-8 (CD) (residential, conditional)

**LOCATION**

Approximately 1.572 acres located off Arnold Drive, east of Eastway Drive and west of Kilborne Park in the Markham Village neighborhood



**SUMMARY OF PETITION**

The petition proposes to redevelop a single lot containing one single family detached residence to permit the construction of up to seven detached residential units at a density of 4.45 dwelling units per acre.

**PROPERTY OWNER**

Raleigh Cline

**PETITIONER**

Thom Miller

**AGENT/REPRESENTATIVE**

Thom Miller, The Building Agency

**COMMUNITY MEETING**

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

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Eastland Area Plan's* (2003) recommendation for single family uses up to four dwelling units per acre (DUA) for the site.

Rationale for Recommendation

- The overall density request (4.45 DUA) is only marginally higher than the recommended density for the site (4 DUA).
- While slightly higher than the recommended density, a request of 4.45 DUA is an appropriate transition between areas of lower density to the East and areas of higher density to the West, along Eastway Drive.
- The proposed housing is consistent with the overall context of the surrounding neighborhood.

- This petition proposes residential uses, and the Eastland Area Plan recognizes a need for protecting existing neighborhoods from non-residential encroachment.

The approval of this petition will revise the adopted future land use as specified by the *Eastland Area Plan* from single family uses up to four DUA to residential uses up to five DUA for the site.

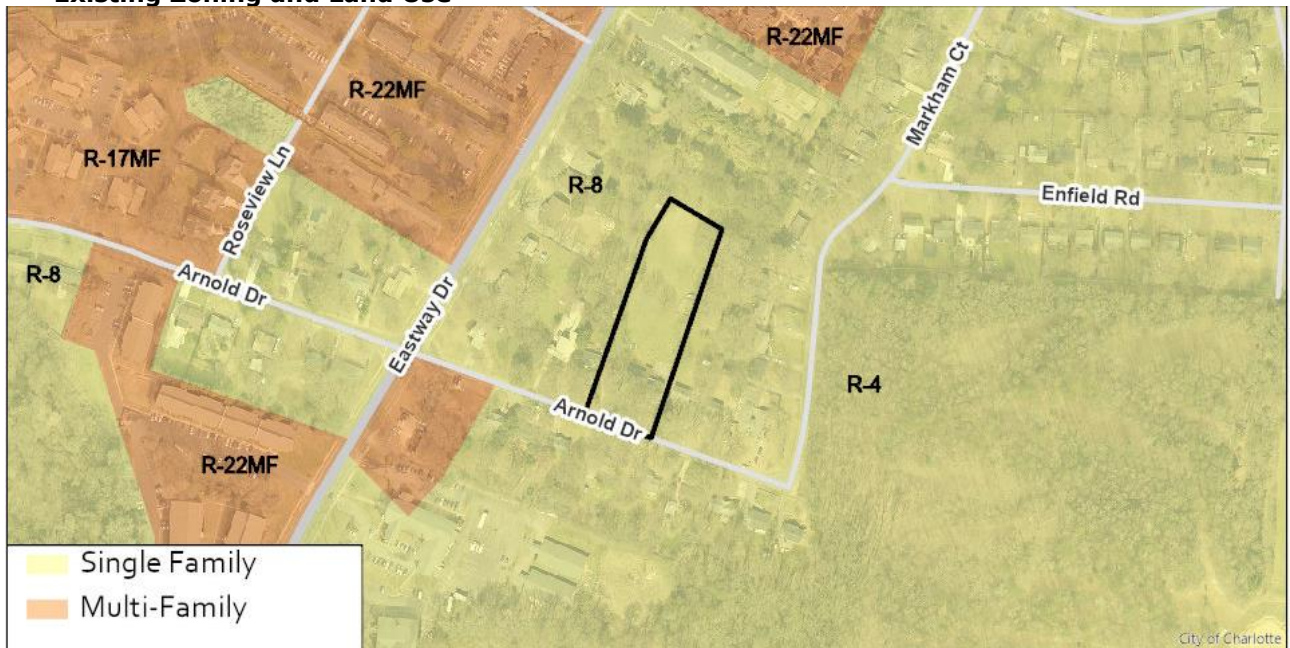
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

