



Rezoning Petition 2017-067  
Zoning Committee Recommendation

June 29, 2017

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<b>REQUEST</b>	Current Zoning: UR-1 (urban residential) Proposed Zoning: MUDD-O (mixed use development, optional)
<b>LOCATION</b>	Approximately 0.17 acres located on the south side of Margaret Brown Street between South Sycamore Street and South Irvin Avenue. (Council District 2 - Austin)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the reuse of existing 1,326 square foot single family structure and 500 square foot accessory building in the Third Ward Neighborhood for residential and meeting space uses.
<b>PROPERTY OWNER</b> <b>PETITIONER</b> <b>AGENT/REPRESENTATIVE</b>	The Committee to Restore and Preserve Third Ward Inc. The Committee to Restore and Preserve Third Ward Inc. Chris Ogunrinde
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 5-0 to <b>DEFER</b> this petition until their August 1, 2017.
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<b>VOTE</b>	Motion/Second: Watkins / Fryday Yea: Fryday, Lathrop, McClung, Spencer, & Watkins Nay: None Absent: Majeed and Wiggins Recused: None
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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows an existing 1,326 square foot single family structure and 500 square foot accessory building to be used as a residence or neighborhood meeting space uses.
- Maintains the existing structures on the site.
- Existing structure provides a 30-foot setback measure from the back of the existing curb line.
- Building heights will be limited to 40 feet.
- Signage will not be allowed for the site.
- Requests the following optional provisions to facilitate the reuse of the building and property:
  - Allow the existing two-foot planting strip and three-foot sidewalk to remain along the site's frontage (Note: An eight-foot planting strip and a six-foot sidewalk are normally required).
  - Allow relief from the 10-foot building separation required for the rear yard adjacent to existing residential uses (Note: A ten-foot building separation is required adjacent to residential uses). The proposed structure is three from the side and rear yard.

• **Public Plans and Policies**

- The *Charlotte Center City 2020 Vision Plan* encourages future development to preserve and enhance the existing Center City neighborhoods.

• **TRANSPORTATION CONSIDERATIONS**

- The site is located on a local street. To accommodate pedestrian trips, CDOT continues to request pedestrian improvements along the site frontages on Margaret Brown Street and to the next adjacent parcel.
- See Outstanding Issues, Notes 2 through 4.
- **Vehicle Trip Generation:**

- Current Zoning:
  - Existing Use: 10 trips per day (based on one single family dwelling unit).
  - Entitlement: Allows for a wide variety of uses.
- Proposed Zoning: 50 trips per day (based on 1,526 square feet of office 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 on-street parking along roads that are less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water main located along Margaret Brown Street and sewer system availability via an existing eight-inch gravity sewer main located along Margaret Brown Street.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed from or planted in the right-of-way of Margaret Brown Street without permission of the City Arborist's office. The petitioner also must submit a tree survey for all trees two inches or larger located in the rights of way. In addition, 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.

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**OUTSTANDING ISSUES**Site and Building Design

1. Remove the meeting space use and modify the proposed use to include "Conference Center, including facilities for corporate meetings, training, retreats or other meetings."

Transportation

2. The petitioner should revise the site plan to show existing curb to be replaced with two and a half-foot curb and gutter, eight-foot planting strip and six-foot sidewalk from Parcel 07321513 to intersection of Margaret Brown Street and South Irwin Avenue
3. 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 right of way set at two feet behind the back of sidewalk.
4. 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.

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - 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