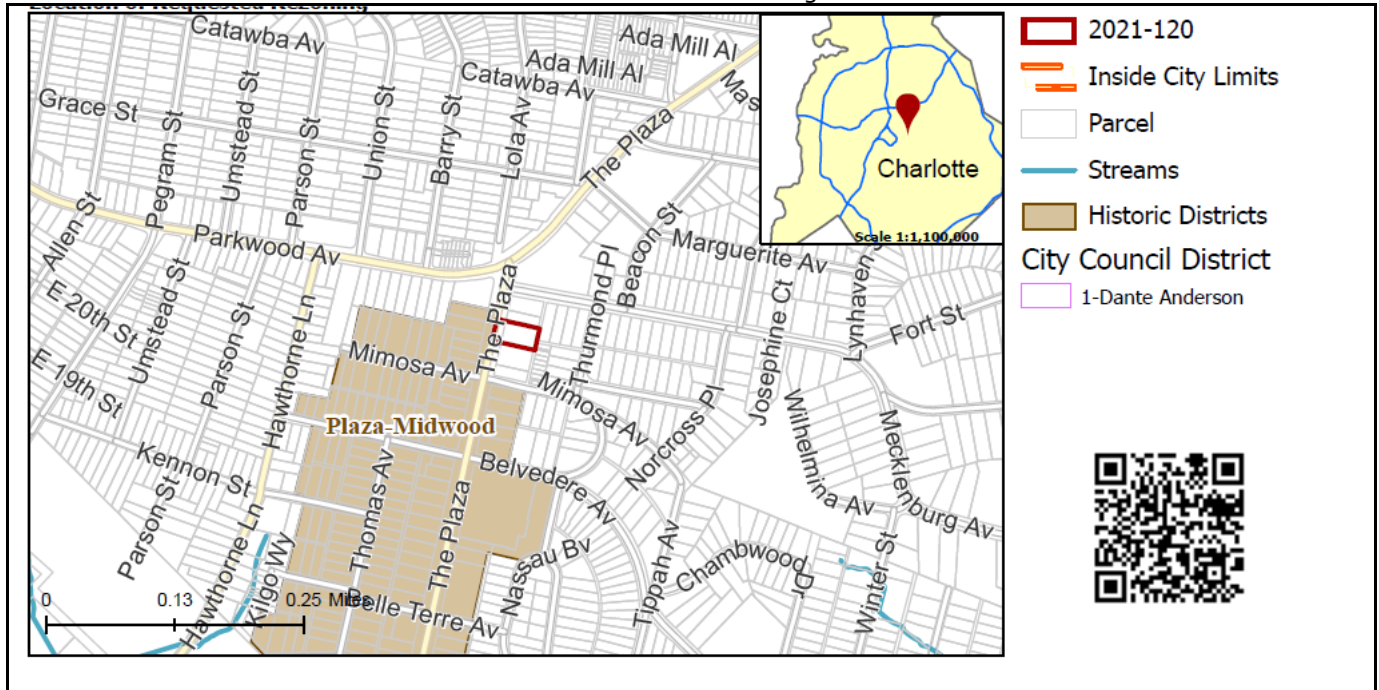


REQUEST

Current Zoning: O-2 (office) and B-1 (neighborhood business)
 Proposed Zoning: NS (neighborhood services)

LOCATION

Approximately 0.45 acres located on the east side of The Plaza, north of Mimosa and south of Mecklenburg Avenue.



SUMMARY OF PETITION

The petition proposes to allow all uses in the NS district in an existing building, subject to prohibited uses. The site is located just outside the Plaza-Midwood Historic District.

PROPERTY OWNER

Voula Frangakis

PETITIONER

Maria Mergianos

AGENT/REPRESENTATIVE

Brooks Whiteside-Whiteside Properties

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
 Number of people attending the Community Meeting: 5

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment, and site and building design.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for the Neighborhood 2 Place Type.

