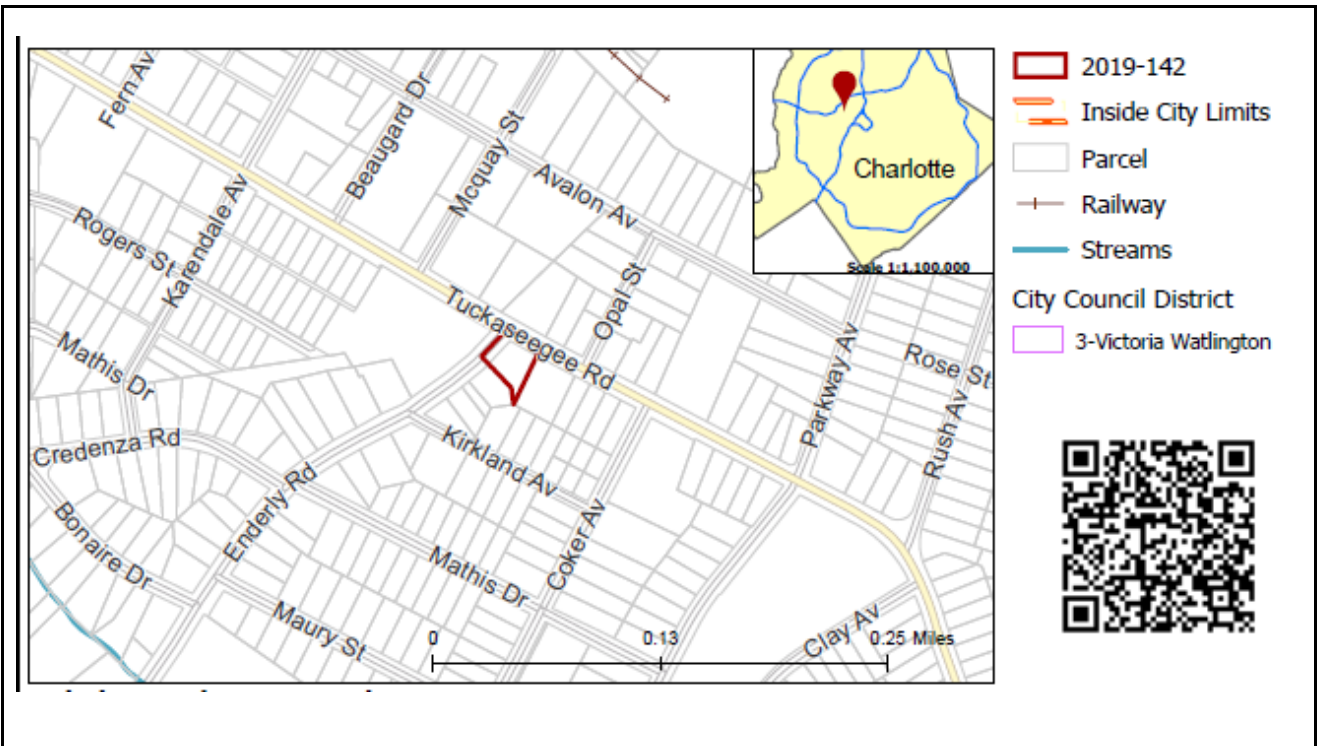


**REQUEST**

Current Zoning: B-1 (neighborhood business)  
Proposed Zoning: MUDD-O (mixed use development district-optional)

**LOCATION**

Approximately 0.27 acres located on the southeast corner of Tuckaseegee Road and Enderly Road from B-1 to MUDD-O.



**SUMMARY OF PETITION**

The petition proposes to redevelop the site with with limited MUDD uses including an eating, drinking, and entertainment establishment.

**PROPERTY OWNER**

3131 Tuckaseegee LLC

**PETITIONER**

Kennedy Howard

**AGENT/REPRESENTATIVE**

Kennedy Howard

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: Please delete if not needed.

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *Central District Plan* recommendation for single family/multi family residential uses up to 8 DUA for this site.

