

REQUEST	Current Zoning: R-5 (single family residential) Proposed Zoning: MUDD-O (mixed use development, optional)										
LOCATION	Approximately 0.122 acres located on the east side of North Davidson Street between Mercury Street and East 37 th Street. (Council District 1 - Kinsey)										
SUMMARY OF PETITION	The petition proposes to expand and reuse an existing residential structure as either a residence or an office.										
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	3410 NODA, LLC 3410 NODA, LLC Seth J. Wheeler										
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 54										
STATEMENT OF CONSISTENCY	<p>The potential residential use is consistent with the adopted plan while the potential general office use is inconsistent with the 36th Street BLE Transit Station Area Plan, based on information from the staff analysis and the public hearing, and because:</p> <p>The plan recommends low density residential uses (up to eight units per acre) in this area.</p> <p>However, 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"> • Reuse of the existing structure will ensure physical and visual compatibility with the scale and character of the established neighborhood; and • The possible building addition will be residential in character and scale, and will match the existing structure in terms of building materials, roof pitch and foundation. <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Nelson seconded by Commissioner Dodson);</p>										
ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ul style="list-style-type: none"> • Amended Note 6a to specify that the petitioner will provide enhanced landscaping at the areas indicated on Sheet RZ-2. These areas will consist of shrubbery and mulch beds. • Amended Note 5d as follows: "Any current structure or proposed addition will not have expanses of blank wall that exceed 20 continuous feet in length." • Will retain the existing five-foot concrete sidewalk per City Council's request. 										
VOTE	<table border="0"> <tr> <td>Motion/Second:</td> <td>Eschert/Nelson</td> </tr> <tr> <td>Yeas:</td> <td>Dodson, Eschert, Labovitz, Lathrop, Nelson, Sullivan and Wiggins</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>None</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Eschert/Nelson	Yeas:	Dodson, Eschert, Labovitz, Lathrop, Nelson, Sullivan and Wiggins	Nays:	None	Absent:	None	Recused:	None
Motion/Second:	Eschert/Nelson										
Yeas:	Dodson, Eschert, Labovitz, Lathrop, Nelson, Sullivan and Wiggins										
Nays:	None										
Absent:	None										
Recused:	None										
ZONING COMMITTEE DISCUSSION	Staff provided an overview of the petition and noted there are no outstanding issues.										
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:

- Reuse of an existing 1,175-square foot one story residential structure as either a residence or for general office uses.
- Maximum building not to exceed 1,800 square feet, with a possible 625 square-foot expansion.
- The proposed addition will be residential in character and scale, and match the existing structure in terms of building materials, roof pitch and foundation. Vinyl as a building material may only be used on windows.
- Parking will be located at the rear of the site and will be screened by a six-foot privacy fence.
- Any current structure or proposed addition will not have expanses of blank wall that exceed 20 continuous feet in length.
- Petitioner will provide enhanced landscaping at the areas indicated on Sheet RZ-2. These areas will consist of shrubbery and mulch beds.
- The existing six-foot wooden privacy fence along a portion of the site's boundary is to remain and portions may be repositioned.
- Detached lighting limited to 20 feet in height and all new lighting shall be full cut-off type lighting fixtures excluding lower decorative lighting.
- Optional requests:
 - Eliminate the additional third onsite parking space required due to the proposed future expansion area not to exceed 625 square feet.
 - Retain the current five-foot sidewalk, with no planting strip on North Davidson Street.
- **Public Plans and Policies**
 - *The 36th Street BLE Transit Station Area Plan* (2013) recommends low density residential uses (up to eight units per acre) in this area and limits height to 40 feet for compatibility with the surrounding character. This site is between ¼ and ½ mile walk distance from the 36th Street Transit Station.
The potential residential use is consistent but the potential general office use is inconsistent with the adopted policies in the *36th Street BLE Transit Station Area 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.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No comments received.
- **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 comments received.

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 an existing building.

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
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327