Rationale for Recommendation

- The site is compatible with nearby residential and commercial uses.
- The petition is proposing reuse of an existing structure, which will ensure compatibility with the surrounding character.
- The petition limits building height to 40 feet.
- The petition commits to a 10-foot multi-use path and eight-foot planting strip along The Plaza.
- The petition commits to remarking current bike lane pavement markings to a dedicated right turn lane, a bike ramp near south

property line to transition bicyclists from separated bike lanes to multi-use path and extending the 10-foot multi-path to the south.

- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 9: Retain Our Identity & Charm

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 2 to Neighborhood Center for the site.

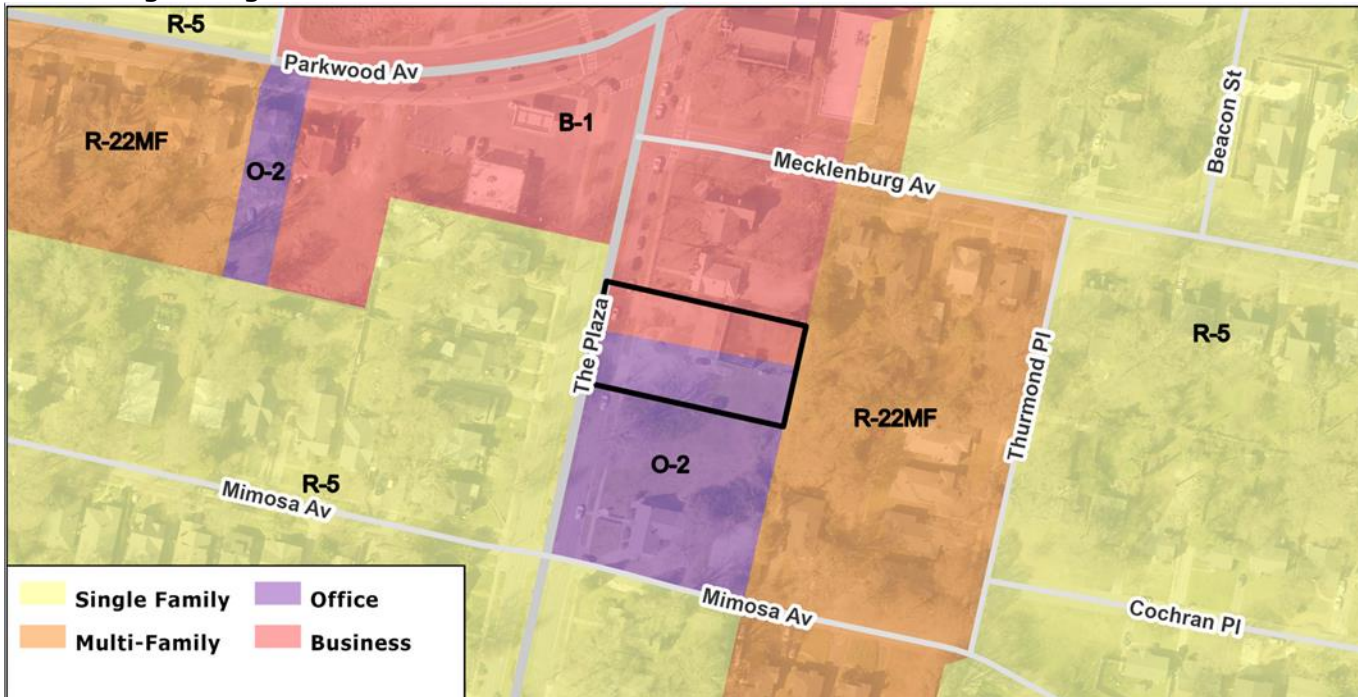
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