Rationale for Recommendation

- The proposed rezoning to MUDD-O, while inconsistent with the recommended land use, is adaptively reusing an existing commercial building that was built in 1945.

- The site was recommended by the Central District Plan to be correctively rezoned to R-8, however it was left out of that rezoning and remained B-1 (neighborhood business).
- Under the current B-1 zoning, the permitted uses would be similar to what is currently proposed, however the MUDD zoning district requires less parking spaces. The reduction of required parking spaces would allow the building to be redeveloped for an eating, drinking, and entertainment establishment.

The approval of this petition will revise the adopted future land use as specified by the *Central District Plan*, from single family/multi-family uses up to 8 DUA, to mixed use for the site.

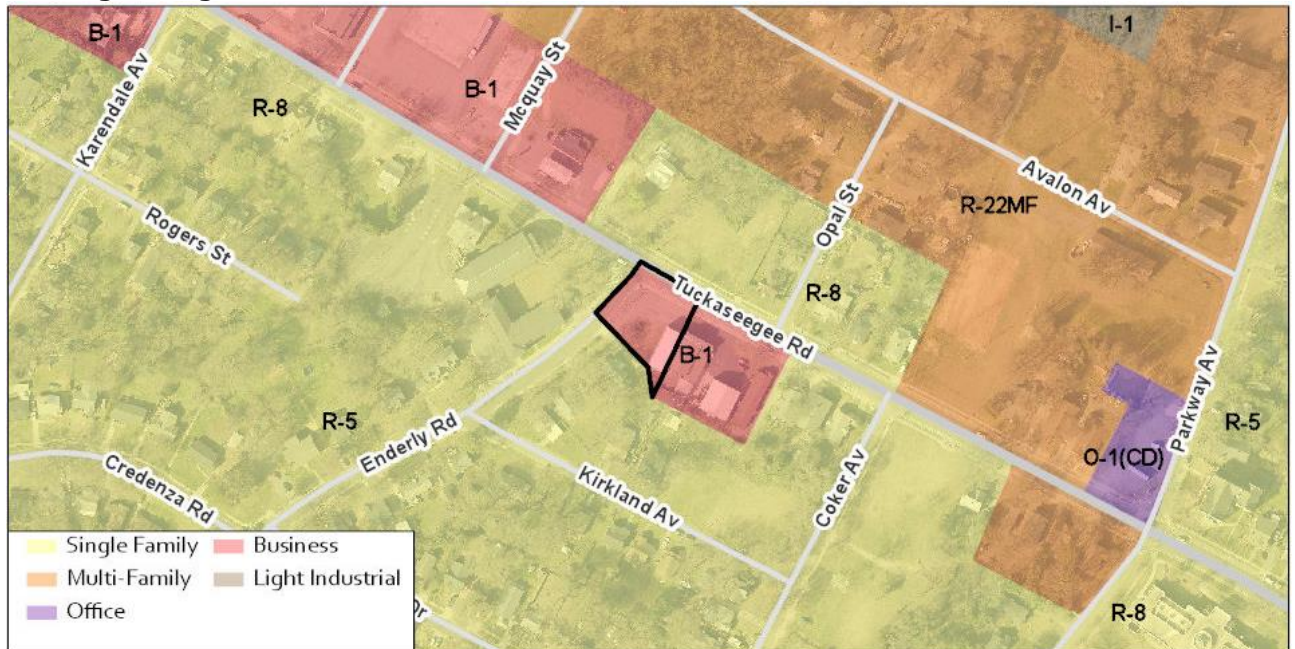
## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Applies the following optional provisions:
  - To allow parking and maneuvering between the building, Tuckaseegee Road, and Enderly Road.
  - To eliminate the requirement to comply with Section 9.8506(2)(a) of the Zoning Ordinance regulating building design for street facing walls.
- Prohibits uses such as automobile service stations, adult establishments, hotels and motels, laboratories, and warehousing.
- Provides a 6' sidewalk and 8' planting strip along Tuckaseegee Road and Enderly Road.
- Constructs a 6' privacy fence to buffer use for adjacent residential.
- Requires site lighting to be fully capped, shielded, and downwardly directed.
- Redevelops the existing building.

