

REQUEST	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-R-O (transit oriented development – residential, optional)
LOCATION	Approximately 0.68 acres located on the west side of North Brevard Street between Faison Avenue and East 33 rd Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to develop a vacant parcel located in the North Charlotte community within one-half mile of the 36 th Street transit station, with a maximum of 40 multi-family apartments, and accessory uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Gateway Communities NC, LLC Gateway Communities NC, LLC Chip Cannon, Urban Design Partners
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 40

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and parking, as well as a minor technical revision.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Blue Line Extension Transit Station Area Plan</i> recommendation for transit supportive uses within ½ mile of the 36th Street transit station.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The subject site is within a ½ mile walk of the 25th Street and 36th Street Transit Stations on the Blue Line Extension. • The area plan does not provide a specific height limit for the site; however, the TOD-R standards will provide a height transition between nearby single family homes and taller buildings located closer to the 36th Street Station. • A portion of the proposed Cross Charlotte Trail Spur will be constructed on this site. • Planters and benches will be provided in the open space adjacent to the site's frontage on the proposed trail. In addition, the proposed building will be designed to complement the trail with balconies overlooking the path. • This rezoning also includes the construction of a new street within existing city right-of-way. This new street will provide frontage for the subject parcel which currently is land locked, and will also provide access to nearby CATS and Duke Energy facilities.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - A single building containing a maximum of 40 for-rent apartment units, and a parking garage along with incidental and accessory uses allowed in the TOD-R (transit oriented development – residential) district.
 - Maximum building height of 60 feet and five stories including the parking level.
 - Exterior building materials may include brick, masonry, fiber cement siding, glazing, concrete, terra cotta, stucco, metal or any combination thereof. Vinyl is not permitted as a building material except on windows and soffits.
 - Vehicular access will be provided from a proposed local public street connected off North Brevard Street.
 - A five-foot wide section of concrete or asphalt multi-use trail, which will provide a portion of the proposed Cross Charlotte Trail Spur, will be installed by the petitioner on the southern edge of

the site adjacent to the proposed Cross Charlotte Trail prior to the issuance of a certificate of occupancy.

- Petitioner will install raised and at-grade planters and benches along the site's frontage on the Cross Charlotte Trail Spur.
- Urban open spaces will be provided adjacent to the Cross Charlotte Trail Spur, which will be improved with seating, plantings and other amenities.
- The internal garage will be screened from the Cross Charlotte Trail Spur using ornamental metalwork panels, green screen, evergreen vine plantings, or a combination thereof.
- Petitioner shall provide on-site artwork in the amount of \$5,000.
- Elevations are included in the proposal.
- Optional Provisions include:
 - Outdoor lighting fixtures shall be permitted to provide lighting on the proposed multi-use trail along the southeastern boundary of the property. Said lighting may extend across the property line to illuminate the future full width of the proposed trail.
 - Development shall not be required to meet street wall requirements for use of clear glass windows and doors on at least 25% of the length of the first floor of the proposed building along the proposed multi-use trail frontage. However, a combination of design elements shall be used on the building façade, or included into the site design, to animate and enliven the streetscape. These design elements may include but are not limited to the following: ornamentation, molding, string courses, changes in material or color, architectural lighting, works of art, fountains and pools, street furniture, stoops, landscaping and garden areas, and display areas.
 - Development shall not be required to provide an operable pedestrian entrance on the façade closest to the proposed multi-use trail. However, a pedestrian access point will be provided from the parking garage directly to the multi-use trail.
- **Existing Zoning and Land Use**
 - The subject property, which is bounded to the north and south by railroad lines, is currently vacant. The proposed Cross Charlotte Trail abuts the property to the south.
 - Adjacent properties located north of the rail lines are zoned MUDD(CD) (mixed use development, conditional), TOD-M(CD) (transit oriented development - mixed-use, conditional) and I-2 (general industrial) and contain multi-family apartments or are vacant.
 - Surrounding properties located south of the subject property, on either side of North Davidson Street, are developed with multi-family, single family, institutional, commercial, and industrial warehouse uses in MUDD-O (mixed use development, optional), TOD-M(O) (transit oriented development – mixed-use, optional), NS (neighborhood services), O-1(CD) (office, conditional), I-2 (general industrial), R-5 (single family residential) and R-22MF (multi-family residential) districts.
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2016-091 approved MUDD-O SPA (mixed use development, optional, site plan amendment) zoning for approximately 1.4 acres located on the north side of North Davidson Street between East 33rd Street and North Brevard Street to construct up to 35 single family attached units on two areas currently used as surface parking on the site of the existing Highland Mill No. 3 in the North Davidson neighborhood. The site and the mill are locally designated historic landmarks.
 - Petition 2015-039 rezoned 1.644 acres located on the east side of Matheson Avenue between North Brevard Street and North Davidson Street from R-5 (single family residential), I-2 (general industrial) and MUDD-O (mixed use development, optional) to TOD-M(O) (transit oriented development - mixed-use, optional) to allow up to 147 multi-family dwelling units and a maximum 1,500 square feet of non-residential uses.
 - Petition 2015-004 rezoned 0.177 acres located on the east side of North Davidson Street between East 32nd Street and East 33rd Street from R-5 (single family residential) to TOD-MO (transit oriented development – mixed-use, optional) to allow all uses in the TOD-M (transit oriented development – mixed-use) district except eating/drinking/entertainment establishments, with the existing structure to remain.
 - Petition 2014-100 rezoned 15.50 acres located on the southeast corner at the intersection of West 30th Street and Chick Godley Road from UR-3(CD) (urban residential, conditional) to TOD-M (transit oriented development – mixed-use) to allow all uses in the TOD-M (transit oriented development – mixed-use) district.