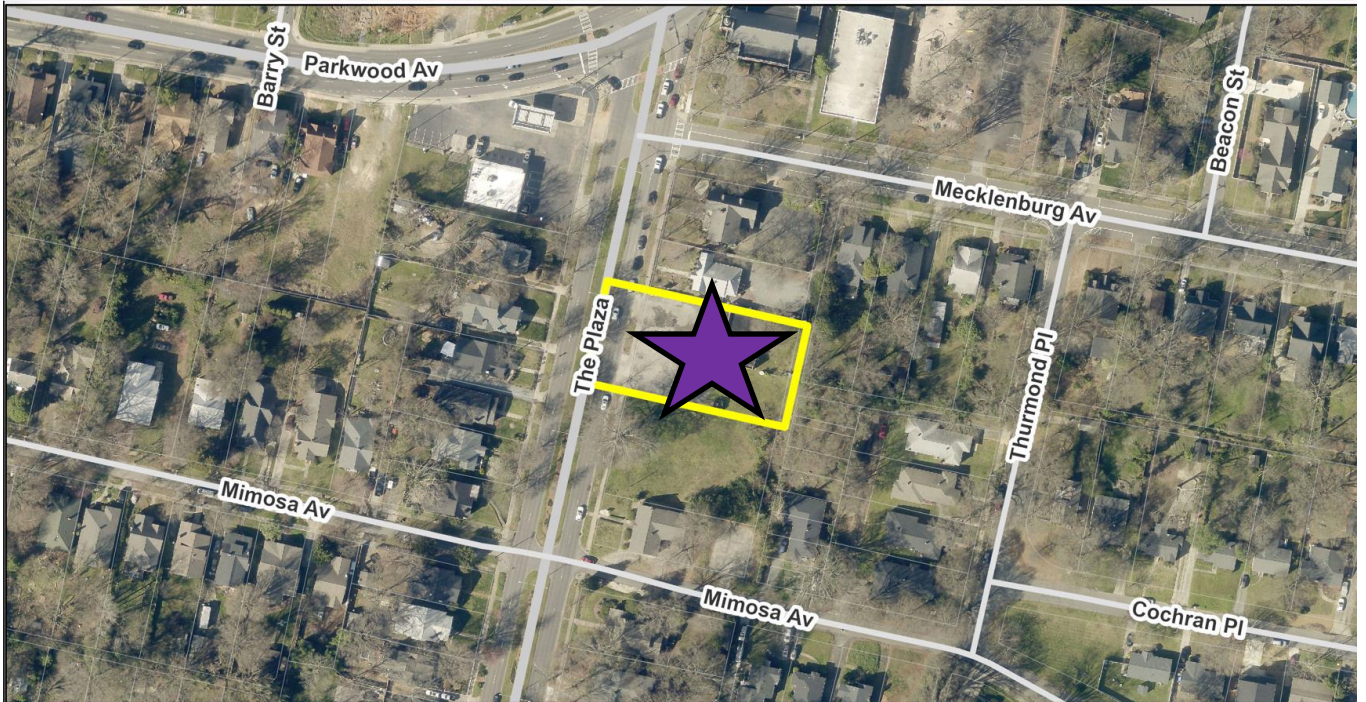
- Allow all uses in the NS by right and under prescribed conditions in an existing 2,280 square foot building with associated parking area.
- Limits building height to 40 feet.
- Prohibit fuel sales, drive thru uses and arcades.
- Proposes vehicular access via one of current driveways; closes northern driveway.
- Commits to 10-foot multi-use path and eight-foot planting strip along The Plaza.
- Commits to remarking current bike lane pavement markings to a dedicated right turn lane, a bike ramp near south property line to transition bicyclists from separated bike lanes to multi-use path and extending the 10-foot multi-path to southern property.
- Commits to striping and dedicated right turn arrow per CDOT pavement marking standards.
- Commits to dedicating 50 feet of right-of-way if it does not currently exist.

• **Existing Zoning**



- The rezoning site is developed with a convenience store built in 1972 and is surrounded primarily residential neighborhoods with office and retail uses in various zoning districts.

Existing Zoning	Translated Zoning	Recommended Place Type
O-2	OFC	N2 (neighborhood 2)
B-1	CG	N2 (neighborhood 2)



The site (denoted by purple star) is developed with a convenience store and surrounded by primarily residential development with some office and retail uses.



The site is developed with a retail building with parking/paved area.