### • **Existing Zoning and Land Use**



Surrounding land uses include institutional, business, and single family residential.



The site is developed with a vacant commercial building.



The property to the north is vacant single family land.



The property to the west is developed with a religious institution.

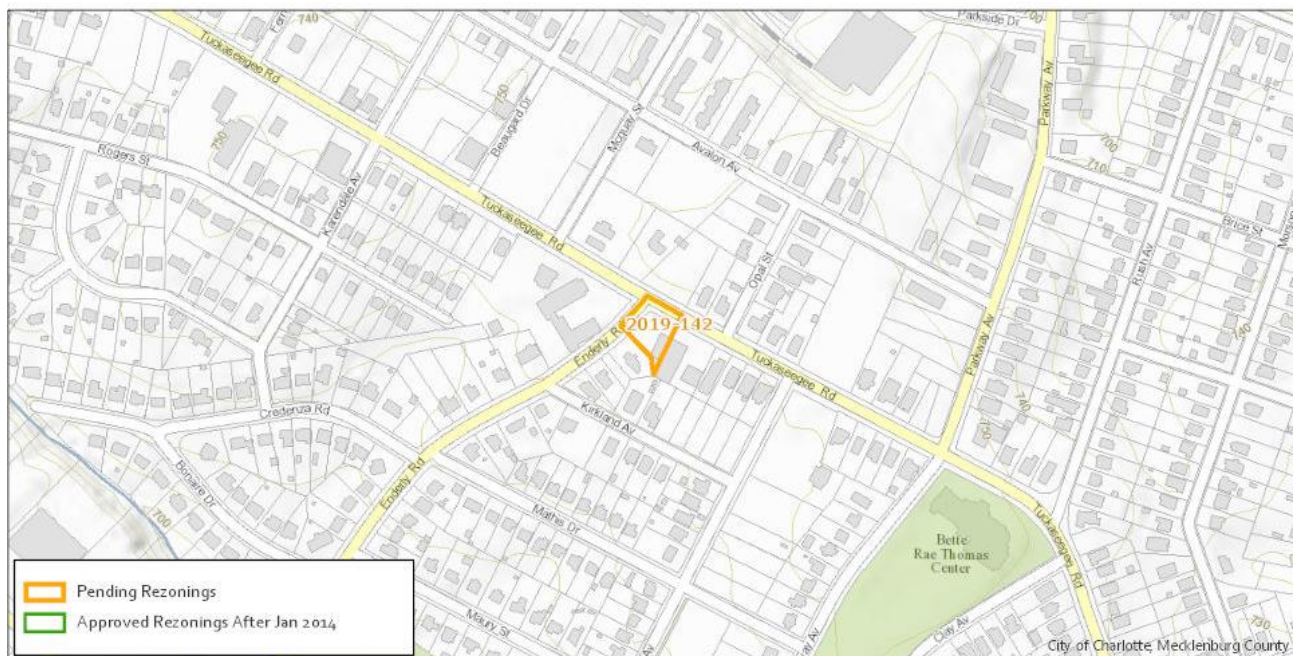


The property to the east is developed with a business use.



