

**REQUEST**

Current Zoning: N1-C (Neighborhood 1-C)  
 Proposed Zoning: N1-D (Neighborhood 1-D)

**LOCATION**

Approximately 0.396 acres located at the northeast intersection of Pinckney Avenue and East 28th Street, south of Matheson Avenue.



**SUMMARY OF PETITION**

The petition proposes all uses permitted by right and under prescribed conditions in the N1-D (Neighborhood 1 - D) zoning district.

**PROPERTY OWNER**

Milburn Davant

**PETITIONER**

Milburn Davant

**AGENT/REPRESENTATIVE**

Daivid Murray

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 6

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for Neighborhood 1.

Rationale for Recommendation

- The petition is appropriate and compatible because N1-D is a primary residential zoning district with adjacency to N1-C.
- The N1-D Zoning District allows for the development of residential dwellings on lots of 3,500 square feet or greater.
- There is bus access along N Davidson Street within a ½ mile of this site.
- The N1-D district allows for the development of single-family, duplex, and triplex dwellings on all lots, which are compatible with the adjacent N1-C zoning.
- The area surrounding the site is mostly zoned Neighborhood 1. N1 is designated as areas that are lower density housing areas across Charlotte,

where most of the city’s residents live, primarily in single-family or small multi-family homes or ADUs.

- The subject property is located within an Access to Housing Gap via the Equitable Growth Framework.
- Access to housing is high priority need in this area according to the EGF Community Reports. The petition could potentially help address the housing need with the slightly more intense zoning district.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities

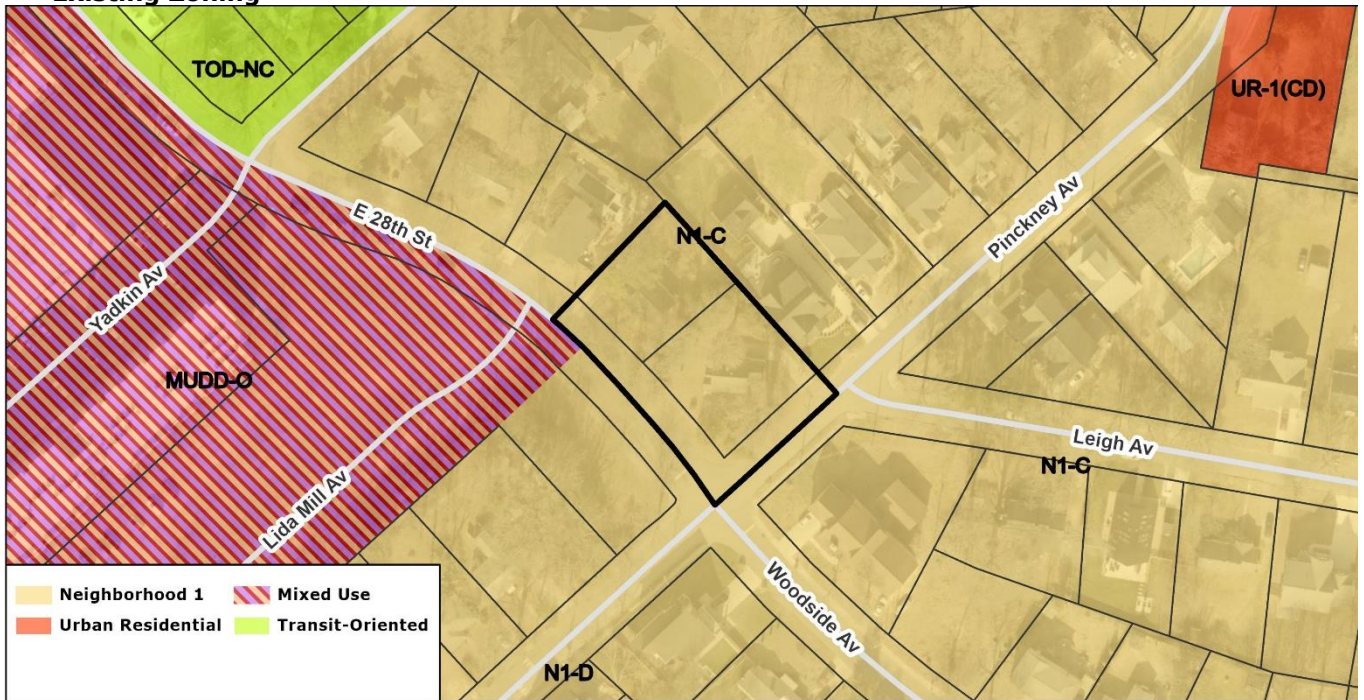
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

