

REQUEST	Current Zoning: B-1 (neighborhood business) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 0.155 acres located on the east side of North Davidson Street between East 34 th Street and East 35 th Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to renovate and expand the existing building to allow all nonresidential uses permitted in the MUDD (mixed use development) district.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Blue Line Extension Station Area Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	3106 North Davidson, LLC 3106 North Davidson LLC Russell W. Fergusson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: No attendees.

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Reuse of an existing 2,632-square foot building, with a 500-square foot addition for a maximum of 3,132 interior square feet, an additional 910 square feet of outdoor seating, and a permanent canopy addition to the front of the structure.
 - Permitted uses include non-residential uses allowed in the MUDD (mixed use development) district.
 - Maximum building height of 40 feet.
 - Trash and recycling rollout containers are located inside an enclosure.
 - Front and north side building elevations, which include proposed additions.
 - Maximum of 26 bicycle spaces provided on site, with a five-foot deeded access to additional spaces for an existing eating/drinking/entertainment establishment located on an adjacent parcel.
 - Vinyl is prohibited as a building material but may be used on windows, soffits, garage doors or handrails/railings.
 - A six-foot wooden fence and Loblolly Pines will be provided at the rear of the property abutting R-5 (single family residential) zoned tax parcel 08308309.
 - Detached lighting limited to a maximum of 20 feet in height.
 - Optional requests include:
 - Require no parking for this use.
 - Allow a minimum setback of 14 feet instead of 16 feet as specified in the adopted area plan.
 - Allow the existing six-foot sidewalk to remain and not require an eight-foot planting strip or 200 square foot pavement cutout.
- **Existing Zoning and Land Use**
 - The subject property is developed with a commercial building and surrounded by a mix of residential, office, retail, personal services and industrial uses in various zoning districts.
- **Rezoning History in Area**
 - There have been several rezonings in the area to MUDD-O (mixed use development, optional) and TOD-MO (transit oriented development – mixed-use, optional) to accommodate retail, office and mixed use developments.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013), specifically the 36th Street Transit Station Area, recommends a mix of residential, office and retail uses in this area. The plan recommends a maximum building height of 50 feet, with active uses at the ground level and

- clear glass windows and doors with entrances that front and connect to the sidewalk.
 - The petition is consistent with the *Blue Line Extension Transit Station Area Plan* (2013).
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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.
 - **Vehicle Trip Generation:**
Current Zoning: 1,500 trips per day.
Proposed Zoning: 750 trips per day.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** No comments received.
 - **Engineering and Property Management:** Rezoning plan shows no space for perimeter trees along N. Davidson Street.
 - **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 and rehabilitating an existing structure.

OUTSTANDING ISSUES

- The petitioner should:
 1. Redraw the site plan using an engineering scale.
 2. Show and label tree save areas.
 3. Remove the note indicating that Loblolly Pines will be provided at the rear of the property abutting the R-5 property and indicate that evergreen trees will be provided.
 4. Reflect space for perimeter trees along North Davidson Street as required by the Tree Ordinance.
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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
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services 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: Sonja Sanders (704) 336-8327