

<b>REQUEST</b>	Current Zoning: R-5, single family residential and B-1, neighborhood business Proposed Zoning: UR-3(CD), urban residential, conditional
<b>LOCATION</b>	Approximately 0.682 acres located on the north corner of Belmont Avenue and Allen Street.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This petition proposes to accommodate up to 16 age-restricted residential units at a density of 23.46 units per acre, and 5,600 square feet of retail and office.
<b>Property Owner</b>	Roger and Perina Stewart
<b>Petitioner</b>	Roger and Perina Stewart
<b>Agent/Representative</b>	John Mang and Douglas Burns, Perkins Eastman Architect
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

**ZONING COMMITTEE ACTION**

The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:

**Update: The following outstanding issues have been addressed:**

1. The figures for total building square footage and land acreage have been amended to achieve the correct FAR.
2. A note has been added indicating that the floor area of the proposed office/commercial component is 1.39 times the size of the overall residential/office/retail building footprint.
3. Staff has agreed to allow the proposed maximum 40-foot building height to remain as it is consistent with the maximum building height permitted in the surrounding R-5 residential development.
4. The maximum number of nonresidential parking spaces has been corrected to reflect one space per 400 square feet per Section 9.408(1) of the City of Charlotte Zoning Ordinance.
5. The area on the site plan located between the portion of the building where the roll out carts will be stored and the two-story townhomes has been identified as being a single story residential unit.
6. A note has been added to the site plan stating outdoor seating will not be placed in the setback or obstruct the sidewalk or door.
7. A note has been added stating the proposed development is age-restricted and to be occupied by persons over the age of 55.
8. A note has been added stating no wall pak lighting is allowed.
9. A note has been added to the "Conceptual Under Building Parking Plan" provided at the bottom of the site plan stating that the parking gate and all pedestrian doors in and out of the parking area will be secured with controlled access/egress points. The petitioner has confirmed that the "Conceptual Under Building Parking Plan" shows a ramp or stairs to the courtyard.

10. The "Conceptual Under Building Parking Plan" has been modified to label the required minimum width of eight feet for the loading zone for the handicap parking space and; noting on the site plan that proposed on street parking spaces will not be striped.

11. The petitioner has addressed LUESA comments by adding a note on the site plan that states each parcel will be inspected for underground storage tanks prior to any demolition or grading activity, and any underground storage tanks identified will be removed per NCDENR guidelines.

**VOTE**

Motion/Second:	Griffith/Rosenburgh
Yeas:	Allen, Griffith, Locher, Simmons and Rosenburgh
Nays:	None
Absent:	Howard and Walker
Recused:	None

**ZONING COMMITTEE DISCUSSION**

Staff presented this item to the Committee, stating that all outstanding issues have been addressed. Staff noted that the majority of the discussion on this petition at the public hearing pertained to the alcoholic beverage sales license. There was no discussion of the request.

**STATEMENT OF CONSISTENCY**

This petition is found to be inconsistent with the *Belmont Area Revitalization Plan* but reasonable and in the public interest, by a 5-0 vote of the Zoning Committee (motion by Commissioner Rosenburgh seconded by Commissioner Locher).

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

**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:
  - Up to 16 duplex and townhouse units.
  - Retail and office space consisting of no more than 5,600 square feet located in a two-story building connected to the proposed residential units.
  - Outdoor seating for carry out dining, or coffee/sandwiches from the proposed retail component.
  - Proposed 20-foot setback which is generally consistent with surrounding development.
  - Maximum 40-foot building height which is consistent with surrounding R-5 zoning designation and development.
  - Provision of 16 parking spaces, with eight on-street spaces and a gated garage containing eight spaces will be located under the residential units.
  - Buildings will have a single family dwelling appearance along street fronts (Belmont Avenue and Allen Street).
  - Roll out carts and recycling bins will be fully enclosed in building.
- **Public Plans and Policies**  
 The *Belmont Area Revitalization Plan* (2003) recommends residential land uses at a density of up to five dwelling units per acre.  
 This petition is inconsistent with the *Belmont Area Revitalization Plan*. However, the site currently contains a convenience store and duplexes and the proposed site design and building appearance are compatible with the surrounding predominantly single family development. In addition, the inclusion of senior housing provides for a mix of housing opportunities.
- **STAFF RECOMMENDATION (Updated)**
  - Staff agrees with the recommendation of the Zoning Committee.

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**PUBLIC INFRASTRUCTURE UPDATES** (see full department reports online)

- **CDOT:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **CATS:** No issues.
  - **Connectivity:** No issues.
  - **Schools:** No issues.
  - **Park and Recreation:** No comments received.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Storm Water:** No issues.
  - **LUESA:** No issues.
  - **Site Design:** No issues.
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**OUTSTANDING ISSUES**

No issues.

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

- Application Form
- CATS Review
- CDOT Review
- CMS Review
- Community Meeting Report
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

**Planner:** Claire Lyte-Graham (704) 336-3782