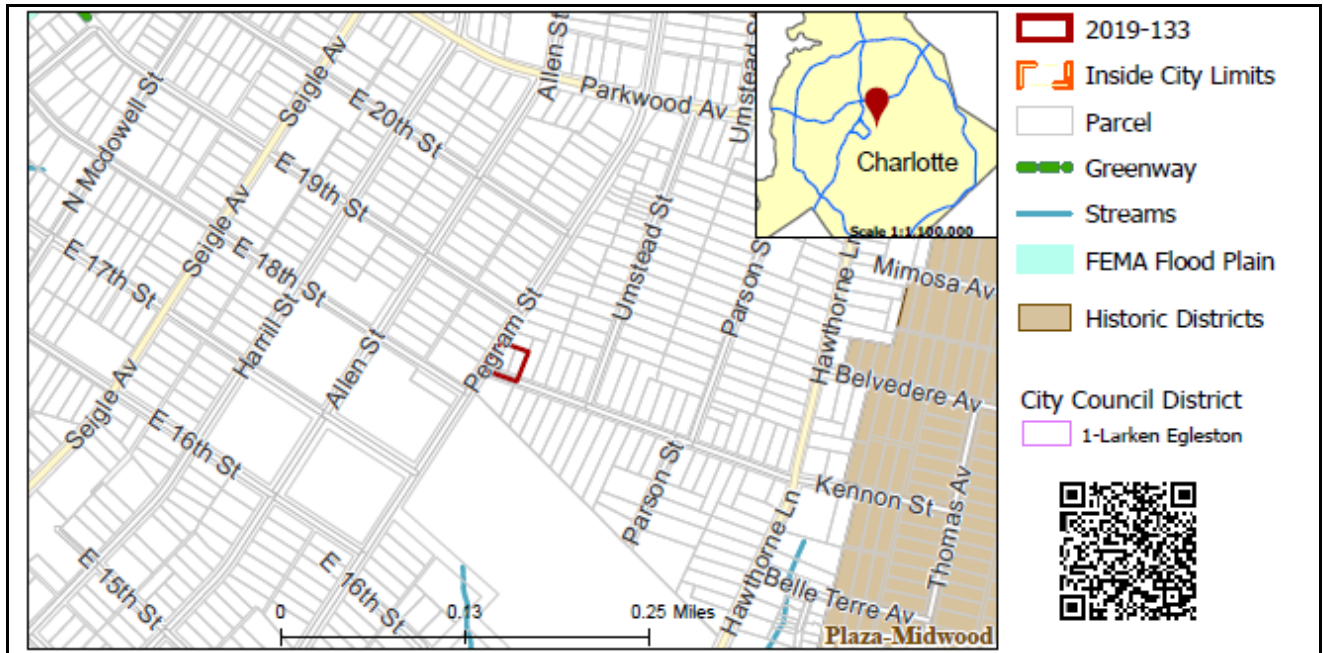


**REQUEST**

Current Zoning: R-5 (single family residential)  
Proposed Zoning: MUDD-O (mixed use development, optional)

**LOCATION**

Approximately .20 acres located at the NE corner of the intersection of Kennon Street and Pegram Street in the Belmont community.



**SUMMARY OF PETITION**

The petition proposes to rezone and adaptively reuse an existing building along with an adjacent parcel for parking that would allow up to 3,400 square feet to be developed as EDEE Type 1 and 2, retail, and personal service uses permitted by right, under prescribed conditions, along with accessory uses as allowed within the MUDD district.

**PROPERTY OWNER**

Milburn Davant & Milburn Davant Jr.

**PETITIONER**

Greg Zanitsch, TBGC, LLC

**AGENT/REPRESENTATIVE**

Keith MacVean, Jeff Brown, Moore & Van Allen

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 60

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

Plan Consistency

The petition is **inconsistent** with *Belmont Area Revitalization Plan* (2003) recommendation for residential uses at up to five dwelling units per acre.

Rationale for Recommendation

- The petition's proposed adaptive reuse of an existing neighborhood building satisfies the plan's guiding principle of taking a preservation-oriented approach by retaining the existing building on site.

