

<b>REQUEST</b>	Current Zoning: R-5 (single family residential) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 0.16 acres located at the intersection of Harrill Street and Belmont Avenue. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to reuse existing buildings in the Belmont neighborhood, to allow an eating/drinking/entertainment establishment and residential use.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	813 Belmont, LLC 813 Belmont, LLC Sigalit Sollitto
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 27.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site and building design.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>Belmont Area Revitalization Plan</i>, which recommends single family residential uses at a density of five units per acre.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• Site is located at a neighborhood node in the Belmont Neighborhood, and will provide an eating/drinking/entertainment establishment that is convenient to residents.</li> <li>• The rezoning proposes reuse of an existing commercial structure.</li> <li>• Fenestration improvements will be provided to the existing commercial structure, and the pedestrian system will be enhanced.</li> <li>• Site layout is designed to match the historic neighborhood character, with parking located to the rear of the building</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Retains the principal existing 1,550-square foot building, with the exception of a 275-square foot addition at the rear, which will be removed, to allow eating/ drinking/entertainment establishments (Type 1). It will eventually remove the existing single family detached dwelling unit to allow a parking lot expansion in the future.
  - No parking will be located between the principal building and the public streets.
  - Vehicular site access via Harrill Street and a bicycle access on Belmont Avenue. Driveway entrance on Harrill Street will be closed and replaced with access from the existing 10-foot alley located at the rear of the property at such time as the existing residential building is removed and replaced with a parking lot.
  - A minimum six-foot tall wooden fence will be provided along the east property boundary abutting single family dwelling in R-5 (single family residential) zoning.
  - Additional fenestration including windows will be provided to the principal structure along the Harrill Street frontage.
  - An eight-foot planting strip and six-foot sidewalk will be provided along the Harrill Street frontage at such time as the existing single family structure is removed.
  - Optional Provisions:
    - Allows the existing stairs located along Harrill Street to remain in association with a secondary access to and from the existing principal structure. Stairs will be removed should the secondary building access be removed.
    - Allows the existing streetscape condition consisting of a 14-foot wide sidewalk along

- Belmont Avenue to remain, and be modified to extend the 14-foot wide sidewalk to the eastern property line, as opposed to an eight-foot planting strip and six-foot sidewalk.
- Allows the existing streetscape condition along Harrill Street to remain, with the planting strip varying from three feet to eight feet, and the sidewalk width varying from six feet to nine feet in width, as opposed to an eight-foot planting strip and six-foot sidewalk.
  - Allows future removal of the existing single family detached dwelling to allow for a parking lot expansion. At such time as the building is removed, the existing driveway entrance on Harrill Street will be closed, and the streetscape on Harrill Street extending from the former driveway to the 10-foot alley will be provided to reflect an eight-foot planting strip and six-foot sidewalk.
- **Existing Zoning and Land Use**
    - The subject property is currently developed with a nonconforming retail use and a single family detached dwelling in R-5 (single family residential) zoning.
    - Surrounding properties located on the west side of Belmont Avenue are zoned R-5 (single family residential), B-1 (neighborhood business), MUDD-O (mixed use development, optional), MUDD(CD) (mixed use development, conditional), I-1(CD) (light industrial, conditional), and I-2 (general industrial) and are developed with single family detached, duplex, and triplex dwelling units, a vacant automotive service station, and a vacant warehouse.
    - Properties on the east side of Belmont Avenue are zoned R-5 (single family residential), UR-3(CD) urban residential, conditional), R-22MF (multi-family residential), UR-2 (urban residential), UR-2(CD) (urban residential, conditional), and B-1 (neighborhood business), and developed with single family detached, duplex, and triplex dwelling units, and various retail uses.
    - See "Rezoning Map" for existing zoning in the area.
  - **Rezoning History in Area**
    - Petition 2017-48 rezoned approximately 0.357 acres located at the northeast intersection of Belmont Avenue and Pegram Street, east of Allen Street from R-5 (single family residential) to MUDD-O (mixed use development, optional) to allow for an eating/drinking/entertainment establishment and other select retail and office uses.
  - **Public Plans and Policies**
    - The *Belmont Area Revitalization Plan* (2003) recommends single family uses up to five units per acre.
    - The adopted streetscape for Belmont Avenue is a five-foot planting strip and five-foot sidewalk with a travel lane in each direction.
  - **TRANSPORTATION CONSIDERATIONS**
    - The site is located at the unsignalized intersection of local streets. The site plan commits to improving a sidewalk gap on Belmont Avenue and future streetscape improvements on Harrill Street with future development.
    - See Outstanding Issues, Note 1.
    - **Vehicle Trip Generation:**
      - Current Zoning:
        - Existing Use: 480 trips per day (based on 1,630 square feet of retail uses, and one single family detached dwelling).
        - Entitlement: 10 trips per day (based on one single family detached dwelling).
      - Proposed Zoning: 210 trips per day (based on 1,550 square feet of retail uses, and one single family detached dwelling).

**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:** Non on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Water:** Charlotte Water has water system availability via an existing six-inch water distribution main located along Harrill Street and an existing eight-inch distribution main along Belmont Avenue. Sewer system availability is provided via existing eight-inch gravity sewer mains located along Harrill Street and Belmont Avenue
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from or planted in the right-of-way of Belmont Avenue or

Harrill Street without permission of the City Arborist's office. Petitioner must submit a tree survey for all trees two inches or larger located in the right-of-way, and the survey shall include all trees eight inches or larger in the setback.

- **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**

##### Transportation

1. Revise Note A under "Transportation Improvements and Access" to state vehicular access to the site will be from Harrill Street only, and that Belmont Avenue will no longer have vehicle access to the site.

##### Site and Building Design

2. Indicate how future parking lot will be screened along the 10-foot alley located at the rear.
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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:** Sonja Strayhorn Sanders (704) 336-8327