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| <b>REQUEST</b>              | Current Zoning: NS, neighborhood services<br>Proposed Zoning: B-1 (PED-O), neighborhood business, pedestrian overlay, optional   |
| <b>LOCATION</b>             | Approximately 1.01 acres located at the west corner of the intersection of Scott Avenue and East Boulevard.  |
| <b>SUMMARY OF PETITION</b>  | This petition proposes a stand-alone parking lot for neighborhood businesses.  |
| <b>STAFF RECOMMENDATION</b> | Staff recommends approval of this petition. The petition is inconsistent with the <i>East Boulevard Pedscape Plan</i> , which recommends mixed use multi-family and/or retail uses. However, the use is suitable as a conditional, interim use. Any subsequent development would require a rezoning. |
| <b>Property Owner</b>       | JNC Properties, LLC  |
| <b>Petitioner</b>           | JNC Properties, LLC  |
| <b>Agent/Representative</b> | James L. Walters/Latham-Walters Engineering, Inc.  |
| <b>Community Meeting</b>    | Meeting is required and has been held. Report available online.  |

#### **PLANNING STAFF REVIEW**

- **Background**  
The subject property, which is now vacant, was previously developed with a restaurant and parking lots, and rezoned from B-1 to NS via Petition 1997-88 to accommodate the construction of a two-story structure containing a restaurant, retail shops and office space, over a below grade parking level. An administrative approval was granted in 2000 to allow revisions to the approved building elevations. The site was never developed as permitted by the approved site plan. A gravel parking lot was recently created on the subject lot to serve off-site uses.
- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Construction of an 85-space gravel parking lot (81 standard and four handicap), with proposed setbacks eight feet from back of sidewalks along East Boulevard and Scott Avenue.
  - Proposed access from East Boulevard and Scott Avenue, with driveways to be paved to setback.
  - The existing five-foot sidewalk to remain.
  - Proposed eight-foot planting strip for street trees and screening of parking along East Boulevard and Scott Avenue, located behind the existing sidewalk.
  - Proposed five-foot parking perimeter screening along adjacent property lines where not abutting residential uses or zoning.
  - Proposed large maturing trees in interior parking lot islands.
  - Existing vegetation located northwestern portion of subject parcel to be credited toward proposed screening.
  - Ten-foot buffer abutting R-22MF zoning.
  - Optional request for setbacks and streetscape improvements along East Boulevard and Scott Avenue.
- **Existing Zoning and Land Use**
  - The subject property is currently used as a gravel parking lot, which is not in conformance with the approved conditional zoning. The property is surrounded by a mix of residential, commercial and office development on properties zoned B-1, B-1(CD), B-1(PED-O), MUDD(CD), MUDD-O, O-2, R-5, R-8 and R-22MF. Many of these properties are also zoned with a PED overlay district.

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- **Rezoning History in Area**

The most recent rezoning, Petition 2010-027, rezoned approximately 3.92 acres bounded by Scott Avenue, East Boulevard, and Floral Avenue from B-1(PED) to B-1(PED-O) to allow optional provisions to accommodate the reconstruction of up to 50 percent of an existing shopping center.

- **Public Plans and Policies**

- The *East Boulevard Pedscape Plan* (2002) recommends mixed use, multi-family and/or retail.
  - This petition is inconsistent with the *East Boulevard Pedscape Plan*.
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**PUBLIC INFRASTRUCTURE** (see full department reports online)

- **Vehicle Trip Generation:**

Current Zoning: 1,040 trips per day.

Proposed Zoning: With the array of uses that would be parking in the proposed parking lot, a wide range of trip generation is possible for the proposed zoning scenarios. Given the size of the site and its proximity to a good street network in the area, there should only be minor impacts to the transportation system resulting from this rezoning.

- **CDOT:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **CATS:** No comments received.
  - **Connectivity:** No issues.
  - **Neighborhood & Business Services:** No comments received.
  - **Park and Recreation:** No issues.
  - **Schools:** Charlotte-Mecklenburg Schools does not comment on nonresidential petitions.
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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*.
    - The site meets minimum ordinance requirements.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- CDOT Review
- Charlotte Fire Department Review
- Community Meeting Report
- LUESA Review
- Park & Recreation Review
- Site Plan
- Storm Water Review

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