

REQUEST Current Zoning: B-1, neighborhood business
Proposed Zoning: MUDD-O, mixed use development, optional

LOCATION Approximately 0.39 acres located on the north side of Central Avenue between St. Julien Street and Westover Street.
(Council District 1- Kinsey)

SUMMARY OF PETITION The petition proposes to allow the construction of a four-story building with 36 multi-family units with gated structured parking area on the ground level.

PROPERTY OWNER Bewrada LLC; Sarah Edith Long & Heirs
PETITIONER Gateway Communities NC, LLC
AGENT/REPRESENTATIVE Matthew G. Majors

COMMUNITY MEETING Meeting is required and has been held. Report available online.

STATEMENT OF CONSISTENCY This petition is found to be inconsistent with the *Central District Plan* but 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 Ryan seconded by Commissioner Allen).

ZONING COMMITTEE ACTION The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

1. The boundary survey has been revised to correctly show the locations of the existing buildings.
2. CDOT and Storm Water Services comments have been addressed as follows:
 - a. The petitioner clarified that portions of the interior of the sidewalk edge are located against required urban open space, and a raised bench feature. Petitioner has better delineated the six-foot sidewalk along the entire frontage of the rezoning site.
 - b. The petitioner shifted the gate panel and column approximately two feet to provide better clearance for the nearest parking stall located in the middle aisle.
 - c. The petitioner has removed Note B under Environmental Features in its entirety and replaced with the following: "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance."
3. The petitioner will be required to obtain an Encroachment Agreement at permit for the "fin" on the building.
4. A new note has been placed on the site plan that states the petitioner shall provide evergreen shrub or tree plantings at the rear of the building; such plantings will attain a minimum 10 feet in height at maturity. Additionally, the petitioner will provide plantings up to three large maturing trees on adjacent properties to the rear (Parcel ID #09507733 and #09507732), if requested and agreed to by the owner of those properties.

VOTE

Motion/Second:	Allen/Eschert
Yeas:	Allen, Dodson, Eschert, Labovitz, Ryan, and Zoutewelle
Nays:	None
Absent:	Low and Walker
Recused:	None

ZONING COMMITTEE DISCUSSION Staff reviewed this petition with the Committee, noting an addition to the site plan since the public hearing pertaining to the proposed plantings in the rear of the proposed building. Some Committee members expressed concern regarding parking conditions in this area,

but acknowledged this is the petitioner's decision to take this market risk. A Committee member asked about the nearest proposed streetcar stop. Staff responded that the nearest stop was probably at The Plaza. There was no further discussion of this petition.

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 rezoning site was downzoned from B-2 (general business) to B-1 (neighborhood business) via rezoning petition 1993-59, a corrective rezoning to support the recommendations contained in the *Central District Plan*.

• Proposed Request Details

- The site plan accompanying this petition contains the following provisions:
 - A four-story building (maximum building height of 60 feet) with up to 36 multi-family units and ground level parking.
 - Ground level lobby, mail, and coffee/lounge areas along the building frontage on Central Avenue for use by residents.
 - Gallery/display window area along Central Avenue (accessible only by property manager).
 - Small scale commercial uses allowed in MUDD (mixed use development), up to 675 square feet.
 - Ground level (gated) structured parking area consisting of 36 parking spaces. Bike rack and trash collection area located in the rear of the parking area.
 - Walkways on either side of building to provide lighted access from rear of parking area to front of building and public sidewalk along Central Avenue.
 - Building elevation providing perspective of proposed building from Central Avenue.
 - A central common entry with gathering space.
 - All units to have exterior balconies.
 - Building materials to include stucco and metal panel cladding.
 - Note indicating that side elevations will meet MUDD (mixed use development) minimum requirements for doors, windows, openings, and minimizing blank walls.
 - Freestanding and attached lighting will have full cut-off type lighting fixtures and be limited to 20 feet in height.
 - Optional request includes:
 - Provision to not provide a loading space as required per Section 9.8507.

• Public Plans and Policies

- The *Central District Plan* (1993) recommends retail on the rezoning site, but also notes that many of the existing businesses in the area have aged and redevelopment is likely in the years ahead. The rezoning site is also located just east of the *Plaza-Central Pedscape Plan* area, and is along the potential future City LYNX Gold Line (Streetcar).
- The request is inconsistent with the *Central District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** CDOT has the following comments:
 1. In locations where the sidewalk abuts the proposed building, CDOT requests the petitioner increase the proposed sidewalk dimension from 6 feet to 8 feet along the entire site.
 2. CDOT requests the petitioner adjust the proposed security gate pole location. As shown, it does not appear that a parked car door could open completely without hitting the pole.
- **Vehicle Trip Generation:**

Current Zoning: 360 trips per day.

Proposed Zoning: 340 trips per day.

- **Connectivity:** No issues.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate six students, while the development allowed under the proposed zoning will produce 27 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 21 students.
 - **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

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools 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: Claire Lyte-Graham (704) 336-3782