

<b>REQUEST</b>	Current Zoning: I-2 (general industrial) Proposed Zoning: TOD-MO (transit oriented development - mixed-use, optional)
<b>LOCATION</b>	Approximately 3.06 acres located on the west side of North Davidson Street between East 21 <sup>st</sup> Street and East 22 <sup>nd</sup> Street. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to redevelop a site in the Optimist Park neighborhood, currently developed with office, retail and warehouse uses, with a transit oriented residential development community with ground floor retail. The site is within ½ mile of the Parkwood Transit Station on the LYNX Blue line and near the proposed Cross Charlotte Trail.
<b>PROPERTY OWNER</b>	Ideal Investments & Property Management, North Mecklenburg Animal Rescue Inc., Southeast Lighting, Inc.
<b>PETITIONER</b>	MV Residential Development, LLC
<b>AGENT/REPRESENTATIVE</b>	Jeff Brown and Bridget Dixon, Moore & Van Allen PLLC
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 15
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be consistent with the <i>Blue Line Extension Transit Station Area Plans</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends transit supportive uses for this site, and is also consistent with the recommendation for active ground floor uses on North Davidson Street.</li> </ul> </li> <li>• 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"> <li>• The site is within ½ mile of the Parkwood Transit Station and near the Cross Charlotte Trail alignment and is included in a larger area envisioned to be redeveloped with transit supportive development; and</li> <li>• The proposed transit oriented development zoning is more consistent with the vision for the area than the current industrial zoning; and</li> <li>• The project will include active ground floor uses along North Davidson Street, in close proximity to the Cross Charlotte Trail alignment; and</li> <li>• The project will enhance the pedestrian environment along the public street frontages by installing new sidewalks and planting strips along public street frontages, and providing building entrances that connect directly to the public sidewalks;</li> </ul> </li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Spencer seconded by Eschert).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <p><u>Transportation</u></p> <p>1. Added Note 9C under “Community Support for Signage, Housing and Mobility” as follows: “The petitioner will donate \$10,000 to a B-cycle station to be located close to the Parkwood Avenue Light Rail Station or Cordelia Park. The funds will be contributed prior to the issuance of the first certificate of occupancy for the building and shall be used solely for the above-reference signage purposes.”</p>
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	<p><u>Site and Building Design</u></p> <p>2. Amended Note 6N under “Architectural Standards” to specify that the ground floor façade on North Davidson Street shall be comprised of 60% clear glass between two and ten feet on the first floor of the building.</p> <p><u>Land Use</u></p> <p>3. Amended Note 3a under “Permitted Uses” to state that a minimum of 3,500 square feet devoted to retail, eating/drinking/entertainment establishments, personal service and office uses permitted in the TOD-M (transit oriented development - mixed-use) district will be provided.</p>
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**VOTE**

