

<b>REQUEST</b>	Current Zoning: I-1 (light industrial) Proposed Zoning: TOD-MO (transit oriented development - mixed-use, optional)
<b>LOCATION</b>	Approximately 1.146 acres located on the southeast corner at the intersection of North Davidson Street and East 24 <sup>th</sup> Street. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to reuse two buildings located in the North Charlotte area to allow all uses permitted in the TOD-M (transit oriented development – mixed-use) district.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Elite Hosiery Mill Inc. Lat Purser & Associates, Inc. Mark Miller
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1.

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, land use, site design and layout.</p> <p><u>Plan Consistency</u> The petition is consistent with the land use recommendations in the <i>Blue Line Extension Transit Station Area Plans</i>, but does not meet the adopted streetscape within the plan.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The site is currently located outside of the one-half mile walk distance to the 25<sup>th</sup> Street Transit Station on the LYNX Blue Line Extension. However, this site will be located within a one-half mile walk of the station once the 25<sup>th</sup> Street Neighborhood Improvement Project has been constructed.</li> <li>• The proposed nonresidential uses are appropriate in a transit station area and compatible with other uses along the North Davidson Street corridor.</li> <li>• Development proposes to retain and improve existing buildings, which will not exceed the 50-foot maximum height as recommended in the adopted area plan, and the scale and massing of these buildings is compatible with and sensitive to the existing abutting neighborhood to the rear.</li> <li>• A rear yard and additional wooded area will also provide a transition to the neighborhood adjacent to the site.</li> <li>• Though technically inconsistent with the recommended streetscape in the area plan, the proposed streetscape improvements along North Davidson Street will begin to provide better pedestrian connectivity from North Davidson Street to Cordelia Park and the future Cross Charlotte Trail located directly across East 24<sup>th</sup> Street.</li> <li>• In addition, the proposed streetscape will lead to an improved and more active building façade along North Davidson Street, adding to the activity and vibrancy along this Main Street corridor.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Permitted uses include all uses allowed in the TOD (transit oriented development) district. Uses allowed in the TOD-M district include office, retail, eating/drinking/entertainment establishments and civic uses.
  - The two existing four-sided brick buildings will be retained and painted. New doors and

windows will be cut into the existing street elevation along North Davidson Street for both buildings, and new canopies will be added over the new entry locations. New patios with railings will be added to the front of the buildings.

- New EIFS or brick parapets that are two to three feet in height will be added to the existing one-story (approximately 15 feet tall) buildings.
  - Site access will be via North Davidson Street.
  - On-site parking spaces will be located behind the existing buildings, and recessed on-street parking spaces will be provided along North Davidson Street and East 24<sup>th</sup> Street.
  - An eight-foot sidewalk and eight-foot landscape strip will be provided along the frontage on North Davidson Street. A six and a half-foot sidewalk will be provided along the site's frontage on East 24<sup>th</sup> Street.
  - The existing retaining wall on East 24<sup>th</sup> Street will remain.
  - Optional provisions requested include the following:
    - The minimum parking for eating/drinking/entertainment establishments shall be one parking space per 250 square feet instead of the required one space per 150 square feet.
  - **Existing Zoning and Land Use**
    - The subject property is currently developed with two warehouse uses and is surrounded primarily by a park to the west and single family detached dwellings to the south in R-5 (single family residential) zoning. Properties to the east include a single room occupancy (SRO) use directly abutting the site, and warehouse and office uses in O-2 (office), I-1 (light industrial), TOD-MO (transit oriented development – mixed-use, optional) and MUDD (mixed use development) zoning districts.
    - Properties located across North Davidson Street contain warehouse/industrial uses and a few scattered nonconforming single family detached dwellings in I-2 (general industrial) and TOD-M(CD) (transit oriented development – mixed-use, conditional) zoning districts.
    - See “Rezoning Map” for existing zoning in the area.
  - **Rezoning History in Area**
    - Petition 2015-01 rezoned 3.63 acres located on the east side of North Davidson Street bounded by East 26<sup>th</sup> Street, East 27<sup>th</sup> Street, and Yadkin Avenue from MUDD-O (mixed use development, optional) to TOD-M(O) (transit oriented development – mixed-use, optional) to allow residential and non-residential uses as permitted by-right and under prescribed conditions in the TOD-M (transit oriented development – mixed-use) district.
  - **Public Plans and Policies**
    - The *Blue Line Extension Transit Station Area Plans* (2013) recommend transit oriented development for the site. The policies promote a mix of transit supportive land uses (residential, office, retail, civic/institutional, park and open space) within the Transit Station Area through new development and redevelopment.
    - Policy L-1 in the area plan, pertaining to the 25<sup>th</sup> Street Transit Station Area, recommends that the scale, massing, and height of new development/redevelopment is sensitive to existing neighborhood development.
    - A maximum height of 50 feet is recommended on the plan's “Structure Map,” which identifies appropriate height for buildings.
    - The plan classifies North Davidson Street as a Main Street, with an eight-foot sidewalk, eight-foot planting strip or raised planter, eight feet of on-street parking, and 13-foot travel lanes in each direction (shared lane for bikes). Setbacks are recommended to be 16 feet for non-residential uses and 20 feet for residential uses. The plan also recommends that curbs on North Davidson Street be recessed to accommodate on-street parking.
  - **TRANSPORTATION CONSIDERATIONS**
    - This site is located at the signalized intersection of a minor thoroughfare and a local street. The current site plan incorporates an acceptable variation of the area plan cross section that maintains the existing bike lane, adds parallel parking, and creates a sidewalk across the site's North Davidson frontage. The site plan also commits to new sidewalk and parking along the 24<sup>th</sup> Street frontage.
    - See Outstanding Issues, Notes 1 through 3.
    - **Vehicle Trip Generation:**
      - Current Zoning:
        - Existing Use: 70 trips per day (based on 18,520 square feet of warehouse uses).
        - Entitlement: 70 trips per day (based on 18,520 square feet of warehouse uses).
        - Proposed Zoning: 2,080 trips per day (based on 16,200 square feet of retail uses).
- DEPARTMENT COMMENTS** (see full department reports online)
- **Charlotte Area Transit System:** No issues.

- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water distribution main located along North Davidson Street. Sewer system is available via an existing eight-inch gravity sewer main located along North Davidson Street.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

### OUTSTANDING ISSUES

#### Transportation

1. The petitioner should revise the site plan to add a 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 issued. CDOT requests that right-of-way be set at two feet behind the back of sidewalk (except where buildings abut back of sidewalk).
2. The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued or phased per the site's development plan.
3. CDOT discourages gated access to parking as shown between buildings on current site plan and requests removal. If gate remains, adequate turn around design will be required during permitting. Vehicle backing out of drive onto North Davidson is not an acceptable condition.

#### Land Use

4. Amend Note under heading of "Permitted Uses" to limit permitted uses to those allowed in the TOD-M (transit oriented development - mixed-use) district, and to eliminate residential dwellings as a permitted use.
5. Add a note that an expansion of the existing building that exceeds five percent for each building will trigger another rezoning.

#### Site and Building Design

6. Add an optional request to allow the sidewalk to be against the street, with the eight-foot planting strip located behind instead of in reverse order.

### REQUESTED TECHNICAL REVISIONS

#### Site and Building Design

7. Label solid waste and recycling area.
8. Address the discrepancy between Note D under "Transportation," which specifies that a seven-foot sidewalk will be provided along East 24<sup>th</sup> Street and site plan that reflects a six and a half-foot sidewalk.

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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 Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review