

<b>REQUEST</b>	Current Zoning: MUDD (mixed use development) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 1.37 acres located at the northwest intersection of West 1 <sup>st</sup> Street and South Cedar Street, north of West Morehead Street. (Council District 2 - Ivory)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the reuse of existing 7,100 square-foot commercial structure and vacant lot for an eating/drinking/entertainment establishment (EDEE) in the Third Ward Neighborhood.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte Rescue Mission Charlotte Rescue Mission Chris Todd, Timmons Group
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>West Morehead Corridor Vision and Concept Plan</i> recommendation for institutional uses and park/open space.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The plan recommendation for institutional uses recognized the established institutional use, the Charlotte Rescue Mission, and the recommendation for office retail and multi-family reflected for the existing vacant lot.</li> <li>• Key plan recommendations for the subject site and surrounding properties include: preservation and reuse of older buildings; development of similar building types on vacant property; and enhancement of the pedestrian environment.</li> <li>• The reuse of the existing building for an eating/drinking/entertainment establishment is consistent with the adopted plan's recommendation for preservation of older buildings.</li> <li>• The proposed eating/drinking/entertainment establishment supports the mission and objectives of the established institutional use and is compatible with the recommendation for a mix of residential, office and retail uses on the subject parcel and surrounding properties.</li> <li>• The proposed urban open space is consistent with the recommendation for park/open space and improves the pedestrian environment.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Allows an existing 7,570 square foot building and vacant lot to be used for an eating/drinking/entertainment establishment (EDEE) Type 1 and Type 2 and associated parking.
  - Maintains the existing commercial structure on the site.
  - Eight-foot planting strip and eight-foot sidewalk along Cedar Street.
  - Eight-foot planting strip and six-foot sidewalk with on-street parking along West First Street.
  - Improved open space area which will contain hardscape areas, pedestrian connection, benches, and a masonry wall to screen proposed parking.
  - Parking will not be located within 50 feet of the back of sidewalk on Cedar Street.
  - Maximum height limited to 50 feet.

- Requests the following optional provisions to facilitate the reuse of the building and develop the vacant property:
  - To allow maneuvering and parking between the building and the public street. Parking and maneuvering between the building is prohibited in the MUDD district.
  - To allow a 4.7-foot setback along West First Street to accommodate the existing building. MUDD normally requires a minimum 14-foot setback from the public street.
  - To allow a six-foot tall and 30 square-foot sign face area, ground mounted detached sign. MUDD normally allows a five-foot tall and 20 square feet of sign face area.
- **Existing Zoning and Land Use**
  - The subject site is zoned MUDD (mixed use development) and developed with an existing commercial warehouse building, and a portion of the site is vacant.
  - The property to the north is zoned UR-2 (urban residential) and developed with residential townhomes.
  - The property to the east and south is zoned MUDD (mixed use development) and developed with commercial/office and warehouse buildings.
  - The property to the west is zoned MUDD (mixed use development) and developed with an institutional use (Charlotte Rescue Mission).
  - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
  - There has been no rezoning in the immediate area in the past four years.
- **Public Plans and Policies**
  - The *West Morehead Corridor Vision and Concept Plan* (2001) recommends institutional uses and park/open space.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located at the unsignalized intersection of a major collector and a local street. The site plan commits to streetscape and access driveways that will preserve and enhance the walkability of this site.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: Too many uses to determine trip generation.
    - Proposed Zoning: 1,390 trips per day (based on 8,696 square feet of EDEE uses).

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

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No on street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing six-inch water distribution mains located along West First Street and South Cedar Street and sewer system availability via existing eight-inch gravity sewer mains located along West 1<sup>st</sup> Street and South Cedar Street.
- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be removed from or planted in the right of way of all City of Charlotte maintained streets. Contact Laurie Reid (704-336-5753) at the City Arborist’s office to discuss trees species to be planted in the right of way on a City of Charlotte maintained street; species must be approved before planting.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**OUTSTANDING ISSUES**Site and Building Design

1. ~~Modify optional request "C" to read, "the existing building will be allowed to remain at 4.7 foot setback along a portion of West First Street."~~ **Addressed**
  2. ~~Label and list the square footage of the existing building.~~ **Addressed.**
  3. ~~Add a note and limit building height to the height of the existing building.~~ **Addressed.**
  4. ~~Modify note 5 "c" and adjust height for proposed wall to 48 inches.~~ **Addressed.**
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Solomon Fortune (704) 336-8326