

REQUEST	Current Zoning: R-8 (single family residential) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional), with five year vested rights
LOCATION	Approximately 0.64 acres located on the south side of North Brevard Street between Belmont Avenue and Parkwood Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes redevelopment of an existing single family site in the North Charlotte community to allow all uses permitted in the TOD-M (transit oriented development – mixed-use) district. Uses allowed in the TOD-M (transit oriented development – mixed-use) district include office, residential, retail, and civic uses.
PROPERTY OWNER	Caroline A. Voelkers, Lillian Rebecca Keesler Chance c/o Timothy W. Lackey
PETITIONER	White Point Paces Properties
AGENT/REPRESENTATIVE	John Carmichael, Robinson Bradshaw & Hinson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition 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: <ul style="list-style-type: none"> • The plan recommends transit supportive uses. • Therefore, 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: <ul style="list-style-type: none"> • The site is within ½ mile walk distance from the Parkwood Station on the LYNX Blue Line Extension; and • The area is expected to transition to transit supportive development over time. Development will be required to meet all TOD-M (transit oriented development – mixed use) ordinance requirements; and • The petition redevelops an infill site, thereby minimizing further environmental impacts while accommodating growth; and • Site is adjacent to a proposed multi-use path to be located along the north side of North Brevard Street adjacent to this rezoning area; <p>By a 6-0 vote of the Zoning Committee (motion by Labovitz seconded by Watkins).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition. The following modifications have been made:</p> <ol style="list-style-type: none"> 1. Amended Note 6B(2)(a)(i) to provide a full local office/commercial wide street cross-section. 2. Amended Note 6B (2)(a)(iii) under “Streetscape/Landscaping/Open Space” to note that the streetscape along Belmont Avenue will be built to the standards of the ordinance at the time of construction, of such streetscape improvements. Notwithstanding the foregoing, any ground floor use designed for nonresidential use will have tree grates or eight-foot by 16-foot open tree wells in lieu of a planting strip if on-street parking is present. 3. Added Note 6C as follows: Prior to the issuance of the first certificate of occupancy for the Mill Buildings (as defined on the approved conditional rezoning plan for Petition 2016-29) the
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petitioner shall file with the Planning Department a request for an administrative amendment to the approved conditional rezoning plan relating to Petition 2016-29 to provide as follows:

- (i) Upon the redevelopment of Development Area B2 (as defined on the approved conditional rezoning plan for Petition 2016-29), Petitioner shall complete the following along Development Area B2's frontage on Belmont Avenue prior to the issuance of the first certificate of occupancy for a new structure on Development Area B2:
 - a. Dedicate and convey to the City (subject to reservation for any necessary utility easements) those portions of Development Area B2 located immediately adjacent to Belmont Avenue that are necessary to provide the full right-of-way required for the local office/commercial wide street section based upon an asymmetrical widening.
 - b. Install new curb and gutter in the location required for the office/commercial wide street section.
 - c. (iv) Install an eight-foot wide planting strip and an eight-foot wide sidewalk.

VOTE

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

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition and explained that there are no outstanding issues. Staff noted that the petition is consistent with the *Blue Line Extension Transit Station Area Plan*. There was no further discussion regarding the petition.

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:

- It is the petitioner's intent to utilize the site (or portions thereof) for surface parking that will support the Mill Building and uses located on tax parcel 081-042-02 as provided in Section 3B until such time that the site is redeveloped.
- Allows all uses permitted and incidental/accessory uses permitted in the TOD-M (transit oriented development - mixed-use) district.
- Surface parking lots less than one acre in size are permitted with prescribed conditions. Alternatively, the site may be used for accessory surface parking lots to the Mill Building located on tax parcel 081-042-02 when the land is recombined with that parcel.
- A minimum 20-foot setback will be provided from the back of future curb along North Brevard Street.
- A minimum 16-foot setback will be provided from the back of future curb along Belmont Avenue.
- The streetscape along Belmont Avenue will be built to the standards of the ordinance at the time of construction of such streetscape improvements. Notwithstanding the foregoing, any ground floor use designed for nonresidential uses will have tree grates or eight-foot by 16-foot open tree wells in lieu of a planting strip if on-street parking is present.
- Petitioner shall dedicate and convey right-of-way measuring 38.5 feet from the existing centerline of Belmont Avenue and North Brevard Street.
- Prior to the issuance of the first certificate of occupancy for the Mill Buildings, (the petitioner shall file a request for an administrative amendment related to the dedication and conveyance of right-of-way, curb and gutter and planting strip and sidewalk along Belmont Avenue. Optional Provisions:

- Until such time that a parcel located within the site is redeveloped, the existing building located on such parcel may remain in place and be devoted to uses permitted therein.
- Existing buildings located on the site shall not be required to meet the urban design standards of the TOD-M zoning district.
- Until such time as the site is redeveloped, the site shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M district.
- Until such time that the site is redeveloped, the uses and development located on the site shall not be required to meet the minimum and/or maximum parking requirements of the ordinance due to the proximity of the site to a transit station and the unique elements of the site.
- It is anticipated that the site will be redeveloped in phases, and it is the petitioner's intent to utilize the site (or portions thereof) for surface parking that will support the Mill Building and uses located on tax parcel 081-042-02 as provided in Section 3B until such time that the site is redeveloped. During the time period in which the site (or portions thereof) is devoted to surface parking that will support the Mill Building and uses located on tax parcel 081-042-02, the optional provisions shall apply to the site. These optional provisions may not be utilized upon the redevelopment of the site.
- A surface parking lot or parking lots may cover the entire width and depth of the site (or a parcel within the site) subject to the required setbacks and yards.
- Surface parking and vehicular maneuvering areas shall be permitted between the permitted uses on the site (or on a parcel within the site) and the required setbacks.
- A surface parking lot or parking lots that are located on the sides of any structures located on the site (or on a parcel within the site) may cover more than 35% of the total lot width subject to the required setbacks and yards.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit supportive uses for the subject site.
 - The adopted area plan recommends that height be established by ordinance requirements.
 - A proposed multi-use path is proposed to be located along the north side of North Brevard Street adjacent to this rezoning area.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located along two local streets and just south of CATS Blue Line Extension project. The current site plan commits to local street cross section improvements including planting strip and sidewalk with dedication of public right-of-way for these facilities.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 50 trips per day (based on five single family dwellings).
 - Entitlement: 50 trips per day (based on five single family dwellings).
 - Proposed Zoning: Too many uses to determine trip generation (based on all TOD-M (transit oriented development – mixed-use) uses)

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 issues.
- **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:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located along North Brevard Street and an existing six-inch water distribution main located along Belmont Avenue. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along Belmont Avenue and an existing 12-inch gravity sewer main located along North Brevard Street.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **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 Fire Department 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

Planner: Sonja Strayhorn Sanders (704)-336-8327