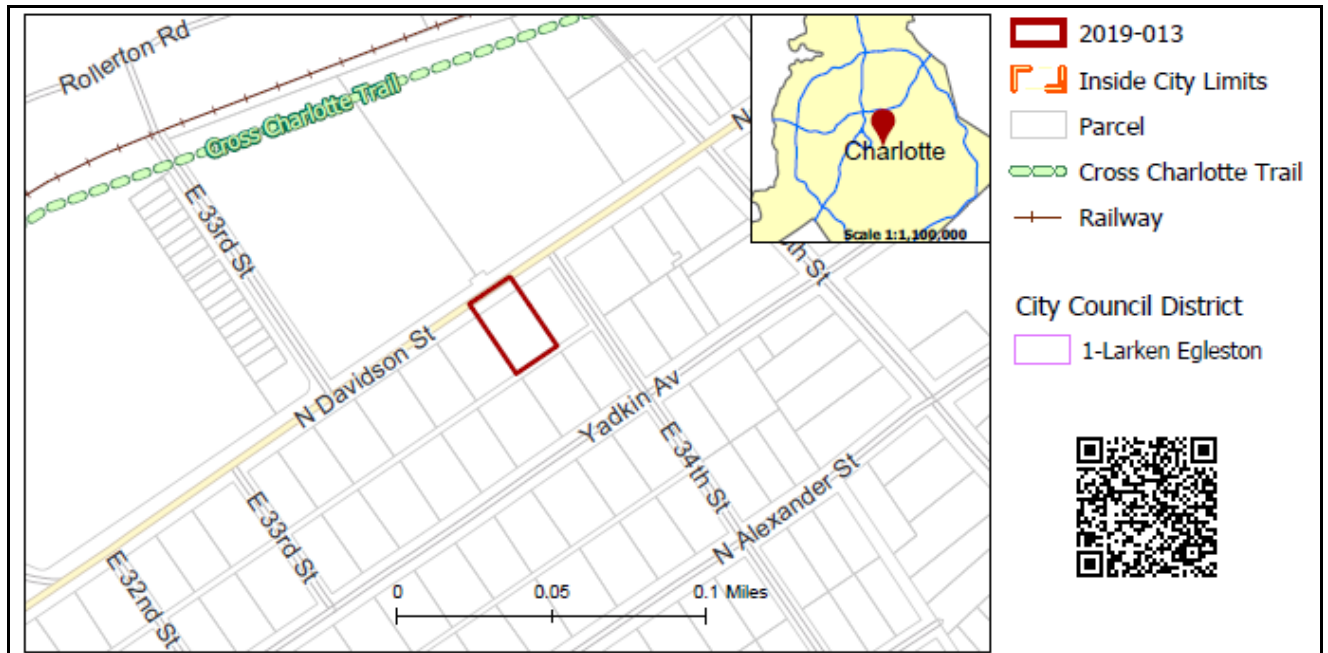


REQUEST

Current Zoning: R-5 (single family residential)
Proposed Zoning: TOD-MO (transit oriented development, mixed use, optional)

LOCATION

Approximately 0.22 acres located on the southeast side of N. Davidson Street, between E. 33rd Street and E. 34th Street (Council District 1 - Egleston)



SUMMARY OF PETITION

The petition proposes redevelopment of the site using existing and proposed structural additions to allow an eating/drinking/entertainment establishment, in addition to uses permitted in the TOD-M (transit oriented development, mixed use) district.

PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE

Phylliss H. Leonard
Andrew Klenk
Paul Pennell

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 4.

STAFF
RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with *Blue Line Extension Transit Station Area Plan*, which recommends transit oriented uses.

Rationale for Recommendation

- The site is located approximately ½ mile from the 36th Street transit station and is included in a larger area envisioned to be developed with transit supportive uses.
- The proposed rezoning allows the adaptive reuse of an existing building, with building additions located to the rear of the structure.