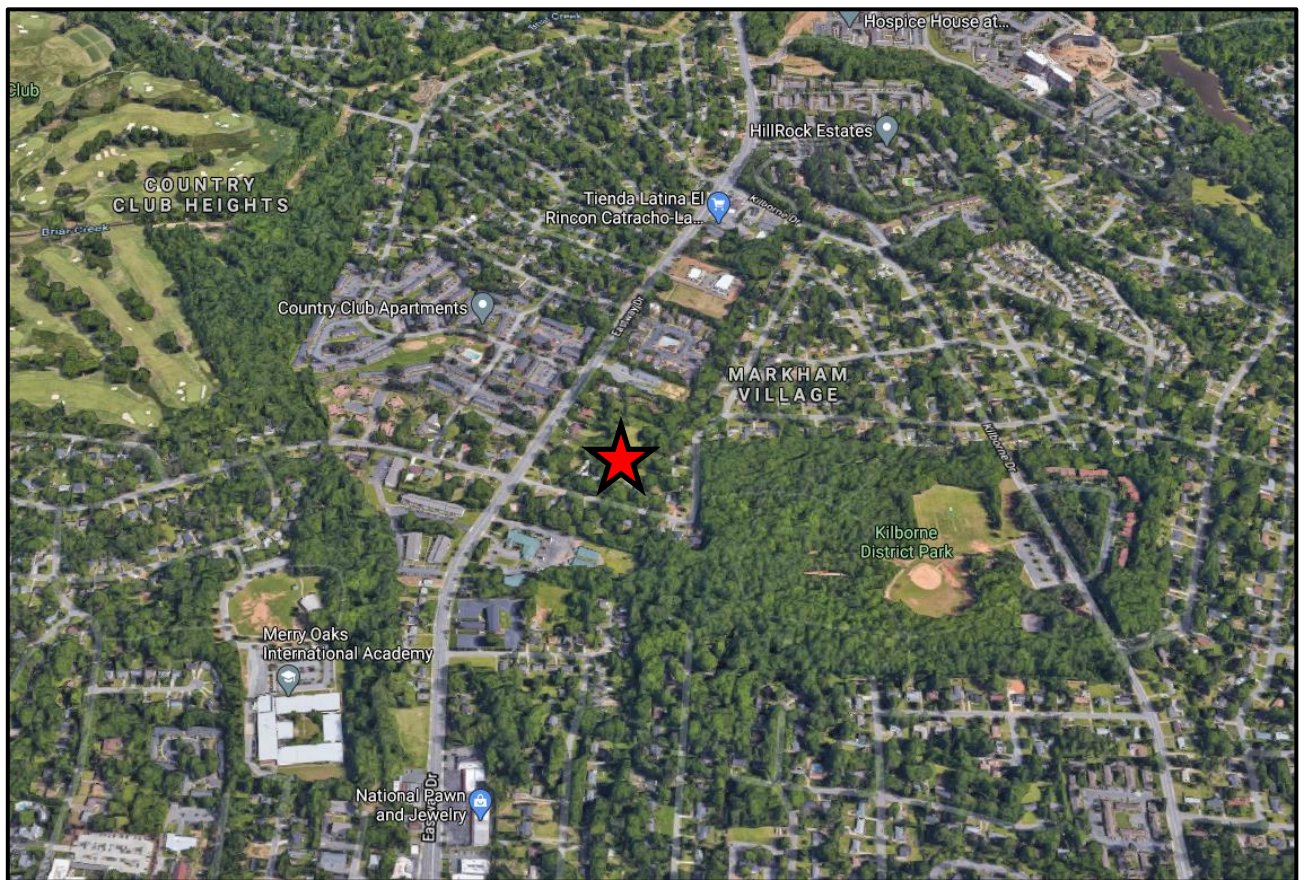
- Proposes to subdivide into 7 lots to permit the construction of no more than 7 single family detached homes.
- Transportation improvements including curb and gutter along the site's frontage with Arnold Drive along with an 8-foot planting strip and 6-foot sidewalk.
- Access to the proposed lots shall be from a newly-constructed public street.
- Commits to enhanced architectural standards including:
  - The construction of walkways from all residential entrances to sidewalks.
  - Raised entrances provided for any entrance within 15 feet of a sidewalk.
  - Usable porches/stoops with a min. depth of 6 feet.
- Full-cutoff detached lighting with a max. height of 21 feet.
- Proposes a stormwater control measure (e.g. detention pond) against the site's frontage with Arnold Drive.