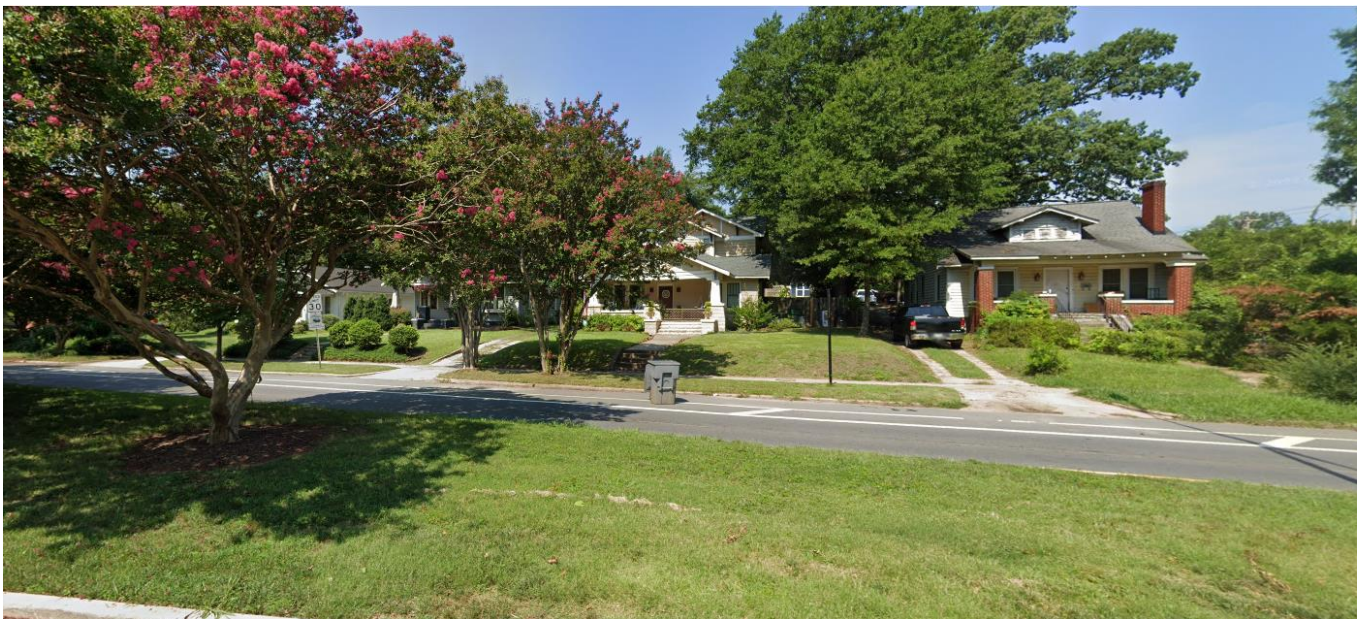
North, along The Plaza, are residential and retail uses.



East are residential uses.



South, along The Plaza, are residential homes and townhomes under construction.



