

REQUEST	Current Zoning: B-1 (neighborhood business) Proposed Zoning: MUDD-O (mixed use development – optional)
LOCATION	Approximately 0.145 acres located along North Davidson Street between East 35th Street and East 36th Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to renovate the existing building for use as a restaurant with outdoor seating.
PROPERTY OWNER	G.W. McCullough, III
PETITIONER	John M. Meyer
AGENT/REPRESENTATIVE	Robert Hess
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1 st meeting 51 2 nd meeting 46
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>Blue Line Extension 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 Ryan seconded by Commissioner Nelson).

ZONING COMMITTEE ACTION	The Zoning Committee voted 6–0 to recommend APPROVAL of this petition with the following modifications: <ol style="list-style-type: none"> 1. Specified that an eight-foot sidewalk is to be provided as shown on the site plan. 2. Decreased the amount of exterior seating from 3,100- square feet to 1,578-square feet, thus reducing the area of expansion. 3. Amended the wording for note III a. 2. to say “14’ setback reduced from 16’ setback as specified in the MUDD district.” 4. Removed the label and line for the existing 20-foot setback from sheet 2 Site Layout.
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VOTE	Motion/Second: Allen/Eschert Yeas: Allen, Dodson, Eschert, Nelson, Ryan, and Sullivan Nays: None Absent: Labovitz and Walker Recused: None
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ZONING COMMITTEE DISCUSSION Staff presented the petition to the Zoning Committee noting that all outstanding issues had been addressed and that the petition is consistent with the *Blue Line Extension Station Area Plan*. There was no further discussion.

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

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Permitted use as a restaurant/bar.
 - Total 6,300 square feet consisting of renovation of the existing 3,200-square foot building and creation of 1,578 square feet of open space in the form of exterior seating and landscaped area in the front and rear.

- Maximum building height of 40 feet.
 - Creation of a curb at the former drive along the street frontage in order to restrict parking on the sidewalk.
 - Construction of a permanent overhang along the front to cover exterior seating. Overhead doors provided at the front and rear to open up the interior to the exterior as weather permits.
 - Construction of a landscape island with a combination of evergreens, shrubs, annuals and possible local artwork between the sidewalk and front seating area.
 - Garbage and recycling area located to the rear and limited to roll-out service.
 - Limits exterior lighting to full cut-off, downwardly shielded fixtures and freestanding lighting that is a maximum of 25 feet in height.
 - Optional requests include:
 - Waive the six required spaces and provide no parking.
 - Provide a 14-foot setback as opposed to the 16-foot setback as specified in the adopted area plan.
 - 8-foot sidewalk at the back of curb with landscaped island added between the sidewalk and exterior seating.
 - **Public Plans and Policies**
 - The *Blue Line Extension Station Area Plan* (2013) recommends transit supportive uses. The site is located within a ¼ mile walk of the proposed 36th Street Station.
 - The petition is consistent with the *Blue Line Extension Station Area Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **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 reusing the existing building.
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OUTSTANDING ISSUES

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

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan

- Community Meeting Report
- Charlotte Area Transit System 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: John Kinley (704) 336-8311