- The proposed streetscape maximizes the limited space and improves the pedestrian environment with a wider sidewalk on North Davidson Street.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

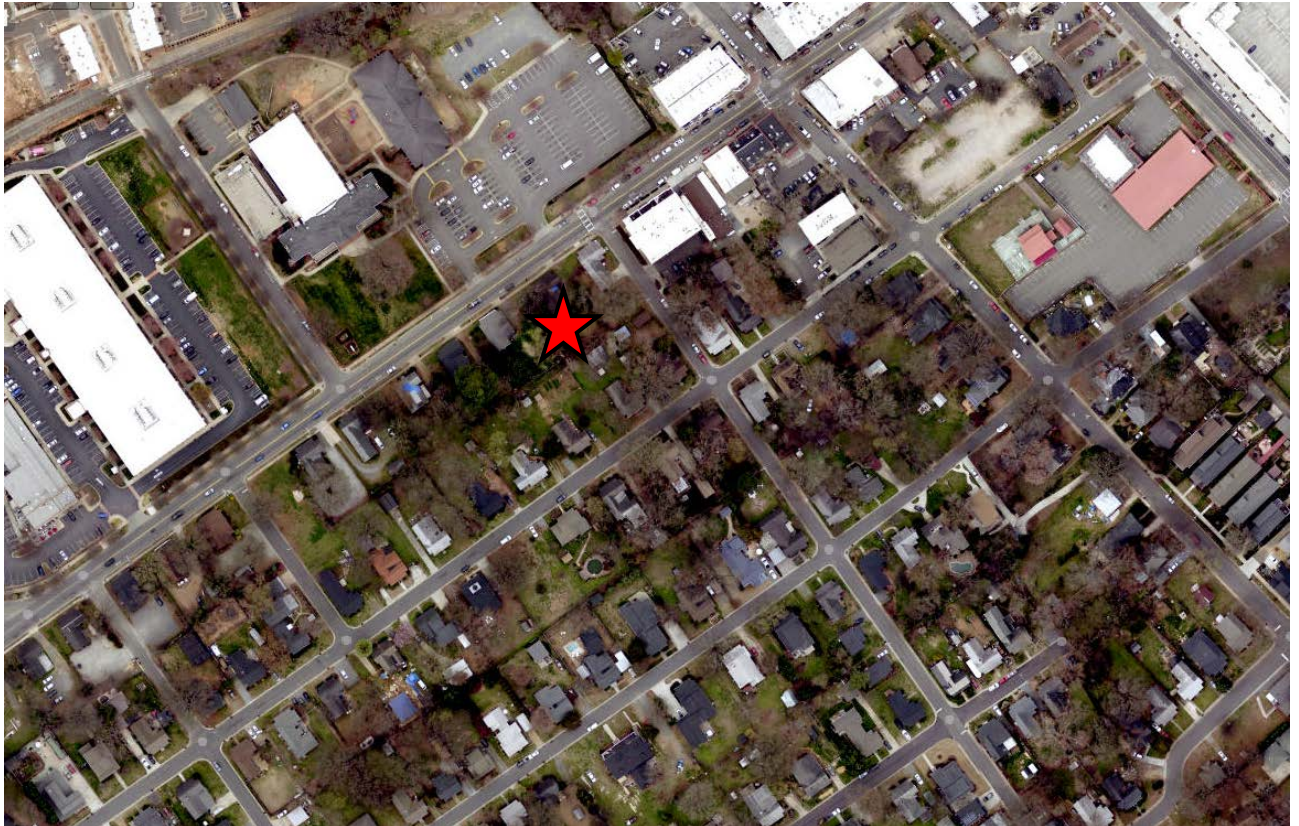
- Reuse of a portion of the existing structure on the site, with structural additions to accommodate an eating/drinking/entertainment establishment (EDEE) and uses permitted in the TOD-M (transit oriented district). The existing building façade fronting N. Davidson Street will be retained. Building additions attached to the existing building will be limited to two stories in height.
- The proposed detached structure is limited to 2.5 stories in height, and the exterior wall façade directly adjacent to existing single family uses will limit glass to 10% of the façade area.
- Sidewalk to be provided from the existing back of curb to the porch on the existing building along the site’s frontage on North Davidson Street. Sidewalk width will vary.
- A 40-foot wide Class “A” buffer will be provided along the rear of the side, which may be reduced by 25% with a fence.
- The building envelope of the detached structure shall follow the general size as depicted on the site plan and shall be limited to a maximum of 22 feet in height, not to exceed height of the existing home on site. The exterior wall facade directly adjacent existing single-family uses shall limit glass windows to 10% of the façade area. Additional penetrations adjacent to single-family uses shall be limited to only those required to satisfy building and fire safety code. Remaining exterior facades associated with the detached structure shall be a combination of solid walls, opaque and transparent glass windows, open air penetrations including but not limited to roll-up doors, windows and additional architectural penetrations and features.
- Optional requests include:
 - Allow 3 on-street parking spaces and 3 on-site vehicular pads to satisfy the required 24 parking spaces required with the proposed EDEE use. The optional provision applies to the EDEE use only.

