

REQUEST	<p>Area A - Current Zoning: MUDD-O, mixed use development, optional Proposed Zoning: MUDD-O SPA, mixed use development, optional, site plan amendment</p> <p>Area B - Current Zoning: R-5, single family residential Proposed Zoning: TOD-M, transit oriented development, mixed-use</p>
LOCATION	<p>Area A - Approximately 0.18 acres located on the south side of North Davidson Street at the southeast corner of the intersection of 34th Street and North Davidson Street.</p> <p>Area B - Approximately 0.22 acres located on the south side of North Davidson Street between East 33rd Street and East 35th Street. (Council District 1 - Kinsey)</p>
SUMMARY OF PETITION	<p>This petition proposes to:</p> <p>Area A - Reuse an existing building to allow all uses permitted in the MUDD (mixed use development) district, except automotive service stations, adult establishments, car washes, restaurants with drive-thru windows, bars and nightclubs.</p> <p>Area B - Allow all uses permitted in the TOD-M (transit oriented development, mixed use) district.</p>
STAFF RECOMMENDATION	<p>Staff recommends approval of Area A upon resolution of outstanding issues and of Area B as submitted. The petition (Area A and Area B) is consistent with the <i>Blue Line Extension Transit Station Area Plan</i>.</p>
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>Wajahat Syed & Ferah Syed Wajahat & Ferah Syed N/A</p>
COMMUNITY MEETING	<p>Area A – Meeting is required and has been held. Report available online. Area B – Meeting is not required.</p>

PLANNING STAFF REVIEW

- **Background**
 - Petition 2003-066 rezoned Area A from R-5 (single family residential) to MUDD-O (mixed use development, optional) to allow for a pottery studio and residence.
- **Proposed Request Details**

This petition contains two areas.

Area A is a site plan amendment which contains the following changes:

 - Expands the list of permitted uses from pottery studio and residence to allow all uses permitted in the MUDD (mixed use development) district, except automotive service stations, adult establishments, car washes, restaurants with drive-thru windows, bars and nightclubs.
 - Allows existing streetscape along 34th Street to remain. There are currently two trees along the street and no sidewalk.
 - Allows existing four-foot sidewalk and four-foot planting strip along North Davidson Street to remain.

- Existing building to remain and retain residential character.
- Increases the maximum building area from 1700 square feet to 2000 square feet.
- Provides off-street parking along North Davidson Street and 34th Street.

Area B is a conventional rezoning petition with no associated site plan.

- **Existing Zoning and Land Use**

- Area A - The property was formerly used for a pottery studio but is currently vacant.
- Area B - The property is currently used as a single family home.
- Many of the properties immediately surrounding Area A and B are zoned R-5 (single family residential) and residential in use. The site of the Johnston YMCA is located immediately across North Davidson Street and is zoned I-2 (heavy industrial). Properties to the east and west along North Davidson Street are zoned NS (neighborhood services), MUDD-O (mixed use development, optional) and TOD-MO (transit oriented development, mixed-use, optional) and used for office, retail and services uses in the area.

- **Rezoning History in Area**

- A number of rezonings to TOD-MO (transit oriented development, mixed-use, optional) and MUDD-O (mixed used development, optional) have taken place to accommodate transit oriented mixed residential and non-residential development.

- **Public Plans and Policies**

- The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit oriented mixed-use. The subject property is located within the ½ mile walk distance of the proposed 36th Street Station.
 - The petition is consistent with the *Blue Line Extension 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.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
 - Area A - Current Zoning: 60 trips per day.
 - Area A - Proposed Zoning: 60 trips per day.
 - Area B - Current Zoning: 15 trips per day.
 - Area B - Proposed Zoning: The petition will allow a wide range of trip generation based on the proposed zoning classification.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No comments received.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte-Mecklenburg Utilities:** No issues.
 - **Engineering and Property Management:** Area A - Remove notes requesting variance from City Tree Ordinance. Area B - 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*.
 - Area A - Minimizes impacts to the natural environment by reusing the existing building.
 - Area B - There is no site plan associated with this conventional rezoning request.

OUTSTANDING ISSUES

- The petitioner should:
 - Area A:
 1. Amend list of optional requests by removing current notes and replacing as follows:
 - a. Reduce required 14-foot setback along North Davidson Street to 12 feet to accommodate existing porch.
 - b. Reduce required 14-foot setback along 34th Street to nine feet to accommodate the existing building.
 - c. Allow existing four-foot sidewalk and four-foot planting strip along North Davidson to remain.
 - d. Allow existing streetscape along 34th Street to remain.
 - e. Allow parking and maneuvering space within the required setback.
 2. Show the area for the proposed addition on site plan and note the proposed addition under the General Notes section.
 3. Amend Note 2 under General Notes to read, "Existing building will remain and will retain residential character, including any additions or expansions."
 4. Amend Site Data to remove note about the proposed uses.
 5. Amend General Notes to remove second paragraph of Note 5.
 6. Amend label regarding the existing fence to reflect a, "Six-foot high wood fence."
 7. Address Engineering and Property Management comment by removing note about removing trees for additional parking.
 - Area B: No issues.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department 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

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