- The petition is in alignment with the plan's Land Use and Development Goals and Objectives in that it attempts to balance the provision of service retail with the protection of residential areas. As this is an adaptive-reuse of an existing commercial building at an intersection, no homes will be impacted by this petition.
- The petition proposes to improve the site's interaction with surrounding single family residential uses by committing to install a green screen/vegetation around the parking area.

The approval of this petition will revise the adopted future land use as specified by the *Belmont Area Revitalization Plan*, from residential uses at up to five dwelling units per acre to office/retail uses for the site.

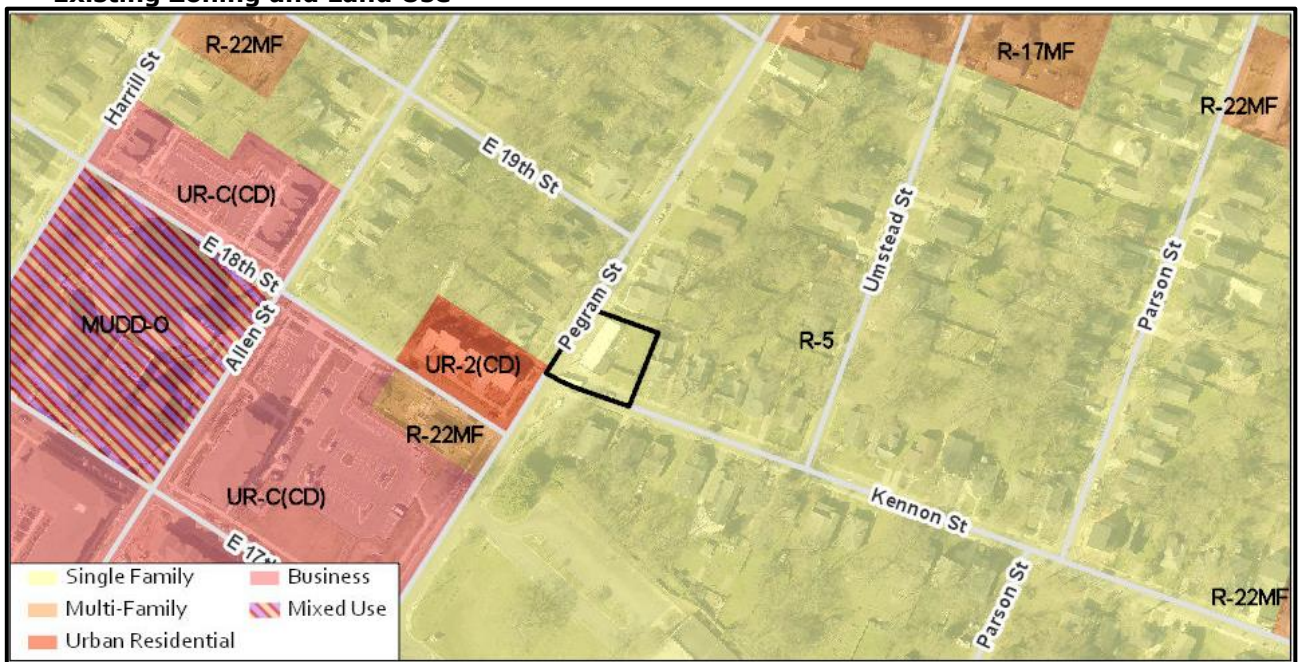
### PLANNING STAFF REVIEW

#### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- The site proposes to adaptively reuse the site with an additional 1,002 SF (for a total of up to 3,400 SF) for EDEE Type I and II, retail, office and personal service uses permitted by right and under prescribed conditions.
- Proposes to add an outdoor seating element for the proposed tenant.
- Proposes façade upgrades along the building's frontage at Pegram Street.
- Commits to providing green screen along the perimeter of the site's parking area.
- Commits to limiting detached lighting to 15-feet in height and full cut-off type fixtures.
- Proposes optional provisions including:
  - Allowing a minimum of 8 parking spaces
  - Allowing potential additions to not meet building setback requirements along Pegram Street and to match setback from existing building (8 feet)
  - To allow parking to be screened from adjacent residential uses by means of a green screen
  - Not providing required streetscape improvements along Pegram and Kennon
  - Allowing existing building and parking to encroach into setback along Kennon

