

REQUEST	Current Zoning: B-1 (neighborhood business) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 1.5 acres located on the north side of East 7 th Street between Clement Avenue and Pecan Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the development of up to 95 multi-family residential dwelling units, at a density of 63 units per acre, with related amenities and accessory uses.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The proposed use and density is consistent with the <i>Elizabeth Area Plan</i> , which supports densities greater than 22 dwelling units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Various 7 th Street Progression Partners, LLC c/o Bryan Barwick John Carmichael, Robinson Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 33

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Up to 95 multi-family units in one building with ground level parking, and a project density of 63 units per acre.
 - Up to 2,100 square feet of residential amenities (such as a fitness center) and a 750-square foot leasing office.
 - Building height ranging from 40 feet where adjacent to residential homes or zoning, up to a maximum 52 feet (three to four stories maximum).
 - Installation of an eight-foot planted landscape buffer in front of a seven-foot opaque wall to screen the rear of buildings and parking areas from abutting or adjacent residential properties. A six-foot high opaque gated screen wall will be provided between the proposed building and the abutting existing single family home at the corner of East 7th Street and Clement Avenue.
 - Vehicular access to the site via East 7th Street.
 - An eight-foot sidewalk and eight-foot planting strip along the frontage on East 7th Street.
 - A 25-foot setback along East 7th Street from future back of curb.
 - Optional requests include:
 - On-street parking on East 7th Street adjacent to the site may be installed if approved by all applicable governmental agencies.
 - Building entrances and entry features including but not limited to: decorative paving, steps, stoops, courtyards, and courtyard walls may encroach into the setback.
 - The width of the sidewalk to be installed along the site's frontage on East 7th Street may vary from a minimum of eight feet to 13 feet.
 - Outdoor tables, chairs, and dining may be located on the 13-foot wide portion of the sidewalk to be installed along the site's frontage on East 7th Street.
 - In the event that on-street parking is installed on East 7th Street adjacent to the Site, the width of the eight-foot planting strip may be reduced to accommodate the on-street parking spaces.
- **Existing Zoning and Land Use**
 - The site is surrounded by single family and multi-family residences, office, retail, restaurant and entertainment uses, and recreational activities on properties in various zoning districts.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**

- The *Elizabeth Area Plan* (2011) recommends a mix of residential/office/retail on this site. The plan states: "These parcels should be a mix of small scale neighborhood-serving retail, office, and/or residential. Small-scale neighborhood-serving retail or office uses on the ground floor with office and/or residential above is appropriate, as are single-use residential, office, or retail uses. Single-use residential development may have densities greater than 22 dwelling units per acre. Building should not exceed 40 feet in height and should step down to adjacent single family parcels. Primary or secondary parking and vehicle access should be from alleys, if possible.
 - The proposed use and density is consistent with the *Elizabeth Area Plan*. While the maximum height of 52 feet is greater than what is recommended by the plan, the height is only 40 feet where abutting single family residential homes or zoning.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** CATS notes that the proposed site plan appears to provide an accessible, widened sidewalk in the vicinity of the existing bus stop. During the urban review process, CATS will more closely review the accessibility of the site design and determine if there is room to add a bench.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 2,300 trips per day.
Proposed Zoning: 650 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 25 students, while the development allowed under the proposed zoning will produce 71 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 46 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:** Urban Forestry notes that there are no existing street trees. If on-street parking is required, the planting strip behind the sidewalk must be a minimum of 8 feet to accommodate tree planting. The root system of the Willow Oak must be protected during all phases of construction.
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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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Remove courtyard walls from Optional Provision B. Specify how far decorative paving, steps and stoops are proposed to encroach into the setback, as well as the maximum amount of the setback area impacted by the encroachments. In addition, steps are only permitted perpendicular to the setback.
 2. Clarify the intent of Optional Provision D that proposes outdoor tables, chairs, and dining to be located on the portion of the sidewalk along a site intended for a multi-family residential development. In addition, confirm that these features will not obstruct the sidewalk and that an

- eight-foot clear sidewalk zone will remain in all cases.
3. Remove Architectural Standards Note D as the zoning standards allow balconies to project up to two feet with a minimum clearance of 10 feet from grade.
 4. Remove references to adopted area plans on Sheet RZ-1.0 of the site plan.
 5. Confirm type of residential product proposed and note under Development Information on Sheet RZ-2.0, as this line item currently proposes apartments, condominiums, townhomes.
 6. A portion of the proposed planted buffer and wall appear to be located outside of the rezoning area and in the alley. Place any proposed buffer and screening materials on the rezoning site or abandon the alleyway.
 7. Address Urban Forestry's comments.
 8. Under Lighting Note B, specify maximum height of freestanding lighting.
 9. Remove Note C from the "General Provisions" as the issue is addressed under Note D.
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Attachments Online at www.rezoning.org

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

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