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

**ZONING COMMITTEE DISCUSSION**

Staff reviewed the petition and indicated that all outstanding issues had been resolved. Staff noted that this petition is consistent with the *Blue Line Extension Transit Station Area Plan*. 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](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Maximum of 290 multi-family residential dwelling units and a minimum of 3,500 square feet devoted to retail, eating/drinking/entertainment establishments, personal service, and office uses permitted in the TOD-M (transit oriented development - mixed-use) district.
  - One principal building is permitted.
  - Building height limited to five stories and 75 feet.
  - Building materials will be a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding, stucco, EFIS, decorative metal panels, decorative block and/or wood. Vinyl may only be used on windows, soffits, handrails/railings.
  - Ground floor residential units facing East 21<sup>st</sup> Street and East 22<sup>nd</sup> Street will have building entrances with direct access to the public streets.
  - For building walls along North Davidson Street, the ground floor will be taller and architecturally different than upper floors with more transparency than upper floors.
  - Blank walls will be treated with horizontal and vertical variations in wall planes, in addition to ordinance blank wall provisions.
  - Ground floor residential units will be raised an average of 12 inches above grade. Units shall be no more than five feet above grade and two feet below. Variations shall be allowed to accommodate the elevations and slopes of the existing streets. Balconies or porches provided on ground floor residential units facing the abutting public streets will be designed to have primary entrances to the adjoining public street.
  - Entrances will be provided a maximum of 150 feet apart on North Davidson Street.
  - Facades fronting public streets shall include a minimum of 60% transparent glass between two and ten feet on the first floor. The frontage on North Davidson Street shall have 100% usable space with a minimum first floor height of 16 feet and a minimum depth of 20 feet.
  - Portions of the building over 150 feet in length shall provide façade variations that visually separate the individual units.
  - The ground floor of parking structures viewable from public rights-of-way shall be wrapped with active uses such as residential, office and retail.
  - No parking structure entrances or driveway shall be from North Davidson Street.
  - The petitioner will donate \$10,000 to a B-cycle station to be located close to the Parkwood Avenue Light Rail Station or Cordelia Park. The funds will be contributed prior to the issuance of the first certificate of occupancy for the building and shall be used solely for the above-

referenced signage purposes.

- The petitioner will donate \$25,000 to the Optimist Park Community to be used in conjunction with the City of Charlotte or other community master signage initiatives benefitting the Optimist Park Community for wayfinding and identification. The funds will be contributed prior to the issuance of the first certificate of occupancy for the building and shall be used solely for the above-referenced signage purposes.
- The petitioner will donate \$20,000 to the City of Charlotte Housing Trust Fund to be used to support workforce/affordable housing. The funds will be contributed prior to the issuance of the first certificate of occupancy for the building and shall be used solely for the above-referenced signage purposes.
- **Optional Provisions:**
  - Allow a maximum building height of 75 feet.
  - Eliminate minimum parking requirements for retail, eating/drinking/entertainment establishments, personal services, and office uses.
- **Public Plans and Policies**
  - The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit supportive uses for this site.
  - Active ground floor non-residential uses, such as retail or office, should be provided along North Davidson Street from Parkwood Avenue to East 24<sup>th</sup> Street and along various sections of Parkwood Avenue. To be most accessible to transit users, these ground floor uses should be designed to include clear glass windows and doors and entrances that front on and connect to the sidewalk.
  - The adopted cross-section for North Davidson Street is an eight-foot sidewalk and eight-foot planting strip with a 16-foot setback, with an option to widen for recessed on-street parking, a five-foot bike lane and two 10-foot travel lanes.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is between unsignalized local street intersections along a minor thoroughfare with existing bike lanes. The current site plan provides the desired street cross-sections and streetscape features as envisioned by the area plan and commits to a pedestrian crossing across North Davidson Street to the Cross Charlotte Trail access point.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 225 trips per day (based on 3,231 square feet of office and 35,560 square feet of warehouse uses)
      - Entitlement: 160 trips per day (based on 45,870 square feet of warehouse uses).
    - Proposed Zoning: 2,130 trips per day based on 290 multi-family dwellings and 3,500 square feet of retail 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:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce 131 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 131 students.
  - The proposed development is projected to increase the school utilization (without mobile classroom units), over existing conditions, as follows:
    - Walter G. Byers K-8 (elementary) from 102% to 116%;
    - Walter G. Byers K-8 (middle) from 102% to 111%; and
    - West Charlotte High from 96% to 97%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing six-inch water distribution main located along East 22<sup>nd</sup> Street and existing eight-inch water distribution mains located along East 21<sup>st</sup> Street and North Davidson Street. There is also a two-inch water distribution main located along East 21<sup>st</sup> Street. Sewer system availability is per an existing eight-inch gravity sewer mains located along East 22<sup>nd</sup> Street, East 21<sup>st</sup> Street, and North Davidson Street.

- **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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**Attachments Online at [www.rezoning.org](http://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 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
  - Transportation Review

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