

<b>REQUEST</b>	Current Zoning: B-1 (neighborhood business) and O-1 (office) Proposed Zoning: NS (neighborhood services)
<b>LOCATION</b>	Approximately 0.77 acres located south of Crescent Avenue and north of South Laurel Avenue between Providence Road and Willoughby Street. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the redevelopment of three existing residential structures converted to commercial use in the Crescent Heights area to allow the development of 16,800 square feet of non-residential use and six multi-family residential dwelling units.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Circa Investments, LLC Circa Investments, LLC Matt Langston\ Landworks Design Group PA
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 37

<b>STAFF RECOMMENDATION</b>	<p>Staff does not recommend approval of this petition in its current form.</p> <p><u>Plan Consistency</u> The proposed is consistent with the <i>Elizabeth Area Plan</i> recommendation for retail and office uses. The proposed residential use is inconsistent with plan's recommendation.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The subject site is located on a local street off of Providence Road. The street transitions from commercial uses at Providence Road to multi-family and single family residential uses.</li> <li>• The plan recognizes the established non-residential uses on this and abutting properties and recommends continued non-residential use.</li> <li>• The proposed uses are consistent with the adopted area plan, but the scale of the proposed structure is inconsistent with the area plan recommendation calling for low scale buildings compatible with existing buildings. Specifically, the proposed 50-foot building height is incompatible, as most of the nearby structures are 40 feet or less in height.</li> <li>• Demolition of the single family structure on Cherokee Road and replacement with a surface parking lot creates a gap in the street wall and detracts from the established neighborhood pattern with buildings fronting along the public street.</li> </ul>
---------------------------------	--

**PLANNING STAFF REVIEW**

- **Proposed Request Details**
  - Allows up to six multi-family dwelling units and 16,800 square feet for retail and office use in a mixed use structure for an overall building square footage of 32,000 square feet on a parcel fronting along Crescent Avenue, and off-street parking on a parcel fronting Cherokee Road.
  - Eight-foot planting strip and six-foot sidewalk along Crescent Avenue and Cherokee Road.
  - 50-foot building setback from the back of curb along Crescent Avenue.
  - Minimum 1,200-square foot open space along the Crescent Avenue building frontage.
  - 15-foot wide landscape area along the eastern property line for the parcel along Crescent Avenue.
  - 10-foot wide landscape area along the proposed parking area abutting the residential use fronting on Cherokee Road.
  - One way vehicular access site from Crescent Avenue and one way exit along Cherokee Road.
  - The following uses shall not be permitted: eating/drinking/entertainment establishments, financial institutions, funeral homes, group homes, clinics, and cultural facilities.

- Building elevations of the proposed structures are shown, and the following commitments have also been made:
  - Building materials will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, stucco. Vinyl may only be used on windows, garage doors, soffits, trim and handrails/railings.
  - No expanses of blank wall exceeding 20 feet in length will be permitted along street frontages.
  - Maximum 50 feet in height with rooftop terraces.
- Steel picket fence with brick columns in front of parking located on Cherokee Road.
- Detached lighting limited to 22 feet in height.
- **Existing Zoning and Land Use**
  - The subject property is currently zoned B-1 (neighborhood business) and O-2 (office) and developed with three residential structures converted for commercial use and a warehouse building.
  - The properties to the north and west are zoned B-1 (neighborhood business) and developed with various low scale commercial buildings and uses.
  - The properties to the east are zoned R-22MF (multi-family residential) and O-2 (office) and developed with residential buildings and low scale commercial structures.
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - There have been no rezonings in the immediate area in recent years
- **Public Plans and Policies**
  - The *Elizabeth Area Plan* (2011) recommends maintaining office and retail uses on the proposed site but discourages further encroachment of these uses into the neighborhood. The plan recommends future infill to be compatible with the setback and scale of the established neighborhood character.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located between a local street and a major collector. CDOT is concerned about the proposed driveway locations and the one way circulation of the site.
  - See Outstanding Issues, Notes 9 and 10.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 160 trips per day (based on 8,644 square feet of office/warehouse uses).
      - Entitlement: 1,110 trips per day (based on 8,750 square feet of retail/ office uses).
    - Proposed Zoning: 2,290 trips per day (based on 16,880 square feet of retail uses and six dwelling units).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate seven students, while the development allowed under the proposed zoning will produce three students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
  - The proposed development is not projected to increase the school utilization (without mobile classroom units), and utilization will remain as follows:
    - Eastover Elementary at 92%;
    - Alexander Graham Middle at 112%; and
    - Myers Park High at 114%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water distribution main located along Crescent Avenue and an existing two-inch water main located along Cherokee Road. There is sewer system availability via existing eight-inch gravity sewer mains located along Crescent Avenue and Cherokee Road.

- **Engineering and Property Management:**
  - **Arborist:** Petitioner should show all trees in the right-of-way on the site plan. No trees can be removed from or planted in the right-of-way of Cherokee Road and Crescent Avenue without permission of the City Arborist's office. The petitioner also must submit a tree survey for all trees two inches or larger located in the rights of way. In addition, 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.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Park and Recreation Department:** No issues.

## OUTSTANDING ISSUES

### Land Use

1. Provide a residential structure that fronts along Cherokee Road to continue the established building pattern along the street.

### Site and Building Design

2. Proposed infill development should be in scale and compatible with adjacent structures and limited to three stories and 48 feet to be consistent with the surrounding context.
3. Provide and label 15-foot Class "C" buffer along the eastern edge of the mixed structure lot.
4. Adjust screen fence to show that required screening shrubs can be planted in a five-foot strip.
5. Remove parking from the side yards to allow full area to be planted.
6. Landscaping shown on elevations does not match landscaping shown on site plan, and needs to be revised so landscaping plan details are consistent.
7. Ensure that trees abutting parking used to meet Tree Ordinance requirements for parking lots have adequate planting area per the ordinance.

### Environment

8. Address City Arborist comments; it appears a tree in the right-of-way will be removed to install a driveway.

### Transportation

9. The petitioner should revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at back of sidewalk.
10. CDOT is requesting that the driveway on Crescent Avenue be relocated to the east side of the property. This would require sliding the proposed building to the west side and essentially flipping the site on the north side of the development. CDOT has safety and operational concerns with the proximity of the current driveway location to Providence Road.

## REQUESTED TECHNICAL REVISIONS

11. Under the proposed uses eliminate "dwellings, detached, duplex and triplex" and park.
12. Modify Note 6e to include the correct parcel number.

---

## Attachments Online at [www.rezoning.org](http://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 Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Park and Recreation Review

- Transportation Review

**Planner:** Solomon Fortune (704) 336-8326