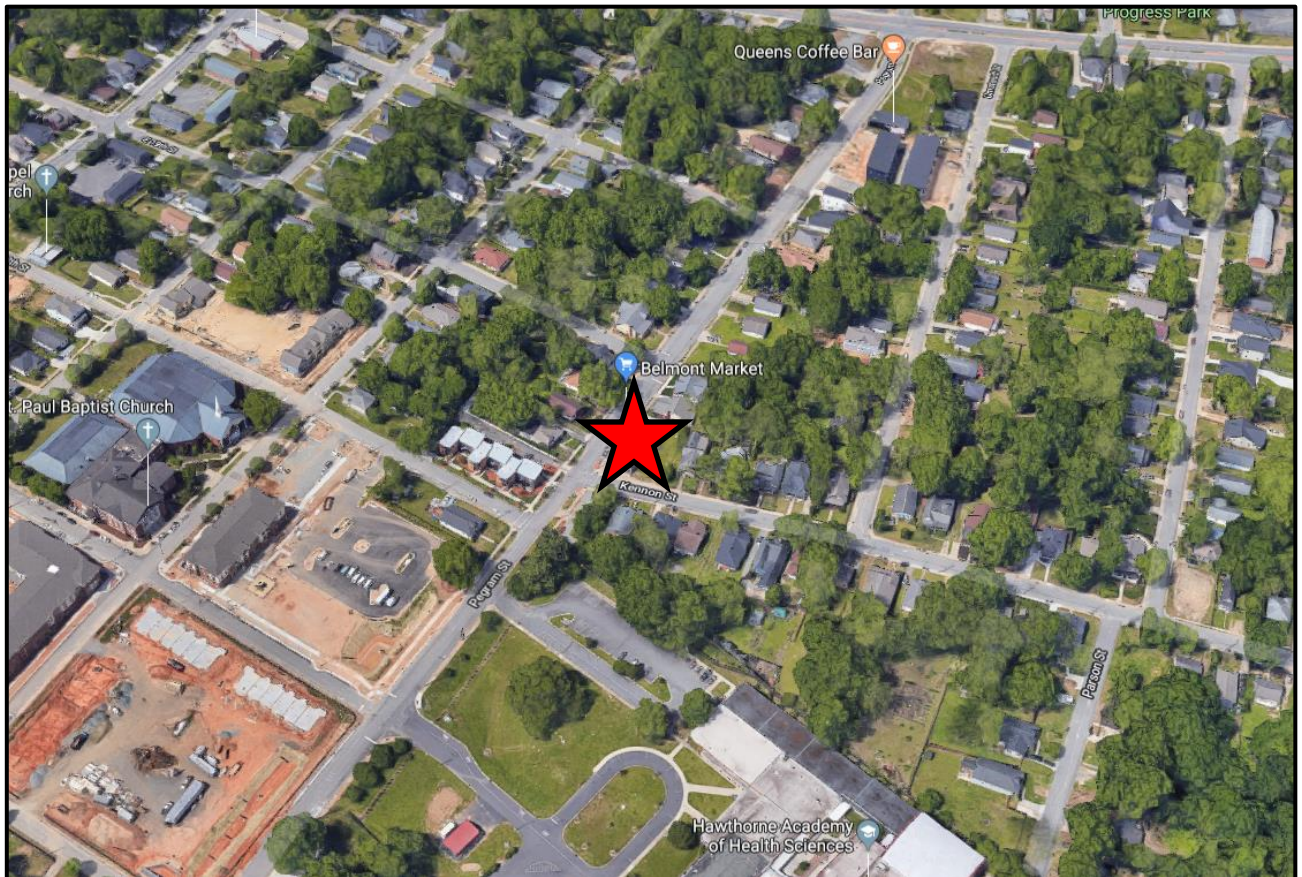
#### • Existing Zoning and Land Use



The site is currently zoned R-5 single family residential and contains an existing non-conforming commercial structure operating on site as a corner convenience store. The subject properties have not seen any rezonings since 1988 when the site was rezoned from R-6 MF to R-6 single family zoning (which was subsequently converted to R-5 zoning). Land uses to the east of the subject property are largely single family detached residential units. The area west of the subject property consists of largely single



family residential land uses. However, there have been approved rezonings in the vicinity of the subject property over the past decade that have resulted in infill residential uses at higher densities.

