

<b>REQUEST</b>	Proposed Zoning: UR-3(CD), SPA, urban residential, conditional, site plan amendment
<b>LOCATION</b>	Approximately 0.68 acres located at the north intersection of Belmont Avenue and Allen Street.
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	This petition proposes to amend the existing conditional plan by replacing the office space above the retail with residential units and moving the office component to an attached building where residential units were previously proposed.
<b>Property Owner</b>	Roger and Perina Stewart
<b>Petitioner</b>	Roger and Perina Stewart
<b>Agent/Representative</b>	Douglas C. Burns/Perkins Eastman Architects PC
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modification:</p> <ol style="list-style-type: none"> <li>The petitioner removed the asterisks shown by the proposed maximum building height.</li> </ol>
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<b>VOTE</b>	<table border="0"> <tr> <td>Motion/Second:</td> <td>Griffith/Allen</td> </tr> <tr> <td>Yeas:</td> <td>Allen, Dodson, Griffith and Rosenburgh</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Simmons and Walker</td> </tr> <tr> <td>Recused:</td> <td>Randolph</td> </tr> </table>	Motion/Second:	Griffith/Allen	Yeas:	Allen, Dodson, Griffith and Rosenburgh	Nays:	None	Absent:	Simmons and Walker	Recused:	Randolph
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Yeas:	Allen, Dodson, Griffith and Rosenburgh										
Nays:	None										
Absent:	Simmons and Walker										
Recused:	Randolph										
<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented this site plan amendment to the Committee, noting the proposed change in location of the office space and option to construct residential units over the ground floor retail. There was no discussion.										
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>Belmont Area Revitalization Plan</i> and to be reasonable and in the public interest, by a 4-0 vote of the Zoning Committee (motion by Commissioner Dodson seconded by Commissioner Allen).										
<b>STAFF OPINION</b>	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**

- **Background**  
This property was rezoned on July 20, 2009 (Rezoning Petition 2009-031) to allow the following:
  - Up to 16 duplex, flats, and townhouse units for persons over the age of 55.
  - 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 carryout dining, or coffee/sandwiches from the proposed retail component.
  - Provision of 16 parking spaces, with eight on-street spaces and a gated garage containing eight spaces, located under the residential units.

- **Proposed Request Details**

The site plan amendment contains the following changes:

- Replacement of the office space above the retail with residential units and move the office component to an attached building where residential units were previously proposed. The site plan also includes the option to allow residential units above the 2,800 square foot ground floor retail space.

- **Public Plans and Policies**

- The *Belmont Area Revitalization Plan* (2003) was amended by the previous rezoning of this parcel (Petition 2009-031) to allow a mix of residential, office and retail uses. This petition is consistent with the *Belmont Area Revitalization Plan*.

- **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 issues.
  - **CATS:** No issues.
  - **Connectivity:** No issues.
  - **Neighborhood and Business Services:** No issues.
  - **Schools:** No comments received.
  - **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:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
    - Minimizes impacts to the natural environment by building on an infill lot.
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**OUTSTANDING ISSUES**

- None.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application Form
- CATS Review
- CDOT Review
- Community Meeting Report
- LUESA Review
- Neighborhood and Business Services Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

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