

<b>REQUEST</b>	Current Zoning: O-2, office Proposed Zoning: TOD-MO, transit oriented development - mixed use, optional
<b>LOCATION</b>	Approximately 2.47 acres located on the north side of Euclid Avenue between Templeton Avenue and Lexington Avenue. (Council District 1 - Maddalon)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow a transit supportive development with optional provisions that permit: <ul style="list-style-type: none"> <li>• limited encroachments within certain setbacks;</li> <li>• a five-foot increase in building height for certain architectural elements; and</li> <li>• an increase in the maximum wall/fence height allowed within a setback.</li> </ul>
<b>PROPERTY OWNER</b>	Carolinas AGC, Inc.
<b>PETITIONER</b>	Marsh Realty Company
<b>AGENT/REPRESENTATIVE</b>	Jeff Brown & Keith MacVean, Moore and Van Allen
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>South End Transit Station Area Plan</i> and to be reasonable and in the public interest based on information from the staff analysis and the public hearing, by a 6-0 vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Ryan).

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications: <ol style="list-style-type: none"> <li>1. Provided an elevation and cross section of the proposed 60" high wall/fence along Euclid Avenue to illustrate how the wall/fence and landscaped area will be designed to create an attractive street edge.</li> <li>2. Modified the site acreage under "Site Development Data" to indicate 2.47 acres.</li> <li>3. Addressed Urban Forestry's comment regarding the preservation of existing trees within the City's rights-of-way.</li> </ol>
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<b>VOTE</b>	Motion/Second: Ryan/Labovitz
	Yeas: Allen, Dodson, Labovitz, Low, Ryan, and Zoutewelle
	Nays: None
	Absent: Firestone and Walker
	Recused: None

<b>ZONING COMMITTEE DISCUSSION</b>	Staff presented this item to the Committee and indicated that all outstanding issues had been addressed. Some Committee members had questions regarding the commitments made by the petitioner to address some of the neighborhood concerns. These dealt with the petitioner providing funding for traffic calming measures and the commitment to provide a minimum of 1.3 parking spaces per unit. Staff indicated that the request for traffic calming measures would be
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evaluated in accordance with City policies along Templeton and Lexington Avenues between Euclid and Myrtle Avenues. It was noted that the increase in the minimum parking ratio from 1 to 1.3 parking spaces per unit was to minimize the impact of on-street parking on the nearby streets associated with the development.

One Committee member asked if there were building elevations associated with the proposed rezoning. Staff indicated that none were provided and staff did not request building elevations due to the comprehensive development and urban design standards of the TOD (transit oriented development) districts.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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**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:

- Development of any transit supportive use permitted within the TOD-M (transit oriented development – mixed use) zoning district.
  - Minimum parking ratio of 1.3 parking spaces per residential dwelling unit.
  - Contribution of up to \$7,500 to implement traffic calming measures, approved in accordance with City policies, along portions of Lexington and Templeton Avenues located between Euclid and Myrtle Avenues.
  - Optional provisions that apply only to residential uses include:
    - Encroachments of building elements/architectural treatments up to four feet into the 20-foot building setback along Lexington and Templeton Avenues. These treatments will be a minimum of two feet behind the proposed six-foot sidewalk.
    - Encroachment of a pool deck and associated amenity areas into the 30-foot building setback along Euclid Avenue for no more than 60 linear feet along the street frontage. A minimum setback of 17 feet, as measured from the back of curb, will be maintained.
    - Increase the maximum allowed height of a wall/fence within the Euclid Avenue setback from 36 inches to 60 inches. The 60-inch high decorative wall/fence is to enclose a pool amenity area for a distance of up to 60 linear feet along the street frontage. A minimum three-foot planting strip will be provided between the wall/fence and the back of the proposed six-foot sidewalk and will be landscaped with a variety of plant materials.
    - Increase the maximum allowed building height by five feet starting 50 feet from the required 30-foot setback along Euclid Avenue. The increase in building height may only be used for certain architectural elements (i.e. parapets, screening elements for mechanical equipment and screening elements for parking located in a parking structure) and not conditioned space or structured parking levels.
  - **Public Plans and Policies**
    - The *South End Transit Station Area Plan* (2005) recommends mixed use transit supportive development for the property. The site is located within the ½ mile walk distance from the Carson Boulevard transit station.
    - The petition is consistent with the *South End Transit Station Area Plan*.
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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 comments received.
  - **Charlotte-Mecklenburg Schools:** No comments received.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte-Mecklenburg Utilities:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** No issues.
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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](http://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-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Shad Spencer (704) 353-1132