### • Existing Zoning and Land Use



There have been no historical rezonings of the site. The subject property is surrounded by detached single family homes east of Eastway Drive while multi-family units are the predominant housing type west of Eastway Drive. A large portion of the eastern frontage along Eastway Drive was rezoned to R-8 in 2003.





General location of subject property denoted by red star.



Looking north along Arnold Drive toward the subject property. This photo provides a general context of the types of homes located nearby.





Looking SE down toward the subject property. The general location of the site boundary is illustrated with a pink dotted line.

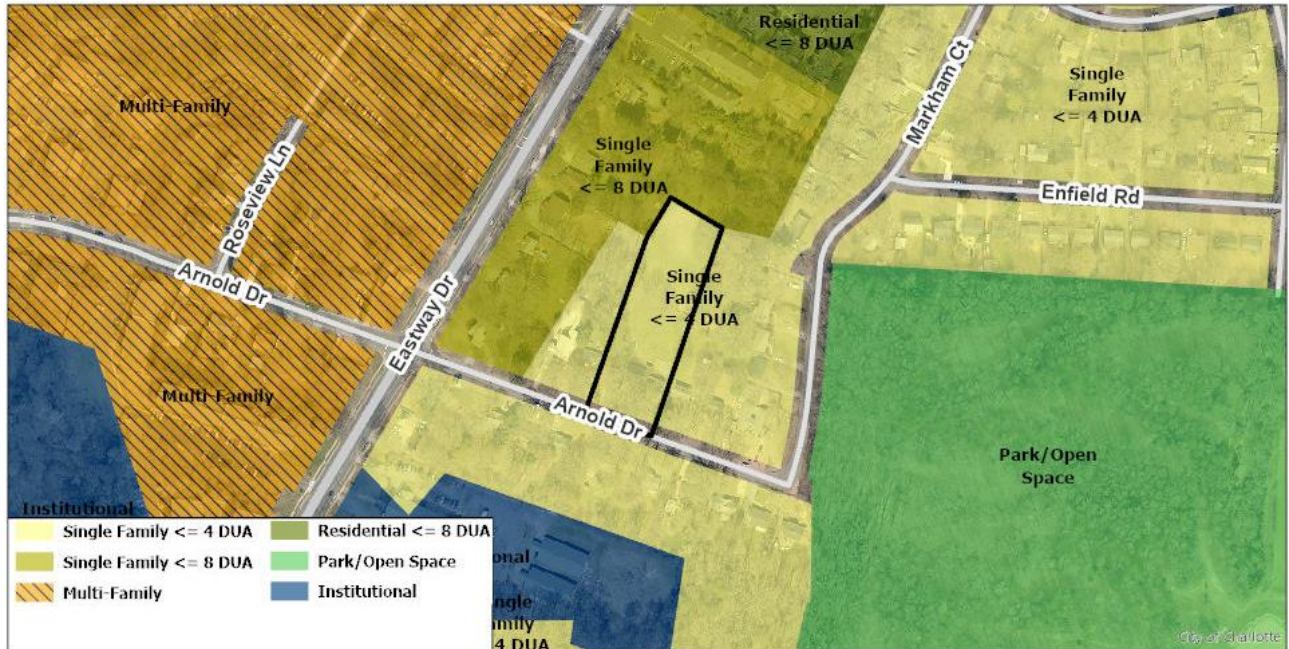
- **Rezoning History in Area**



There have been no recent rezonings proximal to the subject boundary.



