



Zoning Committee

REQUEST	Current Zoning: B-1 (neighborhood business) and O-2 (office) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 0.77 acres located south of Crescent Avenue and north of South Laurel Avenue, between Providence Road and Willoughby Street. (Council District 1 - Egleston)
PETITIONER	Circa Investments, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

The retail and office portion of this petition is found to be consistent with the *Elizabeth Area Plan*; however, the residential portion is inconsistent with the *Elizabeth Area Plan* based on the information from the staff analysis and the public hearing, and because:

- The plan recommends retail and office for the subject parcels.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The proposed office and retail development supports the Plan's recommendation for maintaining retail and office uses along the Providence Road corridor; and
- The integration of office, retail and residential uses support the goal of building mixed use places with access to needs and services; and
- The building on S. Laurel Avenue is located to maintain and strengthen the established street-oriented neighborhood pattern by fronting on the street consistent with the adjacent buildings; and
- The mixed use building on Crescent Avenue includes a 50-foot setback from the street and a front yard open space that supports the street's established pattern of building setbacks and front yards; and
- The mixed use building on Crescent Avenue includes a base height of 40 feet and a maximum 50-foot height with a step back to minimize its visual impact along the street.

Motion/Second: Watkins / Ham

Yeas: Fryday, Gussman, Ham, McClung, McMillan, Samuel, and Watkins

Nays: None
Absent: None
Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted at the public hearing staff recommended approval upon resolution of the outstanding issues. The applicant agreed to address all the outstanding issues. The retail and office portion of the petition is consistent with the *Elizabeth Area Plan*; however, the residential portion is inconsistent with the *Elizabeth Area Plan*.

One Commissioner had a question about the dumpster and would the alleyway to the rear of the site be blocked. Staff responded that the dumpster is adjacent to the existing business and would be screen per the Zoning Ordinance. The existing alleyway would remain open and not be blocked by the proposed development.

Another Commissioner had questions about the height, parking, and use of the NS (neighborhood services district).

Staff responded that the district allowed a maximum height of 60 feet. The conditional plan limited the building to 50 feet in height and provided a detail for the step backs for the upper floor. The site would be required to provide one space per 600 square feet and one space per each residential unit. The site requires 23 off-street spaces and the plan is showing 30 off-street spaces. Staff noted that the Charlotte Area Transit System operates a bus line along Providence Road and the site is less than a quarter mile for the closest bus stop.

Staff explained the overall changes on the site plan from the previous plan where staff recommended denial. Staff explained that the developer committed to maximum building height of fifty feet, with specified step backs. The site was providing a building along Laurel Avenue to continue the streetscape into the neighborhood and not a surface parking lot. The developer limited the allowed uses to office, residential, showroom and other low vehicle trip uses.

Commissioners noted that the proposed uses were in alignment with existing adjoining uses and that parking was in conformance with requirements. The Commission discussed how the site could develop a larger and taller structure. Commissioners noted appreciation of applicant and staff's efforts to work to improve the quality and details of the project.

There was no further discussion of this petition.

PLANNER

Solomon Fortune (704) 336-8326