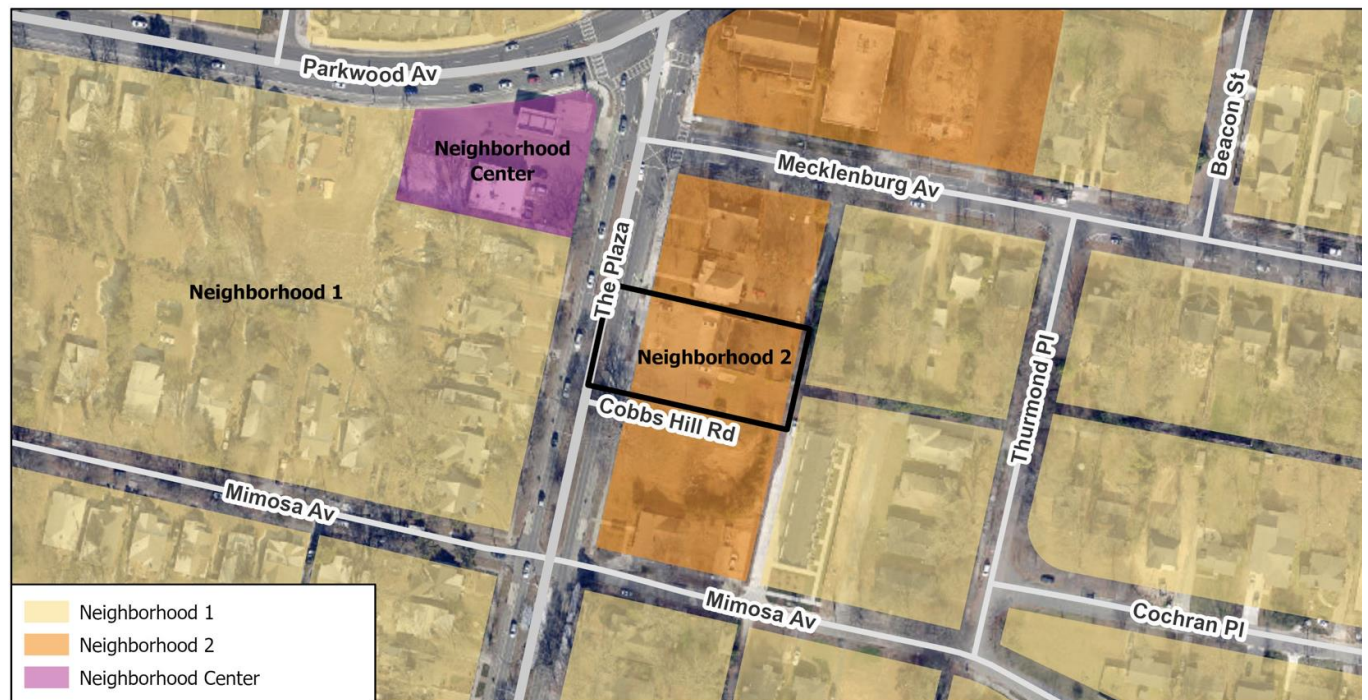
West, across The Plaza, are single family homes.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2022-107	Rezone 1 acre to UR-2(CD) to allow 3 single family attached residential units or triplex and 22 multi-family residential units in a single building.	Pending

Public Plans and Policies



- The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type for this site.

• **TRANSPORTATION SUMMARY**

- The petition is located on the east side of The Plaza, a City-maintained minor throughfare north of Mimosa Avenue, a City-maintained local street south of Mecklenburg Avenue, a City-maintained minor collector. A Traffic Impact Study (TIS) is not needed for this site. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to committing to updating conditional notes. The site is committing to consolidating to one access point into the site and committing to relocating existing bike ramp to southern portion of the site and streetscape. Further details are listed below:
 - **Active Projects:**
 - N/A
 - **Transportation Considerations**
 - See Outstanding Issues, Note 1.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 1,740 trips per day (based on 2,280 sq ft convenience store).
 - Entitlement: 385 trips per day (based on 3,345 sq ft office; 2,230 sq ft retail).
 - Proposed Zoning: 330 trips per day (based on 2,280 sq ft retail).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** 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 8-inch water distribution main located along The Plaza. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along The Plaza. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 2.

OUTSTANDING ISSUES

Transportation

1. Remove "if needed" and "is needed" at the end of conditional notes shown below:

Transportation:

- Vehicular access to Site shall be via one of the current driveways as shown on the site plan
- Close northern driveway
- All improvements will be approved and constructed before the site's first building CO is issued **if needed**
- commit to remarking current bike lane pavement markings to a dedicated right turn lane, a bike ramp near south property line per CLDSM 10.43 to transition bicyclists from separated bike lanes to multi-use path and extending the 10-foot multi-use path to the southern property.
- Commit to striping and dedicated right turn arrow per CDOT pavement marking standards
- commit to dedicating 50-feet of right-of-way if it does not currently exist.
- fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued **is needed**

Environment

2. All applications for grading, building, demolition, land use, change of use or rezoning permits on all property, except single-family development shall require a tree survey. The survey shall identify all trees of eight-inch dbh or greater and all planted trees of two-inch caliper or greater and six feet in height that grow partially or wholly within the city right-of-way.

Site and Building Design

3. Commit to providing a minimum 10-foot Class C buffer along property lines abutting residential zoning and/or use.
-

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Claire Lyte-Graham (704) 336-3782