

REQUEST	Current Zoning: MUDD, mixed use development district and MUDD(CD), mixed use development district, conditional Proposed Zoning: MUDD-O, mixed use development district, optional
LOCATION	Approximately 1.99 acres located on the north side of North Caldwell Street and generally bounded by North Brevard Street, New Calvine Street and East 12 th Street.
SUMMARY OF PETITION	The petition proposes to allow up to 112 multi-family residential units with an optional provision to allow parking and maneuvering between the proposed building and East 12 th Street and North Caldwell Street.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Charlotte Housing Authority Charlotte Housing Authority David Ravin
COMMUNITY MEETING STATEMENT OF CONSISTENCY	Meeting is required and has been held. Report available online. This petition is found to be consistent with the <i>Optimist Park Neighborhood Plan</i> and the <i>Transit Station Area Principles</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Zoutewelle seconded by Commissioner Dodson).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modification: 1. Addressed CDOT issues to modify two notes regarding the vehicular entrance along East 12th Street and the optional entrance along North Caldwell Street.
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VOTE	Motion/Second: Dodson/Griffith Yeas: Allen, Dodson, Firestone, Griffith, Phipps, Rosenburgh, and Zoutewelle Nays: None Absent: None Recused: None
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ZONING COMMITTEE DISCUSSION	<p>Planning staff presented the petition to the Zoning Committee and stated all issues had been addressed.</p> <p>Discussions began with questions regarding the need for a gated entrance. Staff stated that the developers existing development across North Brevard Street currently has a gated entrance and the developer indicated they wanted gates within this phase to create a sense of security within the development.</p> <p>A Committee member questioned why an 80-foot height limit was indicated on the site plan when the building is limited to four stories. Staff indicated the 80-foot height was a condition on the previous rezoning plan for the site and the petitioner maintained that same condition even though that height limit would probably not be reached.</p> <p>Committee members then discussed the optional provision to allow parking and maneuvering between the building and the street. It was mentioned that the location of the building fronting the two local streets (New Calvine Street and North Brevard Street), where existing residential buildings front onto those streets, was and appropriate placement.</p>
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The parking lots would then face Brookshire Freeway and the CATS bus garage across North Caldwell Street.

The last item discussed was regarding noise concerns due to the site be located near Brookshire Freeway and the CATS bus garage. Staff indicated they were not aware of any noise reduction measures proposed by the developer. A Committee member requested that staff research the state building code to determine if noise mitigation measures are required for residential buildings located within close proximity to an interstate.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW**• Background**

The MUDD(CD) portion of the subject site was rezoned in 2004 (rezoning petition 2003-124A) from I-2 to allow for a mixed use development with a maximum height of 80 feet.

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Maximum 112 multi-family residential units.
- 16-foot setbacks from the back of curb will be provided along all street frontages except a 14-foot setback from the back of curb will be provided along New Calvine Street.
- Eight-foot planting strips and eight-foot sidewalks will be provided along all street frontages except along New Calvine Street where an eight-foot planting strip and a six-foot sidewalk will be provided.
- Parallel on-street parking spaces will be provided along North Brevard Street in addition to the existing spaces along New Calvine Street.
- Vehicular access to the site will be provided from East 12th Street along with an optional access drive from North Caldwell Street.
- The petitioner will request that a portion of right-of-way at the corner of North Caldwell Street and East 12th Street be abandoned through the abandonment process.
- Additional right-of-way will be dedicated along North Caldwell Street within the 16-foot setback.
- Maximum building height of four stories and 80 feet.
- Building elevations provided indicate masonry veneer and fiber cement building materials.
- A decorative fence with brick columns will be provided around the surface parking and a portion of the building.
- Detached lighting will have full cut-off lighting fixtures and shall be limited to 20 feet in height.
- No "wall-pak" type lighting will be allowed.
- An existing billboard on the site is identified to be removed.
- Optional provisions include:
 - Parking and maneuvering between the proposed building and East 12th Street and North Caldwell Street.
 - A maximum 75 square foot detached sign at the corner of North Caldwell Street and East 12th Street with a height not to exceed 10 feet. The sign would be located within five feet of the right-of-way but out of any required sight distance triangles.

• Public Plans and Policies

- The *Optimist Park Neighborhood Plan* (2002), as amended by rezoning petitions 2003-124A&B, recommends mixed use land uses for the subject site.

- The *Transit Station Area Principles* (2001) provide land use guidance as the site is within the Parkwood Transit Station Area of the proposed Blue Line Extension light rail line. The Principles call for a mixture of transit-supportive land uses developed at a higher intensity near station locations. Transit-supportive land uses include multi-family and mixed use development.
 - The petition is consistent with the *Optimist Park Neighborhood Plan* and with the *Transit Station Area Principles*.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by building on an infill lot.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Solid Waste Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review

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