

Note: The petitioner is requested a deferral of the decision on this petition until April 18, 2016.

REQUEST	<p>Current Zoning: B-1 (PED) (neighborhood business, pedestrian overlay), R-22MF (multi-family residential), R-22MF (PED) (multi-family residential, pedestrian overlay)</p> <p>Proposed Zoning: MUDD-O (mixed use development, optional) and MUDD-O (PED) (mixed use development, optional, pedestrian overlay)</p>
LOCATION	<p>Approximately 1.601 acres located on the west side of Beatties Ford Road, north of Mill Road and east of Campus Street in the Biddleville neighborhood. (Council District 2 - Austin)</p>
SUMMARY OF PETITION	<p>The petition proposes institutional uses associated with Johnson C. Smith University. Specifically, the petition proposes to:</p> <ol style="list-style-type: none"> 1. Renovate and expand the historic Old Mt. Carmel Baptist Church building for classrooms and university offices, 2. Construct an adjacent new building not to exceed 12,000 square feet, along with an accompanying parking lot for Johnson C. Smith University's School of Social Work, and 3. Reuse an existing duplex and single family home for "university use" or to provide housing for university affiliated faculty/persons.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>Johnson C. Smith University, Inc. Johnson C. Smith University, Inc. Neighboring Concepts, PLLC</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 17</p>
STATEMENT OF CONSISTENCY	<p>The Zoning Committee this petition to be inconsistent with the <i>West End Land Use & Pedscape Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The proposed institutional use for the portion of this petition along Beatties Ford Road is inconsistent with the <i>West End Land Use & Pedscape Plan</i> recommendation for a mix of multi-family, office, and retail uses for the area in which the site is located; and • The institutional use for the portion of this petition along Campus Street, including the historic church building, is inconsistent with the <i>Central District Plan</i> recommendation for single family/multi-family up to eight dwelling units per acre. <p>However, this petition was 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 <i>West End Land Use & Pedscape Plan</i> does not recommend university controlled institutional uses for the area included in this petition; and • While the plan does not call for institutional uses on this site, it does identify the site as being located in the University District. It further recommends land uses that support housing for students and non-residential uses that benefit Johnson C. Smith and other universities; and • The proposed institutional uses will accomplish the goal of supporting and benefitting the university; and • In addition, the proposed rezoning will renovate and reuse an existing church built in 1921 and located at the edge of the Biddleville neighborhood on Campus Street;

By a 7-0 vote of the Zoning Committee (motion by Labovitz seconded by Wiggins).

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <p><u>Land Use</u></p> <ol style="list-style-type: none"> 1. Removed the note shown on the existing church that indicates it will be used for classrooms and offices. <p><u>Site and Building Design</u></p> <ol style="list-style-type: none"> 2. Revised the site plan so that the “future parking” is located no closer to Mill Road than the abutting structures. 3. Provided the maximum amount of relief from the sidewalk, planting strip, and setback requirements for the optional requests. <p><u>Transportation</u></p> <ol style="list-style-type: none"> 4. Committed to the dedication of all required easements as shown on the most updated Streetcar Plans (SUE and Construction Easement) needed for the construction of the streetcar project. 5. Redrew the cross section along Beatties Ford Road to reflect current conditions. Eliminated the reference to the “future items” including the seven-foot sidewalk along the frontage on Beatties Ford Road, the streetcar stop, and the median in Beatties Ford Road. 6. Identified the existing back of curb and future back of curb on all streets and measured all setbacks from the future back of curb.
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VOTE

Motion/Second: Labovitz / Wiggins
 Yeas: Dodson, Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff presented this item and noted all outstanding issues had been addressed by the petitioner. Staff noted that this petition is inconsistent with the *West End Land Use & Pedscape Plan.A* Commissioner inquired about the status of requested transportation commitments, and CDOT staff responded that the petitioner had addressed all items. There was no further discussion.

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:

- Accommodates renovation of an existing church built in 1921 for university classrooms and offices. Building square footage will increase from 11,307 square feet to 11,810 square feet to allow improvements that include an elevator, an HVAC and related mechanical equipment area, and an egress stairway.
- Prohibits off-street parking structures, metal shed structures and portable buildings on the site.
- Proposes a new parking area that abuts the church to the north and provides ingress/egress onto Campus Street. Parking area will be landscaped, with pedestrian pathway connecting to church and new sidewalk along Campus Street.
- Identifies the approximate location of a future university building not to exceed 12,000 square feet with an associated parking area.
- Allows a maximum building height of 40 feet (exempting the existing belfry tower of the church).
- Allows an existing 1,038-square foot duplex and existing 1,656-square foot residential home on the site to remain for university use or to provide housing for university affiliated faculty or

staff.

- Proposes building materials to be used on buildings constructed on site to be a combination of portions of the following: brick, stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.
- Commits to coordination with the City of Charlotte to grant construction easements required for the City LYNX Gold Line, Phase 2.
- Proposes a new six-foot wide sidewalk and eight-foot planting strip along frontage of new parking area on Campus Street, and along a portion of Mill Street where “future” parking and a “future” university building are identified on the site plan.
- Identifies trees to remain on site.
- Requests the following optional provisions:
 - Relief as indicated on site plan from sidewalk and planting strip requirements where existing conditions prohibit compliance along Campus Street, Mill Road, and Beatties Ford Road.
 - Relief as indicated on the site plan from setback requirements to accommodate existing buildings and porches along Campus Street.
- **Public Plans and Policies**
 - The *Central District Plan* (1993) recommends single family/multi-family up to eight dwelling units per acre for the portion of this petition along Campus Street, including the historic church building.
 - The *West End Land Use & Pedscape Plan* (2005) recommends a mixture of multi-family, office, and retail uses for the area in which the site is located. The area plan identifies this area as the University District and recommends land uses that support housing for students and non-residential uses that benefit Johnson C. Smith and other universities.
 - The petition supports the *General Development Policies-Environment* by reusing an existing building and redeveloping an existing site in a developed area, thereby minimizing further environmental impacts while accommodating growth, and supporting walkable development where a mix of uses already exist.
- **TRANSPORTATION CONSIDERATIONS**
 - This petition is adjacent to the future streetcar alignment. Therefore, the primary transportation goal for this site is to help advance the streetcar project, including obtaining easements and right-of-way needed for that project.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **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 issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services 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
- Transportation Review

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