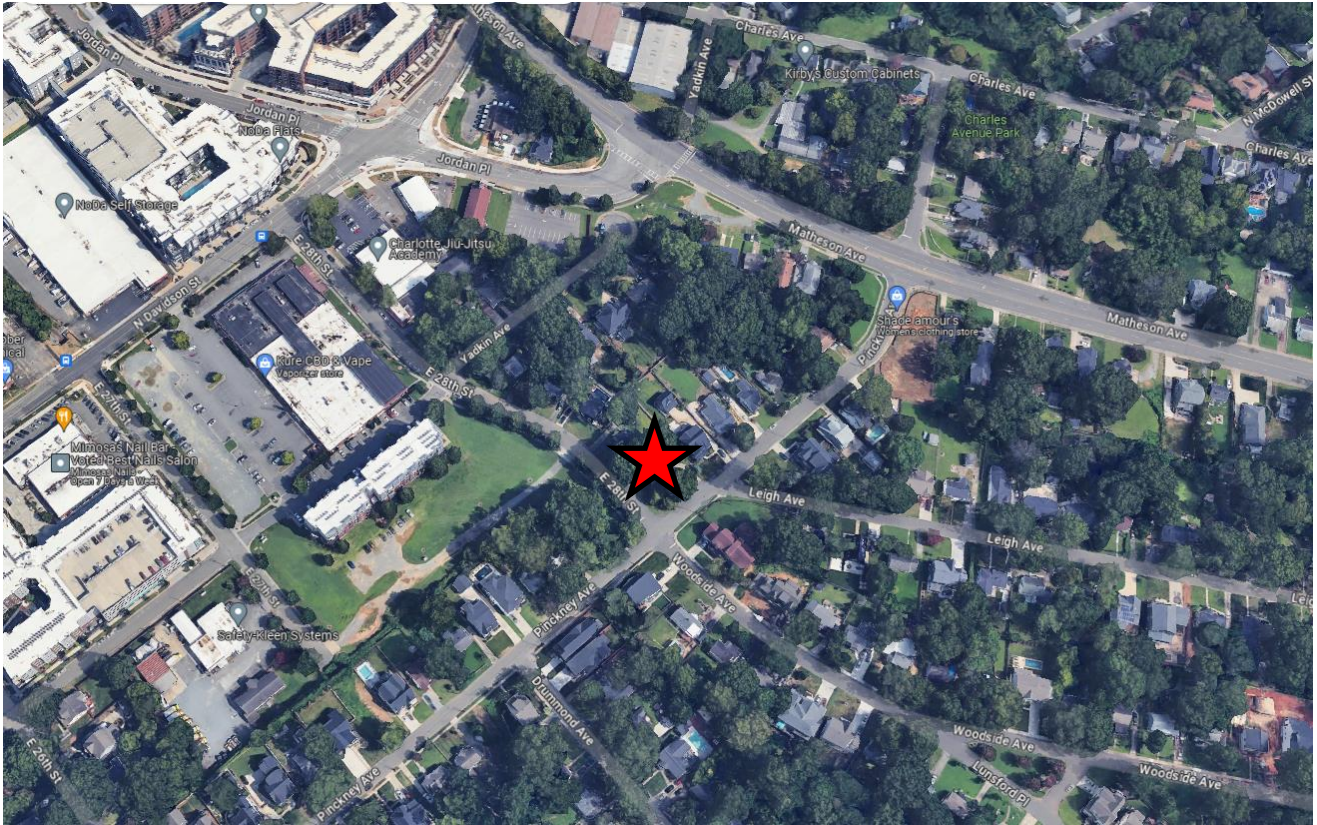
This is a conventional rezoning petition with no associated site plan.

- The petition proposes all uses permitted by right and under prescribed conditions in the N1-D (Neighborhood 1 - D) zoning district.

• **Existing Zoning**



- The area surrounding the site is primarily zoned Neighborhood 1, with mixed use, transit oriented, and urban residential zoning within close proximity of the site.



The site is denoted with a star, which is primarily surrounded by single family homes with some businesses close to the site on N Davidson Street.