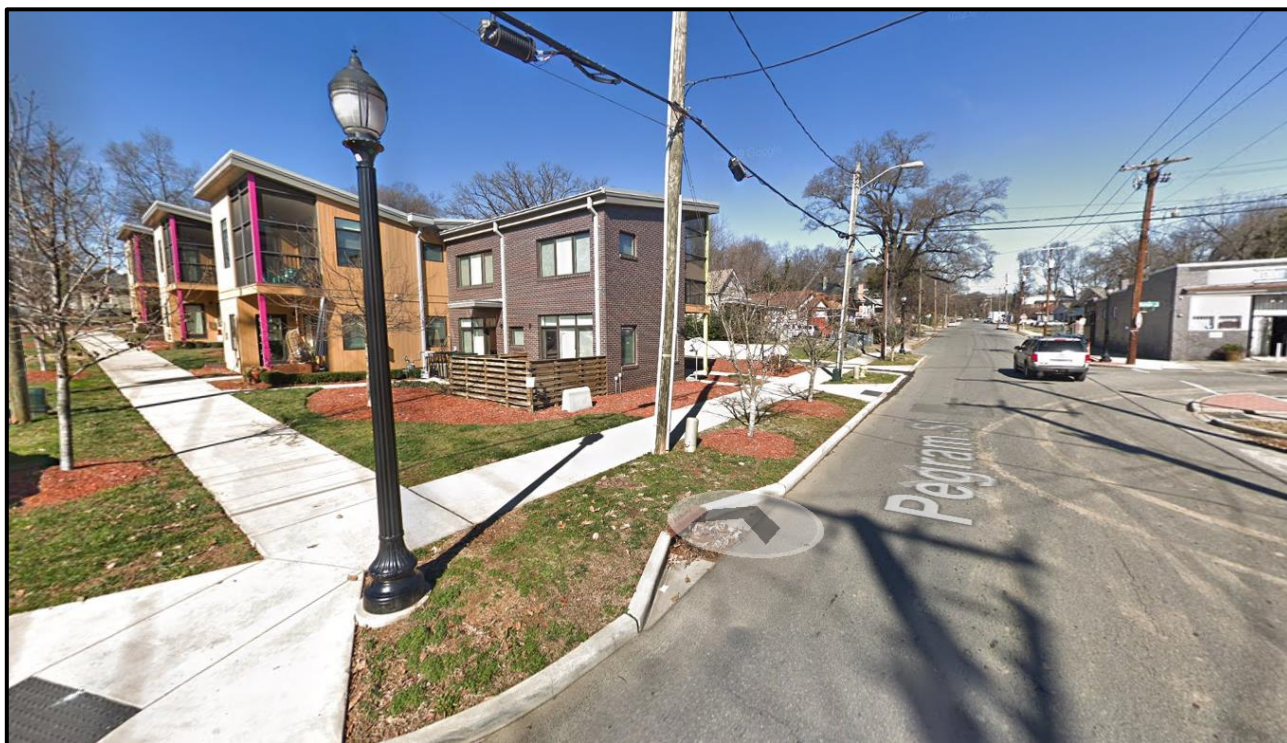


General location of site denoted by red star. Site currently operated as Belmont Corner Market.



Street view looking NE at subject property from the intersection of Pegram Street and Kennon Street.