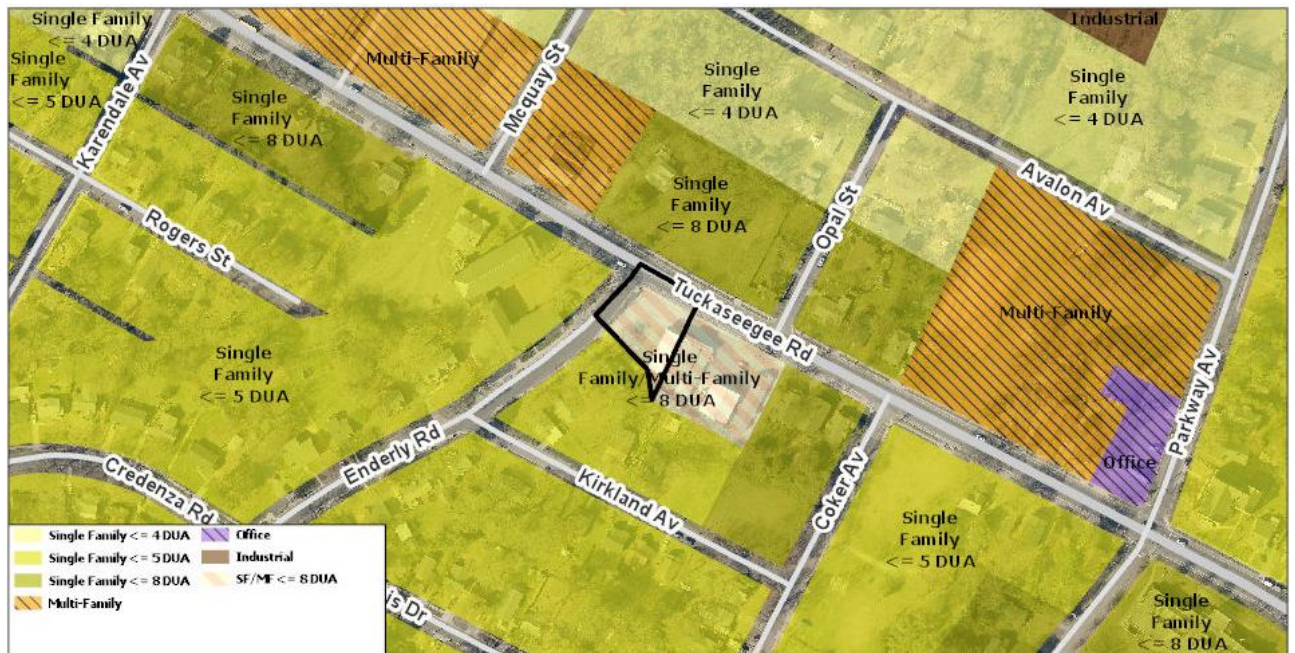
The property to the south is a single family residence.

- **Rezoning History in Area**



There are no recently approved rezonings within the surrounding area.

- **Public Plans and Policies**



- The *Central District Plan* (adopted 1993), recommends single family/multi-family up to 8 DUA for this site.
- The plan also recommended a corrective rezoning to R-8 for this site, as well as other properties zoned B-1 along Tuckaseegee Road. However, because of the existing business and commercial use of the property, the site and adjoining parcel was not included as part of the corrective rezoning.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is at the unsignalized intersection of Tuckaseegee Road (major thoroughfare, city maintained) and Enderly Road (minor collector, city maintained) and is located in a wedge inside Route 4.
- **ACTIVE PROJECTS NEAR THE SITE:**
  - Tuckaseegee-Berryhill-Thrift Roundabout
    - The project will replace a traffic signal with a roundabout at the five-leg intersection where Tuckaseegee and Berryhill have 2 legs, and Thrift has one leg.
    - Construction activity will start in the third quarter of 2020.
- **TRANSPORTATION CONSIDERATIONS**
  - See Requested Technical Revisions, Note 1
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on petitioner).
      - Entitlement: 730 trips per day (based on 4,480 sf of retail).
    - Proposed Zoning: 730 trips per day (based on 4,480 sf of retail).

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

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **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 Tuckaseegee Road.
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- Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Tuckaseegee Road and via an existing 8-inch gravity sewer main located along Enderly Road.

- No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** No outstanding issues.
- **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 outstanding issues.

**REQUESTED TECHNICAL REVISIONS**Transportation

- ~~1. Please show on-site garbage truck turning movements, entering and exiting the site.~~

ADDRESSED

Site and Building Design

- ~~2. Please add commitment to preserve the existing building on site.~~ ADDRESSED

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

**Planner:** Lisa Arnold (704) 336-5967