

REQUEST	Current Zoning: B-1 (neighborhood business) and MUDD(CD) (mixed use development, conditional) Proposed Zoning: MUDD(CD) (mixed use development, conditional) and MUDD(CD) SPA (mixed use development, conditional, site plan amendment)
LOCATION	Approximately 1.92 acres located on the north side of Central Avenue between Nandina Street and Landis Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes up to 97 multi-family dwelling units, with up to 7,800 square feet of non-residential uses including 3,000 square feet for leasing office and amenity space and 4,800 square feet of commercial uses along Central Avenue.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>Central District Plan</i> , which recommends retail for a portion of the site and mixed use retail/office as amended by the previous rezoning for a portion of the site; however, the proposed development is consistent with recently constructed projects on Central Avenue. The petition also supports the goal of developing in a manner that complements a multi-modal transportation system and the future extension of the LYNX Gold Line (street car) by revitalizing a brownfield site and developing vacant parcels with a pedestrian-oriented, mixed use development.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Numerous, see application on website. DPJ Residential, LLC NA
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 11

PLANNING STAFF REVIEW

- **Background**
 - Petition 2006-133 rezoned a 0.656 acre portion of the site to MUDD (CD) (mixed use development, conditional). The approved site plan contains the following conditions:
 1. Allows up to 13,500 square feet of mixed use office, retail, restaurant, personal service and medical office uses.
 2. Limits maximum building height to two stories and 60 feet.
 3. Removes the existing billboard on the site prior to construction.
 4. Commits that each tenant occupying the ground floor will have an operable door from the public sidewalk or open space and doors will not swing across the setback line.
 5. Specifies that the first floors of all buildings, including structured parking, must be designed to encourage and compliment pedestrian scale activity. It is intended that this would be accomplished by the use of windows and doors on at least 50% of the length of the first floor street frontage. Art, pedestrian amenities, landscaping, articulated facades and display areas may be considered in meeting the requirement.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Eliminates the previous conditional plan for a 0.656 acre portion of the property and incorporates the area into the subject conditional plan.
 - Allows up to 97 multi-family dwelling units with up to 7,800 square feet of non-residential uses including 3,000 square feet for leasing office and amenity space and 4,800 square feet of commercial uses along Central Avenue.
 - Limits the maximum building height to 60 feet. Specifies one building will be four stories and the other to three and a half stories.

- Provides parking at a rate of 1.28 parking spaces per unit, for a total of 124 parking spaces.
- Provides approximately 20% urban open space on the site.
- Commits to dedicating additional right-of-way along Central Avenue.
- Provides two access drives on Central Avenue.
- Provides on-street parking, a six-foot sidewalk at back of curb, and an eight-foot planting strip along Central Avenue.
- Specifies proposed building materials to include clear glass on the ground level, commercial street front spaces with storefront glass, doors and masonry, varying masonry elements, prefinished metal railings, stucco, and fiber cement siding, trim and paneling.
- Provides ground level storefront commercial doors with connectivity to public sidewalks/streets, leasing office and amenity space on the ground floor on the right edge of the larger building, and exterior balconies for all units.
- Provides private on-site waste collection.
- Limits detached lighting to a maximum height of 20 feet.
- **Existing Zoning and Land Use**
 - A portion of the property is vacant while the remainder of the property is developed with a retail building and an automobile repair service.
 - The property to the north is zoned R-22MF (multi-family residential) with a mixture of multi-family and single family uses. Property to the east is zoned B-1 (neighborhood business) and developed with a warehouse use. Property to the south is zoned NS (neighborhood service) and O-1 (office) and contains an automobile service station and army reserve center. Property to the west is zoned MUDD-O (mixed use development, optional) and is currently being developed for multi-family residential.
- **Rezoning History in Area**
 - A number of rezonings have taken place in the area to accommodate redevelopment for a variety of uses including commercial, multi-family and single family.
- **Public Plans and Policies**
 - The *Central District Plan* (1993) recommends retail for the majority of the site and mixed use (retail/office), as amended by rezoning 2006-133, for a 0.656 acre portion of the site.
 - The mixed use (residential/commercial), urban, pedestrian-oriented character of the proposed development is consistent with recently constructed projects on Central Avenue closer to Center City and supports the goal of developing in a manner that complements a multi-modal transportation system and the future extension of the LYNX Gold Line (street car)
 - The petition 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:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 8,000 trips per day.
Proposed Zoning: 1,015 trips per day.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 30 students, while the development allowed under the proposed zoning will produce 38 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is eight students.
 - **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.
 - **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*.
 - Protects/restores environmentally sensitive areas by redeveloping an infill, brownfield site.

OUTSTANDING ISSUES

- The petitioner should:
 1. Label the additional building setback provided along Central Avenue.
 2. Provide a note specifying that the existing billboard on the site will be removed.
 3. Provide a detail of the retaining wall and fence along the rear property line and show the height and materials of the wall and fence.
 4. Amend the label for the loading space to read "striped temporary loading space."
 5. Specify when the right-of-way will be dedicated.
 6. Remove density from the Development Data Table because mixed use buildings use FAR.
 7. Amend Note a under Environmental Features to refer to the Gold Line rather than the Silver Line.
 8. Amend the site plan to show dwelling units connecting to the internal sidewalk.
 9. Amend Note h. under the Development Data Table or amend Note A under Permitted Uses and the label on the site plan for commercial shell space so that they match.
 10. Amend Note k. under Development Data Table to say required parking per MUDD standards (1 space per residential unit and 1 space per 600 square feet of non-residential) and total parking provided 124 spaces.
 11. Amend Note l. under Development Data Table to quantify the provided urban open space in the same method as reflected in the Zoning Ordinance.
 12. Delete the words "or existing requirements" from the last sentence of Note a. under General Provisions.
 13. Amend Note a. under Permitted Use to accurately reflect the uses proposed.
 14. Delete Note b. under Lighting as it is repeated.
 15. Amend Note a. under Architectural Standards to say, "all units with frontage on Central Avenue have exterior balconies, stoops or patios."
 16. Amend Note a. under Streetscape and Landscaping to read "Petitioner will provide street trees per the City of Charlotte Tree Ordinance within the planting strip as generally depicted on the site plan."
 17. Remove RZ-01 as is it part of the rezoning application and not part of the site plan.

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
- Transportation Review
- Charlotte-Mecklenburg Schools 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
- Urban Forestry Review

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