

May 30, 2017

REQUEST	Current Zoning: R-5 (single family residential) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 0.357 acres located at the northeast intersection of Belmont Avenue and Pegram Street, east of Allen Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to reuse an existing building and an abutting parcel in the Belmont neighborhood, to allow eating/drinking/entertainment establishments, neighborhood food and beverage, exercise gym, general office, retail and/or residential uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Camp Greene Properties, LLC Camp Greene Properties, LLC Matt Langston, Landworks Design Group PA
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 19
STATEMENT OF CONSISTENCY	<p>The Zoning Committee found this petition to be inconsistent with the <i>Belmont Area Revitalization Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none">• The area plan recommends single family residential uses at a density of up to five 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">• <i>Belmont Area Revitalization Plan</i> reflected the community's desire to maintain and upgrade the convenience-type retail services located in the neighborhood and also create additional, accessible retail nodes; and• Through the plan development process, one recurring issue noted was the need for new commercial development convenient to residents, as opposed to some existing businesses at the time that did not serve the needs of residents (i.e. liquor stores); and• Therefore, the adopted plan recommended that several of the existing corner store sites, including the subject property, transition into single family residential or other more compatible uses with the established development pattern; and• However, this site is developed with a commercial structure that is being considered for status as a Historic Landmark by the Historic Landmarks Commission. The rezoning proposes reuse of the existing structure known as the Red Front Department Store built in 1902; and• As proposed, the rezoning will allow uses that will complement the established neighborhood, and the petition notes that food will be sold in any establishment where alcohol is sold on site.• In addition, this property is located adjacent to an existing non-residential building with current tenants and across the street to an industrial site along Belmont Avenue; <p>By a 7-0 vote of the Zoning Committee (motion by Majeed seconded by Wiggins).</p>

**ZONING COMMITTEE
ACTION**

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Revised the site plan to add a note specifying dedication and fee simple conveyance of all right-of-way to the city before the site's first building certificate of occupancy is issued. Amended Note 5B under to state that right-of-way will be set at the back of sidewalk

	<p>along Pegram Street and Belmont Avenue.</p> <ol style="list-style-type: none"> Added Note 6C to state that building facades will be articulated with store front windows, canopies, porches, cornices, roof lines, and window details to avoid blank facades and encourage active pedestrian use. Provided a photo of the proposed six-foot high “living screen” buffer alternative along the property boundary abutting tax parcel 081-127-06. Amended Note 2(c) as follows: Historic landmarks requirements for windows on the existing building shall supersede ordinance requirements for windows (e.g. zoning may not require new window openings in conflict with maintaining historic character of the building). Removed “coffee shops” from the list of permitted uses and replaced with “neighborhood food and beverage” uses. Labeled the eight-foot wide existing sidewalk fronting the subject property on Pegram Street. Deleted brewery as a proposed use. CDOT withdrew the request for the consolidation of the two driveways.
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VOTE

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

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition, noting that the petition is inconsistent with the *Belmont Revitalization Plan*, which recommends single family uses at a density of five units per acre. Staff pointed out that a brewery has been removed as a permitted use, and that there is one outstanding issues pertaining to a request by CDOT to provide one two-way driveway, in lieu of two one-way driveways.

Several committee members questioned CDOT’s request for one two-way driveway. CDOT staff responded that the request for consolidation of driveways was because two driveways create multiple breaks in the pedestrian path along the short sit frontage, and continued that consolidation may result in the loss of internal parking spaces. Another staff member added that the petitioner indicated that consolidation of the driveways will pose a detrimental impact to the site circulation. CDOT ultimately decided that the two driveways, while not ideal, would be acceptable.

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:

- Retains the existing 6,048-square foot (3,024-square foot heated) building to allow eating/drinking/entertainment establishments (Type 2), neighborhood food and beverage, exercise gym, general office, retail and/or residential uses. Outdoor entertainment associated with any use will cease at 11 p.m., and food will be offered for sale if alcohol is sold on site.
- No parking will be located between the principal building and the public streets.
- The existing building will be allowed as the principal building, and enclosed accessory buildings shall not exceed 600 square feet.
- Site access via two one-way driveways on Belmont Avenue.
- Building facades will be articulated with store front windows, canopies, porches, cornices, roof lines, and window details to avoid blank facades and encourage active pedestrian use.
- Building finishes will include brick, stone and/or other masonry products and cementitious siding

- or other durable siding materials. Plastic or metal material may be used for incidental architecture details including windows, doors, and trim details. Vinyl will not be used as siding material.
- A 14-foot wide sidewalk will be provided between the existing principal building and the first driveway on Belmont Avenue.
 - Optional Provisions:
 - Allow parking at a rate of one space per 400 square feet of the principal building, regardless of use.
 - Any buffering required between the site and abutting single family use or zoning may be satisfied by providing a six-foot high “living screen” along the rear property line abutting tax parcel 081-127-03. The “living screen” will be wire mesh that is six feet tall with evergreen climbing vegetation or pressure treated posts with a minimum of six strands of stainless steel wire space horizontally with evergreen climbing vegetation (additional details are provided in the site plan notes).
 - Historic Landmarks requirements for windows on the existing building shall supersede ordinance requirements for windows that may conflict with maintaining the historic character of the building, such as when the zoning ordinance may not require new window openings in conflict with maintaining historic character of the building.
 - All right-of-way will be dedicated and conveyed in fee simple to the city before the site’s first building certificate of occupancy is issued.
 - Right-of-way will be set at the back of sidewalk along Pegram Street and Belmont Avenue.
 - **Public Plans and Policies**
 - The *Belmont Area Revitalization Plan* (2003) recommends single family residential uses at a density of up to five units per acre.
 - **TRANSPORTATION CONSIDERATIONS**
 - The site is at the unsignalized intersection of two streets classified as minor collector streets. CDOT continues to have concerns about the proposed driveway which creates multiple breaks in the pedestrian path along the relatively short site frontage.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 1,100 trips per day (based on 6,050 square feet of retail uses).
 - Entitlement: 1,100 trips per day (based on 6,050 square feet of retail uses).
 - Proposed Zoning: 1,100 trips per day (based on 6,050 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 parking on roads less than 26 feet clear width.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Engineering and Property Management:**
 - **Arborist:** No trees can be removed from or planted in the right-of-way of Belmont Avenue or Pegram Street without permission of the City Arborist’s office. Petitioner must submit a tree survey for all trees two inches or larger located in the right-of-way, and the survey shall include all trees eight inches or larger in the setback.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** No issues.
 - **Charlotte Water:** Charlotte Water has water system availability via an existing eight-inch water distribution mains located along Pegram Street and Belmont Avenue, and sewer system availability via existing eight-inch gravity sewer mains located along Pegram Street and Belmont Avenue.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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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 Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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