• **Existing Zoning and Land Use**



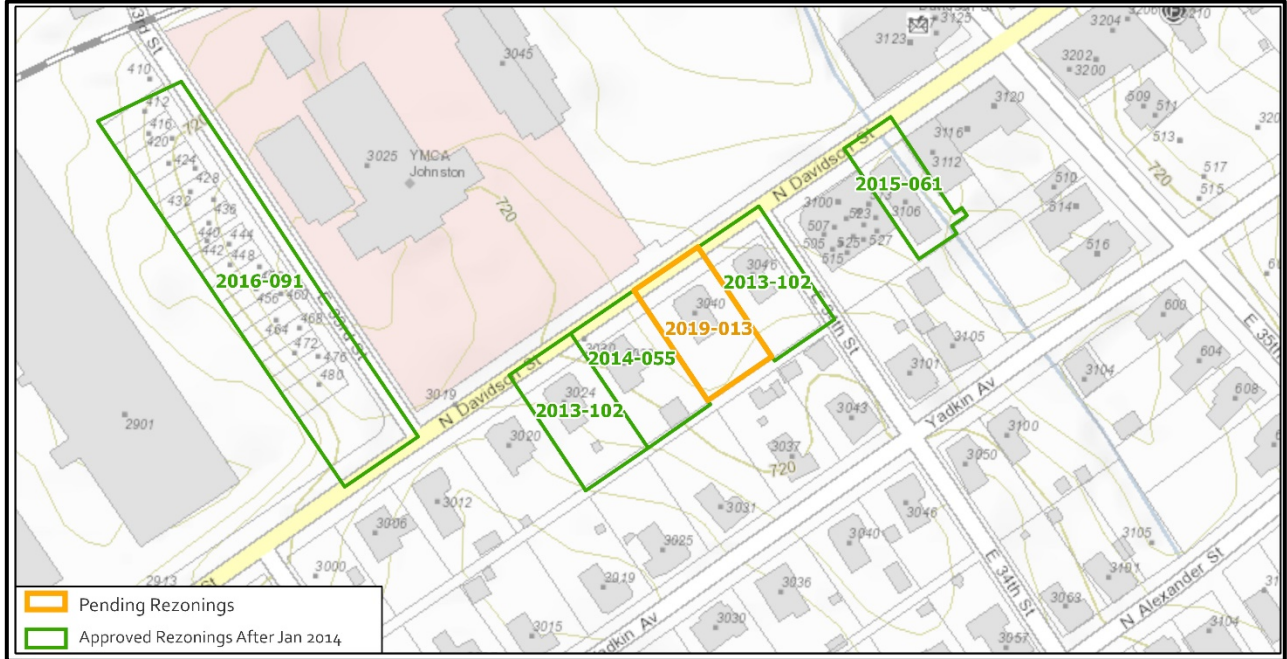


- The subject property is developed with a single family detached dwelling.



