

REQUEST	Current Zoning: R-5 (single family residential) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional)
LOCATION	Approximately 0.177 acres located on the east side North Davidson Street between East 32nd Street and East 33rd Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow all uses in the TOD-M (transit oriented development – mixed-use) district with the existing structure to remain.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	John Ravelli Charlotte-Mecklenburg Planning Department John Ravelli
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 57
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Blue Line Extension Transit Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The <i>Blue Line Extension Transit Station Area Plan</i> recommends transit supportive uses for the subject property. <p>Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed request limits the building height to 50 feet as recommended in the plan; and • The petition allows the preservation of the existing mill home; and • The property is located within ½ mile of the future 36th Street Transit Station; <p>By a 5-1 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Eschert).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 5-1 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Revised the plan to show the existing four-foot wide sidewalk and 1.5-foot wide planting strip along North Davidson Street to remain. 2. Revised the site plan to show nine required parking spaces in the rear of the site to meet the minimum parking requirements for an eating/drinking/entertainment establishment. 3. Specified the maximum building height of 50 feet under the development notes. 4. Deleted the optional request 3 to allow the existing streetscape along North Davidson Street to remain as this it is covered through optional provision 2. 5. Revised the proposed use and Note 5 under General Notes on the site plan to reflect all uses permitted in the TOD-M (transit oriented development – mixed-use) district. 6. Changed Note 2 under General Notes to say, "Existing building will remain and retain the existing mill house character with a porch along North Davidson Street, clear glass windows on all street fronting facades and entry door facing North Davidson Street." 7. Amended Note 3 under General Notes limiting the height of
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	<p>detached, freestanding lighting to 15 feet.</p> <p>8. Amended the note at the request of the neighborhood association to say "Dumpster service to pick up during normal business hours."</p> <p>9. Changed the label for the fence from "privace" to "privacy".</p> <p>10. Organized conditional notes under the appropriate categories.</p>
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VOTE	<p>Motion/Second: Sullivan/Nelson</p> <p>Yeas: Dodson, Eschert, Lathrop, Nelson, and Sullivan</p> <p>Nays: Ryan</p> <p>Absent: Labovitz</p> <p>Recused: None</p>
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ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition. A commissioner asked why there was an optional request for the sidewalk along East 32nd Street. Staff explained that the optional request was to allow the existing structure to remain. The adopted streetscape plan recommends an eight-foot planting strip and six-foot sidewalk. The existing building sits 6.25 feet from the back of curb.

Another commissioner asked how pedestrians will access the building from the parking lot. Staff responded that any business located on the site would need to provide ADA accessibility from the parking lot to the building entrance. This issue will be addressed during permitting.

MINORITY OPINION

The minority felt that in a transit oriented development pedestrian facilities such as sidewalks should be provided along all streets.

STAFF OPINION

Staff agrees with the recommendation of the majority 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:
 - Proposes retail and office uses allowed in the TOD-M (transit oriented development – mixed-use) district.
 - Provides nine parking spaces at the rear.
 - Preserves the existing mill house structure and commits to retaining the existing mill house character with a porch along North Davidson Street, clear glass windows on all street fronting facades and an entry door facing North Davidson Street.
 - Specifies exterior lighting will be residential in character and limits the height of detached, freestanding lighting to 15 feet.
 - Limits building height to 50 feet.
 - Specifies that if dumpsters are required by the tenant they will be screened according to the standards of the Ordinance and that garbage pick-up will be during normal business hours.
 - Optional requests include:
 - Reduce the required 16-foot setback along North Davidson Street to 11.25 feet to accommodate the existing porch.
 - Allow the existing four-foot wide sidewalk and 1.5-foot planting strip along North Davidson Street to remain.
 - Require no streetscape and sidewalk along East 32nd Street.
 - Reduce the required 16-foot setback along East 32nd Street to 6.25 feet to accommodate the existing structure.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit supportive land uses, with a height limit of 50 feet.
 - The plan contains recommended design policies for this area in which this site is located,

including encouraging the preservation and adaptive reuse of the mill houses and ensuring adequate parking is provided as development occurs.

- 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 issues.
 - **Charlotte Department of Neighborhood & Business 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 Water:** 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.
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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 facilitating the adaptive reuse of the existing structure.
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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
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: John Kinley (704) 336-8311