- **Public Plans and Policies**



- The *Eastland Area Plan* (2003) recommends single family uses at up to four DUA for the site.
- **TRANSPORTATION SUMMARY**
  - The site is located on a City-maintained, minor collector [Arnold Drive]. The site plan commits to installing a public street with pedestrian facilities in accordance with Chapter 20 (Subdivision Ordinance) and CLDSM standards. Site plan also commits to dedicating 25.5 feet of right-of-way from the Arnold Drive centerline and installing curb and gutter per chapter 20 (Subdivision Ordinance). All outstanding CDOT comments have been successfully addressed.
  - **Active Projects:**
    - N/A
  - **Transportation Considerations**
    - No outstanding issues.
  - **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on one dwelling).

Entitlement: 60 trips per day (based on six dwellings).

Proposed Zoning: 95 trips per day (based on seven 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 Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate three students, while the development allowed under the proposed zoning may produce four students. Therefore, the net increase in the number of students generated from existing zoning to proposed is one student.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Merry Oaks International Academy remains at 76%
    - Eastway Middle remains at 118%
    - Garinger High remains at 122%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Arnold Drive. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Arnold Drive. 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:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** No outstanding issues.
- **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. ~~Curb and gutter needs to be installed at 17.5 feet from the centerline along Arnold Drive. Please label and dimension the curb and gutter from the centerline of each road to the back of curb on the site plan.~~ **ADDRESSED**
2. ~~Revise site plan and conditional notes to commit to dedicating 25.5 feet of right-of-way, to be measured from the road centerline. Label and dimension the ROW from the road centerline.~~ **ADDRESSED**
3. ~~Please add a site plan 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 needed. CDOT requests ROW set at 2-foot behind back of sidewalk where feasible.~~ **ADDRESSED**
4. ~~Please add a site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy issue is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **ADDRESSED**

### Environment

5. ~~Replanting tree save is not an option for single family projects when existing healthy trees are present. Please revise site plan accordingly.~~ **ADDRESSED**

### Site and Building Design

6. ~~Add existing parcel's building footprints and zoning districts. Provide dimension (15 feet) from proposed street to house located on parcel no. 10110102 to illustrate the minimum setback against the side of the existing house to the edge of ROW. If adjustment of the street to accommodate this increased setback results in a strip of land between the ROW and the property line, the resulting strip of land should be deeded to the adjacent owner of parcel 10110102 prior to or with the first plat submittal.~~ **ADDRESSED**
7. ~~Illustrate and commit in conditional notes to the enhanced treatment of the proposed SCM against Arnold Drive with decorative landscaping and trees.~~ **ADDRESSED**

## REQUESTED TECHNICAL REVISIONS

### Site and Building Design

8. ~~Remove text under Parking Summary and replace with "Parking provided per Ordinance".~~ **ADDRESSED**
9. ~~Coordinate with Urban Forestry to ensure provided tree save is adequate per Tree Ordinance requirements.~~ **ADDRESSED**
10. ~~Remove notes D.6-8 if petitioner is not willing to commit to the standards listed. Note D.8 seems to be committed to in a different form in note D.2.~~ **ADDRESSED**
11. ~~Move note D.1 to zoning summary table and list height.~~ **ADDRESSED**
12. ~~Remove details from rezoning plan.~~ **ADDRESSED**
13. ~~Modify rear yard to 30 feet in zoning summary section of site plan.~~ **ADDRESSED**

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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