Both parcels are occupied by single family houses.



North of the site is an open space, apartment complex, and single family homes.



South of the site is a residential neighborhood with single family homes.



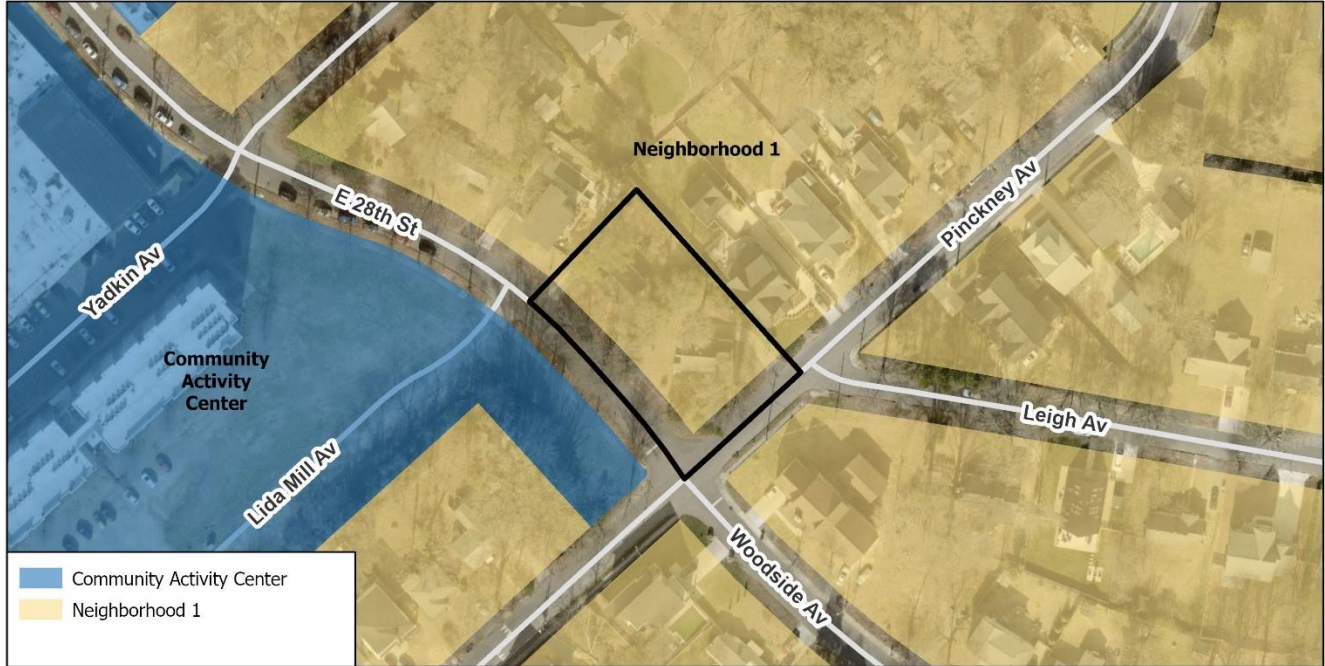
West of the site are single family homes.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-102	Rezoned 1771.18 acres to various transit-oriented zoning districts in a realignment rezoning process.	Approved
2021-268	Rezoned .25 acres from R-5 to R-8.	Approved
2022-030	Rezoned .36 acres from R-5 to UR-1(CD)	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Neighborhood 1 place type.

• **TRANSPORTATION SUMMARY**

- The site is located at the intersection of Pinckney Avenue, a City-maintained minor collector, and 28th Street, a City-maintained local street. The petition is in a northeast corridor inside of Route 4, within the Center City 2020 Vision Plan.

• **Active Projects:**

- No active projects near the site

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 20 trips per day (based on N1-C).

Entitlement: 20 trips per day (based on N1-C).

Proposed Zoning: 20 trips per day (based on N-D).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Given the student yield factors for either housing type, this development is not projected to add students to the schools in this area.
  - Villa Heights Elementary current utilization is 83%
  - Eastway Middle current utilization is 109%
  - Garinger High current utilization is 99%
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** No comments submitted.
- **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 comments submitted.
  - **Stormwater Services Land Development Engineering:** No comments submitted.
  - **Storm Water Services:** No comments submitted.
  - **Urban Forestry / City Arborist:** No comments submitted.
- 

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Emma Knauerhase (704)-432-1163