- **Public Plans and Policies**

- The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit supportive uses for the subject site.
 - Land development policies encourage a mix of residential, office, retail, civic/institutional, park and open space) through new development or redevelopment.
 - Transportation policies call for the provision of new local street connections in the transit station areas to create smaller block structure supportive of denser development and pedestrian accessibility to the transit stations.
 - Transportation policies recommend the development of a multi-use trail linking Uptown and the University area via station areas, which would connect to the greenway along the creek southwest of Brevard Street.

- **TRANSPORTATION CONSIDERATIONS**

- The site is along a major collector and bordered to the south by a potential spur of the Cross Charlotte Trail. This current site plan proposes constructing a new public street along Brevard Street that will serve as the main access for this site while maintaining Duke Energy and CATS access to facilities adjacent to the Blue Line Extension. If the outstanding issues are resolved, the new street will function safely for all users and can be incorporated into the transportation system.
- See Transportation Issues, Notes 1 through 3.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant parcel).
 - Entitlement: 40 trips per day (based on 10,200 square feet of warehouse uses).
 - Proposed Zoning: 370 trips per day (based on 40 multi-family apartment dwelling units).

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:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce 18 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 18 students.
 - The proposed development is projected to impact the school utilization (without mobile classroom units) as follows:
 - Highland Renaissance Elementary will increase from 97% to 99%;
 - Martin Luther King Jr. Middle will remain at 101%; and
 - Garinger High will remain at 129%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water currently does not have water or sewer system availability for the parcel under review. The closest existing water main is located approximately 90 feet south of the southern corner of the property on North Brevard Street. The closest existing sewer main is located approximately 90 feet south of the southern corner of the property on North Brevard Street.
- **Engineering and Property Management:** The petitioner is advised that the proposed development and construction of the adjoining public street will be treated as a single project for applicability and compliance with the City's Post Construction Storm water Ordinance.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESTransportation

1. The petitioner shall revise the site plan and "Transportation" Note 4d to call out a specific pavement structure that is different than the standard commercial wide standard. The proposed pavement structure for the proposed local public street shall be 8" B25.0C, 4" of I19.0C, and 3" of S9.5C and should be placed on a proof rolled and 100% compacted subgrade to accommodate maintenance vehicles.
2. The petitioner should revise the site plan to depict and label "head-in" angle parking on the west side of the proposed public street.
3. The petitioner should revise the site plan to add a note specifying all transportation

improvements will be constructed and approved before the site's first building certificate of occupancy is issued or phased per the site's development plan.

4. Add a note that the proposed public street will be platted prior to the issuance of a certificate of occupancy for the proposed structure.

Environment

5. Amend Note 7B to delete the following: The City of Charlotte will be responsible for the installation of the remaining width of the trail, which is not located within the site, and will be responsible for maintenance of the multi-use trail.

REQUESTED TECHNICAL REVISIONS

Land Use

6. Amend "Development Summary" to reflect proposed zoning as TOD-R-O (transit oriented development – residential, optional).
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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