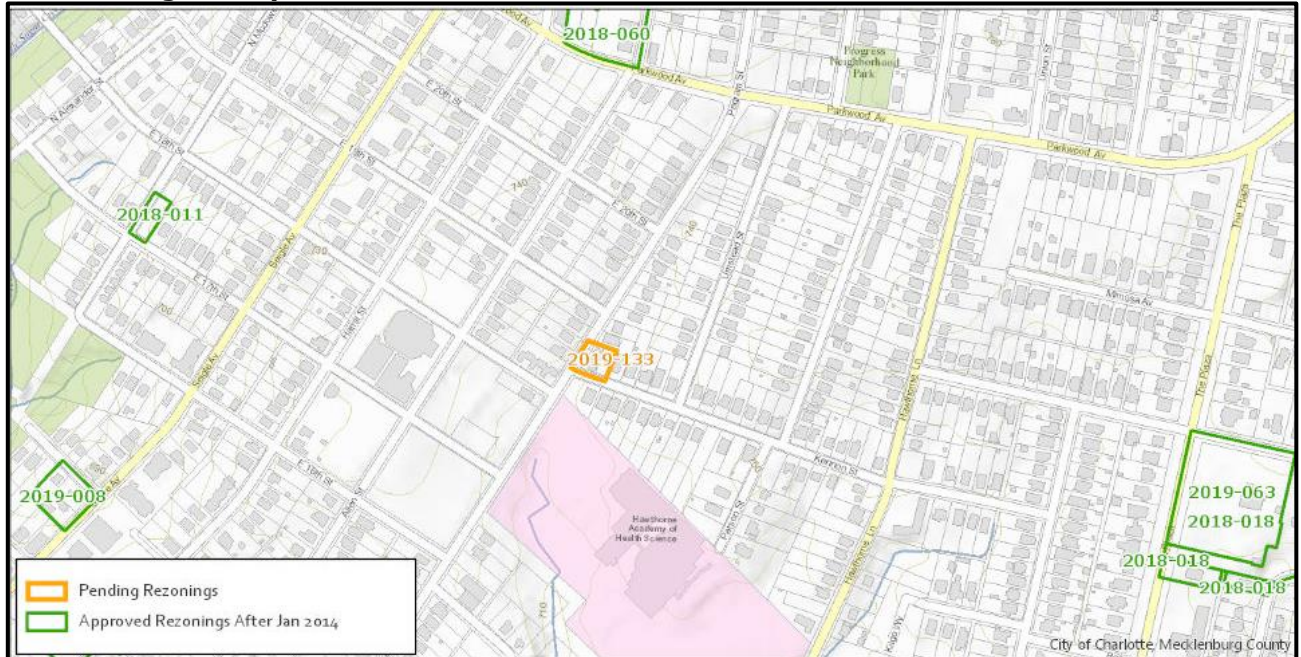
The area immediately surrounding the subject property has seen residential infill (above) while a large amount of the area remains detached single family residential (below).



Representative sample of surrounding single family homes located near subject property. Street view looking west towards the intersection of Pegram Street and E. 19<sup>th</sup> Street.



- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-063, 2018-018	2019-063 was a site plan amendment to 2018-018, both of which were petitions tied to the Van Landingham Estate.	Approved
2019-008	The petition sought to redevelop the site with a mix of uses containing up to 1,500 SF of commercial space and up to 28 multi-family dwelling units	Pending
2018-011	Proposal to develop site to allow up to 5 single family attached dwelling units.	Approved
2018-060	Proposed redevelopment of church and development of multi-family units.	Approved

- Public Plans and Policies**



- The *Belmont Area Revitalization Plan* (2003) recommends residential uses at up to five dwelling units per acre for the site.

- **TRANSPORTATION CONSIDERATIONS**

- The site plan is on a minor collector. The petitioner should revise the site plan to add a note stating they shall work with staff during permitting to provide required streetscape.
- See Outstanding Issues, Note 1.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 480 trips per day (based on 2,400 SF of retail use).
    - Entitlement: 480 trips per day (based on 2,400 SF of retail use).
  - Proposed Zoning: 600 trips per day (based on 3,400 SF of retail use).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 Kennon Street and an 8-inch water distribution main located along Pegram Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 6-inch gravity sewer main located along Kennon Street. See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

**OUTSTANDING ISSUES**Transportation

1. Update the site plan and conditional notes to remove Optional Provision 2d. All parking and streetscape requirements shall be met. CDOT will work with petitioner during permit process where streetscape cannot be implemented due to field constraints.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** William Linville (704) 336-4090