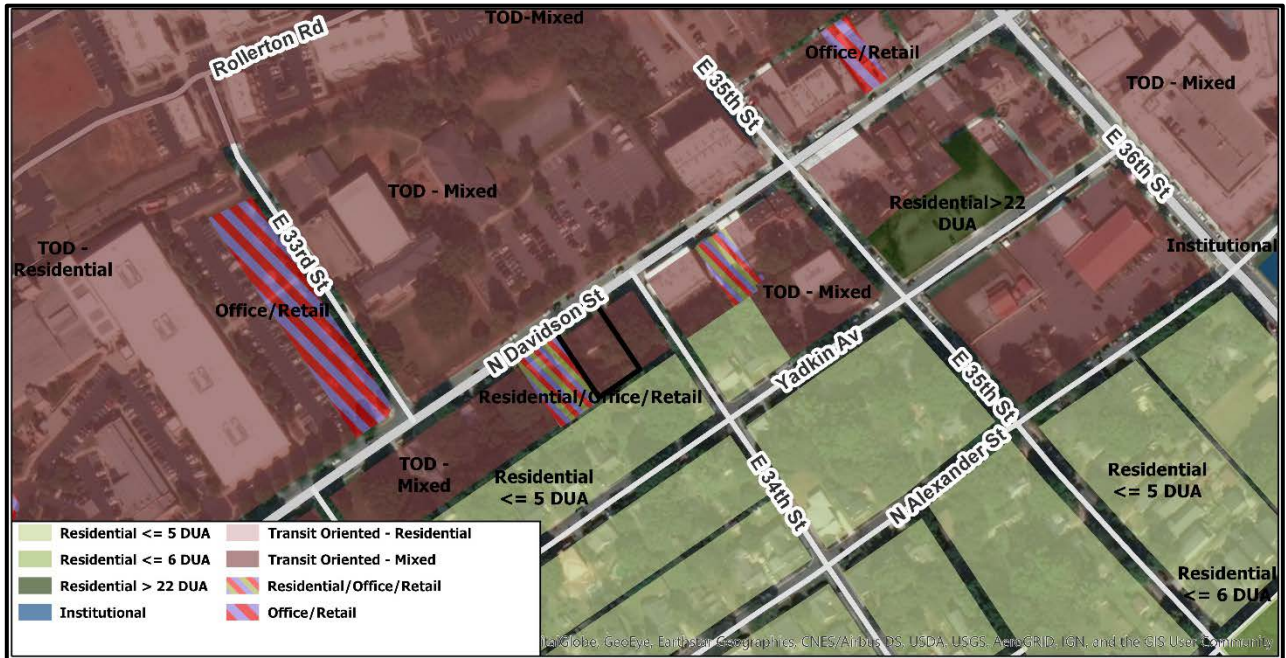
- Surrounding properties contain a mix of single family and multi-family, retail, office, personal services, and industrial activities.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2016-091	MUDD-O SPA (mixed use development – optional, site plan amendment) for 1.4 acres to construct up to 35 single family attached units	Approved
2015-061	Rezoned approximately 0.155 acres to MUDD-O to allow all nonresidential uses permitted in the district.	Approved
2014-055	Rezoned approximately 0.23 acres to MUDD-O to allow an eating drinking and entertainment establishment with outdoor seating.	Approved
2013-102	<p>Rezoned Area A - Approximately 0.18 acres located on the south side of North Davidson Street at the southeast corner of the intersection of 34th Street and North Davidson Street to MUDD-O SPA to allow all uses permitted in the MUDD district.</p> <p>Area B - Approximately 0.22 acres located on the south side of North Davidson Street between East 33rd Street and East 35th Street to allow all uses permitted in the TOD-M (transit oriented development - mixed-use) district, except automotive service stations, adult establishments, car washes, restaurants with drive-through windows, bars and nightclubs.</p>	Approved

• **Public Plans and Policies**



- The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit oriented development for the subject property. The plan recommends a maximum building height of 50 feet.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located along a minor thoroughfare. The site commits to expanding the existing sidewalk for better walkability for pedestrians.
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 10 trips per day (based on one single family dwelling).
 Entitlement: 10 trips per day (based on one single family dwelling).
 Proposed Zoning: Too many uses to determine (based on 0.22 acres of TOD-M uses).

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:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along North Davidson Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along North Davidson Street.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUESSite and Building Design

- ~~1. Add note specifying that the proposed detached structure single story with a pitched roof. Staff does not support a 2.5-story structure on the site and the size of structure that would be allowed therein.~~ Addressed
-

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Sonja Sanders (704) 336-8327